

QUEER LINGUISTIC IMPERIALISM: TYPOLOGICAL AND LINGUISTIC OBSTRUCTIONS TO
THE EMANCIPATION OF SEXUAL ORIENTATION AND GENDER IDENTITY MINORITIES IN
POSTCOLONIAL PAKISTAN

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List of Acronyms

BLIOR	British Library India Office Records
CDA	Critical Discourse Analysis
CNIC	Computerised National Identity Card
CTA	Criminal Tribes Act
EEA	English Education Act
ELT	English Language Teaching
FATA	Federally Administered Tribal Areas
GNC	Gender Non-Conforming
IPA	International Phonetic Alphabet
IPC	Indian Penal Code
LGBTQ+	Lesbian, Gay, Bisexual, Transgender, Queer
NADRA	National Database and Registration Authority
NLP	National Language Practices
NWFP	North-Western Frontier Provinces
PATA	Provincially Administered Tribal Areas
PPC	Pakistan Penal Code
QLI	Queer Linguistic Imperialism
SOGIE	Sexual Orientation, Gender Identity, and Gender Expression
TPPRA	Transgender Persons Protection of Rights Act

Abstract

This thesis examines the role of (post)colonial language practices as mechanisms of Sexual Orientation, Gender Identity, and Gender Expression (SOGIE) marginalisation in contemporary Pakistan. Primarily, this qualitative research investigates the English language colonial construction of SOGIE identity and analyses the postcolonial legacy of the SOGIE colonial episteme as it is replicated through the maintenance of the English language in contemporary Pakistan. Notably, this research contributes to the existing knowledge of the intersection between the colonial empire and SOGIE identity by conducting an empirical archival study which extensively studies the epistemological construction of colonial identity terminology. Furthermore, I present Queer Linguistic Imperialism, a theoretical framework of my design that analyses the construction, naturalisation, and maintenance of colonial identity terminology within (post)colonial discourses. The originality of Queer Linguistic Imperialism analyses how these instances of colonial language usage both produce and reproduce SOGIE marginality in postcolonial Pakistan.

From the data collected, this research concludes that the process of English language domination, which occurred through the British colonisation of South Asia, is a central mechanism to the contemporary marginalisation of SOGIE persons in Pakistan. Through the maintenance of English as the official language of Pakistan, there exists the lingual framework in which to reproduce colonial identity terminology, such as the endured usage

of 'eunuch' as a descriptor of South Asian SOGIE identity. The continued discursive inclusion of colonial SOGIE terminology transmits the epistemological value attached to it and further normalises the colonial constructions of South Asian SOGIE identity. Therefore, the linguistic and typological obstructions to SOGIE emancipation in contemporary Pakistan are facilitated by the postcolonial inheritance of the English language and the SOGIE identity markers which communicate marginality.

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Introduction:

Sexual Orientation, Gender Identity, and Gender Expression (SOGIE) minorities in Pakistan experience socio-political marginalisation. Scholarly consensus attributes the present SOGIE marginalisation in Pakistan to the British Empire and the inherited legacies of the Indian Penal Code (1860) and the Criminal Tribes Act (1871), which criminalised gender and sexually non-normative identities. This thesis interrogates this claim and argues explicitly that the mechanism of SOGIE repression in contemporary Pakistan is linguistically derived; insofar, as the postcolonial inheritance of the English language and colonial era SOGIE terminology reproduces the colonial episteme which marginalises SOGIE persons. As presented by this thesis, therefore, the obstructions to SOGIE emancipation in Pakistan should crucially be seen as a linguistic and typological problem. To demonstrate this argument, this research uses Queer Linguistic Imperialism, an original theoretical framework of my own design, to conduct an archival analysis of textual data which examines the English construction of SOGIE South Asian identities. Prior to the project outline, a positionality statement prefaces the relationship between my identity and this research. First, this introduction summarises the existing literature on the British colonisation of South Asia and its implications for identity as it applies to the research questions of this thesis. Second, there is an outline of the theoretical and methodological approaches underpinning this project. To conclude, there is an overview of the research findings and their resultant analysis. The subsequent introduction reflects the organisation of the overall thesis and provides an outline of each chapter.

Positionality Statement:

To preface the subsequent thesis and research conducted, within this introduction I want to state, transparently, my positionality to undertake this project. Positionality is essential for this research, aware that a white academic is studying the systems of marginality which constrain South Asian SOGIE existence. Despite my Queer identity, I acknowledge the potential of this research to speak on behalf of a community in which I do not belong. To mitigate this, I refrain from misrepresenting the lived experiences, cultures, and histories of South Asian populations and instead rely on the scholarly output of South Asian persons themselves. Where possible, this thesis prioritises research on South Asian SOGIE identities, and the influence of British colonialism which South Asian scholars have produced. To avoid the misrepresentation of South Asian SOGIE communities, I purposefully designed this research to focus on institutionally authored data rather than engage with SOGIE-authored archival sources.

Furthermore, this thesis concerns the impact of British colonialism and the English language construction of SOGIE knowledge as it is written, disseminated, and inherited in postcolonial Pakistan. As such, I engage with English language textual data only and clarify that this research represents the implementation and existence of Anglophile epistemes in (post)colonial discourses. As an outsider to South Asian communities, I do not engage with local language textual data as I acknowledge my limited knowledge of both the language(s) and context. Due to

my positionality, this research consciously engages in an archival research design rather than participant data so as not to misrepresent or speak on behalf of marginalised communities. Moreover, the approach detailed here informs the terminology used throughout this thesis to represent gender and sexuality. Insofar, rather than using the hegemonic LGBTQ+ acronym, which represents Anglophile epistemes, this research utilises Sexual Orientation, Gender Identity, and Gender Expression (SOGIE) as a collective marker for identarian difference inclusive of socio-cultural contexts.

Introductory Context, Existing Literature, and Research Questions:

The effects of British colonialism on global communities have long been researched and benefit from an expansive repertoire of literature which transcends academic disciplines. Notably, the intersection of gender and empire witnesses an increased scholarly interest, with frequent reinterpretations of colonial discourses and mechanisms which perpetuate gendered inequalities on behalf of Anglophile frameworks (Hinchy, 2019; Gannon, 2009; Khan, 2017; Khan, 2014, 2019). Within the confines of the gendered empire, the inquiry of Sexual Orientation, Gender Identity, and Gender Expression (SOGIE) minorities assumes a pivotal space in the research of British colonialism and its effects on South Asia. Scholarly research identifies the distinct SOGIE South Asian communities of Hijras and Khwaja Siras as definitive targets of British colonialism, who

sought to regulate their identities through Anglophile regimes of gender, sex and sexuality (Ahmed, 2019; Hinchy 2017, 2020).

Sexual and gender minorities of South Asia experienced legislative regulation by the British Empire, which saw the redefinition of their identities through Anglophile paradigms (Alamgir, 2022). Resultantly, the colonial regime produced legislative and discursive marginalisation of SOGIE South Asians, namely, the Hijra and Khwaja Sira (Hinchy, 2019). As part of the British Empire's administrative regulation of the Indian subcontinent, a plethora of South Asian SOGIE identities were legislatively collectivised as 'eunuchs' through the Criminal Tribes Act (1871) and faced a myriad of socio-legal exclusion (Hussain, 2019). At the extreme, purported 'eunuchs' were systematically registered and resettled in reformatory settlements in the North-Western Frontier Provinces, which now encompass the territory of contemporary Pakistan (Hinchy, 2019).

Existing literature acknowledges the legislative and discursive regulation of South Asian SOGIE minorities through the epistemological streamlining of Eastern identities with Anglophile frameworks of sex and gender (Ahmed, 2019). Research highlights the issues of colonially constructed SOGIE identities, such as the 'eunuch', and its role in altering the socio-political landscape for SOGIE minorities in South Asia (Hinchy, 2017). Specifically, scholars outline how the British Empire's regulation of non-normative identities reduced the historically integrated Hijra and Khwaja Sira to a status of inferiority and social exclusion (Abbott, 2020; Kalb, 2023; Khan, 2017).

The extremes of the British Empire's reformatory resettlement of South Asian SOGIE minorities contrast with the established socio-cultural integration of pre-European histories of the Indian subcontinent (Vanita and Kidwai, 2016). Unfortunately, in postcolonial Pakistan, the landscape for SOGIE minorities mirrors that of colonial marginalisation rather than pre-European integration and acceptabilities (Khan, 2019a). Therefore, the contemporary status of SOGIE persons in postcolonial Pakistan is influenced, at least in part, by British colonialism and the systems of thought and governance it executed throughout the region. While the inherited marginalisation of South Asian SOGIE communities by British colonialism is frequently studied, research seldom considers the correlation between the implementation of the English language and SOGIE oppression.

This thesis expands upon the existing statute of SOGIE-centred research and the effects of British colonialism which informs the livelihoods of SOGIE South Asian minorities in Postcolonial Pakistan. To state the originality of this research, this project argues that the contemporary marginalisation of SOGIE persons in Pakistan is a product of (post)colonial language practices. Specifically, the obstructions to SOGIE emancipation are linguistic and typological, whereby the epistemological legacies of British colonialism are maintained through the English language's hegemonic status in postcolonial Pakistan. Furthermore, the promotion of the English language in British India combined with the colonial replacement of SOGIE South Asian identities with English language terminologies constructs and enacts colonial marginalisation. Contemporarily,

through the postcolonial maintenance of the English language in postcolonial Pakistan, the Anglophone identity markers of the colonial era are reproduced and perpetuate the colonially manufactured epistemologies which marginalised SOGIE persons. The linguistic and typological obstructions that inhibit SOGIE emancipation in contemporary Pakistan are a product of QLI, which is overcome through the decolonisation of identity markers and national language practices.

To expand on the stated contribution of this thesis, the overarching research questions and objectives are to examine the linguistic, typological, and epistemological construction of SOGIE identity by the British Empire via the English language. Furthermore, to analyse the specific Anglophile gender-sex knowledge systems they reflect and how they (re)produce SOGIE marginality in (post)colonial Pakistan. To achieve the above objectives, this thesis seeks to develop and implement a theoretical framework of the author's design: Queer Linguistic Imperialism. Thus, the research questions associated with this thesis are as follows:

- i) Map the development of Queer Linguistic Imperialism as a conceptual framework.
- ii) Identify the specific lexical sites of Queer Linguistic Imperialism and the Anglophile gender-sex knowledges as they have been (re)produced in (post)colonial Pakistan.
- iii) Examine the (post)colonial epistemic and linguistic evolution of these discursive sites in (post)colonial Pakistan.

- iv) Critically explore the societal and political impacts of Queer Linguistic Imperialism and the linguistic obstructions to Sexual Orientation and Gender Identity/Expression (SOGIE) emancipation in postcolonial Pakistan.

Theory and Methodology:

To explore the role of linguistic and typological hindrances to the contemporary emancipation of SOGIE minorities in postcolonial Pakistan, I engage in qualitative archival research and operationalise my theoretical creation: Queer Linguistic Imperialism. Queer Linguistic Imperialism (QLI) is both a phenomenon of language use and a theoretical framework in which to analyse instances where QLI have occurred. The phenomena of QLI is regarded as instances of language use where the dominant terminology for SOGIE identity is the product of (post)colonial language domination. Moreover, it represents the problematic usage of (post)colonially imported identity terminologies which are used within official discourses in place of local language alternatives. Theoretically, QLI theorises the relationship between (post)colonial language use and SOGIE marginalisation; whereby, the colonial terminologies of SOGIE identity which manufacture marginality are maintained postcolonially as hegemonic structures of language inheritance. Through colonisation, language domination hegemonises colonial language superiority, including that of identity terminology and the knowledge frameworks they represent. Processes of naturalisation standardise the colonial language and its identarian

terminologies, superimposing colonial epistemologies onto colonised communities. Upon postcolonial independence, lingual inheritance and the sustained use of colonially imported SOGIE terminologies perpetuate colonial-era epistemologies of identity.

QLI has been created due to the lack of methodological or theoretical frameworks equipped to analyse the relationship between (post)colonial language practices and SOGIE marginalisation within the existing literature. Scholarly output has yet to connect (post)colonial language practices and language domination to that of SOGIE marginalisation in postcolonial Pakistan. While few studies problematise the hegemonic discourses of LGBTQ+ identity and the colonially implemented 'eunuch', existing research overlooks the nature of (post)colonial language practices and SOGIE repression as interconnected systems of epistemological diffusion through English language identity vocabularies. Thus, QLI explores the relationship between (post)colonial language practices, SOGIE marginalisation, and the typological and linguistic obstructions to emancipation in contemporary Pakistan. Particularly, this thesis explores the colonial construction of South Asian SOGIE identity, the epistemologies which contribute to colonial SOGIE marginalisation, and their prevalence in postcolonial Pakistan by virtue of identity terminology.

Considering the qualitative and identity-focused research design, the metaphysical foundations of this research are epistemological antifoundationalism and ontological interpretivism; each complementary to the queer-focused topic of SOGIE identity and its construction. Notably, the

rejection of an objective and empirical truth, according to antifoundational and interpretivist approaches, argues that knowledge and being are human-constructed phenomena. Since this research concerns the British colonial construction of South Asian SOGIE identities and its postcolonial maintenance through language structures, the metaphysical perspectives harmonise with the objectives of this thesis. Due to the nature of knowledge construction having roots in communication, the importance of language is paramount, as vocabulary represents constructed knowledge. Therefore, a sufficient linguistic-based theory is required to support the research into the relationship between (post)colonial language practices and SOGIE marginalisation.

Using QLI, this research follows a qualitative method that uses textual data obtained from the British Library India Office Collections and the Government of Pakistan's Online Repository. As an archival study, this research collates textual data comprising official documents from the British Empire and the Government of Pakistan between 1835 and 2018. Of the data collected, there are forty-three documents relevant to SOGIE persons, whereby there are demonstrable instances of the construction of South Asian SOGIE identity through the English language and Anglophile frameworks of gender and sex(uality).

In addition to the outlined research method designed for archival study, the methodology chapter reflects on the realities of archival research and the findings that influenced the geographical and empirical parameters of this thesis. The parameters which arise from the

archival research undertaken produce a further confined geographical territory. Pakistan features as the postcolonial case study associated with the British Empire's colonial presence in South Asia; however, the British Empire subsumes much of the Indian subcontinent, and the lack of a central authoritative governing structure throughout the territory raises potential issues of applicability. The relevance of a colonial document enacted in British Madras cannot be assumed to be relevant in the Baluchistan States led by local rulers. Thus, due to the lack of centralised colonial authority over British India, this research purposefully collects data relevant to the territories contemporarily known as Pakistan. For academic and intellectual integrity, this research consciously correlates the postcolonial territory of Pakistan to its contingent geography under the British Empire. Thereby, the textual data collected directly relates to the postcolonial case study rather than an assumed correlation upon the reductive assumption that British India was a homogenous structure.

Data, Findings, and Analysis:

The data obtained through archival research yielded a limited quantity of relevant materials. Primarily, this project relies on the archival existence of SOGIE-centred legislation, such as the Indian Penal Code (1860), the Criminal Tribes Act (1871), and the Transgender Persons Protection of Rights Act (2018). However, the dataset used for this research includes collection BLIOR/L/PS/6/117, a series of confidential correspondence within the British Empire that has yet

to feature in English-written research and academia. Collection BLIOR/L/PS/6/117 details a 73-page documentation of colonial interactions with proscribed 'eunuch' Bussunt Ali Khan over their alleged participation in the slaughter of European colonialists. This collection enables Queer Linguistic Imperialism to analyse the construction of 'eunuch' identity and how the entanglement with Khan greatly influenced the construction and enactment of the Criminal Tribes Act (1871).

Through the data collected, this research uncovers the foundational Anglophile knowledge systems that construct the colonial English language identity marker 'eunuch'. The eunuch represents discourses of positivist criminology, hereditary criminality, and Anglophile discourses of scientific empiricism which constructs South Asian SOGIE identities through frameworks of gender essentialism and enlightenment sexual prophecies. Moreover, the colonially constructed eunuch appears in postcolonial public discourses of Pakistan and continues to transmit the colonial episteme, enduring the manufactured marginalisation enacted by the British Empire through language.

Therefore, the colonial eunuch is a postcolonial problem which presents a typological and linguistic obstruction to SOGIE emancipation since the sustained presence of the English eunuch, and its reflective knowledge, continues to influence both local and state attitudes towards SOGIE minorities. However, despite the maintained usage of colonially introduced identity markers, the 2018 Transgender Persons Protection of Rights Act (TPPRA) marks a transition from the hegemonic usage of eunuch to the Anglo-hegemonic usage of transgender. Although this appears

to be a progressive step towards SOGIE justice, the substitution of one English language term for a more contemporary equivalent demonstrates the extent of English domination, which devalues local language identity markers of Pakistan. Thus, the British Empire's legacy is maintained through hegemonic English language usage in Pakistan and engages in Queer Linguistic Imperialism.

Research uncovered the slow reclamation or at least acknowledgement of local-language identities that pre-date European colonialism. In the TPPRA, secondary to the dominant usage of the transgender identity marker, local Urdu identity terms of Khusra and Khwaja Sira feature as protected gender categories. Therefore, the capacity to enable SOGIE emancipation by rejecting colonially imported identity markers and embracing local identity terminologies demonstrates a modicum of success. Thereby, it demonstrates the argument that English typological and linguistic obstructions are barriers to emancipation, which are overcome through acts of local language reclamation. Despite the positive results relating to gender variance, sexual orientation minorities are still subject to Queer Linguistic Imperialism. Whereby, the discourses constructed during the British Empire inform the social realities of sexual orientation minorities in contemporary Pakistan. Per the TPPRA, identities not expressed within the document are still regulated by the Indian Penal Code of 1860, which criminalised non-heterosexual intimacies now understood to be forms of homosexuality.

Queer Linguistic Imperialism analyses the postcolonial impacts of colonially constructed discourses and identities of SOGIE persons, demonstrating the mechanism of language dominance in maintaining colonially enacted oppression. While the landscape for gender identity is comparably favourable to that of sexual orientation, both are products of Queer Linguistic Imperialism and present linguistic and typological obstructions to emancipation. Therefore, to achieve SOGIE emancipation, there needs to be a decolonisation of identity frameworks in tandem with the decolonisation of Pakistan's national language practices, which sustain the English episteme that first subjugated SOGIE minorities.

Chapter 1: Literature Review

1.0 Introductory Context:

1.1 Purpose of the Literature Review:

Prior to commencing this research, which explores the marginalisation of Sexual Orientation, Gender Identity, and Gender Expression (SOGIE) minorities in contemporary Pakistan as a typological and linguistic issue, there requires a threefold understanding SOGIE existence: the precolonial status of SOGIE communities in South Asian society; the colonial status of SOGIE minorities under British administration; and the current status of SOGIE marginality in postcolonial Pakistan. This literature review provides an extensive report of current academic research that details the status of SOGIE existence in precolonial, colonial, and postcolonial Pakistan. Throughout this chapter's engagement with the existing literature, it critiques the research content via three central themes: language and terminological usage; the consideration of state languages and national language practices; and approaches to SOGIE liberation in postcolonial frameworks. Furthermore, the critical engagement of these themes within the broader literature situates this thesis' research as an original contribution to the study of SOGIE marginalisation in (post)colonial contexts as a linguistic and lingual phenomenon.

1.1.2 Aims and Objectives:

The objective of this literature review aims to collate the existing research of SOGIE existence in precolonial, colonial, and postcolonial Pakistan while addressing the perceived gaps in knowledge that constitute and contextualise this research. Overall, in this literary engagement, the work cited has been consulted using a set of five preliminary questions to assess the extent to which they address the foundations of this thesis, as well as provide sufficient context to situate this research. The preliminary questions seek to establish the following: 1) the status of SOGIE society in pre-European Pakistan and South Asia more broadly; 2) whether local SOGIE identities are fluid or fixed; 3) the definition of individual local SOGIE identities; 4) the impact of language and national language practices on SOGIE groups in (post)colonial Pakistan and South Asia more broadly; 5) and the prevalence of archival study or archival materials in the study of (post)colonial SOGIE relations.

1.1.3 Structure of Literature Review Chapters:

Although the literature has been consulted using a set of preliminary questions, the organisation of the review is collated into five distinct sections. First, there features a section on **queerying** terminology, which offers a precursory note on terminological usage throughout this thesis. Moreover, it engages with central concepts discussed throughout the literature, critiquing their employment and definition, before outlining their definitions as employed within this thesis. Second, it outlines the identarian precarity of SOGIE minorities in postcolonial Pakistan presented in contemporary scholarship. Third, this literature review historicises scholarly claims of

precolonial SOGIE tolerances and outlines the colonial intolerances of SOGIE identity under British administration. Fourth, it presents the status of language(s), LGBTQ+ frameworks, and approaches to decolonial praxis in achieving contemporary SOGIE liberation in Pakistan, and globally. Fifth, it amalgamates the concluding remarks of the consulted literature, highlighting the knowledge gaps in the existing research before constructing the primary research questions that underpin this thesis.

1.2 Queering Terminology:

A primary theme of lingual applicability appears throughout this thesis, with a central claim that language, languages, and identity terminologies are powerful. Insofar, that the knowledge they communicate is integral to socio-political organisation and for inter-human relations. Thus, the terminological choices made in this thesis are done with careful consideration, querying normative academic language usage, and *queering* terminologies used to represent Sexual Orientation, Gender Identity, and Gender Expression (SOGIE) identities. Academic literature which studies pre, post, and colonial relationships of global SOGIE existence, at least in the English language, predominantly utilise the LGBTQ+ acronym to represent global SOGIE identities. This trend within academic research implicitly assumes that LGBTQ+ categories are transhistorical and transnational, despite a rich and varied history of SOGIE naming. This chapter begins with a precursory note on terminological employment throughout this literature review and overall thesis before identifying three key areas of terminological queering: 1) the 'precolonial'; 2) LGBTQ+ frameworks and; 3) 'queer' appropriacy. Each of these areas are

reviewed within the existing literature, debating their appropriacy and definitions, before a *queer* definition of terms as they apply to this thesis.

1.2.1 Precursory Note on Terminological Employment:

Note that throughout these introductory chapters, prior to the research data and resulting analysis, that the identity markers used here are those employed within the consulted literature and appear italicised. The decision to utilise Sexual Orientation, Gender Identity, and Gender Expression (SOGIE) as a generalised category to represent global forms of identarian variance is influenced by the Association of South-East Asian Nations (ASEAN) SOGIE Caucus. The ASEAN SOGIE charter is committed to SOGIE inclusivity among the culturally diverse member states to implement human rights and SOGIE awareness initiatives (aseansogiecaucus.org, 2021). While Pakistan is not part of this union, nor a South-East Asian state, the definitional breadth of SOGIE is one which transcends a hegemonic knowledge of identity; removed from socio-cultural contexts, epistemologies, and ontologies of identity which cause contention, such as LGBTQ+. Moreover, this thesis argues the gravity of language as a transmitter of knowledge which has damaging effects on SOGIE communities, thus, employing terminology detached from socio-cultural conceptions of identarian existence. All references to SOGIE, and non-italicised identity markers are the authors conscious selection of language, or in the chapters of analysis, reference to the data uncovered.

1.2.2 Precolonial: A Eurocentric Imaginary?

The notion of the 'precolonial' assumes that there is a socio-political existence prior to colonialism. Though, in precolonial research and historicisation, the socio-political formation regarded as precolonial is merely the period prior to European colonialism. However, preceding European colonialism, there existed other forms of empire, subjugation, and rule which is disregarded as a colonial system (Arian, 2022). Therefore, that which is 'precolonial' hegemonises European colonialism as the principal colonial structure that influences our inter-human relations and contemporary international relations. While this thesis does not refute this nor the enduring effects of European colonialism and the violence it enacted, it challenges the notion of precolonial as a theoretically limited and problematic characterisation of temporal reality.

Academic refutation of the precolonial category is scarce as it is an institutionally ingrained phraseology which is dominant in studies of global societies (Mathys, 2021). As this sub-chapter demonstrates, reference to a precolonial Indian society is made without hesitation of its epistemic implications or historical reality; clouding the realities of interlinked (non)-European empires and inter-human relationships of SOGIE existence. First, this sub-chapter expands upon the work of Professor Taiwo of African Philosophy, a vocal opponent to precolonial designations. Second, the scrutiny of a precolonial category is applied to the literature consulted for this thesis, demonstrating the assumptive and imaginative category of pre-(British)-colonial SOGIE society (2023). Last, this sub-chapter outlines in specific terms the definition of precolonial as it is used throughout this thesis.

Taiwo emphasises the ubiquity of precoloniality, writing specifically of its application to Africa, claiming that it is a genealogical product that assumes simplicity and homogeneity (2023). In applying imaginations of precoloniality to Africa, it assumes that the African continent is a singular unit of geography, history, and identity that constitutes limited analyses which fail to represent the variety of inter-human relationships and inter-human histories. It presumes that African politics and peoples are uncomplicated and (un)remarkably simplistic; whereby, the academic inquiry of one African designation is substitutable for all its regional diversity (Lwasa, 2019). Similar to racialised stereotypes of Africa and Black people at large, insofar, that they are homogenous groups with limited, underdeveloped historical societies and political systems inferior to European counterparts. One is an intricate history of polysemic empires and societies which interact with one another, distinguished as unique entities with distinct socio-political histories. The other, is presumed to be a monolithic existence of simplistic development and social systems without recognisable inter-regional difference or the same inter-human (re)negotiation of politics; at least, from Eurocentric perspectives (Lwasa, 2019; Taiwo 2010, 2023).

European intellectual forefathers demonstrate this Eurocentric category of the 'precolonial'. Hegel and Marx particularly misrepresent African history and socio-political contributions as outside the global intellectual movements (Taiwo, 2023). Hegel sought the designation of Africa into two geographical, and therefore epistemological, categories of Africa Proper and European

Africa; the former, synonymised with 'Black' Africa, and the latter with Egypt. This divisional category of precolonial history removes the attainments of ancient Egyptian empires from Africa proper, reaffirming his idea that Sub-Saharan Africa existed outside of European history and was a monolith of simplistic, unremarkable existence with little contribution to global history (Essien, 2007; Taiwo 2010, 2023).

Taiwo dissects the philosophical assumptions of precoloniality, whereby, there is a period of existence free from colonial influence and occupation. There arise questions as to when this period exists, or how the enduring legacies of colonisation are measured in historic societies when other colonial systems have subsumed former empires. While Africa is the example used by Taiwo, these philosophical interrogations of precoloniality apply globally. To streamline to this thesis and its case study, it maps Taiwo's African contributions onto colonial India and postcolonial Pakistan. Colonial India as a temporal event refers to the British Raj and imperial rule over the Indian subcontinent during the 18th to 20th centuries (Anderson, 2018). Therefore, precoloniality assumes that prior to the British colonisation of South Asia there was a period of socio-political existence free from empire and subjugation, without enduring legacies of previous imperial regimes and inter-human relations. Prior to British colonisation, however, there existed numerous empires as far back as the Iron Age and Vedic Period approximately 1500 BCE (Marek and al-Dins, 1967; Sinopoli et al., 2008).

These empires are not only non-South Asian phenomenon, but examples of empires emergent within the continent which expanded their spheres of influence over other societies. Therefore, the idea of colonialism as an inherently European one not only constructs precoloniality through Eurocentric means of before European influence, it erases the impact and legacies of intraregional empires. In denying non-European agency in colonialism, as well as colonial catastrophe, it disregards the interlinked possibility of inherited legacies. Before Britain there was the Mughal and Durrani Empires, and before that there was the Ghurid Empire; each with their unique contribution to inter-human relations within specific geographies of the continent (Faruqui, 2005; Jalali, 2022; Pardesi, 2017; Roolvink, 2019). The Eurocentrism of precoloniality either assumes colonialism to be the sole colonial system, or that these previous colonial forms are not worthy of exploration and understanding.

Understanding precoloniality as a Eurocentric designation of historical existence prior to European colonialism queerries the existing literature of (post)colonial SOGIE existence in South Asia. Abundant references to precolonial SOGIE tolerant societies exist within the literature, assumedly referring to the historical period before the British empire. Hinchy (2020), Khan (2017), and Lal (2017) write of the visible existence of SOGIE identities in pre-British India under the Mughal Empire. Former British India encompasses several contemporaneous states across a sizable geographical area; thus, to homogenise pre-British histories as queer tolerant by the same conditions omits the distinct cultural, social, religious, and lingual nuances which differentiate them.

For example, the SOGIE identities from throughout South Asia are amalgamated, compounded into one identarian category represented by the same lingual marker, metaphysical typology, and the conditions of their existence are homogenised. Pamment (2010) and Nanda (1996) ascribe precolonial queer tolerance of *hijras* to the Mughal Empire; however, Pamment designates this history to the contemporary SOGIE communities of Pakistan, whereas Nanda ascribes it to the *hijras* of modern India. The homogeneity, here, is twofold. First, the transnational attribution of Mughal precoloniality to contemporary India and Pakistan. Second, the identarian homogenisation of South Asian minorities beneath a typology specific to Indian, Hindustani contexts. Furthermore, literature on the postcolonial landscape for SOGIE minorities in South Asia frequently references the Mughal Empire as a comparatively more tolerant social organisation than that of the British Empire and contemporarily (Ahmed, 2019; Khan, 2017; Rahi, 2022; Tiwari, 2014).

The corpus of precolonial South Asian SOGIE research ascribes integration and identarian tolerance to the Mughal Empire, the predecessor to the British Empire. While this is well-documented and a valid assertion, a troubling observation among the literature sees the contemporary territory of Pakistan absorbed into this Mughal precoloniality, despite primary archival data which refutes otherwise (see appendix 1). The administrative structure of contemporary Pakistan, at the time of writing, encompasses the four provinces Baluchistan, Khyber Pakhtunkhwa, Punjab, and Sindh; in addition to the contested regions of Gilgit-Baltistan

and Azad Jammu and Kashmir (Pakistan Bureau of Statistics, 2014). May of 2018 saw the National Assembly of Pakistan successfully propose the district absorption of both the Provincially Administered Tribal Areas (PATA) and the Federally Administered Tribal Areas (FATA), first established in 1947, into neighbouring Khyber-Pakhtunkhwa province (Government of Pakistan, 2018). Prior to 2010, Khyber-Pakhtunkhwa was formerly the North-Western Frontier Provinces (NWFP) as provincialised under colonial administration following the treaties of Lahore (1846) and Amritsar (Tehseen, 2021).

Khyber-Pakhtunkhwa, Baluchistan, and Punjab are particularly significant in this research due to the enactment of the Criminal Tribes Act (1871) which specifically saw the regulation and criminalisation of the colonial *eunuch*. Interestingly, precedent to the 1893 Durand Line which marks contemporary Pakistan's northern border, regions of the NWFP, Baluchistan, and Punjab were part of the Afghan Durrani Empire which were annexed by the British Raj during the first and second Anglo-Afghan wars of 1838 and 1878 respectively (Mallampalli, 2018; Poya, 2020; Tehseen, 2021). Therefore, the geographical territory which now constitutes Pakistan was part of the Delhi Sultanate, the Mughal Empire, and lastly, before annexation by the British Raj, the Afghan Durrani Empire. The British Empire's absorption of the Northern territories of Pakistan, formerly Afghanistan, proposes that for this research there requires a de-homogenisation of precolonial SOGIE histories. Insofar, that the conditions of SOGIE precolonial existence lay within the geographical, cultural, religious, and lingual structures which produce them; dismantling the dominant Eurocentric designation of South Asian pre-coloniality as a homogenous entity.

Evidently, the notion of precoloniality raises important reflections on engaging with the existing literature on SOGIE marginalisation in South Asia. The critiques influenced by Taiwo (2023) underpin the subsequent chapters of this literature review, particularly the homogenisation of pre-European histories as monolithic entities representative of global cultures and their contingent SOGIE identities. Thus, the definition of precolonial adopted hereafter within this thesis is as follows: socio-cultural and political organisation that existed pre-European colonisation, with the acknowledgement that these societies are also colonial, interlinked, formations which are not homogenous entities.

1.2.3 LGBTQ+ Applicability: Anglo-streamlining in Global and Historical Contexts:

Ahmed (2019), Delatolla (2020; 2021), and Rao (2020) problematise the use of LGBTQ+ frameworks and human rights as transnational metrics for equality attainment and the representation of SOGIE identity. Ahmed (2019) particularly highlights the destructive reality of *LGBTQ+* framework implementation among activists in Bangladesh, representative of the wider Global South. Insofar, that global implementation of Western neoliberal models of *LGBTQ+* equality and liberation are merely transformative systems of coloniality. For example, the systems of SOGIE suppression implemented in Bangladesh by the British Empire are succeeded by Western neoliberal models of *LGBTQ+* liberation devoid of Bangladeshi *queer* agency or cultural subjectivity. The *LGBTQ+* identities, human rights, and liberatory frameworks Ahmed

(2019) criticises as neoliberal structures of neocolonialism are what Delatolla (2020) refers to as the sexuality standard of civilisation.

Both Ahmed (2019) and Delatolla (2020) highlight the Westerncentric nature of *LGBTQ+* frameworks which have historically and continue to designate politically Western conceptions of gender and sexuality as the global standard of SOGIE civilisation. Furthermore, that *LGBTQ+* categories are representative of Western conceptions of gender and sexuality through the paradigm of whiteness, which results in rigid ontological and epistemological typologies of SOGIE existence. As *LGBTQ+* frameworks, human rights, and activism are exported globally from the political West, they impose a standard of civilisation aligned to that of white, Western conceptions, homogenising vast global diversities of SOGIE identities. This export of neoliberal frameworks is conceptualised as homocolonialism; a system of norms, politics, activism, identity categorisations, epistemology, and ontology which mobilise Western *LGBTQ+* frameworks on an imperial scale (Puar, 2013, 2021; Hossain and Rahman, 2022; Rahman, 2014a, 2014b; Delatolla, 2021).

Homocolonialism is criticised as an imperial form of *LGBTQ+* streamlining which has detrimental effects on global SOGIE minorities. *LGBTQ+* identities are often grounded within discourses of human rights and used to measure the socio-political development of Nation States, ignorant of cultural, historical, and spiritual identarian subjectivity (Delatolla, 2021). The export and mobilisation of *LGBTQ+* frameworks by Western states causes resistance, with central claims that

homosexuality does not exist in, or is incompatible with global cultures (Massad, 2007). Global resistance to *LGBTQ+* frameworks and mobilisations of human rights have stated that the discourses and identity categories attached to them are foreign imports of neoimperialism (DelaTolla, 2021; Savci, 2021). In postcolonial spaces, national identity and socio-cultural preservation from imperialist influences take centre focus following the colonial suppression of non-European identities.

Thus, the resistance to neoliberalist frameworks of *LGBTQ+* human rights is a rejection of Western-conceived categories of sexual and gender identity as they apply to Western epistemologies and ontologies of SOGIE identity, with a distinct claim that they are incompatible, or misrepresentative of global SOGIE forms (Ahmed, 2019; Redding, 2015, 2022). However, in these claims of incompatibility which outline *LGBTQ+* categories as representations of Western epistemological and ontological forms, the *LGBTQ+* acronym and its individual definitional categories are employed consistently throughout global research on SOGIE topics. With criticisms raised about the terminological issues and imperialist tendencies of the *LGBTQ+* framework, it is surprising that many of these interlocutors endure its usage in the literature. Moreover, research in anglophone academia that details South Asian SOGIE themes perpetuate *LGBTQ+* definitional categories within research, with few examples which utilise other identarian categories or locally contingent frameworks. This section now examines the terminological usage employed within two fields of literature: Postcolonial SOGIE existence in Pakistan; and critiques of *LGBTQ+* frameworks.

Anglophile research analysing the experience of SOGIE communities in Pakistan encompass a variety of identarian terminology. Khan's (2016; 2019a; 2019b) ethnographic studies working with SOGIE communities in Pakistan adopt the term *Khwaja Sira*, the preferred title to represent the participants' identities. Hussain (2019) and Hamzic (2020) also use the term Khwaja Sira to represent SOGIE people, particularly denoting gender identity and expression. Both Khan (2016; 2019a; 2019b) and Hussain (2019) outline their terminological usage of *Khwaja Sira* as a conscious representation of socio-cultural accuracy rooted in Pakistani history. Opposing the English term *transgender*, they cite the misrepresentative translation of the Urdu, *Khwaja Sira*, into English, specifying that *Khwaja Sira* is a term steeped in cultural, historical, and spiritual subjectivity (Khan, 2016; Hussain, 2019).

Khwaja Sira identity is an ambiguous category of gender identity and expression from South Asian antiquity, which invokes respect and cultural authenticity (Khan, 2019a). The respect and cultural significance of *Khwaja Siras* denoted by Khan (2016; 2019a; 2019b) and Hussain (2019) is not outlined; however, further research indicates that the prefix Khwaja is a Farsi language honorific title used throughout the Middle East and South Asia, rooted in Islamic Sufi mysticism, and roughly translates to English as Lord or Master (Potter, 2014). This appears to corroborate claims which identify Islamic historical significance and status to the Khwaja Sira identity as guards to the Prophet Muhammad's tomb in al-masjid al-nawabi, Medina; the Ka'ba, Mecca; the Qubbat-al-Sakra, Jerusalem; and the Ibrihami mosque of the Patriarchs, Hebron (Marmon, 1995).

Pakistani scholars Waqar and Jamal (2022) adopt the term *transgenders* in a survey study among workplaces in Pakistan to collate data regarding the views and perceptions of *transgender* inclusive employment. Throughout this English-language article, *transgender* and *transgenders* are used interchangeably, abiding by Western LGBTQ+ frameworks to categorise Pakistani identities. Khan (2017a) exemplifies this, using both *Khwaja Sara*, *hijra*, and *transgender* interchangeably, noting a difficulty in applying a fixed identity label to the subjects of their study. Unlike in Khan (2017b) and Hussain's (2019) research, *Khwaja Sira* does not feature as a nomenclature to describe local SOGIE variance in Waqar and Jamal's (2022) study. Another departure from *Khwaja Sira*, is Waqar and Jamal (2022), and Pamment's (2010, 2019, 2021) use of *hijra* to describe SOGIE communities in Pakistan. *Hijra* appears to be the dominant nomenclature to describe SOGIE individuals in India and within literature that analyses the British empire, even though the preferred title by the community themselves is *kinnar* (Baudh, 2013; Bevilacqua, 2022; Consolaro, 2020).

Importantly, the *hijra* designation is regarded as derogatory in the Urdu language, whereas in Hindustani, *hijra* is less pejorative (Shroff, 2020). Despite this distinction, several scholars including Pamment (2010) and Chaudhry et al. (2014) use the term to refer to Pakistan's SOGIE populations. Noting the disparity between the reception of the identity term *hijra* between Urdu and Hindustani, the mechanisms of national language practices are crucial elements of understanding epistemological naturalisation, and understanding the importance of national

language practices as effective praxis for SOGIE emancipation. Moreover, relating to the subchapter above on precoloniality, the terminological employment of *hijra* for Pakistani Khwaja Sira communities represents the dilemma of geographical homogenisation. To assume SOGIE identity is geographically, culturally, and linguistically homogenous dismisses the intricate and many differences of subjugated peoples, with damaging effect; as demonstrated here, by Pamment (2010), Chaudhry et al. (2014), and Kurij's (2020) use of the term *hijra* for Khwaja Sira identities.

A common observation and critique among the literature is the use of *eunuch* to describe SOGIE people, highlighting the British colonial origins of the typology which was used to categorise South Asian SOGIE variance (Ahmed, 2019; Bevilacqua, 2022; Khan, 2017a, 2017b). This critique frequents the broader literature of colonial South Asia, as well as research analysing the postcolonial aftereffects of British administration on SOGIE communities. However, in the acknowledgement of this derogatory category being misrepresentative and damaging to South Asian SOGIE existence, the critique of the term's definition and usage does not extend to a commentary of its lingual etymology.

Without admission of the language origin of the term, the structure of national language practices, and processes of language domination which facilitated its naturalisation during the British empire go ignored. To critique the use of vocabulary as a tool of colonial epistemological subjugation without analysing the overarching structures of lingual domination prohibits an effective and substantiative analysis of the lingering systems of empire which plague the

postcolonial present. Nor do they correlate the neoliberal frameworks of globalised LGBTQ+ identity categories and human rights to overarching systems of (post)colonial national language practices. Unfortunately, this coincides with a broader observation of the existing literature detailing SOGIE (post)colonial relations. The majority of SOGIE South Asian literature in the Anglophone academe is relegated to the study of postcolonial India, with few examples which centralise Pakistan, or other former British colonies (Cox, 2014; Nataraj, 2017).

1.2.4 Queer Appropriacy in Global Research

Another note on terminology, is the usage of ‘queer’ as both a descriptor, but also the theoretical framework Linguistic Im-**queer**-ialism which is theorised as part of this thesis. This research acknowledges the precarious territory of employing a Western concept and term amidst a wider critique of Western identity frameworks and language practices; however, *queer*, by definition, is the most amorphous SOGIE term which has resonance with global communities (Hamzić, 2017, 2020). Hamzić distinguishes that a singular, unifying identity determiner does not exist to capture the global community of sexually diverse and gender variant Muslims, and notes that many identifiers adopt *LGBT+* frameworks as reflective of their experiences (2020).

This research does not intend to invalidate any experiences of global SOGIE individuals, and as such does not dismiss the experiences of those who identify as LGBTQ+, but it does approach with scepticism; in that the global export of LGBTQ+ frameworks and the lingua franca of identity is Anglophile. Nevertheless, Hamzić’s (2020) ethnographic fieldwork acquires intimate

intracommunity knowledge of the SOGIE persons interviewed and the claimants assert that ‘*queer*’ is the most successful and inclusive identifier of non-normative gender and sexualities, as well as the intersections between. However, despite the superficial inclusivity, it remains an English-language determiner predicated upon Western conceptions of gender and fails to adequately translate and represent identarian pluralism (Delatolla, 2020, 2021). Both Nazir (2021) and Hamzic (2020) detail an array of sexually diverse and gender variant identities specific to South Asia and Pakistan, more centrally. The identities outlined and corresponding attempts of characterisation largely mirror those at the beginning of this thesis, and along with other ethnographic literature, have informed the narrations employed in this research.

Queer, in utmost simplicity, is the ontological and epistemological state of difference that deviates from the norm and is something peculiar (Alonso, 2022; Warner, 1991). Thus, for gender and sexuality, it is a deviation from the heteronormativity of heterosexuality and cisgender identity (Jagose, 1997; Warner, 1991). Definitionally, it is broad with room for interpretation, detached from biological essentialism, sexual interaction, and the rigid typologies of identification categorised by the LGBTQ+ acronym; whereby, each classification is ontologically and epistemologically fixed, confined by anatomical and sexual means. This section engages in the debates of ‘*queer*’ usage in global research, both for and against, while simultaneously explaining the conscious decision to title the theoretical framework of this thesis Queer Linguistic Imperialism. First it outlines the origins of queer as an umbrella term for SOGIE identity. Second, it traces the debates which surround its usage in Anglophone research. Last, it summarises ‘*queer*’ appropriacy in global research and its conscious use in coining Queer Linguistic Imperialism.

Queer, whilst it has a history of pejoration in English-language contexts, has undergone somewhat of a reclamation in usage. This reclamation is not a universal experience, however, as many SOGIE identified individuals still perceive '*queer*' as a slur with harmful connotations (Wilson, 2019; Worthen, 2023). Nonetheless, queer emerged as a positive descriptor in the 1990s as a replacement for lesbian and gay studies, to encapsulate the gender and sexual(ity) diversity outside of lesbian and gay categorisation (De Lauretis, 1991). It has since remained the titular staple of Queer Theory and become a term often employed in English-language contexts for self-identification, indicating a degree of identarian fluidity both in gender and sexuality (Adams and Jones, 2011). Per the positionality statement which precedes this literature review chapter, I identify as queer, both in gender and sexuality, due to its definitional breadth and polysemy that does not render my identity as fixed, nor rigid, but as something that can evolve upon lived experience.

Recent theorisations of queer identity posit that queer is less preoccupied with sexual orientation and represents an antinormative relationship to heteronormativity. Moreover, that this antinormative relationship is a deviation from hegemonic heteronormative structures of monogamy, marriage, reproduction, capitalism, and White supremacy (Grzanka, 2019). These recent theorisations align with Queer Theory's inherently political interpretivist epistemology which centres the subjective experiences of queer identifying people (Thiel, 2014). Queer is a political rejection of heteronormative institutions and social norms which regulate non-

normative identities to the margins, and for many queer-identified activists, *LGBT* categories and rights frameworks represented assimilation to existing structures of cis-heterosexual tradition (Sullivan, 2019). The individual categories of the LGBT acronym present an epistemological and ontological conception of queer existence that is modelled on heteronormativity and its attendant structures.

Queer activists problematise *LGBT* categories and frameworks, such as human rights, stating that they retain interests in privilege and Western neo-imperialism through the cultural and pragmatic export of *LGBT* (Duggan and Hunter, 2010; Grzanka, 2019). Queer, both as a catch-all moniker for sexual and gendered variance and as a political movement share similar critiques of LGBT(Q+) frameworks as postcolonial scholars, as featured in the previous subchapter. They both critique LGBT(Q+) identities and frameworks as homocolonial entities which encourage state and local resistance to SOGIE communities due to the perceived import of incompatible, Western identarian degeneracy. Thus, upon the definitional polysemy, and political critique of LGBT(Q+) deployment globally, this thesis regards the use of Queer as a largely suitable umbrella term to describe SOGIE identities with adequate inclusivity; mirroring Hamzić's (2020) assessment that regards the term as an amorphous identity that resonates with global communities.

The signifier '*queer*' in Queer Theory represents a category of culturally and socio-politically marginal self-identification that encompasses gendered and sexual(ity) difference from heteronormative conceptions of self (Jagose, 1996). Therefore, to combine Hamzić (2020) and

Jagose's (1996) syntheses of queer applicability, it is an appropriate usage to capture the broad ontological and epistemologies of global SOGIE identities; however, only when practiced with the knowledge of its potential for Western exceptionalism (Delatolla, 2021). Nevertheless, Queer Linguistic Imperialism as a theoretical framework intends to be applicable to other global and linguistic case studies, not merely the example researched here: Pakistan. For this reason, while accepting its criticisms, queer is used theoretically and as a collective descriptor to represent non-heteronormative, non-cisgendered, SOGIE presentations of identarian subjectivities within the confines of anglophone research and language.

2.0 Identarian Precarity in Postcolonial Pakistan:

2.1 Introduction:

The objective of this research concerns the (post)colonial lingual conditions which establish, implement, and main anglophile epistemologies and ontologies of SOGIE existence. Much of the literature explores the analytical capacity of colonial SOGIE regulation by the British Empire, with fewer studies which delineate the postcolonial effects felt in contemporary Pakistan. Resultantly, the contextualisation of contemporary regulatory practices is informed primarily by the government gateway data, rather than existing literature; however, the cultural context which underpins these governing practices are cognisant to existing Islamic and Pakistani research. Nonetheless, the status of contemporary SOGIE marginality in Pakistan requires understanding to substantiate the colonial aspect of this doctoral research. Therefore, this subchapter

contextualises the current legislative, social, and administrative landscape for SOGIE individuals. First, it reviews the regimes of governance which constrain SOGIE socio-political integration, noting the terminological employment of official administration. Second, it compiles the findings of participant-led research which investigates the socio-political perceptions of SOGIE people in the mainstream. Last, it summarises the status of SOGIE insecurity within the literature and governmental practices, before outlining the scholarly-attributed colonial mechanisms for contemporary SOGIE marginalisation.

2.2 Intermittent Inclusion and Recognition among Systematic Exclusion:

The precarious landscape for Sexual Orientation, Gender Identity and Expression (SOGIE) minorities in Pakistan incurs a difficulty in determining accurate population data. Due to the hazardous nature of SOGIE identity disclosure in Pakistan, Non-Governmental Organisation data collection and population surveying is infrequent and resultantly outdated. Sources estimate, reliant on limited data, that between 80,000 and 300,000 SOGIE people live in Pakistan (Baig, 2012). Informal and anecdotal estimates external to research and official institutions claim there surpasses 50,000 SOGIE persons in Karachi alone (Equal Times, 2014). Although the number is indeterminate, those identifying as SOGIE operate their livelihoods amidst frameworks of legislative, political, and social contestation, and warrant legitimacy, security, and rights (Khan 2016).

The most recent census of Pakistan questionnaire (appendix 2) lists only binary, gender-essentialist, male and female sex categories for identity classification, albeit the production date of this survey precedes the Transgender Persons Protection of Rights Act (2018) which outlines an additional, recognised, five gender identity categories: *Transgender Man*, *Transgender Woman*, *Khunsa*, *Eunuch*, *Khwaja Sira*. Interestingly, the 2017 census data, published by the Pakistan Bureau of Statistics (appendix 3) contains a '*transgender*' category, for which there are 21,774 respondents, even though the questionnaire correspondent to this data featured only male and female identity options. The census data above represents an institutional obscurity regarding SOGIE populations since the variables of literacy, access, and risk of disclosure are further complicated by procedural disintegration; whereby, the census survey operates beneath binaries of sex while the resultant data includes '*transgender*' populations.

Despite this adhesion, the political legitimacy of gender-variance has been in circulation since the Rawalpindi Litigation (2009) which acknowledges the distinct identities of *Khwaja Sira* persons; however, sexual orientation minorities remain unacknowledged and taboo in Pakistan. The census, which also surveys the holders of Computerised National Identity Cards (CNIC), further serves as an obstacle toward SOGIE emancipation. A '*third gender*' category has since been added to the application form; however, the registration process required by Pakistan's National Database and Registration Authority (NADRA) to access the CNIC portal prevents non-national access, and thus, further commentary is stifled as to the procedural obfuscation of SOGIE recognition (Nisar, 2016).

An inspection of NADRA's website suggests the attainment of an identity card, required for the purposes of banking, passports, and cellular access is challenging for SOGIE minorities (2022). Identity card eligibility applies to any citizen of Pakistan aged 18 and above and requires the attendance of either a parent or blood relative and their National Identity Card (NADRA, 2022). For SOGIE persons, familial relationships are constrained if not severed altogether. Due to the joint-family value system of Pakistani society, in most cases, SOGIE people unable, and averse, to concealing their identities are abandoned by their families; instead, residing alone, or in unique guru-chela counter-publics (Abdullah et al. 2012; Shah et al. 2018). Thus, access to identity cards and the politico-social access granted by them is bureaucratically difficult due to the social exclusion experienced and perpetuated by dominant social attitudes towards SOGIE identities.

Further to incoherent and complex regimes of governance which both disregard and delegitimise the identities and lived experiences of SOGIE individuals, there exists a selection of primary legislations which target and marginalise their rights for self-determination and freedom. Currently enacted laws criminalise same-sex sexual intimacies as punishable by death and restricts the freedoms of local gender-variant *Khwaja Sira* communities, who reside on the margins of society (Nazir, 2020; Ministry of Law and Justice of Pakistan, 2022). An International Lesbian, Gay, Bisexual, Transgender, and Intersex Association (ILGA, 2015) report indicates that while same-sexual carnality is punishable by imprisonment, lashings, stoning, and death, that no

such prosecutions occurred in recent years (at the time of the report's production) and that the law is an unenforced praxis.

Nonetheless, such a framework, no matter how redundant, reinforces dominant social narratives which endanger SOGIE existence; by which, a combination of religious and cultural beliefs is legitimised by, and in turn, legitimises the penal affliction of non-cisheteronormativity and creates a multi-layered system of dehumanisation and epistemic violence (Khan 2016; Kanwal 2020). Pakistan is a collectivistic culture in which social and political systems are intertwined and underpinned by Islam which emphasizes social harmony, respectability, and prioritises the greater need of society over that of the individual (Pervez and Saleem 2021). Thus, sexual orientation and gender identity/expression beyond the heteronormative, joint-family culture of Pakistan is viewed as a personal choice deviant from the collectivist governance of Islam.

2.2.1 Transgender Persons Protection of Rights Act, 2018:

While legislations and governing administrative practices marginalise SOGIE persons, there exists an Act which protects the gendered minorities associated with the SOGIE community. The Islamic Republic of Pakistan's government passed and enacted the Transgender Persons Protection of Rights Act (TPPRA [2018]), after years of public and internal debate (Redding, 2019). Even though this is a landmark ruling, Redding (2019) and Farhat et al. (2020) highlight the ambiguous nature of the bill, despite the intended provisions it provides. Interestingly, Redding (2019) highlights

that the English-language term *transgender* is an operative category of the legislation, citing the Act's polysemous definition of transgender which incorporates local conventions of gender identity and expression; including *khusra*, *eunuch*, and *Khwaja Sira*. This distinction of terminological usage is not challenged, however, and is supported by Redding (2019) as a cultural diffusion from the United States into Pakistan with considerable naturalisation and familiarity.

Redding (2019) asserts that the provisions outlined by the act as salutary legal language which lack definitive praxis due to their paucity, and since the language used to frame provisions is largely not self-enforcing, the act risks (mis)interpretation by local governing authorities, presenting precarity for transgender persons despite the codified protections (Fazi and Bibi, 2021). Nonetheless, Redding (2019) does briefly comment on the operationalisation of the proposed *transgender* categories, citing that they lack definitional specificity and perhaps exclude other forms of transgender identity. Although this marginally critiques definitional categories of SOGIE identity, it fails to engage in substantive discussion of the English-language etymology of transgender, let alone its usage in the act's title, or the issue that Urdu publications transliterate transgender into Urdu script. Rightfully, Redding (2019) demonstrates the identarian precarity of SOGIE persons under the provision of the TTPRA (2018), albeit the precarity of typological categories features scant discussion. The claims of transgender naturalisation into Pakistan's cultural and political episteme demonstrates the ideologically diffusive capacity of national language practices in forming SOGIE knowledge and ontology. However, this perspective is absent from contemporary literature and warrants attention.

The naturalisation of *transgender* categories into the lingual and epistemic consciousness of Pakistan proposed by Redding (2019) as a progression toward an inclusive SOGIE society contrast with the policy analyses by Farhat et al. (2020) which survey SOGIE perceptions among the public. Research and surveys conducted within Pakistan highlight that most respondents believe sexual education directly conflicts with Islamic ideology; with 46% of parents reporting that they have never spoken to their children about sex, sexuality, or sexual issues (Nadeem et al. 2021). Since sex(uality) education is sparse with the broader view that it is incongruent with Islamic ideology, sex(uality) knowledges are learned socially and aligned to the collectivist governance and values practiced by Pakistan on a state-level. These culturally and socially reproduced knowledges and systems reflect the established ideals of the ruling elite, or at-least, ruling institutions.

Therefore, the social position of the SOGIE subject is assigned by the ruling actor, and their exclusion, as written into the legislation which organises the collectivist society of Pakistan, is maintained through the socio-cultural reproduction of these structures, knowledges, and attitudes. There is, then, an origin to, or a construction of these social systems. Interestingly, the legislative measures which restrict the freedoms of SOGIE minorities have origins in the colonial administration of the British Empire, which imported British cultural values of gender and sexual acceptability aligned to gender essentialism and the Enlightenment rationale of reproductive purpose and naturality (Rahi, 2022).

2.3 Inheriting Colonial Regimes of SOGIE Governance:

This above argument is common among scholarly circles of postcolonial and South Asian studies, citing the Indian Penal Code (1860), and Criminal Tribes Act (1871) as the main aggressors of SOGIE marginality (Hinchy, 2013, 2017, 2020; Ahmed, 2019; Rahi, 2022). Pakistani-centred scholarship frequently identifies the IPC and CTA as catalysts for the contemporary precarity endured by SOGIE minorities, legislatively, and socio-culturally; noting that these colonially instated regulations inform identarian and sexual acceptability in modern society (Khan, 2016; Khan, 2016a, 2016b; Redding, 2015, 2018). External to the confines for contemporary Pakistan, similar observations emerge in studies of postcolonial India and Bangladesh; whereby, Ahmed (2019), Khaitan (2015), Rao (2020), Reddy (2005), and Thiruvengadam (2017) each correlate the legislative legacies of British colonial administration to postcolonial SOGIE marginalisation.

Albeit contrary arguments may attribute the maintenance of SOGIE oppressions to fundamental tenets of Islam originating in the 7th century CE, evidence suggests gender variance and multiple sexualities experienced greater levels of social integration, freedoms, status, and tolerance in the geographical territory of contemporary Pakistan, prior to British colonisation of the 19th and 20th centuries (van Ess and O’Kane 2016). Historians, theologians, literarians, and scholars more broadly confirm a landscape of pre-European colonial SOGIE tolerance which, comparatively, was less oppressive than that under British colonisation and contemporarily (Ahmed, 2019; Hinchy, 2020; Khan, 2016; Tiwari, 2014; Rahi, 2022; Vanita and Kidwai, 2001). Therefore, for an adequate contextualisation of this research and the obstacles which endure SOGIE marginalisation in

Pakistan, there requires a historicisation of both British colonial SOGIE regulation, and pre-British SOGIE existence.

3.0 Historicising Claims of Precolonial Queer Tolerance and Colonial Intolerances:

3.1 Introduction:

This section analyses the existing literature which researches the effects of British colonisation on SOGIE identity in both colonial and postcolonial spaces. Repeated scholarly claims indicate that precolonial South Asian societies were tolerant of SOGIE existence, and their presence was one of visibility and socio-political integration. Through analysing these academic resources, the suggested tolerances lack adequate historiographical depth and information as to what these tolerances were in pre-European societies of South Asia. Therefore, this chapter contextualises these claims by engaging with social, religious, and literary histories to construct an account of these tolerances and the status of SOGIE existence before British colonial administration.

In this attempt to historicise scholarly claims of precolonial queer tolerances in the existing literature on SOGIE identities of Pakistan, an overwhelming observation reveals the geographical constraints of precolonial considerations. Moreover, it presents a disconnection from pre-European colonial histories of former South Asian empires and adheres to the Eurocentric designation of precoloniality critiqued earlier in this chapter. An underlying assumption portrays precolonial India, which encompasses the contemporary states of India, Pakistan, Bangladesh,

and Myanmar as a unified geography with shared socio-political histories under the Mughal Empire. Claims of pre-European queer tolerance within the literature, from across the modern states of former British India, refer to the Mughal Empire as a period of SOGIE existence better than that of British colonial administration. While this literature review does not refute that SOGIE existence in the Mughal Empire was comparatively more tolerant than under British colonialism, it scrutinises the homogeneity afforded to it.

Such a designation of precolonial homogeneity disregards the historical and geographical intricacies of pre-European societies, erasing the nuanced realities of SOGIE integration. Resultantly, the current research on the postcolonial relations of SOGIE identity and British colonialism obfuscate the distinct religious, political, and socio-cultural histories under non-European empires. The central issue identified, as will be demonstrated throughout, is the designation of Mughal influence as a geographically neat, all-encompassing history shared by all former colonies of British India. In the archival study undertaken as part of this research, the emergence of a map (Appendix 1) presents an alternative reality to that represented in the existing literature of SOGIE precolonial tolerance. The Mughal Empire, while an expansive socio-political formation which covered much of contemporary South Asia, does not accurately represent the co-existing empires of pre-European influence.

The Durrani Empire, also referred to as the Afghan or Sadozai Empire, encompassed approximately one third of contemporary Pakistan. Since Pakistan is the postcolonial focus of this

research, it is important to represent the pre-European histories of SOGIE existence as accurately as possible, for an intellectually and ethically rigorous methodology. Thus, the following sections contextualise the claims of SOGIE Mughal tolerance within the existing literature, while acknowledging their appropriacy in constructing an account of pre-European society, as well as piecing together a brief history of SOGIE existence under the Durrani Empire; working to dismantle the Eurocentrism of South Asian precoloniality and reconcile the intricacies of SOGIE histories. First, this chapter reviews the forms of British colonial administration that regulated SOGIE identities, identifying the legislative, social, and lingual governance. Second, there features a historical narration of precolonial ‘tolerance’ of SOGIE identities in pre-European societies of South Asia, outlining the linguistic and typological representation of localised identities, and their integration in political society. Third, presents a conclusion of pre-European identities and colonial regulation, situating this research and outlining the resulting research questions devised out of the existing literature.

3.2 Colonial Intolerance of SOGIE Minorities:

The impact of British colonisation on South Asia is an established and ever-growing research area. Scholarly endeavours vary, with literature detailing the role of British colonialism in forming caste ideologies and institutions of social organisation (O’Hanlon 2017), through to analyses of colonial economies and their influence on the Indian Merchant class (Roy 2019), and national identity in postcolonial contexts (Mondal 2019). Nonetheless, research which investigates the impacts of British colonialism on SOGIE minorities occupies a much lesser space. While the effects of

colonialism on local cultures is not a new field of research, there is much to be explored, considered, and retold about the multiple facets of its repercussions both during colonisation and after (de)colonisation (Gandhi 2020).

Per the identarian precarity chapter antecedent to this one, scholars refer to the British ideologies and administrative regimes of the eighteenth century as oppressive toward local SOGIE identities and their cultural practices, which endures today in postcolonial Pakistan. This subchapter outlines the existing research on South Asian SOGIE marginalisation under British administration, evaluating the confines of current literature, and identifying claims of precolonial tolerance. First, it identifies the regulatory governance espoused onto SOGIE minorities in British India and where applicable, the epistemological foundations which inform the identified regulatory governance. Second, it establishes the claims of precolonial tolerance made in conjunction to colonial regulation, in preparation for their historicisation in the next subchapter. Last, it accumulates the critiques made throughout as they relate to this thesis' research.

3.2.1 Colonial Criminality and Contagion:

The colonial administration of SOGIE minorities in British India is attributed to three legislative acts which altered the social, political, and cultural landscape of SOGIE existence in South Asian society: The Indian Penal Code ([IPC], 1860); The Contagious Diseases Act ([CDA], 1868); and The Criminal Tribes Act ([CTA], 1871). Kurij cites the historic *Hijra* people of India as a marginalised cultural pillar in their discussion of *Homosexuality and Decolonisation*, affected by the

introduction of article 377 of the 1860 IPC which coded sexual corporeality into natural and unnatural acceptability (2020). Article 377 of the IPC frequents broader South Asian literature encompassing India and Bangladesh, appearing in the works of Hinchy (2014), Bose (2015; 2021) and Ahmed (2019), who each note the colonial administration's ostracisation of SOGIE groups from society via the IPC, which mandates that:

377 Unnatural Offences: Whoever voluntarily has carnal intercourse against the order of nature with any man, woman or animal, shall be punished with imprisonment for life, or imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

Explanation: Penetration is sufficient to constitute the carnal intercourse necessary to the offence described in this section.

Article 377 categorised non-heterosexual and non-penis-in-vagina (PIV) sexual interaction as unnatural, rendering oral, anal, and same-sex intercourse as prohibited, following a Christianised model of acceptable sexuality exported from England (Rao, 2020). This legislation enacted in British India lay foundation to the British Offences Against the Person Act (1861) and became a legal model for colonial governance throughout British colonies (Rao, 2020). Although the act does not explicitly outline homosexuality as a punishable offence related to the act, Kurij (2020) and Bose (2015) synonymise Article 377 as the *anti-homosexuality* act. While the outlined criminalised sexual interactions depict that which represents homosexual intimacies, it is important to distinguish that the homosexual as a typological category of sexual difference is not

an explicit descriptor of the act, but rather a contemporary classification assumed to have transhistorical relativity (von Rosen, 2017).

In employing the term 'homosexual' as a synonym for this legislation, it omits the local SOGIE subjectivity of South Asia, homogenising identities to neoliberal LGBTQ+ frameworks conceived upon White, Western epistemologies and ontologies of SOGIE existence (DelaTolla, 2021). It inherently assumes that the observed categories of sexual difference are premised upon cis-gendered individuals, not accounting for the gendered dimension upon which this act criminalised gender identity minorities of British India. This correlation is visible through the CTA of 1871 which criminalises eunuchs. Eunuch was the ascribed category to which South Asia's gender identity and expression minorities, Hijra and Khwaja Sira, were assigned; typologised as sexually impotent men (CTA, 1871). The definition of eunuch per the CTA, 1871:

The term 'eunuch' shall, for the purpose of this Act, be deemed to include all persons of the male sex who admit themselves, or on medical inspection clearly appear, to be impotent.

Only in conjunction can these acts reveal the implications of the article 377 on gendered minorities under British administration, and the issue of assuming the targeted identities as homosexual. This ascription delegitimises the gendered experiences of South Asian SOGIE minorities and assumes them to be cisgendered by British colonial gender epistemologies and

obfuscates the effects of Article 377 on Hijra and Khwaja Sira communities in contemporary scholarship. However, this distinction is not noted within the existing literature and the synonymised use of homosexual to represent the Article 377 are frequent, underconsidered employments of neoliberal LGBTQ+ identity frameworks; noted as a problematic homogenisation of locally specific identities absorbed into Eurocentric conceptions of gender and sexuality (Ahmed, 2019; Delatolla, 2021; Puar, 2007).

Nonetheless, scholars acknowledge the cooperative power of the IPC and CTA, which criminalised those who engaged in “*homosexual relations*” and ascribed to non-dichotomous, essentialist gender identities, respectively (Bose, 2015, p. 498). The former criminalised “carnal intercourse against the order of nature” in accordance with British Victorian ideologies employed in Britain, and the latter constructed a “criminal caste of *eunuchs*” (Ahmed, 2019, p. 102). Hinchy (2020), chronicles this in her monograph, *Gender, family, and the policing of the ‘Criminal Tribes’ in North India*, and demonstrates the assimilative processes employed by the British Raj; criminalising *Hijras* for dressing and presenting female, despite biologically sexed male, for example.

Interestingly, while the consensus among interlocutors claims that the broader SOGIE collective were (mostly, to the same degree) marginalised through the implementation of the above acts, historian Hinchy refutes these assertions. Hinchy (2020) distinguishes that SOGIE groups collectivised under the *eunuch* category endured an oppressive regulation of which the goal was

extinction, whereas the separate, politically, morally, more 'respectable' category of the *Khwaja Sira* evaded the strategies of regulation and registration which befell the *eunuch*. Khan (2016) also identifies a distinguishable difference between *hijra* and *Khwaja Sira* identities, citing their differential status in pre-European societies as determiners.

Among the few to utilise archival data, due to the historical discipline of Hinchy's endeavours, they delve beyond the conventional scope of colonial documents to acknowledge the differentiation between the '*eunuch*' and '*Khwaja Sira*' by colonial officials; refuting Khan's (2016) argument that article 377 of the IPC reduced *Khwaja Siras* to the status of the *eunuch*, a diseased body. As Hinchy's research expands beyond the IPC, CTA, and CDA, of which most of the existing literature relies upon, they expose a wealth of potential data for analysis regarding SOGIE identity under empire. Since Hinchy's (2020) research is the most exhaustive archival engagement within the existing literature, there is much to be explored, as it reveals the current articulation of archival documents is minute and produces contrasting results between *hijra* and *Khwaja Sira* existence in colonial society. Thus, further archival exploration may advance contemporary understandings of SOGIE existence, colonial regulation, and the mechanisms for which obstruct the liberation of SOGIE minorities in postcolonial South Asia.

The Contagious Diseases Act (1868) sought to manage venereal diseases through the regulation of sex-work and brothel practices via examination, registration, and control measures. An excerpt of the Act states:

4. In any place to which this Act applies, no woman shall carry on the business of a common prostitute, and no person shall carry on the business of a brothel-keeper, without having been registered as aforesaid.

Literature which explores the impacts of the CDA most often occupies discussions of racialised womanhood relating to the sex-work practices of the British Empire in India (Jain, 2017). Critiques of the CDA identify the legislation as a strategic governance structure enables social control and the construction of identity rooted in coloniality; whereby, the West is rationally masculine and superior, and the East is both feminised and inferior, resulting in immoral social organisation inclusive of sexual deviancy (de Groot, 2000; Levine, 2004). Colonial epistemologies pathologised sexuality as interrelated with racialised identity, reflecting the West-East dichotomy of civility versus savagery. Moreover, the sexual heterogeneity observed during colonial administration presented an issue to be rectified, a practice to be organised aligned to 18th century European civility (Levine, 2004).

As the CDA regulates women specifically, it conjures the designed appropriacy expected of European womanhood, which was docile, sexually conservative, and an object of virtue (Baker, 2013; Howell, 2000). Largely, this reflected the embraced typological research of Linneaus, a botanist who applied his observations of plant sexual reproduction to human categories (Garlick, 2009). Resultantly, sexual morality lay confined to reproductive capacity; whereby, sex was

philosophically permissible upon the mechanics of reproduction, and acts which fell outside the parameters of penis-in-vagina intercourse were immoral (Smith, 2022). Beyond the philosophical machinery of sexual intercourse, it correlated with European social value systems of marital unity, and the expectations and social status afforded to it; insofar, that sex was morally appropriate only under the institution of marriage (Smith, 2022).

Sexual intercourse outside of marriage, including sex-work and women's sexual liberty, were regarded as social ills. Despite sex-work and women's sexual liberty being socially reprehensible, sex-work under European empires was justified by the sexual needs of colonialists during their outpost, regulating their behavioural complacency for effective governance over colonial subjects (Iftikhar, 2018; Levine, 1994). Therefore, regulatory measures were essential to limit the transport of venereal disease from British India back to Britain, whilst simultaneously constructing a racialised hierarchy of White male dominance over the non-White Indian population; where women were exploits of local sexual customs and commodities of imperial violence (Levine, 1994). Notably, the influx of venereal diseases through rape, sex-work, and sexual relations among British men and Indian women further subjected Indian populations to a status of inferiority premised on hygiene (Iftikhar, 2018).

Interestingly, though, whilst the CDA targeted women directly for regulation, examination, and invasive testing, the act of sex-work in India expands beyond biologically sexed women. Rightly, the literature writes of the imperial violence women incurred through the CDA and the

exploitation of Indian sexuality by British colonialists, few sources correlate the Act to SOGIE identities. Hinchy's (2020) archival investigations reveal court transcripts which relegate eunuchs as 'unnatural prostitutes', exposing the limits of heteronormative approaches to colonial legislation. *Khwaja Sira, Hijra, Khusra*, and other South Asian SOGIE identities have documented histories of sex-work, oftentimes as supplementary income amidst limited economic opportunity, or as gifted sexual pleasures by social elites (Nanda, 1996; Chatterjee, 2012).

This distinction, as well as the colonial interest in sexual governance cannot exclude SOGIE people from analyses of the CDA. Instead, the act in full only supports Hinchy's (2020) claims of SOGIE eradication under British administration, through the wilful omission of *eunuchs* from imperially governed, and morally justified sex-work. Insofar, that *eunuchs*, 'impotent men', are reprehensible participants in 'prostitution' due to the European delegation of South Asian SOGIE identity into male and female, dictating eunuch sexual practice was carnal intercourse against the order of nature (IPC, 1860; CTA, 1871). Hinchy (2020) and Khan (2016) relate the CDA to SOGIE marginalisation under British colonialism and its enduring legacy which plagues contemporary SOGIE socio-cultural existence in former colonies; however, these claims only materialise upon the analytical conjunction of the IPC, CDA, and CTA. Without comprehensive triangulation of British colonial governance, SOGIE experience is overlooked and constrained by heteronormative gazes, and the attempted transhistorical assimilation of South Asian identities to LGBTQ+ categories of Anglophile epistemological and ontological conception.

3.2.2 *Identarian Misrepresentation and Lingual Critique:*

The existing parameters of SOGIE-oriented colonial research inhabits a restricted space, confined to the study of legislative governance exerted by the British Empire. Presently, studies either rely on the limited selection of colonial legislations to explain enduring legacies of SOGIE marginalisation in postcolonial states, or adhere to a heteronormative gaze and neglect SOGIE perspectives. Nevertheless, the breadth of colonial sources is limited, resultantly offering narrow insight into the mechanisms through which colonial administration sought and succeeded to marginalise South Asian SOGIE identities, as well as their postcolonial endurance. Notably, there is an absence of lingual critique among the literature, with few exceptions. Ahmed (2019), Khan (2016), Hinchy (2020), and Kurij (2020) interpret the colonial employment of *eunuch* as a typological misrepresentation of South Asian SOGIE subjectivity, citing the foundational medicalisation of non-heteronormative identities as unnatural as damaging.

Regardless, the lingual capacity of critique is restricted to the select eunuch terminology and its associated knowledge structures. The status of colonial language practices, and other linguistic constructions of identity outside of the three primarily referenced legislations are underexplored. Hinchy's (2020) exploration of the colonial archive beyond the IPC, CDA, and CTA highlight the potential for further and alternative analyses. A broader investigation of the colonial archive, beyond the normatively cited legislations presents an opportunity to analyse additional forms of SOGIE regulation; and for this thesis, the lingual mechanisms for which colonisation institutionalised an epistemological marginalisation of SOGIE identities.

3.2.3 Colonial Governance, a Marker of Pre-European SOGIE Tolerance?

The regulatory governance introduced through colonial administration hints towards a pre-European integration of SOGIE people into the socio-cultural and political infrastructure, as is often claimed by scholars (Tiwari, 2014). Despite the varying attributes of SOGIE regulation under the British Empire, scholarly consensus claim that these Acts disrupted precolonial tolerance towards South Asian SOGIE subjectivities, or at least, a lessened state of oppressive regulation compared to (post)colonial contexts. Despite claims of a pre-European tolerance of SOGIE existence, these assertions are superficial and fail to substantiate the tolerances of which they speak; instead, using a blanket assumption of Mughal-era integration (Alamgir, 2022; Ali, 2019).

The IPC, CDA, and CTA each implemented new regimes of regulation through which SOGIE identities were marginalised, and prior to analysing the epistemological colonisation and resultant marginalisation of SOGIE groups through linguistic domination, this thesis must substantiate these claims and establish local identities and precolonial tolerances. This historicisation provides a much-needed contextualisation for the research of this thesis: first, to clarify the extent of SOGIE integration prior to the European colonial administration of SOGIE identities; second, to establish the lingual representation of South Asian SOGIE subjectivity prior to European codification into eunuchs, and postcolonial applications of LGBTQ+ frameworks.

3.3 Precolonial 'Tolerance' and Exploration of SOGIE Identities in Pre-European Histories of South Asia:

To appropriately explore the mechanisms of (post)colonial regimes of governance which constrain SOGIE identities and their contemporary liberation in postcolonial Pakistan, there requires an understanding of pre-British SOGIE existence from which to depart this thesis' research. As stated in the antecedent chapters of this literature review, scholars suggest a status of precolonial queer tolerance that was dismantled through British colonial legacies which endure in postcolonial South Asia. These stated precolonial tolerances feature little substantive contextualisation and are superficial claims used to support the argument that the British colonisation of South Asia implemented damaging Eurocentric regimes of identarian governance (Ahmed, 2019; Khan, 2016).

While the epistemological violence instated by colonial administration is not disputed, the specific and varied mechanisms of the imperial empire through which SOGIE marginalisation has been produced requires a historically cognizant departure. Without the historicised contextualisation of these queer-tolerant precolonial claims, analyses are limited to a reliance upon colonially centred research; of which, primary data is mainly confined to the IPC (1860), CDA (1868), and CTA (1871). Moreover, lingual analyses which explore the language-based mechanisms of epistemological colonisation, identarian naturalisation, and postcolonial

maintenance cannot take place. A pre-British contextual and lingual narration of SOGIE existence in South Asia provides a base through which linguistic imperialism can be analysed.

3.3.1 Subchapter Organisation and Considerations:

Thus, this subchapter is organised into three subsections. First, it outlines the conclusions reached in the queering terminology chapter on precoloniality, specifying the geographical parameters of this precolonial SOGIE narration, and the considerations for this subchapter. Second, it explores the etymological origins of the recurrent identities featured in the existing literature; namely, Hijra, Khwaja Sira, and Khusra, each within a historicisation of their typological emergence. Third, it explores the claims of queer ‘tolerance’ afforded to SOGIE identities in pre-British South Asia, culturally, historically, and spiritually. Last, this subchapter summarises the existing literature of pre-British SOGIE presence and the basis it provides for this research’s linguistic-oriented study of typological obstruction to identarian liberation in postcolonial Pakistan.

Prior to an exploration of SOGIE existence in pre-British history, it is important to clarify that this research does not seek to utopianise pre-colonial Pakistan as a SOGIE paradise; instead, it acknowledges the SOGIE tolerance of local South Asian cultures prior to British colonisation. Resultantly, it embraces the intricacies of the geographical empires which precede the British Empire and acknowledges the possibility of both lingually, and materially imported SOGIE knowledge systems which contributed to their societal presence. However, since the aims of this

research are to assess the English-language mechanisms of (post)colonial SOGIE marginalisation, it accepts the conditions of other lingual structures which contributed to the immediate pre-British status of SOGIE identities. Insofar, that upon the literature's demonstration that SOGIE societal existence was comparably less oppressive than during the British Empire, it is a sufficient justification for this research, despite the potentially damaging structures of empire which precede it and constrain local SOGIE subjectivity. Subsequently, this discussion of existing literature within pre-colonial contexts accepts tenuous limitations and aversion towards SOGIE minorities during this period.

3.3.2 Etymologies:

The several SOGIE identity terms employed by scholars are not synonymous with one another, despite their conflation throughout the existing literature, as Hinchy (2020) observed in the ontological differences between *hijra*, *eunuch*, and *Khwaja Sira*. Moreover, this represents the anglophile and Eurocentric homogenisation of global cultures and histories critiqued by Taiwo (2023), which depreciates the intricacies of the social world. The erasure of distinct differences under misplaced SOGIE terminology detaches them from their unique emergence as identity categories in history, specific to cultural, geographical, and linguistic subjectivity.

3.3.2.1 Hijra:

The identity term *hijra* is etymologically Hindustani, an Indo-Aryan language prominent in Northern India and regions of Pakistan (Haq, 2015; Nandini, 2020). As a pluricentric language with two standardised written forms which interact with one another, Hindustani script encompasses Hindi and Urdu (Lahiri, 2016). While Hindi and Urdu scripts form the unifying language Hindustani, it is only through a process of transliteration which standardises them as Hindustani (Lahiri, 2016). Translation, however, is a subjective practice and can incur a loss of up to 80% of the original meaning through the process; thus, epistemological and etymological subjectivities still exist in each language and is not a diligent representation of the other (Abdelal and Rashid, 2015; Setton, 2005).

Romanised variants of the Hindustani *hijra* include: *hijira*, *hijda*, *hijada*, *hijara*, and *hijrah* (Chettiar, 2015). Although lingual science is important to the etymological definition of identity terms, self-definition by identifiers themselves is a crucial consideration. Laxmi, an Indian *hijra* details her identarian etymology as ‘hij’, a word which means ‘holy soul’, and is premised upon an inner felt sense of subjectivity (2015; 39). Even though sex and gender are contemporarily contested terms, Laxmi, and other *hijra*’s believe that the body is material (Das, 2015). Therefore, the *hijra* descriptor is one which is interrelated with its spiritually attached etymology, as well as a subjective arrival of self-identification.

Oral and etymological conceptions of *hijra* identity are linked to the Hindu epic literary texts the Ramayana and Mahabharata (Das, 2015). The process of undoing gender, or transforming gender

is prominent in the religious and mythical texts of the ancient Indian epics and the Sanskrit tradition, which describe gender transformations to achieve objectives of desire (Doniger, 2014; Rocher and Doniger, 1997). The ancient Indian epic, the Mahabharata contains several depictions of gender transformation, notably, the Bhagvata Purana text of Shiva and Vishnu, the Skanda Purana text of Sumedha and Somavan and Amba's transformation into Sikhandin (Vanita and Kidwai, 2016, pp. 69-73). To briefly recount one depiction here; Vishnu assumes the female form of Mohini at the request of Lord Shiva for his viewing satisfaction and births a child from their intercourse (Vanita and Kidwai, 2016, pp. 94-99). As Shiva and Vishnu are two-thirds of the holy triumvirate of Hinduism, this representation suggests a codified normalcy of SOGIE groups, due to the writing of gender transformation in foundational religious texts without negative commentary (Fuller, 1995).

Hijra identity and culture reportedly evolved during the Islamic era which governed India and territories of South Asia, under the Delhi Sultanate and Mughal Empire. Under Islamic rule, hijras were designated positions as slaves to elite households, although, here, slave is not representative of the chattel model adopted by the transatlantic slave trade; but one that was a reciprocal relationship of servitude and pastoral care, rewarded with material goods and social freedoms (Chatterjee, 2012). Beyond servitude, hijras were integrated into the politico-economics of Empire, as manual labourers, political advisors, generals to the empire, and guards to the aristocratic harems and Mughal courts (Rahi, 2022; Schroff, 2022). Notably, *hijra* empire general Ambar was a prominent figure in Mughal society, adorned in ornate attire, reflecting their social position, but also the salary earned from their position (Mukhopadhyay, 2022).

Ambar's roles in Mughal society extended to the personal servant to Babur, the first emperor of the Mughal dynasty, a superintendent in the Humayun army, an attendant to the harem, and as a personal aid to both the King and Queen (Vanita and Kidwai, 2016).

Aristocratic harems of the Delhi Sultanate, similar to the structure of the Islamic courts of the Mughal Empire, were segregated with *hijras* stationed at the inner gate leading to the quarters of the harem, ensuring segregation from outside male interaction (Ahmed, 2009, p. 23). Another recorded example is Itimad Khan, a *hijra* officer responsible for the state's finances and later promoted as governor of Bhakkar (Bano, 2008, pp. 419-420). Other *hijras*, including Ambar forenamed, were appointed governor roles across the Mughal Empire under the reign of Akbar, where such prominent positions generated substantial wealth which was demonstrated accordingly with garments, jewels and displays of grandeur (Bano, 2008).

To be stationed as guards to the aristocratic harems and the Islamic courts represented the broader socio-cultural landscape of the pre-European period. *Hijras* were likened to divinity, with the moral, and bodily, capacity for respectful guardianship over women; with the assumption that their gendered and sexual(ity) ambiguity limited their threat of sexual exploitation, but also characterised their material and spiritual elevation (Hinchy, 2020; Sharma, 2009). These socio-cultural knowledge systems which influenced *hijra* social, political, and economic integration are interrelated with the Hindu epics which liken *hijra* embodiment to spiritual divinity and an established, recorded, legitimacy within geo-cultural history.

Evidently, hijra identity classification is not typologically nor taxonomically defined in specific terms, either in its etymology, embodiment, or literary history. Instead, it evades Western understandings of sexual orientation and gender taxonomy, challenging the rigid and binary forms which shape Western non-heteronormativity paradigms (Jayaprakash, 2022; Nanda, 1996; Steif, 2017; Towle and Morgan, 2015). Instead, gender non-normative embodiment is not fixed to any one particular physiological embodiment rooted in emotive, spiritual subjectivity specific to Hindu cultural contexts. Nonetheless, pre-European examples of hijra identities evidence comparatively less oppressive socio-political regulation than under British governance, enjoying societal integration on economic, political, and social levels.

3.3.2.2 Khwaja Sira:

Khwaja Sira is an etymological compound of Urdu and Farsi and means keeper (Khwaja) of a sara, the separated quarters of a building reserved for women. Entries in the Urdu Lughat and Persian Dehkhoda, define the *Khwaja Sira* as eunuchs in service to Kings and prominent figures, who have free ingress to all areas of the palace, or may be chief of the women's quarters (ubd.gov.pk, 2023; vajebyab.com, 2023). Khwaja in singular form correlates to 'lord' or 'master' in Persian (Yousufzai, 2023). English translations from both Urdu and Farsi designate the *Khwaja Sira* as a *eunuch*, an etymologically Latin term describing a bedroom guard (Tougher, 2021).

Evidently, academic resources which map the etymological histories of Khwaja Sira is underdeveloped, and results in the reliance upon dictionaries, which themselves are imbued with problems. Firstly, Urdu to English and Farsi to English dictionaries translate Khwaja Sira as eunuch; whereas, native speakers, Khwaja Siras themselves, and academics define the identity through socio-cultural and historical embodiments of self. However, these definitions lack the historical characteristics associated with etymological documentation which traces the development of a word from its earliest record.

Translations between languages are achieved through research and comparative contexts, while the translator is also conscious of relating the object of translation to the epistemological contexts of the language audience they transliterate for (Lefevere, 2002; Pennycook, 2008). Thus, translations are subjective interpretations of the intended subject and aligned to the socio-cultural contexts of the translating language. This distinction is crucial since eunuch appears in the English translation entries for Khwaja Sira. The existing literature often cites the English interaction with SOGIE groups and *Khwaja Sira*, and the English correlation of non-heteronormative gender and sex(uality) identities with the *eunuch* (Schroff, 2020).

As English has Latinate influences through its language composition, the perception of South Asian SOGIE forms as the Latin eunuch is logical to an extent; however, Farsi and Urdu are not part of the Latin language branch, and are Indo-European and Central Indo-Aryan, respectively (Eberhard et al., 2020). Therefore, neither the terminology, nor the concept of eunuch is likely to

be a figment of South Asian language or SOGIE epistemology, but the closest English-language equivalent. Scholars note this, scrutinising the employment of *eunuch* as a misrepresentative category with origins rooted in British colonialism, with SOGIE identities having no parallel typology in Anglophile frameworks or terminology (Ahmed, 2019; Chatterjee, 2012; Khan, 2014; Khan, 2016, 2017; Nanda, 1996).

Khwaja Sira's and scholars who study South Asian SOGIE identities inadvertently support this via the definitions they provide. Khan's (2014; 2016a; 2016b; 2019) *Khwaja Sira* respondents specifically evade definitional absolutism, rendering their gender, anatomy, and sexual engagement obscure, free from state regulation. Similar to conceptions of hijra-dom, the *Khwaja Sira* body traverses the male-female binary, both epistemologically, and ontologically; demonstrating a range of physiologically male bodies and characteristics, with instances of self-castration, and to a lesser extent, intersex bodies (Khan, 2017a). *Khwaja Sara* embodiment is not limited to male physiology, with several recorded accounts of those who are physiologically female but live as men, or those who embody an ambiguous category with no Western parallel of SOGIE identity (Khan, 2017a). However, there are some interpretations of *Khwaja Sira* identity which occupy a historic third sex category, present in South Asia for more than 3,000 years (Nanda, 1996).

Depending on the referent material, the definition of Khwaja Sira varies from a keeper to a servant of sorts, which appears to intrinsically link social position to non-normative embodiments

of identity, rather than identarian epistemologies and ontologies alone. Despite etymological entries, the exact date of Khwaja Sira's inception as an identarian moniker is unknown, though, the existing literature indicates that it was at earliest, a 16th century construction which correlated directly with the social position afforded to it (Hinchy, 2020; Khan, 2016; Yousufzai, 2023). However, prior to the 16th century emergence of Khwaja Sira identities, examples of gender non-normative, and sexual(ity) non-normative recur in literary and religious traditions; albeit, free from naming conventions which typologise them by identarian categories such as Khwaja Sira, LGBTQ+, or other forms.

Subtle subversions of gender occur throughout the Sufi poetry of the Perso-Urdu tradition, in the adoption of female-voice and identity by male authors. Disparate to Hindu depictions, Islamic Sufi poetry has an awareness of gender that is not transgender or transformative, per se, particularly in the poetry of Bulleh Shah who regularly flirts with gender. Shah's literary gender performance correlates to the twelve years he lived among a group of dancing girls who taught him to dance. In his poetic reflection of this event, Shah adopts the female voice in his writing; moreover, he embraces the identity of a dancing girl to seduce the mentor who had once banished him (Abbas, 2016). The above depicts the manipulation of gender to reclaim a mentor/student relationship, arguably, through seductive means. Comparative to the undoing of gender and gender transformation of Amba in the Hindu Mahabharata to marry a woman; the marriage institution historically, like contemporary examples, is a union of medicalisation, between the two biological sexes and their essentialised genders (Coontz, 2004). These instances of transformation have varying purposes, from desire to gender-subversion and display both the

authenticity and comfortability of gender, sex and sexuality as fluid during the recording of these texts.

Despite examples of SOGIE integration and tolerance prior to European influence, the writings of Ali (1772) and Buksh (1772) reveal disdain for sexual(ity) and gender non-normative individuals in Islamic South Asian societies (In Abbott, 2019). The identified disdain for SOGIE minorities is an expected discovery, however, it does not negate the additional examples of societal integration and tolerance. Queer utopianism is not a realistic nor sympathetic approach to this research, though, there a need to contextualise the comparatively favourable (pre)colonial socio-cultural integration. The available literature reviewed as part of this entry demonstrate an existence of gender variance in pre-European South Asia which was visible, and experienced comparatively less suppressed levels of socio-cultural and political integration. Nonetheless, the etymologies of hijra and Khwaja Sira subjectivities reveal lingual issues within existing research which conflate, substitute, and synonymise local south Asian identities with one another, as well as English-language identity categories. Each of these observations persist despite the recorded etymological, epistemological, and ontological differences which identify hijra and Khwaja Sira as distinct geo-cultural SOGIE identities.

3.3.2.3 Sexual Marginality:

Hijra and Khwaja Sira etymologies represent the gendered elements of pre-European tolerance, and feature most eminently in the existing literature on (post)colonial SOGIE marginalisation.

However, sexual(ity) dimensions are equally important in this research, particularly as gender and sex(uality) intersect under British colonial regulations as conflated, interrelated social deviances ripe for suppression. Moreover, postcolonial obstacles for the liberation of SOGIE minorities is inclusive of sexuality, particularly in Pakistan's rejection of contemporaneous LGBTQ+ frameworks. Thus, this subchapter now outlines a pre-European historicisation of sexual(ity) variance. Unlike the previous discussions of hijra and Khwaja Sira existence and their contextual differences, the forthcoming sexuality outline explores both the Hindu and Islamic contexts within the same section, albeit separately.

3.3.2.3.1 Literary and Historical Evidence of Pre-European Sexualities:

Representations of local gender identities occur prominently in ancient pre-colonial literature as evidenced above. Likewise, pre-colonial religious, mythical and literary works detail indigenous sexualities, particularly same-sex love, in a myriad of manifestations which indicate queer tolerance. The Mahabharata details the friendship of males Krishna and Arjuna throughout its eighteen books; specifically, with the narrative of their non-intimate, non-sexual love for one another. Despite their non-intimate relationship, Krishna professes his love for Arjuna is greater than that of his wives, kinsmen and relatives and is the motivation for his actions in instances of war (Vanita and Kidwai, 2002). Understandably, this may not read as an inherently queer relationship due to the lack of romance or sexual intimacy; however, this exposes a dynamic rarely seen in contemporary society by European conventions, due to the typological labelling of intense and platonic, male same-sex relationships as *homosexual*, or having *homosexual*

tendencies (van Leer, 1989). Intense same-sex friendships also occur in Sanskrit and Perso-Urdu traditions, particularly, in the story that abridges Hinduism and Islam through the telling of the celibate friendship between Ayyappa and his loyal companion, Vavar (Vanita and Kidwai, 2002, pp. 96-99).

Aside from same-sex companionate relationships, same-sex intimacies feature in the pre-European literature, including romance and explicit sexual relations. Sufi poetry of the Perso-Urdu tradition often illustrates the homosocial and homoerotic relationships of men (Kugle, 2011). Mir's ghazals (Urdu-language love poems) frequently depict erotic amorous relationships between men, most explicitly, the poem *Shola-i Ishq* which details the romantic relationship between both a Hindu and Muslim man (Vanita and Kidwai, 2002, p. 108). See Sharma's (2002) compilation of honoured Amir Khusraw's poetic Sufism and Vanita's (2000) exploration of Urdu Rekhti poetry for further examples of homoerotic mir's ghazals. The poetic biography of Madho Lal Husain is the most represented example of same-sex love in Sufi poetry. His contribution to Sufi poetry was through a homoerotically charged interpretation of Islam, for which he documents the love between him, Shah Husain, and Madho Lal (Wolf, 2006). Their love, so intense, inspired the coinage of their names as one to represent their union as an intertwined unit – Madho Lal Husain. Their tale describes how one could not be without the other and even lay beside each other in their death (Wolf, 2006).

More erotically, in ancient Hindu Indian texts the Valmiki Ramayana, Kamasutra, Rajatarangini and Shilappadikaram, same-sex intercourse is represented without adverse commentary; from Rakshasa women partially-clothed and in the arms of one another, void of male presence: to the male servants that perform oral sex on their masters: the gifting of boy prostitutes to Chera King Shenguttuvan and the bisexuality of King Kshemagupta, addicted to both anal and vaginal intercourse (Vanita and Kidwai, 2002, p. 27). The claims of this pre-colonial situating of authentic SOGIE identities and queer tolerance come with refutations; however, especially the interpretations in Islamic Sufi poetry (George, et al., 2002). Although this perhaps casts doubt on the context of this paper, there are ample historical and literary representations to suggest, at the very least, a tolerance towards queerness in pre-colonial India.

Even though Islamic historic literary representations feature within this chapter and present a sufficient narrative of historic sexual(ity) existence, these literary traditions are not unique to the geographical territories of contemporary Pakistan. Remaining true to the intellectual objectives of this thesis which places importance on the pre-European de-homogenisation of South Asian history, this section would be incomplete without specific contexts of Durrani SOGIE existence. Literature detailing the Durrani Empire, let alone the existence of SOGIE identities, is scarce and predominantly discusses regional migration and the relationship between competing empires (Jalali, 2022; Nejatie, 2017). However, despite the association of the Durrani Empire with contemporary Afghanistan, it shares an interrelated history with Northern Pakistan, and particularly Pashtun's, an ethnic group in both Afghanistan and Pakistan (Shah et al., 2022).

Historically, Pashtun's followed Islamic Sufi mysticism, the tradition noted in the preceding subsection which has several examples of same-sex intimacies and gendered performance.

3.3.2.3.2 Islamic Histories of Bacha Bazi:

Islamic Sufi mysticism and Pashtun culture have a history of boy-play dating back to the 9th century (Racine, 2023). Insofar, that boys who are yet to acquire facial hair are the subjects of lustful desires by older men, reproducing transgenerational relationships of sexualised intimacies (Racine, 2023; Emadi, 2019; Frost, 2016). The boy-play cultural practice, known as Bacha Bazi, is a historic practice through which same-sex desire and sexual intimacies transcend social norms of heterosexuality (Khan, 2008). Racine (2023) notes the inadequacy of mapping Western frameworks of gender and sexuality onto the practice, specifying that Afghan, and therefore, Pashtun gender is earned through age and performance, such as beard growth. Moreover, the boys of Bacha Bazi adopt feminised roles due to their non-yet-man status and adorn feminine artefacts, wear make-up, and are the receptive role in anal intercourse; thereby, representing feminine subordination to masculinity and the phallus as is traditional in patriarchal, heteronormative societies (Pashang et al, 2018).

Fascinatingly, Racine's (2023) statement that Western *LGBTQ+* framework appropriacy extends to a critique of Western news coverage on the Bacha Bazi cultural practice, which applies anglophile identity language which stigmatises those involved. Citing some examples given by Racine (2023), sensationalised media coverage utilises *gay*, *homosexual*, *transvestite*, *drag*, and

depravity to describe the practice. The employment of these terms, rather than the local-language form for the boy-subjects of desire, *Bacha Bereesh*, harkens to colonial practices which designated global cultures as primitive, barbaric, and unfit for socio-cultural modernity (Racine, 2023). Although not stated by Racine in their research, expounding Western neoliberal frameworks of identity onto global cultures oversimplifies their subjectivity; risking a conflation between pederasty and homosexuality which naturalises knowledge structures of homosexuality as inherently predatory. Such an institutionalisation of knowledge through adopting Western LGBTQ+ frameworks to typologise the deep-rooted cultural practice of Bacha Bazi has implications for localised SOGIE identities who are unrelated to the tradition.

The existence of literary and material SOGIE identities, or same-sex relations as somewhat acceptable forms of identarian subjectivity affirms the scholarly claims of precolonial queer tolerance. While the breadth of literature is small, with limited examples, it demonstrates there is a distinguishable difference between hijra and Khwaja Sira, rooted in their spiritual, geographical, and linguistic contexts. This subsection de-homogenised the synonymised histories and typologies of hijra and Khwaja Sira identities, identifying their lingual, etymological, and historical differences; demonstrating a trend in the literature which misuse local identity markers and substitutes them for anglophile conceptions of gender and sex(uality).

3.4 Subchapter Discussion:

While the identified literature of SOGIE South Asian precoloniality appears somewhat substantial, the cited resources to evidence examples of pre-European SOGIE existence is limited to a small pool of interconnected primary literature. Overwhelmingly, the often-cited literature encompasses Vanita and Kidwai's (1999) *Anthology of Same Sex Love in India*; Nanda's (1996) *Hijras: An Alternative Sex and Gender Role in India*; and Chatterjee's (2012) *When Sexualities Floated Free of Histories in South Asia*. Although the pre-European existence of SOGIE identity is relegated to these few sources, it nevertheless fulfils the aim of this chapter which sought to demonstrate the precolonial existence of SOGIE identities as comparatively more tolerant to that of British colonial administration, and contemporary postcolonial landscapes. Even though it is not the scope of this research, there is an opportunity to study further the existence of SOGIE identities in pre-European histories of South Asia.

Hijra and Khwaja Sira identities exist in pre-European histories of South Asia and enjoyed a comparatively elevated social position and societal integration than under British colonialism, and in contemporary postcolonial Pakistan. While this subchapter concludes that pre-European SOGIE identities were visibly tolerated members of society, this was not without its adversaries who disapproved with deviations of heteronormativity. Nonetheless, hijra and Khwaja Sira's were notable members of the Mughal Empire, Delhi Sultanate, and were prominent figures of courtesan society, in close proximity to elite families and royalty. By comparison to the conclusions of the previous subchapter on colonial intolerance, SOGIE minorities were displaced from their previously enjoyed societal status, integration, and tolerance, reduced to the catch-all body of the eunuch and subsequently regulated through the IPA, CDA, and CTA.

Interestingly, note an earlier quandary with the employment of 'homosexual' by scholars in discussions of colonial regulation. Upon the historicisation of academic claims which posit precolonial queer tolerance, there lacks the Eurocentric and Anglophile typologies of '*homosexual*', '*eunuch*', and '*transgender*' in representations of South Asian SOGIE histories. Each Hinchy (2013), Bose (2015) and Ahmed (2019) characterise article 377 of the IPC (1860) as the criminalisation of *homosexuality*, which engages in the very typological misrepresentation they campaign against. Perhaps pedantic, nevertheless the conceptualisation and naming of 'homosexuality' was not formalised until 1869, by K. M. Benkert, and thus explains the lack of such an expression in the 1860 penal code (Conrad and Angell, 2004, p. 32). In discerning the Act as pertaining to homosexuality, that assumes the indigenous and multiple sexual identities of India are akin to the definition of homosexuality. Homosexuality's standard contemporary definition is that of someone who is 'solely' attracted to and engages in, sexual activity with someone of the same sex, whether male or female (Michaels and Lhomond, 2006).

Thus, in using homosexuality as a collectivisation in the discussion of Hijra/Khwaja Sira and non-binary identities, it misrepresents the gender identity of these groups and assumes them to be either male or female. For example, taking the hijra and Khwaja Sira etymologies presented at the beginning of this subchapter, self-identify outside of the gender essentialist binary. For a hijra or Khwaja Sira to identify as women, albeit there are outliers, their classification as homosexual reduces their identarian embodiment and bodily difference to male physiology.

Khan's (2016a; 2016b) study demonstrates the dangers associated with this, for Khwaja Sira's purposely evade details of their sexual intimacies in fear of postcolonial governance which criminalises homosexuality. Where a Khwaja Sira typically engages in sex with men, it is not an instance of homosexuality since their gender identity is not that of 'male'; demonstrating the typology of homosexuality as a biological one upon gender essentialism rather than gender self-identification (Haslam and Levy, 2006). Moreover, the application of homosexual categories to global SOGIE variance hegemonises Western identity frameworks as the standards of gendered and sexual(ity) civilisation, erasing unique forms of identity outside of LGBTQ+ typologies (DelaTolla, 2020).

Therefore, whilst the aims of this subchapter are met in determining pre-European SOGIE existence to substantiate scholarly claims of precolonial queer tolerance, this literature historicisation observes a key issue: language, identarian terminology, and the language of instruction. Multiple instances of conflated typological usage frequent the existing literature, as demonstrated by the critique of, and italicised inclusion of scholars' choices throughout; as well as the substitution of local-language, culturally contingent identity terms, for English-language LGBTQ+ categories which are misrepresentative, with no parallel epistemological or ontological equivalent to those outlined in this subchapter. Resultantly, this literature review chapter proceeds to delineate the status of language usage and languages as means for identarian liberation in the postcolonial sphere.

4.0 Language(s), LGBTQ+, and Liberation:

4.1 Introduction:

Throughout this chapter, language is a continuous theme either presented by scholars or critiqued as part of this literature review. Academics make several remarks about language usage: that LGBTQ+ frameworks are misrepresentative of local SOGIE identity in South Asia; the identities of the LGBTQ+ acronym are inherently White, Western conceptions of gender and sex(uality) inapplicable to global SOGIE communities; and the British colonial regulation of SOGIE identities under the typology 'eunuch' is a source of postcolonial turmoil. While these scholarly remarks operate within a sphere of language use, there features scant discussion of languages within these studies; how languages of instruction are enduring mechanisms of colonialism which reproduce oppression. Thus, this subchapter establishes the status of language usage and languages in discussions of decolonial SOGIE liberation on a global scale. First, it outlines the location of language(s) in SOGIE South Asian scholarship. Second, it evaluates the imaginaries of decolonial praxis which seek to implement equality for global SOGIE communities. Third, it summarises the methodological approaches to studying SOGIE South Asia and the consideration of language(s).

4.2 Location of Language(s) in LGBTQ+ South Asian/ Postcolonial Scholarship:

As noted, and critiqued throughout this chapter, language appears to be a site of contention. The typological categories employed via LGBTQ+ frameworks to achieve postcolonial SOGIE rights

and describe global identarian diversity assumes transnational, transhistorical universality, to a detrimental effect. Whilst this is acknowledged by Ahmed (2019), Waites (2020), and Delatolla (2020), few scholars in South Asian SOGIE scholarship identify a procedure for decolonial or liberatory praxis. Interestingly, the most common proposed resolution is a decolonisation of the identity frameworks employed and expansion of their global inclusivity, rather than a decolonisation of language to promote the identity frameworks of local languages.

Throughout this literature review, recall the conscious choices of identarian terminology employed by scholars, represented by italicisation. There is a discontinuity among the terms employed and this continues within both the broader South Asian literature and within the smaller SOGIE-oriented field. An observation reveals the prevalence of footnotes and precursors by authors which recognise the misrepresentative nature of using Western LGBTQ+ frameworks to describe SOGIE South Asian minorities, without a competent substitution to the typological misrepresentation they highlight and subsequently perpetuate. Scholars accept the terminological difficulties faced in representing Subaltern subjectivities within research, both as White academics from the global north, and scholars of colour from the global south. Redding (2015), Khan (2016), F. Khan (2019), and Dickson and Sanders (2016) each traverse the vocabularic minefield of respect, representation, and imperialism, noting the definitional inadequacy of Western *LGBTQ+* markers as globally applicable: such as '*trans**', *gay*, *lesbian*, and *bisexual*. This acknowledgement invokes varying expressions to capture global SOGIE identities, most frequently, 'gender non-conforming' or 'gender diverse' (Khan, 2019; Redding, 2015).

While some researchers identify intellectual difficulties in employing Anglophile terminologies to represent South Asian SOGIE minorities, others embrace local-language identities as a counter-hegemonic resistance to neoliberal LGBTQ+ frameworks. Anthropologist FA Khan (2019) inadvertently highlights the benefit of local language usage over hegemonic English, writing of the advancements made in *Khwaja Sira* emancipation in Pakistan. Activists use the polysemous '*Khwaja Sira*' to construct and engage in a politics of ambiguity, to convey typological uncertainties of physical and spiritual embodiment whilst connoting respect and inclusion. Appropriation of the significant *Khwaja Sira* identity in contemporary society is possibly only due to the historical, cultural, South Asian, and Islamic connectedness it yields (Khan, 2019). The ambiguity of '*Khwaja Sira*' typologically and as a historical identity, as well as the discursive ambiguity employed by *Khwaja Sira*'s in public discussions of their lives and communities is a resistance capable of radical subjectivity (Khan, 2016). Khan's ethnographic research and collaborations with pseudonymised gender non-conforming (GNC) charities suggests the positive currency of *Khwaja Sira* emerged during the 21st century as an alternative to the pejorative '*Hijra*' and a restorative measure against the antagonism of the 'Imperial *eunuch*' (2016, 2019).

Khwaja Sira is employed by GNC charities as a hypernym of gender diversity, presented in Pakistani popular media to distance from the negative social knowledges associated with the term *Hijra*. The strategy, Khan writes, is to rejuvenate and reintegrate the honorific title '*Khwaja Sira*' to combat the negative social knowledges associated with the pejorative *Hijra* (2016).

Despite the public regeneration of the gender ambiguous image, *Khwaja Siras* and GNC charities alike evade specificity to resist invasive bodily surveillance and regulation. Linguistically, *Khwaja Siras* and GNC charity representatives in public media operate using deflective speech, talking indirectly about *Khwaja Sira* bodies, culture, sexual engagement, and communities to maintain obscurity in a landscape where their physical embodiment and sexual proclivities interest the public (Khan, 2016). Although not explicitly stated in Khan's research, it can be assumed that this mechanism of self-protection is to prevent an oppressive regime of bodily regulation akin to that administered under British colonialism.

While the role of British colonialism arises often in the exploration of SOGIE South Asian oppressions and emancipations, emergent scholarship from the Global South and South Asian scholars stresses the importance of resistance in the form of meaningful practice in localised contexts (Singh 2021). Ahmed reiterates the liberatory capacity of localised resistance, rejecting White and Western frameworks and approaches to activism to achieve socio-political mobilisation in local contexts (2019). This approach to decolonial praxis as a localised one features seldomly in language study, though, the emphasis of the language body as a semiotic site of resistance through both the symbol of meaning and that of visibility does feature. Exemplarily, in the identification of '*eunuch*' as a pejorative site for reproduction of colonial epistemologies (Khan, 2017; Redding, 2015). However, consideration of national language practices coinciding identity language usage seldom exceeds claims of homonationalism, or homocolonialism; the imperialist export of neoliberal LGBTQ+ frameworks as standards of SOGIE civilisation. Even then, the English-language aspect of LGBTQ+ identity frameworks is

underrepresented, with focus concentrated on the Eurocentrism of the identity categories and the proposed rights frameworks.

4.3 Decolonial Imaginaries of LGBTQ+ Liberation in South Asia:

Explorations of discursively constructed (colonial-language) Otherness and their implications for emancipation are scarcely discussed in South Asian literature. Legal scholars highlight identity-related terminological quandaries when reviewing (post)colonial legislations, though, only superficially; among recurring conclusions that postcolonial legislations inherit colonial policies of heteronormativity (Redding, 2019; Woltmann, 2020). Language-specific studies relating to South Asian SOGIE minorities inhabit etymological histories of rights language, like in Gichki's (2020) article; whereby, they take an epistemological approach to legal terminologies (not identity language) and the colonial histories which inform them. Scholars do, however, frequently remark the 'misrepresentative', 'inadequate' nature of English-language typologies to represent SOGIE variance, albeit only to preface their subsequent usage in academic writing. Seldom do academics consider the impacts of colonial-language identity markers and colonial language practices as instruments of (post)colonial marginalisation that hinder contemporary emancipation.

Criticisms of Western and Anglocentric LGBTQ+ frameworks as applicable to South Asian SOGIE minorities frequents Human Rights and Queer Activism literatures. These criticisms of language

and identity markers settle upon the notion that Western LGBTQ+ frameworks are paradigms of whiteness, categorising global SOGIE diversity into rigid typologies. Scholars attribute globalisation and the privilege of Western *LGBTQ+* epistemologies as a cause for resistance, and the consensus is to decolonise Human Rights (DelaTolla, 2021; Jain and DasGupta, 2021; Massad, 2007; Nash and Browne, 2020). The failure of Western neo-liberal approaches to emancipation can be connected to their associations with globalisation and the assumption that *LGBTQ+* identities are universal (Ahmed, 2019; Rao, 2012). Decolonising Human Rights and broadening SOGIE definitions beyond Western LGBTQ+ frameworks are important approaches to emancipation.

There appears a tendency of Global North scholars and academics from the Global South who operate coincidingly with the hegemony of Western and Anglophone academia to propose and engage with decoloniality through Western paradigms, with a disregard for theorisations and research which centres around southern subjectivities. Singh (2021) highlights this in a review of *Language, Gender and Sexuality in 2020* stating that research is produced within the confines of White and Western Feminisms, relationships of heterosexual care, and cis-heteropatriarchies. Much discussion occurs on the construction of alternative positive identities to forego those utilised by institutions and politics to marginalise, categorise, and regulate SOGIE communities (Ahmed, 2019; Khan, 2016, 2017a, 2017b).

4.4 Methodological Observations:

As a byproduct of limited lingual consideration beyond superficial commentaries of typological inadequacy, there is a methodological deficiency for analysing both language terminology and national language practices as mechanisms of colonialism. Studies are yet to analyse the effects of language usage in tandem with national language practices of the British Empire in naturalising SOGIE oppression and how they are maintained postcolonially. The basis of lingual analysis foregoes any linguistic methods, such as (Critical) Discourse Analysis, descriptive, or comparative analyses to reveal the dynamics of (post)colonial language practices which facilitate the SOGIE marginalisation at the heart of enquiry. Critiques of broader terminological issues as presented throughout also lack an appropriate methodology to produce analysis, often embedded within broader studies of history, law, or literature. Thereby, this thesis which intersects Linguistics and International Relations proposes a lingually-based approach to systematically assess the lingual mechanisms of (post)colonialism which reproduce SOGIE marginalisation and obstruct contemporary emancipation. To analyse the linguistic obstacles to SOGIE emancipation in postcolonial Pakistan, this research introduces Queer Linguistic Imperialism: a theoretical framework equipped to analyse the relationship between SOGIE (post)colonial marginalisation and national language practices.

5.0 Concluding Remarks and Thesis Research Outline:

5.1 Introduction:

Per the preliminary literature review questions embodied in compiling the status of existing SOGIE South Asian research, the following conclusions inform the research questions associated with this thesis. (1) SOGIE identities were comparatively less marginalised in pre-European South Asia with notable existence of socio-cultural and political integration indicative of status and tolerance. (2) The status of SOGIE identities in South Asia appear to be fluid with little fixity to their etymological or physiological typologies. (3) Local SOGIE identities were defined, noting definitional differences across geographical, religious, lingual, and cultural lines which do not parallel contemporary LGBTQ+ frameworks. (4) The impact of language is noted in typological misrepresentation; though, without reference to (post)colonial national language practices. (5) Archival study forms primary data in Hinchy (2020) and Khan's (2016) research but is an underrepresented source of data collection premised on a small dataset comprising mainly legislative documents the IPC, CDA, and CDA.

5.2 Research Questions of this Thesis:

Following these results within the existing literature, the following research questions form the basis of this research:

- i) Map the development of Queer Linguistic Imperialism as a conceptual framework.
- ii) Identify the specific lexical sites of Queer Linguistic Imperialism and the Anglophile gender-sex knowledges as they have been (re)produced in (post)colonial Pakistan.
- iii) Examine the (post)colonial epistemic and linguistic evolution of these discursive sites in (post)colonial Pakistan.

- iv) Critically explore the societal and political impacts of Queer Linguistic Imperialism and the linguistic obstructions to Sexual Orientation and Gender Identity/Expression (SOGIE) emancipation in postcolonial Pakistan.

Chapter 2: Theorising Queer Linguistic Imperialism

1.0 Introducing Queer Linguistic Imperialism:

The relationship between (post)colonial language practices and SOGIE marginalisation is an underdeveloped area of study. Per the previous literature review chapter, studies of how colonially imported language systems impact colonised SOGIE communities are restricted to the vocabularic level. In acknowledging the issues of (post)colonially implemented vocabularies to represent colonised SOGIE persons, the general critiques presented follow two main arguments. First, that the installation of colonial vocabulary onto colonised SOGIE identities contributes to manufacture the marginalisation of gender and sexual minorities under the empire (see Hinchy, 2019; Khan, 2017). Second, the contemporary attribution of globalised LGBTQ+ identity categories to global SOGIE identities erases local subjectivities and fosters further marginalisation due to opposition of postcolonial 'Western' identity imports (See Ahmed, 2019; Mossad, 2007).

While this research denies neither of the above arguments, and instead agrees with them, there are limited correlations drawn between the colonial importation of identity vocabulary and the contemporary resistance to globalised LGBTQ+ discourses. Moreover, neither does the literature examined analyse language systems and identity markers as structures which perpetuate colonial marginalisation in postcolonial case studies, like Pakistan. Therefore, this thesis embarks on creating a theoretical framework in which to analyse how colonially implemented languages, and

their respective identity terminologies, perpetuate SOGIE oppression through the maintenance of the colonial language system in postcolonial contexts.

1.1 Introducing Postcolonial Resistance to LGBTQ+ Discourses of Identity:

The marginalisation of Sexual Orientation, Gender Identity, and Gender Expression (SOGIE)¹ minorities is a widespread international issue (Ahmed, 2019; Holan, 2009; Singh, 2021). In Pakistan and elsewhere, LGBTQ+ identity and rights frameworks are resisted because they are ‘Western’ imports of Euro-American imperialism that promote sexually liberal rhetoric and politics (Sabsay, 2012). Critics of globalised LGBTQ+ frameworks label the concern of anti-LGBTQ+ stances to be an Orientalist endeavour which imposes Western identity frameworks and standards of civilisation onto non-Western cultures (Doger, 2022; Fadila, 2022; Sahel, 2022).

However, despite the aversion to hegemonic LGBTQ+ discourses, there are plentiful recorded histories of SOGIE tolerance and socio-political integration are traceable across the globe, including the Khwaja Sira and Hijra communities of South Asia which are at the centre of this research (Kanwal, 2020; Najmabadi & Babayan, 2008; Rahman, 2021). The socio-political landscape has changed and is met with resistance contemporarily from institutions which attempt to implement LGBTQ+ rights frameworks. Scholars attribute this to LGBTQ+ frameworks being Western imperialist exertions and propose that these frameworks require a decolonial expansion of identity to encompass global diversity (Ahmed, 2019; Arondekar, 2020; Delatolla, 2021; Rao, 2020).

This approach to decolonisation, however, maintains that the communication and promotion of these rights and identity frameworks are via the English language, merely through alternative vocabularies. Upholding English as the lingua franca of LGBTQ+ identities and rights frameworks maintains a system of linguistic imperialism; whereby, the hegemonic language of identities is inescapably tied to Western-ness, its ideologies, power, and the engrained frameworks of LGBTQ+ as a transnational category. Expanding identity frameworks to account for global diversity does not resolve the issue of its association with Western imperialism, and therefore state resistance, due to the English language of instruction.

Thus, there is a question as to how to analyse this phenomenon, where socio-political understandings of gender and sexuality have changed to a status of marginalisation, and contemporary rights frameworks are rejected. While European colonialism is a common scholarly answer, the mechanisms which maintain colonial knowledge structures in terms of language are underexplored. There is reasoning to consider language and languages as mechanisms of this issue. Scholars and activists take issue with LGBTQ+ identity frameworks and associated rights as well as the knowledge they communicate (Ahmed, 2019; Redding, 2019; Delatolla, 2020). Namely, that global polities conceive the knowledge of same-sex intimacies and non-cisgender identities communicated by LGBTQ+ identity and rights frameworks as against the moral fabrics of society.

However, the aversion to hegemonic LGBTQ+ frameworks is not new. For example, Massad (2007) famously states that the Gay International does not exist (in the Arab world). Despite criticisms of Massad's (2007) argument, there is a truth to it which cannot be ignored; whereby, the 'Gay International', adherent to globalised LGBTQ+ identity frameworks does not exist in the Arab world, but locally contingent SOGIE identities who embrace alternative identity models do exist (Massad, 2007). Without commenting on the validity of Massad's claims, the basis that identity frameworks beyond the hegemonic LGBTQ+ exist coincides with this research. For instance, SOGIE identity exists outside of globalised LGBTQ+ discourses and represent culturally and historically intelligible epistemes. Insofar, the ontological and epistemological structures of identity are not transnational, nor transhistorical and mutually exclusive to those of the 'Western' LGBTQ+ frameworks which take centre stage. Thus, the resistance to SOGIE emancipation may perhaps be due to the communication of identity through a hegemonic gaze, rather than a resistance to the basis of SOGIE identity altogether.

Instances of problematic identity terminologies and frameworks as applied to global contexts, outlined above, represent a phenomenon which this thesis designates as Queer Linguistic Imperialism (QLI). The hegemonic usage of English language identity terms and knowledge systems to describe SOGIE communities beyond native English environments superimposes the local language identity terms correlative to global cultural contexts. Therefore, there occurs a problematic representation of global SOGIE identities through hegemonic frameworks which are communicated in a foreign, non-native language, that potentially reflects a different understanding of gender and sexuality. In such cases, the SOGIE community represented by

hegemonic labels, such as LGBTQ+, are denied the identity terminologies which correspond to their local languages and epistemes.

Nonetheless, there are limited frameworks available to analyse the impact of language as a cause for this socio-political shift from SOGIE tolerance to marginalisation along with contemporary rejections of LGBTQ+ frameworks. Robert Phillipson's *Linguistic Imperialism* (1992) somewhat applies, in that it analyses the relationship of (post)colonial language domination as an instrument for knowledge transference. However, as a framework of the Applied Linguistics discipline, its primary concern is English Language Teaching (ELT) materials as transmitters of English values and has limited application to the issue of SOGIE marginalisation. Therefore, I propose an interdisciplinary expansion of Robert Phillipson's *Linguistic Imperialism*, combining insights from International Relations and Linguistics and reading them through Queer and Postcolonial lenses to form Queer Linguistic Imperialism: a theoretical framework that analyses the epistemological import, and maintenance, of gender, sex(uality), and sexual knowledge structures via language, languages, and national language practices. Queer Linguistic Imperialism proposes an analytical framework applicable to phenomena of language domination and its effects on local SOGIE minorities beyond that of English-language contexts. Moreover, QLI offers a framework in which to examine problematic language usage that this thesis designates as instances of Queer Linguistic Imperialism; whereby, global SOGIE identities are superimposed by hegemonic linguistic representations of gender and sexuality incongruent to local language terminologies and epistemologies.

This chapter proceeds as follows. Firstly, I discuss the epistemological basis for Queer Linguistic Imperialism (QLI), the status of language, languages, and discourse. Then, I consider the processes of language domination before a summation of knowledge transference, epistemological subordination, and identarian naturalisation. Secondly, I theorise the relationship between language(s) and identarian liberation in the postcolonial sphere and put forth QLI's 'rejection and reinforcement cycle'; a cyclical model which suggests the contemporary resistance to LGBTQ+ frameworks and rights is a result of language(s). Furthermore, It offers an alternative outlook on decolonial praxis which proposes that to achieve SOGIE rights, national language practices must be decolonised alongside LGBTQ+ frameworks. Lastly, I provide a working summary of QLI condensing the theorisations throughout, preceding a conclusion of the theoretical framework and its capacity for analysing SOGIE relations via language domination.

2 The Foundation to Queer Linguistic Imperialism: Phillipson's Linguistic Imperialism:

Robert Phillipson's 1992 *Linguistic Imperialism* proposed a radical critique of the English language and its capacity for both linguistic and cultural domination. The study of Linguistic Imperialism explores the mechanisms of how and why languages, particularly former colonial languages, dominate internationally and aims to forge a theoretical basis to analyse instances of language domination (Phillipson, 2009). The idea that the English language and the ELT profession was an apparatus of endured imperialism divided Applied Linguistics scholars.

Interlocutors Davies (1996) and Spolsky dismissed Phillipson's ambitious project as a product of anglophile guilt with limited merit and an under-theorised framework which overemphasises the negative effects of linguistic domination (Phillipson, 1999). Despite initial aversions to the Linguistic Imperialism framework, academic reception has improved due to the institutional emphasis on decolonisation, with an increased appreciation and application of its principles in contemporary scholarship (see: Pervaiz et al., 2019; Almutairi, 2021; Mackenzie, 2021; Naude, 2021). Recently, applications of Linguistic Imperialism have narrowly expanded beyond the initial ELT contexts of Applied Linguistics, with contemporary studies exploring other communicative modes like British Sign Language and other state-focussed case studies (Rose, Conama, 2018). The initial dismissal of Phillipson's theorisations lies within his investigation into the phenomenon of the English language as the 'global' lingua franca, with unparalleled political, economic, and social currency in the contemporary world (1992). Moreover, he investigated whether former colonial languages are pragmatic structures necessary for post-colonial state formation and maintaining international relations, or if they preserve Western hegemony and a system of Global North-South inequality (Phillipson, 2009).

To understand the material conditions for English's global dominance as the language of politico-social modernity and economic advantage, *Linguistic Imperialism* examines the historical expansion of English to establish whether this advancement is a result of English language promotion used as an instrument of foreign policy. Phillipson prioritises reviewing the foreign and language policies established during British colonisation and their inheritance in postcolonial contexts, and the contemporaneous ways through which English is a colonising force (1992). No

longer an empire of military proportions, the British colonial empire has transformed from that of direct rule into a corporate empire of language capital and capitalist economic dominance resulting from structures of language hierarchy (Phillipson, 2011). These lingual hierarchies which underpin Phillipson's Linguistic Imperialism feature in African postcolonial scholarship; whereby, writers Bisong and Thiong'o emphasise the role of language hierarchisation which devalues local languages in favour of the politically modern, and economically lucrative colonial master language(s) (Thiong'o, 1992; Bisong 1995). Linguistic imperialism, therefore, is a product of linguicism; a hierarchisation of languages in a way which parallels politico-societal structuring through racism, sexism, and class (Skutnabb-Kangas, 1989; Phillipson, 2011). Phillipson's 1992 focus is the role of the ELT profession in transmitting Anglophile culture and ideas through the vessel of language, and whether its educative promotion and its capacity for cultural import perpetuates Global North-South inequalities (1992).

A reductionist definition of linguistic imperialism defines the process through which one language dominates another via extralinguistic means beyond the natural philological evolution of language. Phillipson's theorisations outline this domination as either a colonial imposition of force or a postcolonial negotiation for politico-economic advancement (1992). Through these processes, language, ideas, knowledge structures, and values of the dominant language culture are imported onto the dominated language culture. The epistemological imports are contextually reliant, and Phillipson's focus is on the medium of ELT materials and the import of Anglophile social norms through English-language education textbooks (1992; 1997). The epistemological

import of linguistic imperialism is far-reaching, and each case study requires a specific direction to guide the scope of enquiry.

Linguistic Imperialism draws inspiration from several social science traditions and disciplines, citing a dearth of available linguistics theories for which to evaluate the political, lingual, and social effects of language domination (1992). Resultantly, Phillipson synthesises theories of imperialism used in the social sciences, applying the concepts of Galtung (1990) and Gramsci (1971) primarily to analyse the sociology of language, (international) cultural hegemony, and theories of state and hegemony. These coincide with Phillipson's projects with linguist, Tove Skutnabb-Kangas, which detail language and power, the domination of linguistic groups, and their effects on minority education (1985; 1989; 1991; 1996; 2012a; 2012b; 2022). Although Linguistic Imperialism's theoretical underpinning is adequate for the contexts of ELT, Phillipson recognises that the book would benefit from the input of social scientists to conceive an interdisciplinary approach applicable to the phenomena of lingual domination (1992).

In a subsequent publication, Phillipson is aware that the framework is not all-encompassing and advocates for the refinement and expansion of Linguistic Imperialism, to be applied to other case studies to understand the realities of language domination and cultural import as interconnected structures (1999). Despite Linguistic Imperialism's emphasis on the 'cultural import' which occurs through language, the inequalities invoked as part of this consideration are largely socioeconomic; with mere discussion of the socio-political, inter-human relations affected by the cultural import of Western knowledge structures. This dynamic of power is overlooked across

the linguistic imperialism literature, Phillipson's initial writings, and Linguistic Imperialism's applications by others despite the framework's Gramscian influences.

To expand Linguistic Imperialism, language hierarchisation is a parallel system to politico-societal structures of racism, sexism, and class, as well as the significance of cultural imperialism. As linguistic imperialism can import aspects of culture, it can implement and institutionalise knowledge structures onto the dominated language culture. Gramscian cultural hegemony, an underlying influence of Phillipson's framework, concludes that the knowledge structures of a dominant group preside over a given society and manipulate their knowledge structures, ideas, values, perceptions, and definitions aligned to those of the dominant group (1992). This process of epistemic domination and institutionalisation, therefore, can be a system of linguistic imperialism. Insofar, that the domination of one linguistic group by another, imports the ruling knowledge structures from the dominant language culture onto the dominated language culture. Thus, sexuality and localised identities experience epistemological subjugation via language domination. The existing literature neglects this area, as well as the textual-level analysis of knowledge transference. There requires a textual-level analysis of identity markers to evaluate the specific knowledge systems represented by a singular term of the dominant language transferred and institutionalised onto the dominated language culture. Queer Linguistic Imperialism, therefore, is a theoretical framework equipped for the textual-level analysis of epistemological importation and maintenance via SOGIE identity terminology.

3 Language, Languages, and Discourse:

Language is the foundation for Linguistic Imperialism and QLI as it is the basis for which knowledge is transferred, represented, and naturalised via processes of language domination. Language is an enduring legacy of European colonialism due to the promoted utility of former colonial languages and their presence as national, official, legislative, and educative languages in former colonies; see, for example, Pakistan, Suriname, and Equatorial Guinea (Phillipson, 2009).

Linguistic Imperialism's underlying epistemological and ontological basis of language is unclear and conceptually limited while reliant upon varied but restricted empirical arguments (Fisher, 1993; Ricento, 1994). Phillipson's Linguistic Imperialism and its later applications by scholars primarily study the *how* and *why* of language domination; how at local and international levels languages dominate one another and why (Pervaiz, Perveen, Khan, 2019). While a fundamental area of linguistic imperialist study, the *what* of linguistic imperialism is underdeveloped in the literature. Phillipson acknowledges the promotion of cultural values through linguistic imperialism and is often cited by others in exercises of the phenomena; however, the specific cultural practices promoted lack investigation and clarity beyond ELT contexts. To acknowledge the *what* would recognise that languages are semiotic jars filled with knowledge reflective of the culture, history, and social thought of those who speak it. As a result, linguistic imperialism invades the dominated culture using language, and where this occurs, it creates a hierarchy of cultural knowledge systems which legitimises the host-language's culture and, to an extent, delegitimises the dominated language culture. The particular identity-related knowledge and

social thought transferred via linguistic imperialism warrants attention and proposes an alternative outlook on colonisation, anti-colonial thought, and SOGIE liberation: the objective of Queer Linguistic Imperialism.

As an interdisciplinary proposal, QLI draws upon epistemological traditions of both Linguistics and International Relations regarding language, primarily Harrison (2007) and Foucault ⁴(1973). Harrison regards language, and especially vocabulary, as a semiotic wealth of knowledge reflective of its speakers, culturally, geographically, and historically contingent (2007). Localised knowledge risks extinction as a by-product of language death both as a natural occurrence of lingual evolution, but also political pressures to homogenise language use (Harrison, 2007). Inadvertently, this refers to the phenomena proposed by Phillipson (1992) to be Linguistic Imperialism, whereby, one language dominates another, but to the extremes of language obsolescence. This view that language is a socially constructed means of communication embodies the principles of Foucault's (1973) discourse. However, Harrison (2007) goes beyond language as a communicative entity and understands global languages as community-specific knowledge, distinct in geography, culture, and value systems. Thus, merging the geo-cultural specifics of Harrison with Foucault's genealogical social construction of language, QLI understands language as a socially constructed means of communication through which existence, values, perception, human relations, and systems of knowledge are created. Queer Linguistic Imperialism assumes Foucault's (1973) principles that discourse is a process of communication where the content of language simultaneously constructs and materialises the subject, be it identarian categories, objects, values, or systems of knowledge. These constructed claims to knowledge are ratified

through communication exchange, communication reception, and signification, which produce a 'reality' (Foucault, 1978). This reality is neither objective nor innate, but a discursive narrative which constructs systems of knowledge as either true or false and these constructions form the focus of analysis. Queer Linguistic Imperialism analyses these constructions of SOGIE identities and the narratives of reality which dominate localised 'truths' of identity to govern society.

Governmentality, a system of processes which constitutes, defines, and organises freedom and the categorisation of individuals in society is, in part, a product of discourse (Weidner, 2009). Governmentality and discourse are central to the theorisation of QLI, as it examines institutional and linguistic practices which organise, categorise, and utilise power relations to restrict the liberty of SOGIE individuals. Foucault's discourse is the process through which knowledge is constructed and simultaneously materialised as an object, subject, or idea; be it an opinion, value system, or 'reality' (see Foucault, 1973; 1978). The subject is simultaneously a construction and determination of self as well as a construction and determination of the individual beneath the knowledge systems of governmentality (Foucault, 1997). Subjectivisation, then, is the constructed, yet concurrently materialised categorisation of oneself. The freedom assumed in subjectivity does not necessarily coincide with the systems of knowledge which form governmentality and determine liberty; sets of constructed discourses that outline socio-political and cultural values of being and organisation. Therefore, the governmentality which organises the individual is constituted by discourse, from the identity of the subject, the knowledge systems that limit its liberty, and the institutional forces which enact it. Queer Linguistic Imperialism considers the local versus the dominant at multiple levels: the local identarian subjectivity of self

and the dominant subjectivity of the SOGIE-self; the local-language identity terminologies, discourses, and the knowledge systems they represent; and the dominant-language assertions of identity and the knowledge they impart onto the dominated language culture.

Governmentality for QLI centres around the practices of governance which restrict SOGIE freedoms both institutionally and socially, and their interrelation with the national language practices which uphold the discourses that influence them. National language practices maintain discursive knowledge systems imported by the dominant language culture, those which, governmentality-speaking, displace local (language) subjectivities and the conditions of liberty they interact with. The above ideas of Foucault underlie the principles of QLI and present an interesting perspective for queer, postcolonial, relations of language(s) and power. Discourses and governmentality, particularly in analysing relationships of power and knowledge, benefit from the standpoint of genealogy to explore their interrelation with epistemological systems.

Genealogy is a complex collection of interwoven threads: some lay broken and disconnected from an end, replaced by others which lead elsewhere, and some fray with the effects of time yet maintain their integrity. It requires patience to trace these intricate threads to understand the details which befall them, accepting the vast bundle of yarn as an entanglement of ideas which constitutes knowledge. Beyond the writings of Foucault (1978) and Nietzsche (2012) on genealogy, the interpretation theorised by QLI understands genealogy as systems of knowledge which can be thought of much like threads, where each strand represents an immortalised idea. An idea may withstand the test of time and be maintained in current circulation. Aspects of the

idea may have frayed, either eroded or modified while retaining the fundamental claim, or the idea has broken down, obsolete in currency but remains enshrined as knowledge representative of bygone eras. Therefore, genealogy is the investigation of ideas in acknowledgement of their temporal and historical context as well as their influence on other systems of ideas.

For QLI, ideas and systems of knowledge reflected in identity descriptors (and the discourses which surround them) are understood initially as temporal and historical through which then the threads can be assessed. These threads of ideas may continue into contemporary knowledge systems, maintained by the lingual term which represents it and the national language practices which promote its use. This will be evident in tracing the vocabularic and discursive usages instated during the colonial domination of language(s) and the mirrored usages in the post-colonial space. Where these identarian ideas can be mapped as a colonial imposition of language domination and continued in the post-colonial, genealogy traces these ideas and establishes whether they are maintained, frayed, or broken threads. Additionally, genealogy under QLI assesses whether these knowledges and the linguistic form which represents them is maintained, has evolved, or has been replaced by another form. Such a process of mapping operates in reverse, also, through which contemporary identity language and the knowledge it represents can be traced backwards to understand its origins and the imperialist assertions of knowledge that occur through language domination. The below formula diagram demonstrates this by visual means for a simplified relation of theorisation to application:

Table 1. Visualisation of Queer Linguistic Imperialism's Genealogical Analysis

	Where the analysis of colonial language practices and linguistic
Mapping Forward:	imports is the starting point of QLI's genealogical analysis.
	The process of QLI's genealogical analysis which takes contemporary
	language use as the compound, whereby, the origins of its reflective
Tracing Backwards:	knowledge and processes of naturalisation are traced backwards.
	<i>SOGIE language subject – establish the host language of the term –</i>
	<i>establish the local language context where it is used – determine the</i>
	<i>knowledge the SOGIE language subject represents – collate the</i>
Example:	<i>longitudinal usage – conduct genealogical analysis</i>

Using the above table, the following example demonstrates QLI in action through a mapping forward genealogical analysis. The regulation of SOGIE groups under British colonial rule begins linguistically with the identity descriptor '**eunuch**' to encompass the local variance and diversity SOGIE identity. The host language is **English** and is used in **colonial India** (encompassing contemporary Pakistan, India, Bangladesh, and Myanmar) where, at the time of 'eunuch's' inception, **Persian, Hindi, and Urdu**, among other local languages were dominant (Rahman, 2002). The knowledge represented by 'eunuch' is a collation of nineteenth-century British knowledge structures which follow **gender binarism, heteronormativity, and the act of sex as mechanical**; whereby, sexual interaction beyond penis in vagina (PIV) for procreative purposes is immoral (Bancroft, 1995). This linguistic usage is documented from colonial administration through to post-colonial state formation as evident in the archival analysis I have conducted thus

far. Genealogical analysis ensues from this point, using Fairclough's Critical Discourse Analysis as a method to dissect language use (2013).

Queer Linguistic Imperialism considers the role of NLPs in how the dominance of the English language facilitated the transfer of 'eunuch' knowledge structures into colonial Indian society, and beyond. From administrative assertions of English as an educative language during colonisation (Macaulay Education Act 1835) to the Official, National, and Legislative status of the English language in post-colonial state formation. Therefore, these genealogical threads are considered **maintained**, as the term eunuch is an intact system of knowledge which transcends its initial colonial usage and influences post-colonial socio-political thought. This example, however, is oversimplified and does not encompass the undertaken analysis nor the intricacies it involves; nevertheless, it provides a basic demonstration of QLI in practice.

4 Language Domination:

Empires are political entities and scholars have long assessed how polities dominate one another, to what benefit, and the enduring legacies of epistemological and physical subjugation. Linguists and political scientists have acknowledged language as a vital element of empire, as well as an empire itself (Stolz, 2015). Like traditional empires, linguistic empires assert and exercise power over another language polity and establish socio-linguistic hierarchies in which the lingual Other is both constructed and treated as socially inferior (Bertrand, Goettlich & Murray, 2018; Georgis, Lugosi-Schimpf, 2021; Manchanda, 2018). Hamel (2006) applies the modern concept of

imperialism and applies it to any context where language contact takes place; to apply the economic, social, and cultural mechanisms of domination to language contexts. Language empires seek to spread their linguistic influence and establish power relations mediated by language dichotomies to instate a lingual hierarchy (Phillipson, 1997; Hamel, 2006). The global presence of English, French, Spanish, Portuguese, and Arabic are testament to the strength of the lingual empire, and the socio-political structures which led to their power, but also those which maintain their lingual currency today (Phillipson, 2007). Language as a powerful tool to acquire empire is a long-known mechanism of control.

Not excluding ancient empires, European colonial expansion has documented the acknowledgement of language(s) as a colonising power dating to 1492, when Queen Isabella of Spain planned to establish Castellano as a tool for overseas conquest and a weapon to streamline untutored speech in Spain (Illich, 1980). Although this is an oft-cited example, it indicates the historic perception of language as a mechanism for social control; insofar, that lingual hierarchies act as social divisions through which values, beliefs, and behaviours can be assimilated. Linguistic hierarchies materialise through language policies in both colonial and postcolonial settings, whereby, one language is privileged over the other within social and political institutions alongside varying policies of punishment and Othering (Phillipson, 2006a). The maintenance of established hierarchies, Philipson (2006a) argues, is a tri-part pattern that consists of stigmatisation, glorification, and rationalisation. Retheorised by QLI, this tripartite condition of language dominance is as follows:

Stigmatisation: The stigmatisation of local languages and local language identity terms, at home and overseas, oftentimes reduced to a status of inferiority through the framing of these local languages as vernaculars or dialects. Local language identity terms and the local knowledge they represent are devalued as unfit for modernity and misaligned with the dominant language's conceptualisation of SOGIE identity.

Glorification: The glorification of the imperial language for its communicative clarity, superior syntax, and wealth of vocabulary that allows for the better conception and communication of knowledge, technology, and literature. For SOGIE identity, the dominant colonial language glorifies its SOGIE identity term, mainly through the glorification of its construction of SOGIE identities as deviant, incompatible with the organisation of society proposed by the colonial worldview.

Rationalisation: The rationalisation of the relationship between the dominant language and dominated language(s). A relationship that always benefits the dominant language, such as a rationalisation for the colonial civilising mission, access to the superior culture via the dominant language, and access to progress, politico-economic advancement, and modernity. Therefore, the rationalisation that the dominant language SOGIE term and its identity construction is representative of a functioning, politically modern society premised upon dominant organisations of a rigidly heteronormative system. Rationalised as a contrast from the local

language SOGIE identity and its reflective knowledge, which is legitimised, or at least tolerated, and a marker of a dysfunctional society.

Lingual relationships are present today and demonstrate the maintained hierarchisation and privilege of languages over others, and therefore, the culture, knowledge, and values that the dominant language culture promotes. Where languages are either explicitly or implicitly denied the functions or qualities of the examples above, it is “‘logical’ that speakers of a stigmatised language can only benefit from using a ‘superior’ language” (Phillipson; 2006a: 2235). The precondition for language domination is language spread, often facilitated by specific policies designed to disseminate language and language usage (Phillipson, 2006b). These lingual hierarchies undergo continuous re-negotiation and legitimation, through both the direct imposition of language, like that of political and militant force, and the indirect ideological promotion of language marketing.

(In)direct language spread enables language integration as an accompanying force to political power, in that language infiltrates the institutional system; in education, legislation, political discourse, and the dissemination of knowledge (Phillipson, 2006b). Moreover, institutional infiltration of language enables language to be used as a form of social control, particularly in educative settings, an often racist, socially stratified, and colonial system of epistemological import and assimilation of the dominated language cultures (Viswanathan, 2016). Language spread integrates the dominant language into the socio-political public sphere of influence then

opens the possibility for control, and thus, dominates the local language(s) by imposing linguistic hierarchies that privilege the dominant language as the medium of communication for the political and epistemological. Qualities and functions otherwise denied to the local language(s) through stigmatisation, glorification, and justification.

For linguistic imperialism and language dominance to be effective, the number of those who speak the dominant language is irrelevant, providing that the dominant language culture has established a lingual hierarchy. The interplay of the dominant language culture and the agency of the dominated language culture's elites (who utilise the imposed dominant language) maintain an imperialist hierarchisation of the languages spoken in the dominated language geography; a hierarchisation which makes the dominant language, the dominant language culture, ideology, and utility, indispensable for socio-cultural, and politico-economic prosperity (Khubchandani, 1997; Hamel, 2006). In the discussion of agency in the context of linguistic empires, Hamel (2006) identifies two processes of agency that diffuse the dominant language among the subjugated language territory:

"1. Language spread policies propelled by empires to impose their language on other populations, sustained by ideological constructs that establish the superiority of their own [...] and 2. the dynamics, initiatives, or demands expressed and developed by [...] peoples in the subordinate territories who wish to gain access to citizenship, power, elite status [...] through the acquisition of the imperial language." (Hamel, 2006: 2253).

Language domination and its success is visible in the language policies of former colonies, often a remnant of colonially imposed language policies which continue to perpetuate the lingual hierarchies that colonisation created (Phillipson, 2006b). However, language domination and language spread need not be a static, unchanged reality. Agency, mobilisations of national identity, and associated language(s) which shed lingual hierarchies and policies established by dominant language powers are evident. For example, the promotion of Xhosa in South Africa (Mkhize, 2020; Motinyane, 2020). Nonetheless, language domination extends beyond historical colonialism and is prevalent in the international promotion of language contemporarily through increasing systems of globalisation. Now that the processes of language domination have been lightly outlined, the concern of QLI can be explored: the transference of knowledge, subordination of local identity epistemologies, and the naturalisation of linguistically imported identities.

5 Knowledge Transference, Epistemological Subordination, and Identarian Naturalisation:

Language planning and lingual policies are sites of ideological and semantic power. They prioritise a small number of the approximately six-thousand languages currently in use and corrode less hegemonic languages (Harrison, 2007). Lingual prioritisation risks damning after-effects on identity subgroups as the socio-cultural specific knowledge of identity reflected by global languages face replacement by hegemonic languages and the worldview they represent. Further

investigation into the ideological and semantic power of language dominance is a plea for which only the dedicated can achieve, to “make amends for the imbalances that are still present” following centuries of colonial subjugation via language (Ashraf et al., 2020: xiii). Phillipson (1992; 2006a; 2006b; 2007; 2016), Hamel (2006), and Calvet (1997) highlight the imperial capacity of language, in that it can dominate other language cultures to their detriment and impose harmful linguistic hierarchies that devalue local languages. While some acknowledgement is made of the ideological, and epistemological effects of language domination, few studies examine the linguistic sites through which knowledge is imported and naturalised via language domination. Queer Linguistic Imperialism analyses the specific systems of knowledge that are transferred via language domination, and through what vocabulary, centring the effects of language domination on SOGIE identities, and the subordinated local knowledge systems which are silenced by the dominant language(s) identity terminologies and epistemologies which marginalise them. This chapter details the processes of knowledge transference, epistemological subordination, and identarian naturalisation through the vehicle of language, while simultaneously theorising QLI.

Language transfers knowledge through both communication and via the vocabulary itself by means of Foucault’s (1997) notion of discourse. Language, and languages, are communicative systems of meaning through which meaning is created and naturalised. Where one language (either colonially imposed or post-colonially negotiated) dominates another, the identity terminology of the dominated language culture is devalued in a hierarchy which privileges the dominant language’s identity terminology. Whilst the dominated language and associated language terminology will still be in communicative use, the status of the dominant language as

the institutional lingua franca circulates the identity terms on an official level. Therefore, as the dominant language becomes the medium of education, legislation, administration, and the institution, the identity terminology employed becomes the standard and naturalises, placing a hegemony on the local versus dominant language of identity. Legislation, political communication, and education contain written mediums of discourse; whereby, the patterns of knowledge packaged in identity terminology and the discourses around identity naturalise to become ruling epistemological structures by virtue of written discourse being a static entity.

To understand epistemological subordination, Bhabha (1984) and Fanon (1963; 1984) propose psychoanalytical insights into the (post)colonial subjugation of global communities. From here, QLI theorises the mechanisms of language as an instrument of subjugation, the effects of language domination on global communities, and the enduring legacies of colonialism. Insofar, how dominated language cultures internalise dominant knowledge systems, particularly SOGIE identities, and maintain epistemological and material governance structures via language and national language practices in postcolonial contexts. Both Fanon (1963) and Bhabha (1984) acknowledge the importance of language in psychosocial relations of the colonised subject and their peers, and that of the coloniser and the colonised. Predecessors to Phillipson's *Linguistic Imperialism* (1992), each Bhabha and Fanon regard language as a fundamental part of epistemological subjugation. While they do not explicitly outline the relationship between language domination and cultural transmission, their analyses demonstrate striking similarities to the later work of Phillipson's *Linguistic Imperialism* (1992). Bhabha understands the colonial mission as one marked by language, or in his terms, the production of discourses rich in irony,

repetition, and mimicry; the latter, being one of the most pervasive yet enduring legacies of colonial knowledge and power structures (1984). Like Bhabha, Fanon emphasises the abiding capacity of language, explaining that “to speak means to ... assume a culture, to support the weight of a civilisation” (1963: 17), which recognises the colonising capacity of language in both cultural and epistemological domination.

He who has language, has access to the world as it is conceived and expressed within that language, with each language possessing a perception of both knowing and being that is unique. With language comes power, and he who has been colonised faces a lingual battle in which inferiority is created, where local cultural subjectivity is dominated by the cultural capital of expressed through the dominant language of the colonising force (Fanon, 1963). Fanon writes that the colonised subject, in adoption of the dominant language and the culture transmitted through it, rises above the status of barbarism afforded to him as perceived through the worldview of the dominant language (1963). Bhabha (1984), too, notes the assimilative capacity which language, or discourse, imposes onto the colonial subject.

Mimicry represents the desire for a changed, recognised category of the Other which constitutes a subject of difference; one that is almost the same, but not quite the same as the colonial power (1984). A construct of ambivalence which maintains those differences, mimicry continually produces the conditions of difference to remain an effective structure of colonial power. As the articulated Other visualises the power illusioned by the colonial power, the colonial structure

exploits the subject into a state of complicity and influence, resulting in intensified surveillance, and threats to local knowledge structures (Bhabha, 1984). The further from the local culture and language the colonised subject strays, the more representative he is of the knowledge structures imposed upon him. For Fanon (1963), he becomes whiter, and for Bhabha (1984), he mimics the coloniser via the Otherness afforded to him.

The colonised subject who adopts the dominant language and embraces the cultural standards as perceived through that language acts as an interpreter to their fellow subjects, and “they too enjoy a certain position of honour” (Fanon, 1963: 19). The dominant language and culture are praised, whereas the local language and culture are scorned, with institutions such as education being a primary communicator of this lingual and cultural hierarchy; a demonstration of Phillipson and Skutnabb-Kangas’ linguicism (1995). When reading Radaelli (2003) through Fanon’s (1963; 1986) works, the construction, diffusion, and institutionalisation of value systems is a hegemony of the imported knowledge which is communicated to, and imparted, onto the groups it presides over.

For QLI, then, the lingual means of this construction and diffusion is paramount to epistemological subordination. As language forms the communicative means of value system construction, diffusion, and institutionalisation, the adoption of the dominant language replicates its worldview and perpetuates the language, and therefore, knowledge of subordination. Among the most educated, the inferiority complex fostered by the dominant

language and culture is most intense and reflected in the adoption of social and material assimilation, even when in the company of his subjugated peers (Fanon, 1963). Fanon equates this to a process of dislocation from local culture and local epistemologies and ontologies, mediated through language usage as the transmitter of ideological difference (1963). What occurs, is a hierarchisation not only of coloniser versus colonised, but among the colonised community, in which those who do not speak the colonisers language, or adopt his world view, are reduced to a status of incivility. To ask the colonised individual to converse in their local tongue, don local attire, and engage in local cultural customs, the coloniser ensnares him, reducing him back to the status of inferiority which is communicated in the dominant language he now speaks (Bhabha, 1984; Fanon, 1963). Queer Linguistic Imperialism understands language to be both the mechanism which imparts culture and knowledge systems, as well as the mechanism which maintains it. To follow Fanon's (1963; 1984) psychoanalyses, the colonised subject retains the colonial language which constrains him, in fear of reduction to a lesser state of civility (as the world view of the colonial language expresses), and to maintain the politico-economic position afforded by the colonial language.

Bhabha asserts that mimicry can be traced through literary works, in representations of the colonial subject as to be civilised, and the result of colonial mimesis (1984). A construction of the mimetic colonial subject can be traced lineally, through literary works, as a representation of the constructed Other; whereby, the depictions, illustrations, and naming communicates mimicry, the 'not quite'. Moreover, it communicates the established difference, from race, to name, location, and even the values associated with the colonial Other. Implicit and explicit knowledge

as constructed through discourse maintains the ambivalent slippage Bhabha outlines. These linguistically constructed mechanisms can be traced lineally and through time, demonstrating its power as a maintained transmitter of knowledge that communicates difference, naturalises a ruling knowledge structure, and establishes cultural and socio-political hierarchy.

If knowledge can be maintained temporally and lineally through literature, it constitutes Foucauldian genealogy, and makes a compelling case for QLI's theorisation. Language is the primary vehicle for both knowledge transference and implantation, and is an institutionalising mechanism of knowledge, through which epistemological systems become regimented truths by the premise of social constructionism. The epistemological systems parcelled up into identity terminologies which represent regimented truths, like Bhabha's literary mimicry, maintain the knowledge they produce by virtue of their usage. Thus, the (post)colonial conditions which valorise the dominant colonial language over the dominated local language encourage the former's usage. These conditions not only naturalise the knowledge structures that the dominant colonial language transmits but maintain them by virtue of utilisation. Colonially imposed knowledge systems of identity, naturalised and communicated through identity terminology, then, can maintain those epistemological and governance systems in the postcolonial sphere merely through language practices, language policy, and language usage. The notion of mimicry, however, is an interesting addition to this maintenance.

The colonial domination of the colonised subject is both an identarian one and psychological one; whereby, the internalisation and epidermalisation of inferiority occurs, and maintains a hierarchical relationship between the civilised West and barbaric Other (Fanon, 1986). This inferiority develops a dependency of the urban proletariat on the culture of the coloniser, in behaviour, values, education, and the language (Fanon, 1963; 1986). Fanon and Bhabha each acknowledge that the colonised subjects retain aspects of the imposed coloniser's culture, even to the extent of spoken language in Fanon's case. In the strife for appeasing colonial values, retaining a state of 'modernity' for politico-economic advantage, and due to the colonised psyche, the imposed and naturalised knowledge structures of the colonial mission (such as gender and sexuality epistemologies) may remain engrained. Interpreting Bhabha's (1984) mimicry, Fanon (1986) posits that the colonised intellectual is representative of the coloniser's ideologies, and sustains the mimetic construction of the Other as *nearly, but not quite*. As the mouthpiece of the colonial worldview, the dominant colonial language is the transmitter of mimicry which constructs and materialises it; therefore, national language practices that maintain the dominant colonial language also maintain the mimetic Other, assimilated to the colonial episteme.

Language as a vehicle for ideological transference and implantation may be a condition of mimicry, although it is not explicitly stated; however, the lingual conditions outlined by Fanon (1963; 1986) suggest that imitation, or white masks, are partially formed by the world view communicated through the colonial language. Suppose that the conditions of mimicry are lingual, which I argue they are, the maintenance of the dominant colonial language in the postcolonial space maintains mimicry, like Fanon's notion of white masks. If mimicry is lingual, upon the

establishment of a national identity and independence which relinquishes the power structures, politics, and the dominant language, mimesis dissipates. These distinctions legitimise QLI's theorisation that language domination facilitates colonial knowledge structures which marginalise SOGIE groups, and postcolonial national language practices maintain those epistemologies.

Queer Linguistic Imperialism theorises upon Fanon's Marxian-inspired psycho-social relationships of colonial subjugation to produce a lingually-oriented, and SOGIE specific categorisation. These three classes are the heteroclass, the sogieclass, and the national bourgeoisie. The heteroclass, compounded of heterosexual and class, represents the majority population, of who identify as heterosexual and subscribe to heteronormativity; such as gendered social roles, engagement in patriarchy, and traditional social norms of gender essentialism. The sogieclass represents the SOGIE populations, the minority classes. Sogieclass as a category has been devised to limit linguistic currency and epistemological disposition; able to absorb and morph to the SOGIE context of the social environment it is applied, without relying on hegemonic LGBTQ+ frameworks of identity.

Per the literature review chapter, therein lies an issue with hegemonic LGBTQ+ frameworks of identity in discussing global communities of gendered and sexual difference, due to the transnational misrepresentation of global identities as streamlined to Western paradigms. Resultantly, this thesis adopts SOGIE as meaningful collectivisation of sexual orientation, gender

identity, and gender expression which transcends geographies, culture, and epistemologies (ASEAN, 2020). For congruence, QLI maintains SOGIE as an adequate descriptor in the theorisation of Marxian-inspired psycho-social relationships of (post)colonial subjugation. Moreover, the linguistic currency of SOGIE does not represent a specific, culturally contingent, knowledge structure with deep-rooted ties to history, geography, or contemporary geopolitical hegemonies. As such, sogieclass is sensitively applicable to global SOGIE communities and morphs to represent local identarian subjectivity, limiting the misrepresentative capacity compared to other terms and frameworks, like LGBTQ+ (Redding, 2015; Ahmed, 2019).

The national bourgeoisie follows Fanon's conceptualisation which understands the category as the colonial aspiring ruling class and the postcolonial ruling class (Quest, 2005). The colonially aspiring ruling class share a class consciousness created by the colonial power; whereby they, through the colonial language, share a colonial worldview. Postcolonially, the national bourgeoisie are the ruling class, and where the colonial language is maintained, the colonial worldview is maintained; though, there may be epistemological and governing developments aligned with postcolonial politics to remain seated at the metaphorical 'politically-modern' table instilled during direct rule. Following Fanon (1963), the peasantry sogieclass has a restricted access to education through regimes of governance which exclude them, and as well as being an exceedingly small fraction of the total population, their power is limited.

The sogieclass may maintain their cultural identity despite enduring regimes of governmentality resultant from the domination of language and the transmission of knowledge through it. However, it is the wider heterosexual, heteronormative majority (the heteroclass and the national bourgeoisie) who reproduce the colonial worldview (Fanon, 1963; 1984). Through the dominant language they adopt, or are coercively subjugated into using, it diffuses and naturalises the knowledge systems it communicates: acceptable bodies, legitimate identities, (im)moral sexualities, and ways of being. As Fanon notes, these white masks (assimilation of language, culture, attire, and knowledge) alter the subjugated psyche and create a hierarchical structure that vilifies those without the white masks (1963). The sogieclass, therefore, is not only marginalised by the colonial regulator of their identity, but also by their majority heteroclass peers who adorn the mimetic white masks of colonial domination in the (post)colonial system.

Fanon and Bhabha are considerable influences in the theorisation of QLI: however, there are aspects of language which require support from Phillipson's *Linguistic Imperialism* (1992) and Fairclough's *Critical Discourse Analysis* [CDA (2013)]. This chapter now addresses the lacuna of language policy, national language practices, and their roles in facilitating knowledge transference, epistemological subordination, and identarian naturalisation. Queer Linguistic Imperialism views language as a mediator through which knowledge is not only formed but can be implanted onto others via the domination of one language culture, by another.

Where one language has been dominated and politically replaced by another, the mechanisms of governance, both material and epistemological, risk displacement, to be replaced by the material governance employed by the dominant language culture. The imposed governance is a materialisation of the epistemological systems that define culture, politics, society, identity, and the body; imports from the dominant language culture, exerted onto the dominated community, through the integration of language. For this to occur, and what Phillipson's (1992) *Linguistic Imperialism* neglects to study, is the specific knowledge systems and epistemological colonisation that occurs through individual vocabulary. Using Fairclough's (2013) CDA, QLI places an emphasis on the textual, analysing the embedded knowledge structures which construct and materialise identity within vocabularic parameters. To understand the knowledge represented by specific vocabulary acknowledges the epistemological domination of subjugated language cultures and identifies the location through which that knowledge is transmitted. To support this analysis, one must identify that the identarian vocabulary in question is in use, imposed by the dominant language, and used in place of the dominated language's own identarian terminology. Finally, the materialised effects of language domination, as in the epistemological transmission of the dominant culture, must be located. For this, QLI follows Fairclough's CDA.

CDA forms the analytical category of semiosis, where the words and symbols that constitute discourse are viewed as representations of social life (Wodak & Chilton, 2005; van Leeuwen, 2018). Furthermore, a reflection of the dialectic relationship between a discursive event and the structures and institutions which contextualise it (Fairclough, et al., 2011). It insists on including socio/politico-theoretical insights within its analysis, to study both the overt and covert structural

relationships of power, dominance, exploitation, and oppression as manifested in language; particularly, with attention to the relationship between society and language, and that between its analysis and the social actions analysed (Blommaert, Bulcaen, 2000). Fairclough (2013), the pioneer of CDA divides its method into three segments for which constitute its analysis; these are as follows: a), discourse-as-text, in which the linguistic choices and organisation of discourse, including the choice of vocabulary, are systematically analysed; b), discourse-as-discursive-practice, whereby, discourse is understood as constructed, circulated and consumed in society and the analysis of its register and discourse type is advised; c), discourse-as-social-practice, to analyse both the ideological and hegemonic effects and their processes within discourse and how it is represented in society. Queer Linguistic Imperialism theorises Critical Discourse Analysis' trimodal approach to language study as the following:

Discourse as text: To study the identity terminology employed within dominant language to represent the SOGIE groups of the dominated language culture, at the vocabularic level. This analyses the selected vocabulary to establish the meaning it constitutes, and the systems of knowledge which conceive and materialise it as reality, a process heavily reliant on context.

Discourse as discursive practice: The discourse of identity is understood as constructed and mediated through the dominant language. The process of language domination is explored, to establish the means through which the language, and the identified identity terminology, is circulated among the dominated language culture, and how the dominant language exerts power

over the dominated language. This considers language policy, such as the educative language of instruction, the administrative language of the dominated language culture, as well as the Official and National discourses produced. Furthermore, it considers the consumption of the dominant language by the dominated language culture in terms of access. The extralinguistic features of discourse are considered.

Discourse as social practice: This analyses the ideological and hegemonic effects of language domination, in which the epistemological transference of SOGIE identities is observed. It emphasises the materialised nature of the knowledge transferred, whereby, if the knowledge is negative, it measures the negative social realities which result from the language domination that facilitate the social practice; for example, regulatory governance of SOGIE groups, SOGIE marginalisation, and socio-political inequality.

Both CDA and QLI share epistemological and ontological foundations with the works of Foucault, Harrison, Fanon, and Bhabha who influence this theoretical framework of language domination. Ontologically, Linguistic Imperialism, like CDA, understands discourse as constitutive of and constituted by context, where the social structures enacted by institutions are influenced by ideology (Fairclough, Chouliraki, 1999). Ideology is significant in discourse, as it informs the processes through which power relations are established, enacted, maintained and reproduced in society (Fairclough, 2013). A hybrid of Postcolonial and Queer theoretical influence it is interpretivist and anti-foundational. This assumes there is no fundamental principle of being or

knowledge, and one interprets and explains the construction of meanings and concepts in the social world through language and discourse.

Congruent to the theories, concepts, and authors cited in this chapter, Linguistic Imperialism recognises the location of ideology in discourse and its production and reproduction of social relations. The CDA and Foucauldian underpinnings enable both Postcolonial and Queer theory to inform its critique, to explore the relationship between context, discourse, and reality in specific contexts to understand the lingual bonds which constrain SOGIE subjects contemporarily, through language domination. Queer Linguistic Imperialism understands knowledge transference, epistemological subordination, and identarian naturalisation to occur via the site of identity terminology, national language practices, and the construction of governance discourses. Local identity terminology and knowledge structures of being within the dominated language are overridden by the dominant language culture's equivalent. By virtue of dominance, the dominant language culture facilitates the institutionalisation of identity terminology and knowledge in legislation, education, and official discourses. Below features a formulaic visualisation of the process outlined above:

Table 2. Formulaic Visualisation of Lingual Dominance and Identity Institutionalisation

	<i>Dominant language identity terminology (X) is utilised to categorise</i>
	<i>the identities of the dominated language culture represented by</i>
Inception:	<i>local language terminology (Y)</i>

	<i>X is used in place of Y by virtue of the language practices which favour the dominant language in education, legislation, and official</i>
Domination:	<i>discourse</i>
	<i>The reflective knowledge of X replaces the identity knowledges of Y in official discourse</i>
	<i>Identity term Y and the state of being it represents is utilised by the community it identifies, whereas X is adopted by the wider majority</i>
Institutionalisation:	<i>heteroclass and national bourgeoisie</i>

6 Language(s) and Liberation:

Recent Queer scholarship concerns the nature of exclusionary inclusion, how this emerges into the mainstream LGBTQ+/SOGIE discourse of human rights, and its relationship with (neo)colonial and (neo)imperial hierarchies of identarian acceptability (Kehl, 2020). These exclusionary practices which guise under the politics of inclusion are Western-centric constructions of Sexual Orientation, Gender Identity, and Gender Expression identities (DelaTolla, 2021); or by Western metrics, Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ+). These Western-centric frameworks of identity are visible globally in norms, values, politics, and rights regimes, each of which can be attributed to imperialist exports, a phenomenon conceptualised as homocolonialism (Rahman, 2014). Academic criticisms of homocolonialism note it cannot be fully understood or analysed in isolation but is a phenomenon which occurs in triangulation with

homocapitalism (Rao, 2020a; 2020b), homonationalism (Puar, 2007), and homonormativity (Duggan, 2002). Delatolla makes the distinction that to theorise power in relation to sexual governance and identity politics, it requires acknowledgement that LGBTQ+ rights are intrinsically linked to “Western-centric imperial and colonial mobilisations” which are interrelated with state, empire, and cultural understandings of gender and sexuality (2020: 1). Scholars Rao (2020a), Puar (2007), and Duggan (2002) note the racialised inescapability of this phenomena known as homocolonialism; particularly, that the liberal claimant of human rights is one entrenched in Western colonial histories that is predicated on the hierarchisation of socio-cultural SOGIE knowledge structures.

Western LGBTQ+ frameworks of identity are criticised as being restrictive and unrepresentative of global notions of gender and sexuality yet are assumed as transhistorical and transnational categories (Kehl, 2020). Therefore, homocolonialism exports QLI and facilitates the epistemological transfer of identity structures occurs via the imposition of language. Queer Linguistic Imperialism explores the phenomena as a linguistically transmitted one, whereby, the medium of imperialist export is a lingual one predicated on the national language practices that facilitate the linguistic domination. The (post)colonial domination of a language culture is a prerequisite, and *homocolonialism* may happen as an additional phenomenon to linguistic imperialism. A state may be under the structure of QLI, but also be subject to homocolonialism.

An example, taken from this thesis is that Pakistan is a victim to QLI. The British colonisation of South Asia imported the English language which is still maintained today through national language practices. Further to the colonially instated, and postcolonially maintained QLI, homocolonialism occurs through the contemporary export of LGBTQ+ rights discourses, also via the medium of English. Queer Linguistic Imperialism and homocolonialism are not mutually exclusive phenomena and may occur in isolation of one another. Homocolonialist literature, however, seldom explores the (inter)national language practices which facilitate the imperialist export, and reception, of Western-centric identity metrics.

Scholastic consensus argues that these Western-centric LGBTQ+ frameworks of identity and rights regimes risk silencing local conceptions of gender and sexuality in specific cultural and historical contexts, obscuring local political activism (Ahmed, 2019; Kehl, 2020). Scholars identify the export of LGBTQ+ rights and the deployment of LGBTQ+ identity categories as dangerous praxis which, while they grant protections and provisions for liberty, they risk creating an exclusionary framework of what rights and identity ought to be globally (Ahmed, 2019; Duggan, 2002; Puar, 2007). A global standard of non-heterosexual sexualities, gender identities, gender expression, and rights which are based on White, Western conventions. In response to this problematic deployment of Western-centric LGBTQ+ identity categories and rights regimes, many call for the decolonisation of rights frameworks to acknowledge the global diversity of gender and sexuality which do not neatly subscribe to current paradigms (Ahmed, 2019; Redding, 2019). Challenging the global attribution of SOGIE identities to Western-centric LGBTQ+

framework rejects the universality afforded to it by colonisation and asserts that the colonised community's world is fundamentally different (Fanon, 1968).

Recall that language is a system of communication which conceives and materialises the worldview of those who speak it, and each language represents a unique perspective. There is some recognition of this in the scholarly community; however, the particulars of language(s) are neglected in favour of definitional expansion. Scholars suggest that to decolonise LGBTQ+ identity and rights frameworks, there requires a definitional expansion which does not privilege the exclusionary 'inclusion' of current frameworks, and represents the global variance and diversity of identity that are deeply connected to historical and cultural conceptions (Ahmed, 2019; Delatolla, 2020; Redding, 2019). For effective mobilisations of LGBTQ+ rights, Sloodmaeckers and O'Dwyer (2018) argue that they must have a firm basis in the social attitudes of the polity they are applied. Thus, LGBTQ+ rights frameworks must be culturally contingent. Indeed, broadening definitions to be more inclusive of non-White, non-Western identities is an important move to decolonise homocolonialist exports, there are other means which would support this endeavour.

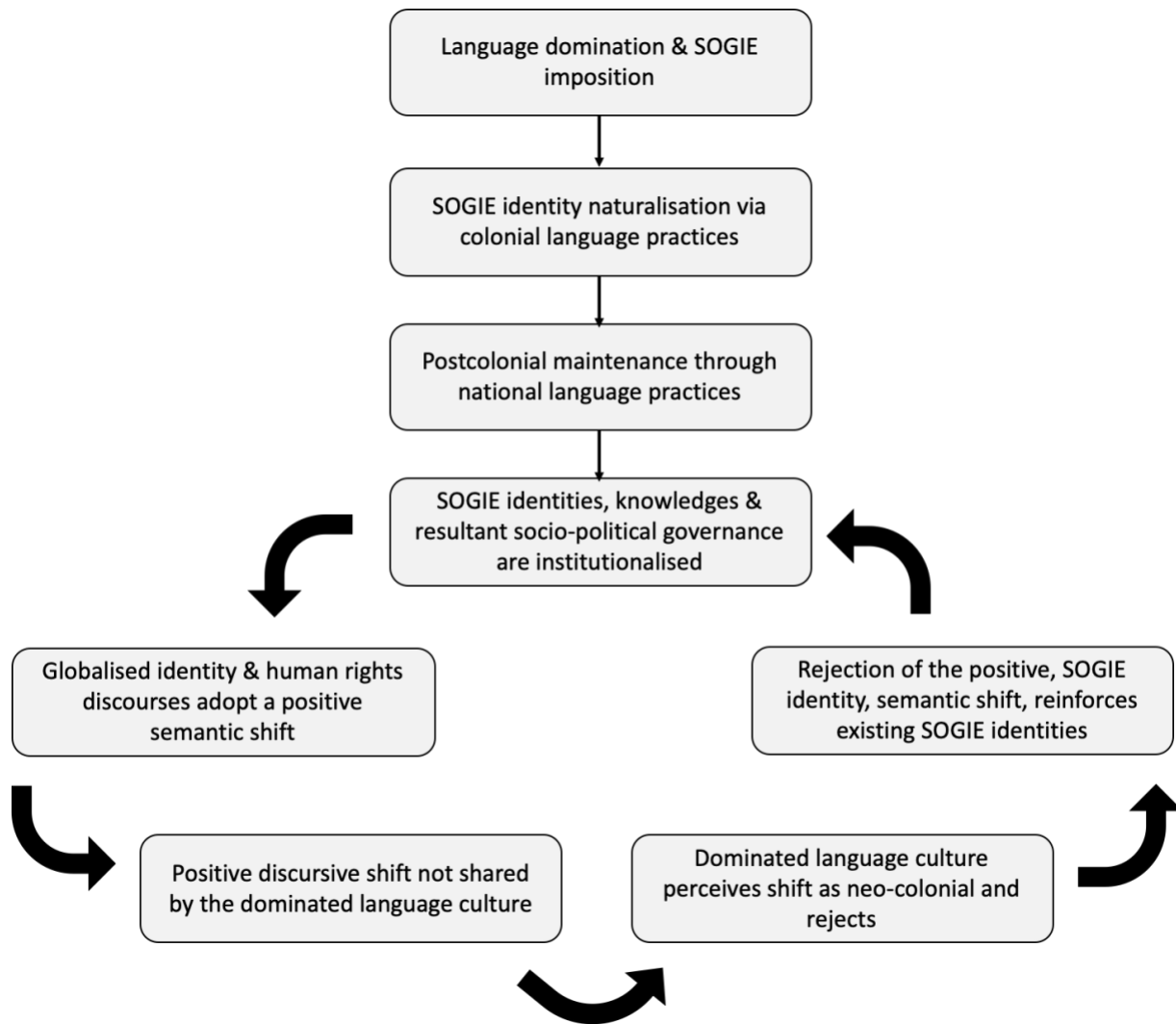
Queer Linguistic Imperialism places a dual importance on language. First, the knowledge transferred through and represented by language, and second, the (inter)national language practices which enable the domination of local language cultures and their reflective gender and sexuality epistemologies. Therefore, decolonising the language of identity ought not to be just

the expansion of definitions to include a blanket category for cultural variance, but a decolonisation of the language through which rights and identity frameworks are communicated. Until language practices, and the language of gender of sexuality categories and rights are decolonised, through the reinstatement of local languages, local language identity terminology, and the culturally contingent knowledge they reflect, the homocolonialist export of the identity standard will remain triumphant. Understandably, to propose the decolonisation of global language practices, relinquishing the postcolonially maintained languages of former colonial masters, is an arduous one. Nonetheless, QLI offers an alternative outlook to achieving liberation, through the means of language(s) as a tool in decolonial mobilisations.

Queer Linguistic Imperialism hypothesises that the phenomenon discussed throughout this chapter is cyclical and creates an emancipatory obstacle of a rejection and reinforcement cycle. In the postcolonial space, QLI views national language practices, knowledge transference, and SOGIE marginalisation as a cycle of rejection and reinforcement. The SOGIE identity terms and reflective knowledges instated during colonial inquisition are maintained into the postcolonial space via national language practices and are the ruling knowledge structures of SOGIE identity. Where globalised discourses of identity, such as human rights, are encouraged, or imposed via a dominant language onto a dominated language culture, the dominated language culture rejects the imposition of global, or 'westernised' values reflected by those SOGIE identity terms; instead, reinforcing the existing dominant (colonial) knowledges.

Colonially imposed knowledge and its transmission through dominant-language discursive sites of linguistic imperialism conflict with the knowledge transmitted through the identical vocabulary of globalised LGBTQ+ human rights discourses. The former remains entrenched by the SOGIE-oppressive ideologies of the colonial era, whereas the latter is a postcolonial neo-imperialist export of pro-LGBTQ+ human rights, which threatens the institutionalised, ruling knowledge and governance structures of SOGIE oppression. Many former colonial states currently resist this neo-imperial export of LGBTQ+ human rights. Queer Linguistic Imperialism hypothesises that this rejection simultaneously reinforces the SOGIE-oppressive knowledges of colonisation coded into sites of linguistic imperialism, due to the paralleled vocabulary of neo-imperial LGBTQ+ discourses; thus, hindering emancipation.

Figure 1. Author's Visualisation of Queer Linguistic Imperialism's Rejection Reinforcement Cycle



The above represents the infrastructure of the QLI rejection reinforcement cycle in principle, visualising the process through which QLI occurs. This visualisation concludes that the SOGIE linguistic term and reflective knowledge imported by the dominant language culture is implanted in the public, private, and material fabric of the dominated society. From here, (post)colonial language practices facilitate the naturalisation of the SOGIE linguistic term and the identity knowledge it reflects, becoming institutionalised further through regimes of governmentality born out of the attributed knowledge. The more institutionalised the dominant language and the

SOGIE linguistic term become, the more significant the resultant governmentality and social effects are; from initial colonial forms of regulation and SOGIE marginalisation, through to an entrenched epistemological reality which exists in the postcolonial state as maintained by national language practices. These entrenched knowledges, albeit institutionalised, fall from the forefront of the socio-political mind, and are reignited by the influence of globalised identity discourses and mobilisations of LGBTQ+ human rights. Thereby, the attitudes towards, and the knowledge structures of SOGIE identity, as well as the regimes of governance they bore, are reinforced and back to the forefront of the socio-political mind. Considering the works of Fanon and Bhabha, the mimetic masks of colonial subjugation are reactivated, representative of the colonial worldview imposed upon them via language, and perpetuate the regime of SOGIE marginalisation.

7 Queer Linguistic Imperialism Outline:

This chapter engages with the existing Linguistic Imperialism literature, focusing on Phillipson's 1992 theorisation, the literature on language, decolonisation, and LGBTQ+ identities. It outlines the theoretical influences which inform QLI, a retheorised edition of Linguistic Imperialism which centres SOGIE identities within the framework of language domination. Now, this subchapter collates the QLI theorisations integrated throughout to provide a brief working summary of the theory, building upon the literature and influences detailed earlier in this chapter.

Queer Linguistic Imperialism is a framework that both analyses and theorises relationships of (post)colonial language power and SOGIE marginalisation. As a framework it analyses the epistemological import and maintenance of gender and sex(uality) knowledge structures via language, languages, and national language practices. The analytical desire of QLI is categorised into four units; import, subjugation, naturalisation, and maintenance. Import signifies how lingual dominance import's identity terminology and knowledge structures from a dominant language culture, onto a dominated language culture. Hierarchisation is a process of lingual hegemony which subjugates local epistemologies of identity and privileges the dominant language culture's identity terminology and identity knowledges. Naturalisation refers to the mechanisms of national language practices which standardise the imported, hegemonic identity frameworks of the dominant language onto the dominated language culture. Maintenance regards the systems of lingual dominance and national language practices which facilitate the maintenance of the dominant language's identity terminology and knowledge. Queer Linguistic Imperialism analyses a hierarchisation of language(s) in a way which parallels politico-societal structuring of racism, sexism, and class, except it emphasises the politico-societal structuring of non-normative gender and sex(uality).

By centring the SOGIE subject, it evaluates the political, lingual, and social effects of language domination on SOGIE groups. Moreover, it analyses the cultural import which occurs through language and lingual domination, as well as the inequalities this cultural import invokes from the dominant, onto the dominated language culture. The process of language domination incurs a dynamic of power in which the knowledge structures of the dominant language group preside

over the dominated language culture. This lingual hegemony over the dominated language culture manipulates the knowledge systems, ideas, values, perceptions, and definitions of the local SOGIE identities to align with those of the dominant power. To measure the instances of QLI which subjugate local SOGIE epistemologies, it analyses the specific knowledge systems represented by the singular SOGIE-related vocabulary of the dominant language imported and naturalised onto the dominated language culture⁷.

Queer Linguistic Imperialism understands lingual domination as the process of extralinguistic means beyond the natural philological evolution of languages. The way domination is understood and the way it operates is categorised into colonial QLI and Postcolonial QLI. While both categorisations of domination can occur in isolation, QLI focuses on their interrelations; whereby, colonial language domination incurs SOGIE marginalisation and is maintained through postcolonial language domination, or rather, the postcolonial maintenance of colonial QLI. Colonial language domination is an imposition of direct rule, through which language policies, legislations, and national language practices are enacted to prioritise and hegemonise the dominant language as the medium of institution and social organisation. Postcolonial language domination occurs through the political negotiation of national language practices to promote politico-economic prosperity and achieve political mobility in the international arena. For visualisation purposes, see the outlined demonstration:

Table 3. Language Domination

	<i>Language X dominates Language Y through direct actions of policy and legislation to implement Language X as the medium of institution and</i>
Colonial:	<i>infrastructure</i>
	<i>Language X dominates Language Y via political negotiation to promote economic prosperity and both political and socio-economic mobility</i>
Postcolonial:	<i>achievable through adoption of Language X</i>

To analyse the effects on SOGIE minorities during language domination, QLI proposes a genealogical process of mapping. Genealogical mapping traces the transference of knowledge through colonial language domination by analysing SOGIE identity and adjacent vocabulary employed by the dominant language culture over the dominated language culture. It maps the colonial imposition of language domination and SOGIE knowledge structures and traces it into the postcolonial space via national language practices and textual analysis. Tracing analyses the reflective meanings and knowledge structures of the selected vocabulary and the inescapable contexts of which they are formed and used; temporal, authorship, or inscription. Through the act of genealogical mapping, QLI analyses the textual level of language use and situates it within the national language practices of the colonial regime. In this situation of vocabularic usage, the national language practices, such as language policy, language of educative instruction, and language of governance is used to analyse the dominant language spread. Also, to who the language spreads.

Thereafter, mapping forward studies the status of the colonial knowledge transferred, and the extent of institutional naturalisation is assessed; whether it is genealogically broken, frayed, or maintained⁸. While appearing regimented in process, QLI resonates with the stance of Bourdieu (1991; 1992) on empire and fields of logic, that it must acknowledge the strategies employed (in linguistic domination) without strategic calculation, to analyse causal relationships between language dominance and the suppression of SOGIE minorities. Therefore, while QLI is a framework through which to analyse and theorise lingual relationships and SOGIE marginalisation, it is an applicatory process without analytical or investigative limitation. It is a framework that prioritises SOGIE communities and offers a Queer-Postcolonial lens through which to analyse relationships of language domination, epistemological transference, national language practices, and SOGIE marginalisation.

For QLI to be an effective framework for analysis, it operates under an adapted methodology of Norman Fairclough's (2013) CDA. Here, textual data is analysed at the vocabularic level and the data selected is understood as a discursive practice, and as a social practice. The textual object of analysis has few limitations and extends to several communicative forms; official discourses, qualitative surveys, and media are some examples. The analysis produced through this method is twofold and consists of both quantitative and qualitative opportunities, of which can be isolated or used in conjunction. In quantitatively analysing SOGIE vocabulary frequency over temporal or corpora, one can measure the integration of the attached knowledge system in society and its capacity as a ruling structure. Qualitative analyses examine the specific systems of knowledge reflected within the SOGIE vocabulary of the dominant language culture. When

combined, quantitative and qualitative analyses provide an empirical yet interpretive conclusion to which the extent of language penetration has occurred through the dominant language, and what specific gender and sex(uality) knowledge is imported onto the dominated language culture via sites of SOGIE vocabulary.

However, these analytical methods do not encompass the totality of QLI's considerations. For a thorough analysis of QLI, each of the Critical Discourse Analysis tenets must be met. In particular, where discourse is understood as a text and as a social practice, insofar the effects of the knowledge imported via the dominant language's SOGIE vocabulary is seen. To support the methods of QLI, its theorisation of psycho-social relationships of colonial (lingual) subjugation informs the analysis produced. Queer Linguistic Imperialism theorises these psycho-social relationships of language domination into three distinct groups: the heteroclass, the sogieclass, and the national bourgeoisie. The heteroclass, compounded of heterosexual and class, represents the majority population, of who identify as heterosexual and subscribe to heteronormativity; such as gendered social roles, engagement in patriarchy, and traditional social norms of masculinity and femininity. The sogieclass represents the SOGIE populations, the minority identarian classes. The national bourgeoisie follows Fanon's conceptualisation which understands the category as the colonial aspiring ruling class and the postcolonial ruling class (Quest, 2005). The colonially aspiring ruling class share a class consciousness created by the colonial power; whereby they, through the colonial language, share a colonial worldview. Postcolonially, the national bourgeoisie are the ruling class, and where the colonial language is maintained, the colonial worldview is maintained; though, there may be epistemological and

governing developments aligned with postcolonial politics to remain seated at the metaphorical 'politically-modern' table instilled during direct rule.

Where instances of language domination have occurred, QLI, via its rejection reinforcement cycle, understands language maintenance as Bhabha-Fanon hybrid of masked mimicry. Language is a mask which conceals the culturally, and identarian locality of dominated language cultures, a mask which assimilates the lingually dominated psyche to that of its subjugator, in language, identarian terminology, and knowledge of SOGIE identity. In the effort to remain politically modern, civilised, and economically lucrative, the dominated language culture maintains the dominant language as the de-facto language, succumbing to the stigmatisation, glorification, and rationalisation of the lingual dominance encountered. In doing so, to keep a seat at the hyperbolic table, the dominated language culture perpetuates the imported SOGIE identity frameworks, associated knowledges, and governance through the dominant language by virtue of upholding national language practices which further its coercive grip.

Therefore, the cycle of rejection and reinforcement occurs through the post-colonial legacy of the subjugated psyche, in which white masks and mimicry are embodiments of the colonial episteme. The world view obtained through the utilisation, indoctrination, and implementation of the dominant language culture during colonisation is maintained and inherits the colonially imposed SOGIE knowledge systems transferred and implanted via the dominant language's SOGIE vocabulary. Thereby, the prospect of LGBTQ+ frameworks and human rights encounters an ideological difference, a worldview imported and maintained via language.

8.0 Concluding Queer Linguistic Imperialism:

Sexual Orientation, Gender Identity, and Gender Expression minorities suffer marginalisation and restricted rights on a global scale. Issues of language and LGBTQ+ categories as transnational, transhistorical frameworks of human rights are an international political issue. The assertion that LGBTQ+ identities are incompatible with global cultures raises questions as to how to navigate these seemingly conflicting ideologies to achieve equality and liberation. A long-identified issue, scholars criticise LGBTQ+ identity frameworks and human rights mobilisations as a neo-imperial system of exclusionary inclusion; whereby, LGBTQ+ frameworks are white conceptions of identity which assume transnationality and transhistoricity (DelaTolla, 2021; Rao, 2020). Resultantly, states resist LGBTQ+ categories and human rights, with the view that they are Western imports of a Western, transgressive culture which is incompatible with local, dominant knowledge systems.

However, there are recorded global histories of SOGIE compatibility with these politico-cultural entities, which presents a question as to how this is reconciled amidst the current landscape of SOGIE marginalisation and LGBTQ+ human rights rejection. To approach this quandary, this thesis proposes QLI, an interdisciplinary retheorisation of Phillipson's (1992) Linguistic Imperialism which argues that this rejection is a product of language(s), language domination, and national language practices. Insofar, that incompatible knowledge systems of gender and sexuality are

transmitted (post)colonially via specific markers of identity, which become institutionalised upon language absorption. Where language domination is maintained, and therefore, the dominant SOGIE knowledge structures are maintained, there endures a perceived politico-cultural incompatibility with the predominant LGBTQ+ identity categories and human rights frameworks. Queer Linguistic Imperialism labels this phenomenon the rejection and reinforcement cycle and argues that it hinders SOGIE emancipation.

The imported SOGIE knowledge systems of colonial language domination are maintained into the postcolonial space via national language practices and become the institutionalised discourse of SOGIE identity. Where globalised discourses of identity and human rights are encouraged or imposed via a dominant language onto a dominated language culture, it rejects the imposition of global, or 'westernised' values reflected by those SOGIE identity terms; instead, reinforcing the existing dominant (colonial) knowledges. Colonially imposed knowledge and its transmission through dominant-language discursive sites of linguistic imperialism conflict with the knowledge transmitted through the identical vocabulary of globalised LGBTQ+ human rights discourses. The former remains entrenched by the SOGIE-oppressive ideologies of the colonial era, whereas the latter is a postcolonial neo-imperialist export of pro-LGBTQ+ human rights, which threatens the institutionalised, ruling knowledge and governance structures of SOGIE oppression.

Therefore, as Ahmed (2019) and others cite, there requires the decolonisation of LGBTQ+ frameworks to represent global diversity for effective praxis of liberation. Queer Linguistic

Imperialism, however, argues that for this to be effective, there needs to be a decolonisation of national language practices in addition. Decolonising globalised LGBTQ+ and human rights frameworks alongside national languages instated through language domination presents the capacity to decolonise epistemological structures of SOGIE identity. In epistemological decolonisation, colonially imported SOGIE identity markers and their reflective knowledge of the dominant language are deprivileged, with local language identity terms and their reflective knowledges platformed as part of local national language revival. In some cases, these may be identity terms which are culturally and historically representative of SOGIE tolerance, which may institutionalise and become the ruling knowledge system that enables emancipation.

Alternatively, there is scope for the nationalised local language to construct SOGIE identity terms aligned to cultural subjectivity, removed from the perceived homocolonial import of misrepresentative SOGIE identities synonymous with Western frameworks. Furthermore, de-privileging a dominant language from the monopoly of identity and human rights discourses encourages their reconceptualisation, to be lingually and culturally representative. Resultantly, LGBTQ+ frameworks are de-hegemonised, with an opportunity to construct more globally inclusive forms that resist the homocolonial and Western imperialist label. This decolonial effort as a national language and identity framework project severs the endured legacies of the lingual empire, decolonising the mind akin to Fanon's (1963; 1986) theorisations, and breaks the rejection reinforcement cycle of SOGIE marginalisation both epistemologically, and in governmentality. Queer Linguistic Imperialism as a theoretical and analytical framework exposes

the lingual mechanisms of empire and the role of language domination as an instrument of epistemological domination which has, and continues, to marginalise SOGIE people globally.

Chapter 3: Methodology

1.0 Introduction

This research consists of two significant and interrelated components which inform the methodology and design of the project: the theorisation of QLI, a framework through which to analyse the relationship between (post)colonial language practices and SOGIE marginalisation; and the archival collection of textual data to analyse the lexical sites of QLI. The literature review of chapter 2 demonstrated that research seldom considers (post)colonial language practices, or even identarian language, as mechanisms of SOGIE marginalisation. The archival research on South Asian SOGIE identities primarily identifies the regimes of governance and their representation beneath the British Empire's codification of (il)legitimate bodies; part of the civilising mission which characterised the imperial governance of British colonies. Furthermore, studies which employ the colonial archive as a repository of data to analyse the status of SOGIE minorities under the British Empire largely neglect linguistic and lingual analyses. Therefore, this research is a project of dual proportions, for which the methodology is tantamount, as it encompasses both the collection of data from beyond legislative resources and emphasises the linguistic components of the British Empire which constitute these documents. First, this methodology chapter reintroduces the research questions established through the literature review, and details the research design associated with this thesis. Second, this chapter outlines the interpretivist, anti-foundational metaphysics which underpin the methodological approach of this research. Third, delineates the archival method planned to conduct the data collection associated with this project, the data findings, and features a critically reflective account of the

realities of archival research. Lastly, this chapter presents the qualitative method adopted to examine the collected data; which concludes this methodology chapter and contextualises the previous chapter, QLI, the analytical framework theorised and applied to this research.

1.1 Research Questions

Engagement with the relevant literatures on British colonialism in South Asia, South Asian pre-European SOGIE identities, and the contemporary status of LGBTQ+ rights has produced the research questions featured below:

- i) Map the development of Queer Linguistic Imperialism as a conceptual framework.
- ii) Identify the specific lexical sites of Queer Linguistic Imperialism and the Anglophile gender-sex knowledges as they have been (re)produced in (post)colonial Pakistan.
- iii) Examine the (post)colonial epistemic and linguistic evolution of these discursive sites in (post)colonial Pakistan.
- iv) Critically explore the societal and political impacts of Queer Linguistic Imperialism and the linguistic obstructions to Sexual Orientation and Gender Identity/Expression (SOGIE) emancipation in postcolonial Pakistan.

1.2 Research Design

This research adopts a qualitative approach to the study and analysis of language, utilising QLI as a theoretical framework through which to situate the analysis and examine the relationship between (post)colonial language(s) and SOGIE marginalisation. QLI as a theoretical framework for analysis incorporates Critical Discourse Analysis as the method for analysing textual data to produce qualitative analysis. The data collection associated with this research operates within archival repositories; for the colonial data collection it utilises the British Library India Office Records, and for the postcolonial data collection it locates resources in the Islamic Republic of Pakistan's online repository.

1.2.1 Research Parameters

The data collection associated with this research employs an archival method to collect textual data for a qualitative linguistic analysis using QLI. As a repository of knowledge preservation, the archive contains large quantities of resources subject to potential analysis. Without establishing research parameters, the feasibility of this project, which relies on manual research labour instead of digital software, would be an impossible endeavour during the allotted doctoral degree timeframe. The British Library India Office Records, the archival location of the colonial research associated with this thesis, amass 14 kilometres of volume collections and 170,000 documents (BLIOR, 2021). Understandably, to navigate the magnitude of resources available in the BLIOR is an unachievable task and must be contained through reasonable parameters which correlate with the aims of this research. Furthermore, the archival research of this project is not limited to the BLIOR, but also requires the repository of the Islamic Republic of Pakistan's

Government Online Archive to conduct the postcolonial portion of this research. Thus, concessions to enable the research of both of these archival locations mandates a rigid and achievable design to fulfil the objectives of this project. Therefore, several parameters based upon the existing literature and objectives of this research organise and limit the archival resources engaged with to recruit data. These parameters will be discussed individually, outlining the rationale which informed these decisions and be organised into 1) the British Library India Office Collections parameters; and 2) the Islamic Republic of Pakistan's Government Online Archive.

1.2.1.1 British Library India Office Records:

1.2.1.1.1 English Language Documents:

The conscious decision to use only English language resources is produced in tandem with the positionality statement (see the introduction). Furthermore, per research question ii listed in 1.1, this project is concerned with the Anglophile construction of SOGIE identity as it was applied to the South Asian subjects of the British Empire. While this aligns with the practical objectives set by the research questions, it also represents the process of colonial language domination outlined in QLI, and throughout postcolonial scholarship (see Bhabha, 1994; Fanon 1986; hooks, 1996).

1.2.1.1.2 Time Period:

The first British presence in India dates to the arrival of merchants circa 1527 (Mill, 1817), while traditional notions of a formal British imperial entity date circa 1750-1770 with the acquisition of Indian territory (Barrow, 2017); yet historian Veevers (2020) claims the formal roots of the British Empire date as early as 1600. Nonetheless, this represents the enormity of data present within the BLIOR, and the temporal scope of potential data collection for this research; insofar, that to review resources over a 300-year period is infeasible. Thus, the time period of relevant colonial study has been limited to, and identified as 1835 to 1947. The year 1835 represents a significant legislative decision of the British Empire via the introduction of Lord Macauley's English Education Act. The English Education Act instructed scientific knowledge and European literatures throughout British India, arguing that such educational knowledge was only possible through the adoption of the English language as the medium of instruction (Basu and Sarkar, 2022). Therefore, this legislative act represents the first institutional instance of language domination and the hegemony of Anglophile knowledge structures of British India and correlates to research questions ii, iv, and Queer Linguistic Imperialism. The introduction of the English Education Act (1835) also demonstrates the preoccupation of the colonial civilising mission through epistemological exportation, which included the regulation of South Asian SOGIE identities (Hinchy, 2020). The year 1947 concludes the temporal parameters of the colonial research associated with the BLIOR as it is the date of the formal partition of British India into the sovereign states of India and Pakistan (Talbot and Singh, 2009). Since contemporary Pakistan is the post-colonial case study focus of this research, the colonial and territorial borders of British

India as represented in the BLIOR are not relevant post-1947. For the reasons above, the temporal parameters of the colonial research for this research occupy the dates 1835-1947.

1.2.1.1.3 Discourse Types:

Academic research which has engaged in the archival study of the British Empire and the regulation of SOGIE peoples identify three primary types of discourse as relevant to SOGIE data; 1) Legislative Documents; 2) Judicial Documents; 3) and documents associated with the Criminal Tribes, under the 1871 Act (Arondekar, 2009; Hinchy, 2020). It is therefore reasonable to restrict the parameters of archival colonial research to these discourse types, not only as a definitive location of SOGIE presence as indicated by previous scholarship, but as an official representation of the British Empire due to their creation and employment for the governance of colonial India. The latter point adheres to research questions ii, iii, and iv, since they represent the official knowledge constructed and disseminated throughout the empire via means of the English language, and the naturalising capacity of official governing discourses.

1.2.1.2 *Islamic Republic of Pakistan's Government Online Archive:*

1.2.1.2.1 English Language Documents:

The rationale for English language only documents reflect that of the parameters placed on the BLIOR archive for colonial analysis. However, this distinction is furthered through the adherence to research questions ii, iii, and iv which concerns the postcolonial maintenance, or evolution of SOGIE identity language and national language practices in contemporary Pakistan. Congruence

with the lingual parameters of the colonial archive research is essential to this research project due to both the objectives of the project, but also QLI. The Islamic Republic of Pakistan adopts the English language as an administrative, official, and national language along-side Urdu and Arabic (Kazmi, 2023). Therefore, only the English language documents concern the postcolonial portion of this archival research, as a repository for which colonially instated SOGIE knowledges can be traced as postcolonial legacies of British colonialism, via the medium of language.

1.2.1.2.2 Time Period:

The Islamic Republic of Pakistan's formal independence follows 1947, with the partition of British India; whereby, the official control over territory and subjects were transferred from British, to Indian and Pakistani sovereignty (Talbot and Singh, 2009). Independence resultant from 1947's partition then separates the nation-building practices of India and Pakistan and the extent to which Pakistan retains epistemological and ontological legacies of British colonial regulation of SOGIE identities; thereby, corresponding with research questions ii, iii, and iv. To capstone the temporal parameter of postcolonial data collection, this research takes the Transgender Persons Protection of Rights Act (IRPG, 2018; Redding, 2019) as the conclusive end to data. At the time of writing and research, this legislation is the most recent SOGIE-related act introduced and adopted by the government of Pakistan. Should relevant developments in official legislation occur during research and throughout the remainder of this thesis, these will be considered and included accordingly. Therefore, the postcolonial time frame for data collection is 1947-2018.

1.2.1.2.3 Discourse Types:

The data collection for the postcolonial component of this research mirrors that of the colonial BLIOR archive; centring official governmental publications of legislation and judicial proceedings. Additionally, as norms of contemporary governance, censuses and citizen bureaucracy are considered types of discourse for this research. Media, newspapers, and non-governmental discourses are not considered for this research as they are primarily instructed through Urdu and other local languages, not English, as is the requirement of this research. Furthermore, maintaining the discourse type of official publications on behalf of the governing body ensures a coherent tracing of colonially imported and naturalised knowledge structures in postcolonial governance; relevant to research questions ii, iii, and iv. Notably, the archive identified and used for postcolonial data collection is digitised and an online collection. This makes the parameters of discourse types actioned a conscious design of congruence rather than feasibility, as digitised and online resources are easier located and accessible than that of the in-person status of the BLIOR.

1.3 Ethical Considerations

This research was designed to be compatible with the rapidly changing COVID-19 policies adopted by the U.K., Indian, and Pakistani Governments. Therefore, the design of this research is archival and does not involve participants, for the protection of health and for feasibility amidst the global pandemic. Furthermore, this research is intentionally discursive and does not involve

participants to investigate the enduring legacies of colonial language practices as represented in official discourses of British India and postcolonial Pakistan. While fieldwork to access the colonial archives in both Delhi and Islamabad were desirable prospects to the benefit of this research, the resources to collect the research data are publicly available through the BLIOR and online repository of the Islamic Republic of Pakistan's Government website. The content of this research is neither sensitive nor directly represents currently living individuals. Thus, there are no ethical considerations for this project or its research due to its documentary-based design of sources available in the public domain.

2. Methodological Approach

The research questions devised from the literature review and presented in 1.1 of this methodology chapter seek to analyse the relationship between language, knowledge, power, and their effects on SOGIE minorities in contemporary Pakistan. Specifically, the processes of knowledge construction transmitted through the introduction and domination of the English language via the British Empire and the extent of its postcolonial legacy in maintaining SOGIE marginalisation. Thereby, as the research foci is the English (language) knowledge construction of the South Asian SOGIE subject, the metaphysics of this research adhere to interpretivist and anti-foundational traditions of subjectivity. This subchapter first outlines epistemological anti-foundationalism, as it relates to knowledge broadly, prior to a tailored application to identity. Second, this subchapter aligns ontological interpretivism to that of epistemological anti-foundationalism, before an identity specific outline of the ontological traditions of interpretivism.

2.1 Epistemology:

Epistemology details the metaphysical orientation of knowledge, the nature of its existence, its origins, and the limits of humanity's access to that which is knowable (Harman, 1974). The philosophical study of knowledge seeks to theorise the connection of human cognition to reality (Moser, 2012). Epistemology in the venture to define knowledge and how it originates in human cognition varies from positivism, through to post-positivism, with several other theories of knowledge acquisition in-between; each of which specify distinct perspectives of how humans come to know, the origins of what is knowable, and its relation to reality (Hinchey, 1998). Positivism briefly comprises the theory that knowledge is verifiable knowledge emergent through scientific investigations; whereby, the study of observable phenomena produces knowledge that constitutes an objective reality. Or reversely, knowledge is tested against hypotheses to verify the validity, or at least objective materiality of human knowledge (Alharasheh & Pius, 2020). Therefore, positivist epistemology assumes that knowledge and all that which encompasses meaning is contingent to reality which exists external to human consciousness (Al-Ababneh, 2020).

This research seeks to analyse the construction of knowledge through processes of language domination and its impact on SOGIE minorities in contemporary Pakistan. While justifications can be made to consider this through a lens of positivism, that would assume that SOGIE identity is contingent with a scientific reality of a transnational homogeneity. In assuming that identity is an

objective feature of nature external to human consciousness, the homogeneity it embodies attributes knowledge as an authoritative entity by virtue of its scientific producer. For this research, that would assume that Anglophile conceptions of identity are not only an objective reality produced by science, but that they are *the* extent of nature and human identification. As this diverges from the objectives of this research, which aim to identify the knowledge constructed and transmitted onto South Asia through colonisation, the epistemological alignment must consider the constructive capacity of knowledge. Thus, the epistemological perspective adopted for this research is that of anti-foundationalism.

2.1.1 Anti-foundationalism:

Anti-foundationalism is an epistemological position influenced by the broader paradigm of interpretivism, which rejects that knowledge has foundations in either pure experience or reason (Bevir & Rhodes, 2010). Knowledge does not exist in isolation but is an intricate system of cognition which influences and is influenced by other knowledge claims that construct concepts and meaning in social reality; akin to the scholarly contributions of Foucault's archaeology of knowledge (1969). Similar to interpretivism, anti-foundationalism rejects the objective materiality of knowledge as independent from human consciousness and premises knowledge as a subjective phenomenon constructed by social actors. However, beyond the demands of context invoked by interpretivism as a broad spectrum, it appeals to historical and cultural situatedness which interprets the social world through which meaning is created and attributed to objects and concepts (Al-Ababneh, 2020; Budgeon, 2022). Moreover, it rejects truth as a metaphysical

property which legitimises knowledge as an episteme integral to the natural world and an inevitable acquisition of human consciousness (Barba, 2021).

Anti-foundationalism as a broad rejection of an existence of a divine truth aligns with research questions ii, iii, and iv of this research, as the overarching objective investigates the construction of knowledge as a regulatory tool for social control, and its effects on SOGIE minorities. Insofar, that the knowledge identified, and the language it is represented by, has no legitimacy of truth beyond the power it is afforded in socio-political organisation. As identity is the crucial element of this thesis, this subchapter proceeds to outline anti-foundationalist assumptions of identity as a product of epistemological generation.

2.1.1.1 Identity:

Identity, broadly speaking, collates characteristics and physical attributes of human existence into typological frameworks through which individuals can be collectivised (Jenkins, 2000). These ascribed identity markers represent epistemological claims which, by positivist traditions, are reflective of a physiological reality (Berenskoetter, 2010). However, anti-foundationalism rejects the ontological basis of identity as an innate human categorisation of being, and instead recognises identities as the product of knowledge creation. Perhaps, yes, this is rooted in an observable characteristic which defines the identities produced; however, anti-foundationalist epistemology rejects this as a foundational truth of human cognition which exists beyond human

cognition (Alcoff, 2010; Lee, 2023). Therefore, the knowledge which constitutes identities are contingent to the circumstances of their generation. Insofar, that differences among human physicality, characteristics, and behaviours exist as a material reality; however, the knowledge through which these attributes are cogitated is not an isolated phenomenon but a subjective interpretation of human existence by social actors (Labelle, 2020; Mauthner, 2020).

2.1.1.2 SOGIE Identity:

Embodiments of gender identity and actualisations of sexual orientation under theories of anti-foundationalist epistemology expresses that characteristics of both gender and sexuality are categorised as consumptive entities of multifaceted human existence (Colebrook, 2009). For example, SOGIE identity, like all identities, are represented by language; of which, are constituted by discourse which transforms human characteristics from abstract embodiments of existence, into distinct categories of social organisation (Greteman et al, 2021; Pennycook, 2004). Furthermore, the discourses which constitute SOGIE identity represent complex relationships of adherence to dominant dichotomies of the gender-sexuality couplet and resistance to binarism, supposedly represented by positivist notions of the polymorphously perverse (Cover & Newman, 2023). Therefore, SOGIE identity is a performance of reconciliation between, or against, positivist assertions of gender and sexuality; of which, is dependent on pre-established epistemologies of human existence (Butler, 1990; de Lauretis, 1989; Greteman et al, 2021). This alone demonstrates the capacity for which anti-foundationalism represents the theory of SOGIE identitarian knowledge. The reliance on dominant and positivist discourses of identity to establish

the dichotomous outlier of the normative gender or sexual experience is not universal nor transhistorical, as both colonialism and critiques of LGBTQ+ epistemologies demonstrate (Ayoub, 2019). The dominant discourses and epistemological understandings of identity vary geographically and across socio-cultural, linguistic, and historical lines; thus, the SOGIE identities which emerge both in adherence and resistance to these hegemonic epistemes are relational.

Anti-foundationalism embraces the variance of hegemonic and positivist epistemes globally to indicate the subjective capacity of identarian knowledge and its relational construction of SOGIE identities. Consequently, SOGIE identity is a knowledge structure which is not isolated, but produced through the reason and experience intricate systems of hegemonic identity discourse, which themselves are constructs of human cognition (Pennycook, 2004). The SOGIE subject, then, is materialised through dominant discourse as produced by social actors to distinguish differences among human existence and is resultantly subjective, and neither isolatedly objective nor rooted in extra-cognate reality.

2.1.2 Epistemological Summarisation:

The overarching objective of this research is to analyse the role of knowledge in constructing the marginalisation of SOGIE identity via the mechanisms of language and national language practices. To encapsulate the global diversity of SOGIE identity, this research embodies epistemological anti-foundationalism, which emphasises that knowledge is not representative of pure reason or experience, but rather an interpretation of the social world informed by pre-

established knowledge systems. The insistence of interpretive processes in constituting identity both represents the plethora of socio-culturally contingent SOGIE identities while rejecting the dominance of LGBTQ+ categories. Chapter 1 critiques the hegemonisation of LGBTQ+ identity categories as the socio-political standard of civilisation and argues their entangled hindrance of a global SOGIE liberation (Ahmed, 2019; Delatolla, 2020). In arguing against the LGBTQ+ transnational, transhistorical standard, anti-foundationalist epistemology amplifies the distinct socio-cultural and historical contexts of identity production which concerns research questions ii, iii, and iv of this thesis.

2.2 Ontology:

Ontology describes the metaphysical position which underscores the nature of being, or broadly, reality (Goertz & Mahoney, 2012). Importantly, for a cohesive research project, the ontology and epistemology of the analysed phenomena require harmony for an intellectually and metaphysically rigorous philosophy of the social world. Thus, this subchapter orients this research's ontological position in tandem with section 2.1 on epistemology; whereby, anti-foundationalism regards knowledge an uncertain, interconnected system of concepts, meanings, and beliefs produced by social actors to construct social reality. Moreover, as detailed in 2.1.1.2, the anti-foundationalist approach to identity construction premises the entangled production of knowledge through social actors and existing epistemological claims rather than a reflection of pure experience or reason (Al-Ababneh, 2020). Therefore, aligned to the qualitative demands of this research which seek to identify the lexical sites of identity construction, their epistemological,

and terminological evolution, this subchapter details the corresponding basis of ontological interpretivism.

2.2.1 Interpretivism:

Ontology, much like epistemology, can broadly be categorised into a spectrum of positivist objectivity and interpretivist subjectivity, with philosophical traditions locating themselves somewhere in-between. Interpretivism counters the objectivity assumed through positivist research which considers the human world to be quantifiable through observable and measurable phenomena that produces generalised laws of existence (Saunders et al, 2012). Moreover, interpretivism values the subjective experiences of humans as individualised perspectives imbued with contextual, temporal, and cultural differences; primarily, in the ascription of meaning, knowledge construction, and inter-personal relations of social realities (Alharahsheh & Pius, 2020). Through meaning-centred research, interpretivism dehegemonises positivist notions of truth correspondence and objectivity to deconstruct the systems of knowledge which materialise our social realities (Scauso, 2020). Where positivism attributes the social world as objective, material, and independent from human cognition, interpretivism disputes the materiality of social phenomena, and argues the continual (re)construction of social reality by social actors (Ismaeel, 2021).

Interpretivist paradigms ascribe social phenomena as a reality produced through knowledge and meaning; of which, can only be understood through processes of interpretation (Henderson-

Merrygold, 2018; Schwandt, 1994). To analyse the conduct of social actors which produce the realities of human existence, an interpretivist must interpret the embodiments of meaning and language which enact material action. For this project, research questions i and iv concern the materialisation of knowledge construction by social actors to produce an ontological reality for SOGIE individuals in (post)colonial Pakistan. Thereby, the naturalisation of identity knowledge and its socio-political impacts on SOGIE persons which hinder their emancipation is an interpretivist endeavour (McEwen, 2016). Insofar, the ontological status of SOGIE minorities in postcolonial Pakistan are causal relationships between identity, the body, and socio-political organisation. The actions which impact SOGIE identities are predicated on the meaning which informs them, and therefore require interpretation to investigate the social interaction borne through epistemological construction (Lalor, 2020; Ndikubwimana et al, 2023).

While the relationship between SOGIE identity and their material socio-political regulation under both the British Empire and post-colonial Pakistan may be believed to be positivist by the social actors which enact them, this research seeks value in the production of these phenomenon as linguistically created. Nonetheless, this research does not concern the metaphysical properties assumed by social actors in generating the status of SOGIE minorities in postcolonial Pakistan; however, there is methodological value in establishing the separating the possible philosophies of the social actors that this project researches. Then, the interpretivism embodied for this thesis represents the scope through which both the researcher and research design interpret the studied phenomenon; whereby, the obstacle to SOGIE emancipation in postcolonial Pakistan is both a discursively and linguistically produced circumstance through the English language

practices and identity constructions of the British Empire. The subsequent subchapter applies the outlined interpretivist ontology to the concept of identity as the central foci of this research; demonstrating the investigative perspective which underpins the methodology and analysis of this thesis.

2.2.1.1 SOGIE Identity:

Identity, at least via an interpretivist ontology rejects the positivist essentialism attributed to gender and sexuality; whereby, observable human subjectivities are categorised as objective materialisation of extra-human consciousness (Knopp, 2004). Positivist ontologies ascribe objectivity onto human anatomy to assert identity classifications which conclude codes of gender as innately biological. While some gender codes indicate an anatomical correlation, much of the expressive embodiments of gender are external to biological physicality; instead, processes of socialisation which are symbols of meaning, interpreted as contingent to anatomy (Cover and Newman, 2023).

Crucially, for ontologies of SOGIE identities, interpretivism embraces the cultural, linguistic, and experiential diversity of being, acknowledging that both gender and sexual(ity) identities are unique ascriptions of knowledge and their materialisation on the physical realm (Kronk, et al., 2019). Moreover, that embodiments of gender, from physical adornment to human characteristics, are not wholly attributable to sexual anatomy but instead reflections of

subjective human experiences develop in the context of their environment. That is not to say that gender, in all its diversity, is a trivially elective condition of human expression, but rather an echo of the knowledge systems of society (Unger, 2020). These echoes of knowledge compile cultural, historical, and social knowledge systems of what gender appears to be, and the ways in which it can be personified beyond that of sexual anatomy (Butler, 1999). For this reason, interpretivist ontology views gender as a product of historically, culturally, and socially contingent contexts through which meaning is both created and embodied.

The interpretivist ontology of sexuality, somewhat like gender, is understood to be something which evolves and reflects one's subjectivity of experience; something which is developmental outside of biological determinism and inhabits the subjectivities of desire (Tukhanen, 2009). Queer subjectivity rejects a fulfilment of some kind of biological inevitability, reminiscent of heterosexuality and the positivist inclinations of reproduction (Schram, 2019). Similar to the global diversity of gender, sexuality maintains a diverse presence as to its embodiment, desire, and subjectivity of action. Terms such as metrosexuality and homoeroticism, which describe the associated attributes of homosexuality to enactments of intimacy or self-presentation among heterosexuals perhaps demonstrates the importance of interpretivist ontology (Hall, 2014). Whereby, the human subjectivities of sexuality are far from finite, transnational categories of what constitutes (homo)sexuality as positivism would suggest; a tripartite homo-hetero-bisexuality. Thus, interpretivist ontology accepts the complex, yet disparate embodiments of both sexuality as desire and its enaction as products of wider socio-political landscapes to which

it emerges. Again, alike gender, this is not to say that sexuality is an elective condition of human expression, but perhaps its materiality reflects socially contingent knowledge systems.

Therefore, interpretivist ontologies reject that SOGIE identity is a transnational, transhistorical categorisation of objective phenomena; insofar, such denotation invalidates the individual and contextual subjectivities which exist externally to identarian exceptionalism, such as LGBTQ+ frameworks (Puar, 2020). This thesis already outlines the problematisation of globalised SOGIE identity categories as an exceptionalist category assumed to be representative of global diversity in the literature review chapter; whereby, Anglophile exceptionalism delineates the marker of gendered and sexual being.

2.2.2 Ontological Summarisation:

Ontological interpretivism values the subjectivity of human experiences and rejects notions of truth correspondence and objectivity, instead, emphasising the contextual components which shape the social world. As this research focuses on the interpretation of SOGIE embodiment and the creation of meaning, acknowledging the role of social actors, historical, temporal, cultural, and epistemic context through interpretivism enables meaning-centred analysis to deconstruct the materialisations of social reality. Moreover, in rejecting a biological objectivity to sexuality and gendered reality, ontological interpretivism places value on the connection between human experience and the attempts to typologise it within organisable society; thus, corresponding with the objectives of research questions ii, iii, and iv of this thesis.

2.3 Summary of Methodological Approach Applied to this Research:

A successful research project requires a harmonious metaphysical foundation through which the researched phenomena can be observed and ultimately analysed. Metaphysical congruence with the stated research questions of section 1.1, which has an overarching theme of knowledge generation translated to socio-political impact, is best represented by the traditions of antifoundational epistemology and interpretivist ontology. Anti-foundationalism and interpretivism each feature in opposition to positivist paradigms of objectivity, which claim knowledge and being to be extra-discursive properties of human existence. These metaphysical positions share a broader interpretivist stance and demonstrate their synergy through shared traditions of the subjective nature of both knowledge and being. Both anti-foundationalism and interpretivism reject social objectivity and foundations of knowledge and being as rooted in a material reality which is inherent, and pre-existent to human cognition. Therefore, attributions of meaning, and knowledge as representative of human-social relations are products of knowledge generation by social actors to make interpretive links of existence. Identity as a social system of organisation reflects this; whereby, meaning is created to represent social phenomena for purposes of socio-political organisation, rather than an inherently true metaphysical occurrence of human reality.

Due to the research questions proposed, there is an importance placed on the linguistic construction of identity, as well as the knowledge which informs the vocabularic representation,

and its impact in (post)colonial Pakistani society. Therefore, the primary investigative channel is that of knowledge creation to represent SOGIE identity by different social actors being the British Empire and Postcolonial Pakistan's government. Within this, the emphasis of context is crucial in determining the processes of identity construction by the aforementioned social actors; of which, culture, geography, history, and pre-existing knowledge systems are integral considerations to the production of SOGIE identity. Considering the motivation of this research, outlined in 1.1, each anti-foundationalism and interpretivism cater to the in-depth meaning-centred analysis required to achieve the objectives of this thesis. Thus, the qualities of interpretivism and anti-foundationalism harmonise with the qualitative method associated with the research questions outlined in 1.1 and the identified archival data resources which form this thesis.

3. Data Collection

To conduct this research and engage with the identified research questions outlined in 1.1, the proposed data for collection comprises textual forms. The research questions seek to identify the linguistic representations of SOGIE identity and the knowledge systems they represent; therefore, the data collection requires textual sources with which linguistic analyses can be performed. In addition to the requirement of textual data resources, the conditions proposed by the research design also facilitate the type of data sources identified for this research. The data collection operates via two archives. First, to collect the colonial data, this research consults the British Library India Office Records in person, located in London. Second, the postcolonial data collection access the Islamic Republic of Pakistan's online governmental repository. Thus, data collection is

both in-person and online, spanning two archival locations, to represent the colonial and postcolonial periods associated with the objectives of this research.

3.1 Archival Method

The research design centres the archive as a repository of knowledge through which data is identified and collected, reflective of both the past and present and the status of SOGIE minorities, language usage, and knowledge production. An archive in its simplest form preserves information and is curated by several actors, both state and individual, who make, and remake history aligned to their interests, overarching objectives, and the methodologies which underpin their research; inclusive of the knowledge they seek to discover and organise. The archive, then, represents the preserve of no specific individual, but is an entanglement of interconnected engagements which categorise data and knowledge in duplicitous ways (Moore, et al., 2016). Therefore, the organisation and cataloguing of knowledge present in the archive relies on the institutions and individuals who engage with it; and thus, the queer subject within the archive is often absent from the directory (Hinchy, 2020). Queer erasure within archives is widely noted and highlights the overarching heteronormativity associated with our social world, but also that of the production and preservation of historical and contemporary knowledge (Arondekar 2005, 2014; Burton 2003, 2008). While there is an ongoing attempt to address the (in)visibility of the queer subject in historical archives, this output either orientates itself to the specific archival collection accessed, or a broad critique of organisational heteronormativity (Freeman, 2023).

At the time of writing and the research conducted, research which exposes the (in)visibility and the possibilities of queer archival research in the British Library India Office Records (BLIOR) does not exist as a comprehensive guide. However, scholars who have accessed the BLIOR archive for queer research do reveal the methodologies they adopted to locate the queer subject. For example, Hinchy (2020) details the processes of identifying the North-Western Frontier Provinces (NWFP) archives as a site of the colonial eunuch; writing that the resettlement of the eunuch beneath British administration were located primarily in the NWFP. Therefore, Hinchy's (2020) research focuses on the queer subject within a contained geographically organised collection and explores the preservation of the colonial eunuch within the legislative contents of the British Empire. Here, Hinchy (2020) identifies several legal and administrative documents pertaining to the colonial eunuch and their oppressive regulation. Gannon's (2011) approach shares similarities with Hinchy (2020), in that they identify legislative and socially significant texts as the site of the colonial eunuch. Understandably, amidst the heteronormative organisation of archives, as well as that of British colonial history, legislative documents reveal the queer subject within its pages due to the known regulation of SOGIE minorities. Regulation both by legal and social codification is a DeFacto location through which the queer subject is located in the BLIOR, perhaps as it represents the obvious site of queer history; insofar, that it is indicative of subjugation by an overarching heteronormative power as is a common theme of queerness in history (Arondekar, 2005). Identifying the queer subject outside of legislative and administrative contexts preoccupies pre-European histories, primarily within literary texts (Kurki, 2020; Vanita & Kidwai, 2001).

Nonetheless, lessons learned from navigating specific archives, and the individualistic research of others offers a modicum of insight and support for the archival process associated with this research. The queered research of scholars in archives other than BLIOL, like Arondekar (2005), Halperin (2005), and Jespersen (2024) reveal the historicism required in navigating the colonial archive: an awareness of transformative conditions of time, space, and knowledge structures in the documentation of information and its archival composition (Arondekar, 2009). This awareness also applies to the re-evaluation of existing interpretations of the colonial archive and the knowledge extracted within it. For Jespersen (2023), it is a reapplication of gendered and sexual(ity) frameworks through contemporary lenses of epistemological and ontological reality.

To transform the archive as a source of knowledge to a subject of knowledge recognises the capacity in which colonial sexuality manifests within the archive as an institute of knowledge. Aldrich (2003) notes that any archival research on sexuality must consider that colonial sexuality did not declare itself openly under structural governance, but rather exists within the letters, personal artefacts, and memoirs of individuals. Indeed, memoirs, letters, and personal artefacts perhaps demonstrate an overt gender or sexual identity as experienced beneath coloniality. To invoke Sedgwick's (2024) epistemology of the closet, the personal collections of the archive reveal the embodiment of one's individual identity when in secret; however, this research is not preoccupied with the colonial self-identification of the SOGIE subject, but instead their linguistic and identitarian construction by the British Empire. Thus, there requires an engagement with

SOGIE identity as a structurally concealed entity of the archive, one which represents the British regulation of South Asian SOGIE identities. Here, and aligned with the aims associated with this research, occupies the archive as both a preservation of SOGIE identity as conceived and constructed, but also as a representation of the structural (in)visibility of South Asian SOGIE minorities by the colonial power.

Aligned to research questions ii and iii, the colonial archival research focuses on official documents which represent the overarching knowledge structures implemented, or at least underpinned, by the British Empire. Thus, in preparation for data collection, this research outlined the primary collections of which to analyse, most appropriate to the objectives of the project. Due to the in-person nature of archival research in the British Library, an extensive plan of prospective documents and collections to analyse determined the initial data collection. The below table is a collation of prospective documents compiled via the British Library archival request catalogue and reference materials found within the existing literature on the British colonial archive. Notably, this table includes notes and commentary as to their relevance, or any important contextual information. The decision to include this is twofold: to demonstrate the raw processes of working with archives, and to provide context to the critical reflections of chapter 3.2 which details the archival reality of this research.

Table of prospective documents to review in the British Library

Abbreviation	
IORPP	India Office Records and Private Papers
VA	Visual Arts
ME	Mss Eur Collection
EAP	Endangered Archives Programme
APA	Asia, Pacific & Africa
Colour	Relevance of Collection
	Important – want to access
	Possibly important – will access if scarce on data
	Important – geographically irrelevant/incompatible
	Low importance – will reconsider upon further reading

Archive search information	Title	Date	Collection	Archival Location	Notes
'Eunuch'	Dhuleep Sing, Eunuch, result of sale of interstate property	1857	IORPP	IOR/Z/E/4/30/D231	
	[Portrait of] Meah Sahub. Eunuch, [Lucknow]. Photographer: Ahmad Ali Khan	1856-1857	VA	Photo 269/1(86)	
	Estates of Deceased Persons, Interstate and unclaimed property, Farakabad, sum	1857	IORPP	IOR/Z/E/4/30/E331	

	of money left by Eunuch who died interstate carried to credit of Government				
	[Portrait of] Axheen ood Doulahe Favourite Eunuch of the Begum. Photographer: Ahmad Ali Khan	185 6- 185 7	VA	Photo 269/2(20)	
	Correspondence relating to the lapse of the pension of the late Ameena Khanum, Pensioner of the first Oudh 6% Loan under the will of Tahseen Ali Khan Eunuch	184 3- 184 4	IORPP	IOR/F/4/2062/945 00	
	Papers relating to the former Royal Court of Delhi – grant of a pension of 10 rupees ‘per mensem’ to the widow of Mehbub Ali Khan, late Chief Eunuch and Prime Minister of the ex-king of Delhi [Bahadur Shah]	185 9	IORPP	IOR/L/PS/6/507/, Coll 56/67	
	Letter no.361 of 1853 from Captain Arnold	185 3	IORPP	IOR/R/15/1/138, ff 394-413	Folio 401 – a letter pertaining to a

	Kemball, Resident in the Persian Gulf, to Arthur Malet, Chief Secretary of the Government, Bombay				eunuch slave, recently castrated
'Khusra '	Memorandum on the Mynpoorie system of Khusra survey, by M.A. McConaghey. Allahabad: Government Press, 1871	187 1	IORPP	IOR/V/23/129, No 4 Art 4	
	Manual of Survey for the instruction and guidance of the putwarees and others concerned with the Khusra survey of the district, Jun 1853, compiled by Captain W C Erskine, Superintendent of Jaloun Agra 1853	185 3	ME	Mss Eur D597/35	
'criminal tribes'	Criminal Tribes	194 8	IORPP	IOR/V/26/161	
	Criminal Tribes Act 1911	191 1	IORPP	IOR/L/PJ/6/981, File 86	
	Thuggee, Dacoity and Criminal Tribes	183 6- 193 5	IORPP	IOR/V/27/161	26 total volumes

	6986; Criminal Tribes (Repeal) Bill	194 7	IORPP	IOR/L/PJ/7/12165	
	Punjab. Commissioner for Criminal Tribes. The criminal tribes administration manual, Revised edition. [Lahore, 1927].	192 7	IORPP	IOR/V/27161/21	
	6711; Criminal Tribes (Amendment) Bill, 1947 and Criminal Tribes (Amendment) Act, 1947	194 7	IORPP	IOR/L/PJ/7/12126	
	The Criminal Tribes (Validation) Act, 1908	190 9	IORPP	IOR/L/PJ/6/929, File 1150	
	The Criminal Tribes Act Amendment Act, 1897	189 7	IORPP	IOR/L/PJ/6/440, File 324	
	File 846 – The Criminal Tribes Act of 1924 and the Criminal Tribes (Amendment) Act of 1925	192 4- 192 5	IORPP	IOR/L/PJ/6/1873, File 846	
	Bengal. Police Department, criminal tribes manual. Calcutta, 1930	193 0	IORPP	IOR/V/27/161/8	
	File 74. 1882. 30. Criminal Tribes of India	188 2	IORPP	IOR/R/2/612/78	

	File 2358/1944 – Criminal Tribes (Madras Repeal) Act, 1947	194 7	IORPP	IOR/L/PJ/7/6442	
	File 2448 – The Criminal Tribes (Amendment) Act, 1923	192 3	IORPP	IOR/L/PJ/6/1804	
	Punjab. Commissioner for Criminal Tribes. The Criminal Tribes administration manual, Correction slips to revised edition, 1927-31	193 1	IORPP	IOR/V/27/161/22	
	Criminal Tribes: papers comprising 'The Criminal Tribes Act', 1924; D Gainsford (Punjab): 'Criminal Tribes' (nd); F C Daly: 'Some Types of Indian Hereditary Criminal', extracts from the police journal (1928); and a list of references to criminal tribes	194 7	ME	Mss Eur F161/158	
	Bengal. Police Department, Criminal Tribes manual,	194 3	IORPP	IOR/V/27/161/9	

	correction slips 1932-43				
	Control and reformation of criminal tribes in the Punjab; report	1917	IORPP	IOR/L/PJ/6/14/89	
	Reclamation of Criminal Tribes in India; Salvation Army Scheme	1910	IORPP	IOR/L/PJ/6/1022, File 2740	
	File 5995/1942 – The Criminal Tribes (Bombay Amendment) Act, 1942	1942	IORPP	IOR/L/PJ/7/5500	
	Punjab. Commissioner for Criminal Tribes. The criminal tribes administration manual, parts 1 & 2, 2 nd edition [with correction slips]. Lahore, 1919-1920	1919-1290	IORPP	IOR/V/27/161/20	
	List of non-Hur criminal tribes to be interned.	1946	ME	Mss Eur F208/34	
	Natives, Tribes, Papers, distributed to Commissioners of Cis-Sutlej States respecting wandering criminal tribes	1857	IORPP	IOR/Z/E/4/30/N199 IOR/Z/E/4/30/C615 IOR/Z/E/4/30/C470 IOR/Z/E/4/30/C1245	
	Hollins, S T, the criminal tribes of the United	1914	IORPP	IOR/V/27/16126	

	Provinces. Allahabad [1914]				
	Papers relative to the Bill to amend the Criminal Tribes Act, 1871	189 6	IORPP	IOR/L/PJ/6/423, File 1038	
	Bill of 1930 to further amend the Criminal Tribes Act of 1924	193 0	IORPP	IOR/L/PJ/6/2011, File, 4135	
	Madras. Police Department. Madras criminal tribes manual. Madras, 1924	192 4	IORPP	IOR/V/27/161/17	
	Punjab. Police Department: Report on the administration of criminal tribes in the Punjab, 1918- 1933	191 8- 193 3	IORPP	IOR/V/24/633	
	United Provinces Criminal Tribes Enquiry(Sahai) Committee 1947: Report and appendices (including evidence). Allahabad, 1948	194 8	IORPP	IOR/V/26/161/1	
	Hari Singh, A note on the administration of criminal tribes, Punjab, 1917 to 1919. Lahore, 1920	192 0	IORPP	IOR/V/27/161/24	

	File 64 1919-20 ADM/160 All Indian Conference to Consider concerted action to Criminal Tribes	191 9- 192 0	IORPP	IOR/R/2/703/54	
	Lemarchand, AEM, A guide to the criminal tribes [in the central provinces]. [Nagpur, 1915]	191 5	IORPP	IOR/V/27/161/15	
	Possibility of the reclamation of criminal tribes in India by philanthropic organisations; UP Council resolution	192 7- 193 0	IORPP	IOR/L/PJ/6/1948	
	Presentation of a handbook of the criminal tribes to Professor A C Woolmer	191 3- 191 4	IORPP	IOR/L/PJ/6/1294	
	Vivian, V P T, A handbook of criminal tribes of the Punjab. Lahore, 1912.	191 2	IORPP	IOR/V/27/161/23	
	Punjab. Police Department: Report on the administration of criminal tribes in the Punjab, 1934- 1938	193 4- 193 8	IORPP	IOR/V24/634	

	Gayer, G W, Central Provinces Police: lectures on some criminal tribes of India and religious mendicants (2 nd edition). Nagpur, 1910.	1910	IORPP	IOR/V/27/161/16	
	Proposed grants to the Salvation Army and other private agencies for the reclamation of criminal tribes in the Madras presidency	1915-1918	IORPP	IOR/L/PJ6/1515, File 5674	
	Deputation of Mr O H B Starte, ICS, on special duty in connection with the settlement of criminal tribes in the Bombay Presidency	1917-1918	IORPP	IOR/L/PJ/6/1519	
	Bengal. Police Department, The Criminal Tribes Act (III of 1911) with the government rules framed thereafter and amended. Calcutta, 1915	1915	IORPP	IOR/V/27/161/7	
	Criminal Tribes: papers relating	1856-	ME	Mss Eur F161/157	

	to various tribes, including Bauriahs, Sansiyas, and Minas, particularly in the Punjab, Madras, and Sindh; 1856-1905 and 1921-1947	1947			
	Copy letters to the President of the Board of Control, Mr Vernon Smith	1856	ME	Mss Eur F699/1/1/2/3	Letters: 14: Discussion of Indian Penal Code to be proposed and its regulation of natives 38: 'natives' integration within government
'prostitute'	Collection 315/13 Regulation of prostitutes prohibited	1888	IORPP	IOR/L/MIL/7/13821	
	Collection 315/75 Enquiry into medical examinations of prostitutes in cantonments	1909-1913	IORPP	IOR/L/MIL/7/13890	
Venereal Disease/ Sexually transmitted diseases	Collection 315/51a Report of Lord Onslow's committee of enquiry into the prevalence of venereal disease in India, 1897	1897	IORPP	IOR/L/MIL/7/13865	
	Collection 315/56	1899	IORPP	IOR/L/MIL/7/13871	

	Measures to check the spread of venereal disease among British troops in India, including repeal of Act V of 1895				
	Collection 315/84 Prevalence of venereal disease, preventative measures, question of regulated brothels	191 9- 194 6	IORPP	IOR/L/MIL/7/1389 9	
	Collection 315/57 Warning issued to troops in India in regard to venereal disease	189 7- 189 8	IORPP	IOR/L/MIL/713872	
	Collection 315/61 Prevalence of venereal disease among troops in India: Parliamentary Questions	189 8- 190 1	IORPP	IOR/L/MIL/7/1387 6	
	Collection 315/62 Causes of variation in admission rate of British soldiers for venereal disease	189 9- 190 0	IORPP	IOR/L/MIL/7/1387 7	

'criminal caste'	Typical Hurs. 'Hanged'. Photo of khaira Kyas Lalu Kyas Babal son of Gug Beig, caste Lighari Baloch of Sama Salta, Bahawalpur State. Photographer: Unknown	1943	VA	Photo 345(103)	
	Sir Denys Pilditch Collection: Album of photographs of tribes and castes in the united Provinces	1910	VA	Photo 409/1	
'caste'	File 5959/1945 – a Bill to amend the Caste Disabilities Removal Act, 1850, by the Hon. V V Kalikar	1945	IORPP	IOR/L/PJ/7/7694	
	North West Frontier Province Provincial Government and Provincial Committee Memoranda [6(9)]	1932	IORPP	IOR/Q/IFC/34	An assortment of documents: details on population, caste, race, tribes, education rates, and gazetteers.
'Khoja'	Papers relative to the Khoja Succession Bill	1884	IORPP	IOR/L/PJ/6/134	

	Papers relative to the Khoja Accession Bill	188 5	IORPP	IOR/L/PJ/6/165, File 2185	
India Office Records: Public & Judicial Department (1792-1955) IOR/L/PJ	Minutes of revenue, judicial, and legislative committee	183 4- 185 9	IORPP	IOR/L/PJ/1/1-11	
	Home Correspondence: Public, Educational & Ecclesiastical Home Correspondence	185 9- 187 9	IORPP	IOR/L/PJ/2/179-184	
	Home Correspondence: Miscellaneous Judicial Letters Received and Sent	182 7- 187 9	IORPP	IOR/L/PJ/2/185-199	
	Correspondence with India: Police Letters from India	190 4- 192 2	IORPP	IOR/L/PJ/3/672-685	
	Correspondence with India: (Public) Political Letters from India	190 8- 192 2	IORPP	IOR/L/PJ/3/686-694	
	Correspondence with India: Abstracts of Judicial Despatches to Bengal, India and North-Western Provinces		IORPP	IOR/L/PJ/3/1172-1179	

' Baluchistan '	Administration Report of the Baluchistan Agency	189 0- 190 8	APA	/	
	Census of India 1901. Vol. 5A, Baluchistan. Pt2, Imperial Tables.	190 2	APA	Asia, Pacific & Africa W7876/11	
India Office Medical Archives Collection (1780-1920)	The Working of the Contagious Diseases Act in Calcutta (681 spreadsheet index)	187 1		IOR/P/674 Aug 12-14	Sex/Sexually/Sexually transmitted disease/Lock Hospital
	Venereal Disease at Nynee Tal [Naine Tal] and Ranikhet, and suggestions for prevention (695)	187 1		IOR/P/674 Dec 02	
	Venereal Disease at Amritsar (702)	187 2		IOR/P/674 Feb 01	
	Comments of the Government of Bengal on the working of the Contagious Diseases Act (738)	187 2		IOR/P/674 Oct 02	
	Lock Hospital Reports for 1871 (744)	187 2		IOR/P/674 Nov 03-04	
	Working of the Contagious Diseases Act in Calcutta (745)	187 2		IOR/P/674 Nov 05-06	
	Reports of the general working	187 8		IOR/P/1203 Jan 31-36	

	of the Lock Hospital system (755)				
	Memorandum of the Army Sanitary Commission on the Report of Lock Hospitals in the Madras Presidency	187 8	772	IOR/P/1203 Jun 01-03	
	Working of the Lock Hospital Rules in Thannas of Dum-Dum and Areadah (Baranagore)	187 8	776	IOR/P/1203 Jun 35-40	
	Memorandum of the Army Sanitary Commission on the Working of Lock Hospitals in India	187 8	783	IOR/P/1203 Sept 08-09	
	Note on the Lock Hospital Reports for the several Governments and Administrations of the Bengal Presidency	187 8	799	IOR/P/1203 Oct 111-128	
	Proposed amendment of the Contagious Diseases Act (XIV 1868)	187 9	868	IOR/P/1338 Dec 14-15	
	Proposed amendment of the Contagious	188 1	1033	IOR/P/1664 Jan 38-43	

	Diseases Act (XIV 1868)				
	Re-introduction of the Contagious Diseases Act in the city of Bombay	1881	1056	IOR/P/1664 Aug 32-33	
	Sir Oliver Richard Newmarch, Memorandum on Venereal Disease (India Office, 1896)		1474	IOR/L/MIL/17/5/2008	
	Sanitary Improvements in India	1870	1657	IOR/P/434/45 Feb 23-30	
	Remarks on the annual Report of Lock Hospitals in the Punjab for 1874	1875	135	IOR/P/525 Aug 21-25	
	Note on the working of the rules for the prevention of venereal disease among European troops in the Bengal	1874	143	IOR/P/525 Dec 18-19	
	Report on the working of the Lock Hospitals in the Bengal Presidency for the year 1872	1873	188	IOR/P/525 Nov 26-27	
	Reports and correspondence regarding the working of the lock hospital at	1873	203	IOR/P/525 Oct 52-60	

	Bareilly for 1872				
	Proposed extension to the Cantonment of Jutogh of Contagious. Diseases Act	187 4	206	IOR/P/525 Oct 30-33	
	Reports and correspondence regarding the working of the lock hospitals in the North-Western provinces for the year 1873?	187 4	216	IOR/P/525 Oct 60-64	
	Remarks on the Reports by the Commissioners of the Patna, Cooch Behar, Chota and Nagpur Divisions on the...	187 5	226	IOR/P/525 Sept 23-24	
	Means to be adopted for the more efficient working of the rules for the prevention of venereal disease	187 5	234	IOR/P/525 Sept 61-66	
	Proposed employment of female hospital assistants to undertake the examination and treatment of women	189 9	252	IOR/P/5644 Jun 80-92	

	Annual Report on the Nusseerabad Lock Hospital for 1876 [Nasirabad, Ajmer]	187 7	279	IOR/P/1003 Apr 04	
	Reports on the working of Lock Hospitals at Fyzabad, Sitapur and Lucknow city and cantonment for the year 1876	187 7	291	IOR/P/1003 Dec 26-30	
	Building for a Lock Hospital at Murree	187 7	304	IOR/P/1003 Jul 18023	
	Proposed clause of extension 7, section. 19 of XXII of 1864 to the Cantonment of Dalhousie	187 7	306	IOR/P/1003 Jul 43-45	
	Extension of the Operation of the rules passed under clause 7, section 19 of XXII of 1864 for the whole of....	187 7	323	IOR/P/1003 Mar 21-25	
	Working of Lock Hospitals in Cantonments	187 7	328	IOR/P/1003 Mar 13	
	Discontinuance of the levy of registration fees on women working as prostitutes	187 9	811	IOR/P/1338 Jan 22-23	

	Trial and conviction of several natives of the Northern Konkan for murdering persons deemed to be sorcerers		1588	IOR/F/4/638/1767 1	Tran
	Punjab. Medical Department: Report on the Lock Hospitals in the Punjab, 1878-1890		1252	IOR/V/24/2291	Gonorrhoea
	Bengal. Medical Department: Reports by the Commissioners on the working of the cantonment Lock Hospitals		1253	IOR/V/24/2292	
IOR/V Official Publications	IOR/V/1 British Acts (1225-1957)				
	IOR/V/3 Parliamentary Debates (1774-1956)				
	IOR/V/2 Parliamentary Journals (1509-1957)				
	IOR/V/2 Parliamentary Papers (1802-1955)				
	IOR/V/5 London Gazette (1756-1958)				

	IOR/V/8 Acts and Codes (1780-1955)				
	IOR/V/9 Legislative Council and Legislative Assembly Proceedings -Bombay -Sindh -Punjab -North West Frontier Province				
	IOR/V/10 Administrative Reports (1856-1957) -Bombay -Punjab -North West Frontier Provinces -Baluchistan -Bahawalpur -Jammu and Kashmir -Native States Subordinate to Punjab Government				
	IOR/V/15 Census Reports -North West Provinces of the Bengal Presidency -Bombay Presidency -North-Western Provinces (IOR/V/15/16)				

	-Bombay including Sindh -North Western and Oudh - The Kashmir State -India: Ethnographic appendices -Baluchistan -Kashmir -Agra and Oudh -India ethnographic racial affinities -Jammu and Kashmir -India census ethnography				
	IOR/V/22 Law Reports -Bombay -Lahore -North Western Frontier Provinces -North Western Provinces High Court -North Western Frontier Provinces Judicial Commissioners Civil Judgement Reports				
	IOR/V/24 Departmental Annual Reports -Punjab Medical Department -Punjab Mayo Hospital				Bengal prior to reformation into other provinces included NWFP/Punjab.

	-Bombay Education Department -Punjab Education Department -North Western Provinces indigenous education and vernacular -North West Frontier Province Education Department -Sindh Education Department -Punjab Medical Department (mental hospital Lahore) -Bombay Jail Department -Punjab Jail Department -Bengal Jail Department -North West Frontier Provinces Jail Department -North West Frontier Provinces Self- Government Department				
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The featured table above demonstrates the interrelated processes of archival research planning, by drawing upon the available resources of online indexes and the information presented in SOGIE South Asian literature. Understandably, this is an unusual inclusion in methodological chapters; however, it presents an interesting reflection on this experience which overall informs the product of this research. This table represents the indicative mode of archival navigation upon data collection, utilising the limited resources available. Below, section 3.2 offers a reflective critique of archival reality and its impact on this research.

3.2 Navigating the Colonial Archival Reality: Critical Reflections

To design and plan fieldwork within the British Library India Office Records archival collections and the reality of collecting data presented several re-evaluations of the methods anticipated for this research. The expectations outlined by Arondekar (2005) and Jespersen (2023) describe the archive as an ocean of documents in which the researcher attempts to locate the rare pearls of SOGIE-related content; insofar, that those pearls themselves may be concealed in unsuspecting, covert locations of the archival document's content. The archival method outlined in 3.1 represents the initial research conducted upon access to the BLIOR archive; though, the anticipated navigation of the archive, in reality, introduced obstacles which required unforeseen reflection and adaptation on the data collection process. Therefore, the following subchapters are a critical reflection on the archival process, the unanticipated hurdles encountered, and the adaptation undertaken to complete the data collection for this research. First, it discusses the reality of queerying the archive, identifying potentially relevant avenues to explore in a non-

digitised archival collection. Second, it outlines the geographical and colonial implications of imperial governance, and how it impacted the data collection.

3.2.1 Queering the Colonial Archive

Creating a plan to identify and access relevant archival data relied largely on the digitised library catalogue of collections in the British Library India Office Records. In principle, this offered a superficial, but feasible data collection method. The reality of accessing and collecting data through this endeavour, however, was vastly different to anticipated due to several reasons. This subchapter invokes critical reflection on the methodological process to detail the experience of navigating the colonial archive to reflect on the procedure of data collection, and insight on the phenomena of *queering* the archive.

A reflective account of queering the BLIOR archive reconciles my positionality as a queer researcher, navigating queerness in an otherwise heteronormative archive. Queer historical knowledge and even the documentation of a queer historical existence is evasive, silenced, and somewhat omitted (Marshall, Murphy, Tortorici, 2015). It is a space occupied by tension, the historical contexts of knowledge production, and both presence and absence. Metaphorically, it represents the discovery of queer self-identity; wherein, the data exists deep within, but cannot reveal itself without a process of discovery or the lingual tools for which it can be represented and therefore identified with and actualised. This process of discovering the queer subject of the

archive resonated with my own journey with identity, imbued with self-reflection, discovery, and acquiring the linguistic and conceptual tools for which I could understand and represent my own queerness. From the starting point of an internal knowing of difference from the heteronormative society I was engulfed by, I had nothing but an understanding that my epistemology and ontology was *different*. Only after interactions with other *different* people and *different* content was I able to represent this inner self as something material: queer.

The focus on ‘difference’, and the reliance on the term as a descriptor of my identity represents the process of queering the heteronormative knowledge production of archiving, but also that of queer knowledge production within the archive. Insofar, to identify the possible presence of a queer subject in the archive is by identifying sites of difference from heteronormativity in historical contexts. Therefore, to find the evasive data of queerness within the heteronormative archive, I had to position myself as the *difference* I sought to find. This process began and continued throughout my data collection via contemplating identarian difference, considering the Anglophile representations of the South Asian SOGIE subject, and invoking the works of Hinchy (2020) and Redding (2019) which research the regulation of the colonial eunuch. Below features a table constructed during my time in the colonial archive, which depicts the various linguistic and categorical forms of gender and sexual difference I could think of which would yield results within Anglophile frameworks of 19th century identity. This table is presented exactly how it was produced, without consideration to ordering the data. The development of these differences evolved throughout the experience, and is reflected as such, upon the research

conducted into historic representations of sexual and gender difference in South Asian and British contexts.

Category	Success	Linguistic Representation	Success
Medical Records	No	Gay	No
Lock Hospitals	No	Homosexual	No
Autopsy Reports	Yes	Lesbian	No
Criminal Tribes Pamphlets	No	Transgender	No
Gazetteers	No	Eunuch	No
Legislation	Yes	Hijra	Yes
Private Letters	Yes	Khwaja Sira	No
Public Announcements	No	Khusra	Yes
Judicial Records	No	Kothi	Yes
		Transvestite	No
		Transsexual	No

Notably, the colonial archive experience was different to that of the digital archive portal on the Islamic Republic of Pakistan's Government website. Importantly, the postcolonial archive data collection relied upon official documents to demonstrate the maintenance of colonially introduced knowledge structures of gender and sexuality in Pakistan. Therefore, the pool of potentially relevant data resources was vastly reduced and limited to Legislation, Gazetteer, Census, and administrative collections. Another important distinction is that the colonial archival data forms the site of SOGIE knowledge production and representation in linguistic form, and the postcolonial archival data is used to trace the maintenance of these linguistic sites of colonial epistemology.

The process of finding data becomes less about discovering an evasive queerness emerging through early social regulatory practices of empire, and instead becomes an act of identifying its maintenance in the postcolonial space. Social regulation by the colonial administration sought to construct, identify, and designate SOGIE practice into categorisable typologies; whereas, the postcolonial archive operates the pre-existing SOGIE subject of the colonial enterprise as normative. Thus, identifying the postcolonial SOGIE subject is less evasive due to its naturalisation, but nevertheless relies on the construction of identity pioneered by the British Empire. Once the elusive SOGIE subject is recovered in the colonial archive, the linguistic, epistemological, and ontological representations of identity become the object of identification. Insofar, the pre-established frameworks of colonially created identities are the blueprint for postcolonial discovery, identifying their linguistic and epistemological presence in the postcolonial archive.

Despite the process of queering the archival experience as a method for discovery, there remains an absence of women's bodies, and specifically, the queer woman. As the archive serves as a location to challenge systems of power, the exclusion of queer subjects becomes a repository of knowledge in and of itself (Zepeda, 2018). Since the archive is not neutral neither politically nor organisationally, the process of archival research becomes an active reinterpretation of historical biases (Zepeda, 2018). While the British Empire regulated women, primarily through the Contagious Diseases Act (1868) and Lock Hospitals, its cataloguing represents broader Anglophile norms of gender; whereby, women were a largely uncontested, pre-existing identity category whose existence is in binary opposition to men (King, 2005). Insofar, the documents pertaining to women have less to do with the construction of their identity and sexuality, but rather their relationship to sexual subservience under the patriarchy (Arondekar, 2009; Gupta, 2011).

However, in the absence of discursive representation, the capacity for linguistic analysis of women and women's bodies is an arduous endeavour. Without the constructions of what constitutes womanhood, South Asian women's identity, and their non-normative sexualities, QLI cannot perform its analysis as required by this research. Of the data collected, there is an absolute deficiency of both typological and linguistic representations of women. Although this thesis proposes the analysis of SOGIE identity construction, which is inclusive of women, the archival reality presents an absence thereof. Per the collected dataset, the British Empire appears

more concerned with the discursive and legislative regulation of perceived gender and sexual deviance performed by 'men'.

Encountering an abundance of qualitative data possibilities in the BLIOR, amassing over seventy kilometres of collections, and 26,000 files, the reality of access became a crucial issue to navigate. Despite extensive planning, research, and archival preparation, the process of organisation became futile in the first archival visit, as discussed above in relation to querying the archive. Nevertheless, the transition from digitised indexes to the physical presence of archival data led to developments and adaptations to this research. The subsequent subchapters represent a critical reflection on how archival discoveries led to an unforeseen but important development which had a significant impact on the research design and outcome. The discovery of a map which contradicts existing literature transformed the colonial geographical parameters of this research to produce a more refined, intellectually rigorous project.

3.2.2 Geographical Alignment from Empire to Modernity: The Colonial Archive

The BLIOR colonial archive is indexed to preserve the original organisation of the documents as they were catalogued by the Esat India Company, and later, the British Raj (2023). The archival collection is then divided into Private Papers and Public Papers, with several subcategorisations of broader administrative division. Public Papers denote the official resources associated with the governments and range from legislative to administrative contents of the British Empire's

affairs in India. Private Papers contain the resources of non-public organisations, such as businesses and private societies. Moreover, these collections may relate to individual persons and comprise diaries, postcards, private affairs of non-public or governmental bodies (BLIOR, 2023).

The India Office Records collection broadly comprises the geographical territories contingent with contemporary India, Pakistan, Bangladesh, and Myanmar as they were administered by the British empire prior to 1947 (British Library, 2023). Although the BLIOR catalogues the above territories of British administration, the archive also houses collections, and individual documents which pertain to the interactions and correspondence with the Middle East, Central Asia, and Africa. These additional geographical resources are integrated within the principal categorisations of Private Papers and do not benefit from their own archival category. Demonstrably, due to the lack of clearly identifiable geographical collection categories, accessing documents which appear relevant on the surface may be irrelevant to the territorial focus of this thesis.

Initially, during the research design of this project and the primary fieldwork in the BLIOR, the discovery of a map (BLIOR/V/27/161/24) revealed that prior to the British annexation of the north-eastern territory of contemporary Pakistan, the region was subsumed by the Durrani Empire. Contrary to the literature which outlines pre-British India as governed by the Mughal Empire, this map revealed that approximately one third of contemporary Pakistan was

represented by the Durrani Empire rather than under Mughal rule. The implications of this discovery for this research are twofold: first, that geographical parameters and the containment of this research is a necessary endeavour; and second, the Durrani context is an often overlooked and under researched aspect of colonial South Asia which homogenises pre-European cultures to a detriment (see Taiwo, 2020).

This development whilst collecting data in the BLIOR archive encouraged a geographical streamlining to which the postcolonial case study of contemporary Pakistan could be both territorially and intellectually honest. This process of streamlining is important for two reasons: to relate the direct governance of the British colonial territories associated with the geography of contemporary Pakistan and to accurately portray the colonial legacies of QLI evident in postcolonial Pakistan. The governing structures of the British empire in India underwent several distinct changes, categorised by three epochs of imperial governance: the East India Company 1757-1858; the British Raj, 1858-1919; and diarchic British India, 1919-1947 (Reed, 1930). During these distinct eras of British governance of the Indian subcontinent, the sphere of influence over policy and its implementation on subjugated Indian populations varies greatly (Cohn, 2021; Hopkins, 2020; Sultan, 2020). The following subchapters offer a very brief outline to the geography and governance of India over these three eras to demonstrate the archival difficulty of data collection, but also the necessary endeavour for geographical accuracy.

3.2.2.1 1835-1858:

Although the East India Company presided over India prior to 1835, the year 1835 is the inception of the temporal parameters associated with this research and the ensuing data collection. Therefore, the principal focus of this subchapter details the period between 1835 and 1858. The British East India Company first had physical presence and power over the South-East of the Indian subcontinent, with Madras being arguably the first British colonial outpost of India circa 1600 (Wheeler, 1886). It was noted that the Mughal Empire presided over the northern territories of India, with central India organised into a series of sultanate kingdoms (Siddiqui, 2021; Tharoor, 2018; Wheeler, 1886). Over the 17th century, the British East India Company expanded to encompass several outposts across India and absorb territory through successive conflicts with other European traders (Wheeler, 1886). Between 1600 and 1858, the BEIC expanded from Madras, Bombay, and Calcutta presidencies to absorb the central and northern territories of the disintegrating Mughal Empire (Edney, 1997; Phillips, 2011).

For this research, there requires a specialised look at the progression of British territorial expansion and influence in what is contemporary Pakistan. British influence and control over the Indian subcontinent began to expand into the contemporary territories of Pakistan in 1839, as a byproduct of the Anglo-Afghan war (Kolsky, 2015). The 1939 port establishment in Karachi served to later annex the province of Sindh in 1843 and began expansion into the Punjab with the defeat of the Sikh rulers and a monopoly over the territory in 1848 (Burton, 2014).

Demonstrably, the 1835-1858 period of the EIC which comprises the founding parameters of this research presents the tumultuous process of territorial acquisition by the British. Due to the changing borders of the BEIC, the archival reality of accessing relevant documents which correspond with the territorial borders of contemporary Pakistan proved to be an arduous task. Within the public versus private archive index system and their subcategories, my experience with the BLIOR archives appeared to divide the collections by province. However, due to the trade influence of the BEIC prior to formal annexation of the northern territories, the collections do not specify whether they represent pre or post-acquisition. Therefore, assessing their suitability to the geographical and colonial parameters of this research becomes a case-by-case basis, as the collections are not organised according to the extent of British control, but rather the totality of their interactions.

The geographical complexities of British influence in India barely influenced the design of this research in the beginning, for two reasons. First, the literature engaged with on the status of language and SOGIE minorities in the British Empire lacked comprehensive outlining as to the borders of the empire. Broadly, existing research homogenises the contemporaneous geographies of India and Pakistan under the administration of the British Empire, without acknowledging the contextual differences of language, culture, population, or pre-European empires (see Chapter 1 for further critique). Hinchy (2020), Redding (2016), and Khan (2017) each specify the North-Western Frontier Provinces as significant to the regulation of SOGIE minorities, serving as the geographical enactment of the Criminal Tribes Act (1871) and reformatory resettlement of *eunuchs*. In the specification of the North-Western Frontier Provinces, the

aforementioned research neglects the geographically contingent context of culture, ethnicity, and identity as relevant to the study of SOGIE marginalisation by the British Empire; moreover, it lacks an acknowledgement of the changing borders of empire and assumes governing homogeneity.

3.2.2.2 1858-1919:

After centuries of expansion by the British East India Company, the British government inherited the infrastructure of the BEIC, and continued the project of territorial and influential expansion across the Indian subcontinent (Barrow, 2017). The government of British India consisted wholly of British officials headed by the viceroy, a ruler of the British colony on behalf of the sovereign, and the appointed members of the governing council (UK Parliament, 2023). After the implementation of the Indian Councils Act 1861, the council of the viceroy acted as The Cabinet of British India and as a faction of the imperial legislative council (Sankaran, 2021). During the transfer from the EIC to the British Crown, Thomas Babington Macauley's influence in which he proposed the rule of law over India comes into effect (Kofsky, 2015). The implementation of the 1860 Indian Penal Code must be understood contingent to the geographical control of the British Empire, rather than the somewhat independent protectorates of the informal empire. Insofar, the codified law as enacted by the British Empire experienced implementational disparity between the territories directly governed, versus those under protectorate status (Morgan and Macpherson, 2022). Nevertheless, there was still an overarching influence, though, it was not a homogenous governance throughout the empire (Onley, 2009).

By 1890, the British Empire had expanded territorial influence to include the Karakoram mountains which spans the borders of contemporary Pakistan, India, and China; located primarily in the region of Kashmir (Haines, 2004). Furthermore, the sphere of British India's influence can be attributed to the South Asian sub-continent, and into West and Central Asia (Haines, 2004). The administered territories of British India and their degree of direct influence by the Empire fluctuated often, with presidencies changing in shape, size, and influence on almost annual bases (see the map in Onley, 2009). Thus, to detail each individual change here is beyond the remit of this research's objectives; nonetheless, it is an important acknowledgement to the difficulty of archival navigation, and the homogeneity attributed to the effects of the British Empire on SOGIE minorities.

3.2.2.3 1919-1947:

The period between 1919 and 1947 characterises diarchic India, whereby, self-determination developed a significant position in the governance of fluctuating, and newly emergent presidencies of a somewhat autonomous governance (Noman and Lyric, 2019; Slocock, 1933). Indian diarchy details the transitional local governments emergent through the transfer, or sharing, of power from the formal British Empire; however, these local protectorates were still administratively influenced by the centralised British Government (Rizwan and Hassan, 2020). Diarchic India was further characterised by the increasing integration of Indian representation in administrative roles of the British Empire, the governance of India, and what territories

constituted British India versus Indian Native States (Mahanand, 2015). Post the Montague-Chelmsford report of 1918, the reorganisation of diarchic India saw dramatic restructuring which considered regional languages as foundational to effective governance (Awan & Uzma, 2014). Following continued local dissatisfaction with colonial rule, to maintain a British influence in the region, the Government of India Act (1935) was created to declare federacy and plateau growing self-determination (Rathore, 2018).

Resultantly, the borders of the Indian sub-continent underwent frequent redivision and experienced the redistribution of power during the diarchic transition towards eventual partition. Due to these frequent changes in geographical administration, particularly towards the transition of self-determination which characterised the post-colonial partition of British India, the British Library India Office Records neither catalogue nor index documents according to the territorial re-administration. Thus, navigating the archive as a representative of colonial knowledge preservation demonstrates the disorganisation of the diarchic period, but also that ensuring a geographically contained project is a complex endeavour.

3.3 Concluding Geographical Containment:

Demonstrably, this project spans three distinct periods of differing imperial governance which require relevant consideration in the analysis of archival documents; firstly, the 1835-1858 transitional stages of the British East India Company, through to the 1858-1919 rule of the British

Raj, and lastly the 1919-1947 span of diarchic India. These three periods of British influence in the Indian sub-continent each represent varied topographies, and therefore, different archival categorisation. To maintain the intellectual integrity of this research, which prioritises the territorial contingency of (post)colonial geographies, the archival research method required an additional investigative practice. As presented in the critical reflections embedded within this chapter and the preceding sub-chapters of this conclusion, the catalogues of the BLIOR seldom represent the changing territories of colonial India. While the catalogues rightly reflect the organisational processes of British India's administrative policies, the indexes neglect the arrangement of documents correspondent to the evolving frontiers of colonial influence.

As such, identifying geographically contingent documents which correspond to the contemporary postcolonial territory of Pakistan became an endeavour within itself. Due to these changing extents of administrative governance, sourcing relevant data compliant with the geographical parameters of this research was a process of discovery which operated within the organisational framework of colonial knowledge. Moreover, to combat the homogenisation of colonial India present in the contemporary research of empire, this research deconstructs the narrative of centralised governance's applicability to the entirety of the Indian sub-continent, irrespective of administrative influence, by ensuring the data accessed is contingent with post-colonial geographies. This sub-chapter ensures the SOGIE epistemological, linguistic, and material contingency between the British Empire and postcolonial Pakistan via geographical containment; therefore, reflecting the objectives of research questions ii, iii, and iv, respectively.

3.4 Findings

The methodological revisions detailed in subchapter 3.2 transformed the expected data collected throughout the archival fieldwork and resulted in fewer relevant documents than previously anticipated. Exemplarily, in the colonial archive, by limiting the geographical parameters from British India as a totality, to the administrative provinces which correlate to the contemporary territories of postcolonial Pakistan, it has not only limited the resources of available data but reduced the numerical value of empirical results. However, despite the reduction in empirical data usable in which to analyse the research questions outlined in 1.1, the data collection maintains a geographical and intellectual integrity which this thesis considers a positive result. Furthermore, the integrity upheld through this process, despite the reduction in eligible data, proposes a substantial benefit to the resultant analysis. Insofar, research questions ii, iii, and iv are analysed using colonial data congruent to the postcolonial case study via geographical consistency. Moreover, in analysing the extent to which SOGIE epistemologies are endured legacies of colonialism via sites of language, the adopted streamlining of geography ensures synergy between provincial governance of empire and the naturalisation of colonial epistemologies among fractions of the population.

The resultant dataset collected from the BLIOR archive under these methodological adaptations totals thirty-five resources, consisting of eighty-five pages of textual data. The dataset collected from the Islamic Republic of Pakistan's Government Online Repository totals eight resources,

consisting of twenty-nine pages of textual data for analysis. Thus, forty-three documents represent the whole dataset associated with this research, which totals one-hundred and twenty-three pages of textual data subject to analysis, and to explore the research questions ii, iii, and iv which underpin this thesis.

4. Analytical Method

The analysis of collected data operates under the theoretical framework designed as part of this thesis, Queer Linguistic Imperialism (Chapter 2), and adopts a Critical Discourse Analysis (CDA) approach to examine the selected documents. Language features as the central object of investigation, per research questions ii, iii, iv, and requires an analytical method equipped to assess language as an epistemic repository of (post)colonial knowledge. Thus, according to the Interpretivist and Anti-foundationalist metaphysics associated with this research, this sub-chapter outlines the suitability of CDA as an analytical method for the textual data collected to investigate the research questions that underpin this thesis.

Critical Discourse Analysis is an analytical method which prioritises the rigorous analysis of language use within the context of discourse and discursive practices; whereby, language and discourse reflect social practice (Wodak, 2014). Fairclough, a pioneer of CDA notes that language and textual data reveal the contextual relationships between society, culture, and power; whereby, the manifestations of these relationships are represented in language usage and

discursive practices (1995). Discourses, text, and language are informed by the contexts in which they produced, including the epistemic frameworks of available knowledge (Kress, 1990). Due to the amorphous breadth of CDA as a methodology, the metaphysics align with that of the research design and theory utilised in combination. Therefore, employing CDA to analyse the textual data collected from the BLIOR and the Islamic Republic of Pakistan's Government portal embodies the interpretivist ontology and antifoundational epistemology outlined earlier in this chapter. These metaphysical assumptions influence the interpretation of linguistic and discursive data via CDA's methodology which values textual discourse as reflective of social practices; thus, the analysis generated is contingent with the subjectivity of interpretivist ontology and anti-foundational epistemology as they apply to the social world.

Critical Discourse Analysis as a method of analysis operates in conjunction with social theory to underpin the scope of inquiry (van Leeuwen, 2009). The flexibility of CDA's application arises through the lack of theoretical orthodoxy which promotes multidisciplinary utilisation; whereby, CDA represents the analysis of social inequality and dynamics of power yet encourages methodological diversity representative of research objectives (Van Dijk, 1993). Thereby, CDA offers both the framework of language analysis and malleability for theoretical combination associated with this thesis. The primary unit of analysis, corresponding with research questions ii, iii, and iv, is that of language and textual data collected; in particular, the meaning represented by language as reflections of Anglophile SOGIE knowledge systems exported onto (post)colonial Pakistan. While language constitutes the unit of analysis through CDA, the theory which informs the linguistic analyses of CDA methodology is QLI and further detailed in chapter 2.

Therefore, to analyse the collected data, CDA operates as the methodology which seeks to analyse the usage of language within (post)colonial discourses, and consider the context of discursive production as reflections of societal practices during the temporal conditions of their existence. For this research, CDA enables the exploration of English-language representations of South Asian SOGIE minorities and the Anglophile gender-sex knowledges they represent, per research question ii. Furthermore, CDA facilitates the analysis of epistemic and linguistic evolutions of discourse and language use to represent South Asian SOGIE minorities in (post)colonial Pakistan, per research question iii. Additional to the above demonstrations of suitability, since CDA views language and discourse as representative of social practices, CDA methodology supports the exploration of societal and political impacts of language on SOGIE minorities, as well as the linguistic obstructions which hinder their emancipation in postcolonial Pakistan, per research question iv.

4.1 Codification, Data Set, and Process of Analysis

This research purposefully elects to codify and analyse the collected data manually, rather than utilise software such as Nvivo. Critical Discourse Analysis, while an appropriate methodology to use with codifying software, benefits from the interpretive processes of manual qualitative analyses, especially with a small dataset as experienced here (Mattimoe et. al., 2022). Furthermore, the theoretical-methodological model of CDA privileges manual versus technological analysis when interpretivist ontological and antifoundational epistemological

metaphysics embody the analytical objectives (Wiesner, 2022). Also, due to the explorative nature of the research questions outlined in section 1.1, there requires a human flexibility in which relevant data codes can be identified as relevant sites of interest via language usage and discursive context. Due to the interpretivist and anti-foundationalist philosophies which underpin this research design, this is a conscious decision to acknowledge my own agency as a researcher in both conducting and delivering the analyses provided, without the input of digital software.

The manual codification of data is compartmentalised into two distinct phases. Firstly, it involves the analysis and codification of the BLIOR colonial archive data, between 1835 and 1947. Secondly, the data obtained from the Islamic Republic of Pakistan's Governmental repository between 1947 and 2018 is codified as a separate entity to reflect the postcolonial evolutions of language, or lack thereof. To segment the data codification in this manner enables a clear comparative structure whereby the maintenance, or evolution of SOGIE language usage and the associated knowledge it represents is contingent with research questions ii, iii, and iv. The process of data codification is informed by the linguistic data identified as a representation of Anglophile gender-sex knowledge systems, or typologies of South Asian SOGIE subjects.

5. Conclusion

This research is a qualitative exploration of the British Library India Office Records and Islamic Republic of Pakistan's Government Repository archives which seeks to trace the linguistic importation of the English language onto South Asia via the British Empire. Moreover, the data focus through which linguistic analyses occur centres on English language, Official, textual documents dated between 1835 and 2018, commencing with the English Education Act (1835) and concluding with the Transgender Persons Protection of Rights Act (2018). The identified data collected from these archives represent Sexual Orientation, Gender Identity, and Gender Expression (SOGIE) content in accordance with the research questions ii, iii and iv of this thesis.

Epistemological anti-foundationalism and ontological interpretivism underpin the metaphysics of this research; whereby, the social world is understood as subjective materialisation of human production. Therefore, this research, per the questions outlined in 1.1, concerns the English-language importation and construction of South Asian identities through Anglophone knowledge systems to analyse the postcolonial effects of the lingual mechanisms of the British Empire. Anti-foundationalism and interpretivism align with the theoretical-methodological approaches of Critical Discourse Analysis and QLI to conduct the resultant analysis of this thesis. The research design outlined in this chapter references the metaphysical and procedural foundations correspondent to research questions ii through iv and represents a precursor to the commencement of data analysis.

Chapter 4: Colonising the SOGIE Subject and Anglicising Identity

1.0 Introduction:

The analysis of this subchapter on the colonial construction and naturalisation of English-language SOGIE identities of South Asia is presented chronologically, per the data collected for this research. As such, the chronological nature of the analytical presentation demonstrates the linguistic and epistemological developments during the British colonial administration of South Asia, including intertextualities. This approach aligns with QLI's assumptions; whereby, an effective analysis of the relationship between (post)colonial language use and SOGIE marginalisation exposes the interweaving knowledge structures as they are constructed and standardised.

There is a conscious decision to purposefully craft a narrative of these developments by presenting the analysis in the following format. Each subchapter outlines the document, or collections analysed, accompanied by a summary of its contents. Next, there features an investigation into the knowledge systems represented in the documents, as represented by specified terminology or quotations. Here, per QLI's conjunction with Critical Discourse Analysis, the subchapter extracts the knowledge systems and orients them in their context, centred around the theme for analysis. The subchapter then ends with a compilation of the arguments with the additional commentary of QLI's processes of linguistic stigmatisation and domination.

For clarity, in instances when 'British India' is mentioned, it denotes the accepted title of the British Empire which encompasses South Asia. Although this PhD research is specific to Pakistan as the territory which comprises the territories of the British Empire which correspond to the contemporary state of Pakistan, the term British India is maintained throughout; primarily, to ensure the continuity of scholarly tradition and historiography which relegates the South Asian subcontinent as India. However, assume that where British India is used, it simultaneously represents both the continent in its colonial entirety and the specific geographical focus of this research: Pakistan. The methodology chapter of this thesis outlines that the data collected is specifically relevant to the territories of contemporary Pakistan, and thus, the analyses made here reflect that methodological choice.

2.0 Foundations to the Lingual Empire and SOGIE Marginalisation:

As outlined in the methodological chapter of this thesis, the research period established to analyse the typological and linguistic importation of anglophile SOGIE identities spans 1835 to 2018. Notably, 1835 represents the Macaulay Minute on Education, colloquially known as the English Education Act, which began a systematic destruction of local South Asian knowledge systems (Kumari, 2021). Therefore, to preface the analysis of colonial-era documents collated

through primary archival research, this chapter first details the foundations of the lingual empire and SOGIE marginalisation via a QLI analysis of the 1835 English Education Act.

The English Education Act (1835[Macauley, 1862]) exposes the Orientalist-Anglicist sentiment which underpinned the British colonisation of South Asia. Macauley's stint as a member of the Supreme Council of British India (1834-1838) witnessed language(s) as a proposed mechanism of colonial control, whereby the English language would become an institutionalised instrument of epistemological diffusion of anglophile knowledge systems to Indian subjects (Wright, 2015). Furthermore, Macauley argued that English-speaking, and therefore anglicised, Indians would act as intermediaries between British colonial administrators and the local Indian populations (Annamalai, 2010; Mondal, 2017).

Language as an apparatus of colonial enterprise for effective governance of subjected persons is long recorded, noted by Philipson (1992) as a method of epistemological assimilation and domination. In implementing policies which promote the colonial language, the colonised population is exposed to epistemological systems associated with the colonial power. Per QLI, lingual policies that promote the use of the colonial language at the expense of local languages entail processes of stigmatisation in which the dominant language is hierarchically privileged over the dominated language. The process of stigmatisation facilitates the adoption of the dominant language by the subjugated population and initiates the process of transference where the knowledge communicated by the dominant language becomes standardised in society.

For this research, the linguistic policies implemented by the British Empire in India expose the subjugated Indian population to the dominant knowledge structures of Britain as represented by language and vocabulary. Therefore, the English Education Act of 1835 represents the legislative promotion of the English language in India and begins the process of QLI. The main points of interest within the English Education Act (1835[Macauley, 1862]) are the stigmatisation of Eastern languages and the knowledges they communicate, and the reduction of Eastern languages and their knowledge systems as imaginary.

2.1 Linguistic Stigmatisation:

Macaulay's Minute has a recurring use of the 'imagination' (1862), which is utilised to devalue Eastern contributions of language, literature, and knowledge. Imagination, interpreted here, views Macaulay's usage as the process by which figurative images or concepts are produced to represent fanciful idealisations external to reality. Such an interpretation relies upon the established anglo-oriental hierarchy Macaulay incites, stating that "there are not books on any subject which deserve to be compared to our own" (1862: pp.110). Here, Macauley establishes the justification for English language promotion and eventual domination by asserting that English is a more sophisticated medium for the communication of European knowledge and is more valuable than that of Eastern equivalents. Moreover, the quote above constructs a hierarchical value system of language quality through the use of 'deserve'. In employing deserve,

Macauley connotes a power dynamic which subordinates Eastern languages to that of Western languages, with the added qualifier of worthiness.

Qualifying the value of languages through the framework of imagination is common throughout the English Education Act (1835) and underlines Macauley's rationale for the implementing the English language among Indian populations. Interestingly, Macaulay's repeated emphasis on that which is 'imaginary', or a figment of the imagination, sets a crucial precedent for this research. Primarily, the British administration was in the profession of establishing the veracity of Indian knowledge systems and cultural norms as continually demonstrated by the English Education Act's (1835) association of literary, epistemological, and historical value of Eastern language systems as 'imaginary'.

There is a distinct hierarchisation of communicative and, therefore, epistemological value between the abstract, somewhat fictional, Eastern languages and the factual European languages (Macauley, 1862). Where Macaulay describes Islam, Hinduism, Arabic, and Sanskrit as inadequate mediums for communicating observable social and scientific realities, plausibly, this can extend to the Anglophile perceptions of eastern identities. Thus, the English Education Act of 1835 presents a significant ideological foundation by which the regulation of South Asian SOGIE identities becomes regulated by Anglophile frameworks of gender and sexuality. To propose that Hindu and Islamic literature, poetry, and their associated languages of Arabic and Sanskrit are producers of an 'imagined' reality, the identities present within them become mythological

categories of being which contradict European parameters of identarian reality. Both the Hijra and Khwaja Sira identities central to this research are culturally contingent identities evident within Islamic and Hindu literatures and are thereby subjects of Macauley's classifications of 'imaginary' (Hinchy, 2022; Jaffer, 2022; Loh, 2014; Nguyen and Mirza, 2023).

Hijra and Khwaja Sira existence in 19th century South Asian society, for Macaulay and the British Empire, becomes a manifestation of the mystical knowledge systems enshrined in religious literature, which contest the rationale of European Enlightenment. Insofar, that South Asian SOGIE embodiment dissents from the accepted norms of Anglophile gender essentialism and heterosexuality. Furthermore, Macaulay's insistence that Eastern languages are inferior communicators of knowledge requires the British Empire to "enrich those [vernacular] dialects with terms of science borrowed from the Western nomenclature" (1862: pp.116). To assume that the English language is a superior communicator of scientific knowledge, morality, and epistemologies of social organisation denotes the process of lingual stigmatisation of QLI. Insofar, the knowledge structures represented by locally contingent language terminology are devalued as "neither literary nor scientific ... and moreover so poor and rude" by comparison to the English language (Macauley, 1862: pp.109). To stigmatise the epistemological capacity of South Asian languages provides a rationale for the implementation of English, as Macauley promotes in his Minute on Education; which, materialised into reality through the 1835 Act that promoted the institutional language planning which "educate[d] a people who cannot at present be educated by their mother tongue" (1862: pp.110).

The English Education Act (1835) presents many more instances of linguistic stigmatisation and the construction of East versus West hierarchies of knowledge. While fascinating and open to further analysis, this research does not concern the discursive devaluation of Eastern languages within Macauley's Minute. Instead, Macauley's Minute provides a necessary insight into the colonial justifications of language domination and subsequent English discourses which construct South Asian SOGIE identities. Thus, the premise of the English Education Act is used throughout the subsequent analysis of this chapter, focusing on the textual data which specifically represents SOGIE identity as constructed through English and Anglophile epistemologies.

3.0 Codifying Typological Turmoil:

This research concerns the construction of identity markers used to represent South Asian SOGIE peoples and the knowledge they transmit. Therefore, this subchapter identifies the sites of Queer Linguistic Imperialism codified by the British Empire within public facing official discourses of British governance over India. The two legislative documents identified as codifications of SOGIE identity in British India are the Indian Penal Code (IPC) of 1860 and the Criminal Tribes Act (CTA) of 1871. Ordered chronologically, this subchapter assesses each of the IPC and the CTA through QLI to identify the codified English language identity markers used to denote SOGIE persons. After determining the relevant identity markers used, QLI performs an in-depth analysis of the knowledge structures represented by those English language terminologies. Moreover, this

subchapter analyses how Anglophile frameworks of gender and sexuality inform the codification of SOGIE South Asian peoples and governs them accordingly.

3.1. Indian Penal Code 1860

As part of the British colonial endeavour to standardise and codify laws for a framework of governance, the Indian Penal Code (IPC) of 1860 presented a formalised system by which the diverse pre-European legal systems of India could be controlled (Kolsky, 2005). Through the establishment of a centralised legal system in which local Indian populations could be governed, it also served as an instrument of cultural assimilation that sought to replicate the frameworks of British criminality. Not only does the imported system of British criminality achieve a standardised governance through which subjugated populations can be easily controlled, it begins a process of epistemological naturalisation. Whereby, the language used within the IPC, and the knowledge it represents, becomes an epistemological system which penetrates the subjugated society and naturalises as the social norm (Fanon, 1952). The act of interest for this research is article 377, which specifies ‘unnatural offences’ pertaining to the imposed legalities of sexual intercourse, outlined below:

“Unnatural offences. -- Whoever voluntarily has carnal intercourse against the order of nature with any man, woman or animal”

“Explanation. - Penetration is sufficient to constitute the carnal intercourse necessary to the offence described in this section”

BLIOR/V/9/3-6: Section 377

The outlined objectives of this research detail the construction of SOGIE identity markers by the British Empire, through the English language and Anglophile frameworks of gender and sex(uality). Demonstrably, Article 377 as detailed above fails to represent the acts of sexual obscenity through distinct SOGIE terminologies that constitute identity markers. However, in the absence of English language identity markers, the IPC still presents an instance of Queer Linguistic Imperialism; whereby, Anglophile frameworks of gender and sexuality are disseminated onto Indian society through the medium of English. Despite the absence of constructed SOGIE identity markers, the knowledge represented via the IPC serves as an intertextual referent for later discursive constructions of identity. Therefore, it is crucial to examine the Anglophile knowledge structures which construct the IPC and the ramifications this has for South Asian SOGIE persons. Also, this subchapter considers the processes of dissemination for the IPC and analyses the effects of its standardisation which foreground the eventual naturalisation of SOGIE criminality in the 1871 Criminal Tribes Act (CTA).

The above quotation of article 377 of the IPC outlines the legal framework of sexual intercourse, specifying that “carnal intercourse against the order of nature” necessitates criminality (BLIOR/V/9/3-6). Carnal intercourse as elicited here represents an existence of sex outside of the

confines of marriage and heterosexual intercourse with the intent for procreation (Goel, 2018). Sex which constitutes carnality, in the case of British India, applies to sodomy, buggery, and bestiality (Bhaskaran, 2013). By adjoining the categories of man and woman with that of bestiality, article 377 of the IPC regulates sex in a way which classifies those who engage in sodomy and buggery as akin to the moral reprehension of bestiality (Gupta, 2006). Furthermore, QLI, with its influences of postcolonial theory interprets another layer of comparison; whereby, the acts of sodomy and buggery reduce the participant to a status of animality. Insofar, the established racial hierarchies of British colonialism which attribute Indian peoples to an inferior status of humanity attributes those who perform 'carnal' intimacies to a state of primitive, animalistic behaviour antithetical to the social morality Britain intended to implement.

Fascinatingly, the lack of clear identity markers within the IPC reflects the early rousing's of codifying homosexual identity. Homosexuality as an identity marker which characterised same-sex 'carnal' intercourse as a distinct identity category was first constructed in 1869, almost a decade after the implementation of the IPC (Picket, 2022). Thus, while the homosexual identity marker is not utilised in the IPC, the Anglophile knowledge systems of sexuality it represents is defined within the legislation. Even though the identarian site of Queer Linguistic Imperialism is not present, the IPC lays the epistemic foundations for SOGIE regulation through subsequent public discourses.

Interestingly, the IPC was drafted by Macauley and the Law Commission of India; the same Macauley who commissioned the Minute of Education (1835). Therefore, there is a duality of reason for the IPC's authorship being in the English language, rather than disseminated in local languages. First, the IPC is an order of British governance, for the purpose of British Officials enacting social control over India using the language and frameworks intelligible to their colonial mindset of civilising the Orient and making Indian subjects "English in morals, and taste, and opinions" (Macauley, 1862: pp110). Second, by virtue of the IPC's communication in the English language, it "enrich[es] those [vernacular] dialects with terms of science borrowed from the Western nomenclature" per Macauley's Minute on Education (1862: pp.116). Therefore, the production of the IPC in English to communicate the social obscenities of same-sex coded intercourses presents the superiority of Anglophile frameworks of sexual acceptability. Insofar, English is the best communicative medium of moral contagion and to transfuse epistemes of British sexual codes of conduct.

Supposed difficulties with disseminating the IPC in the English language resulted in translated variations being dispersed throughout the British Empire among Indian rulers (Garg, 2023). Notably, the IPC was translated into several local languages to ensure the transference of the knowledge and legislature among the Indian population; including, but not limited to, Hindi, Urdu, and Punjabi. The aforementioned languages encompass the primary languages spoken by vast swathes of northern territories of the British Empire which now encompass contemporary Pakistan (Dodson, 2005; Kolsky, 2005; Niranjana, 1990). Fascinatingly, the translation of the IPC into local language contests the processes of QLI, which suggests that epistemological

transference occurs through the domination of one language onto another through the standardisation of dominant language identity terminology. Though, the translation of the IPC into local languages represents two curious conjectures; namely, the case for Queer Linguistic Imperialism, and laying the epistemological foundations for QLI.

As QLI specifies that the presence of identarian terminology in the English language is a prerequisite for epistemological transference, the IPC as an influential discourse for QLI appears to fail. However, the lack of an identity marker to ascribe to the 'carnal' knowledge of sexual intercourse, later to be known as homosexuality, demonstrates the importance of identity markers in enabling the transmission of Anglophile epistemes onto dominated populations. The IPC's disseminative failure in the English language hinders the lingual project of the English Education Act (1835) due to the inability to attribute an identity marker to the framework of carnality. By defining the framework of carnality, without a succinct, relatable identity category, the knowledge communicated in the English language becomes difficult to standardise among the cultural consciousness of Indian populations (Cohn, 2021; El-Enany, 2020). Moreover, the intended epistemological transference outlined in the English Education Act, through the injection of English language scientific terminologies into local languages, fails its own plan for epistemological influence through language domination. Thereby, the necessity of translation into local languages becomes a requirement for the outlined Anglophile knowledge of the IPC to be sufficiently standardised in Indian consciousness, albeit by non-English means.

Due to the inefficacy of the English-only version of the IPC, translated forms enabled the contents of article 377 on unnatural offences to be intelligible to the wider Indian population, through language they understand. While this act of translation does not promote the standardised usage of the English language and the knowledge system it represents, it does lay a foundation for which QLI can occur. For example, by translating the IPC into local languages, the Anglophile knowledge structures they represent become easily accessible to the masses, furthered through the standardising capacity of legislative discourses (Bentley, 2007). Moreover, the act of translation establishes the Anglophile knowledge which disavows same-sex intimacies among Indian populations and materialises it into public consciousness (Foucault, 1969). Therefore, whilst the knowledge system of article 377 is not internalised via the English language, it provides the foundational episteme for which English language constructions of SOGIE identity can be attached in the future. Thus, identarian sites of QLI in subsequent public discourses can root themselves to the already standardised knowledge of the IPC which occurred through translations into local languages. Attaching English language identity markers to pre-established local knowledge ensures the standardisation of both the dominant language terminology, and the epistemology it reflects.

Noting the failure of lingual domination through the IPC and the need to translate legislative acts into local languages, the importance of subsequent public discourses utilising identity markers becomes paramount for the standardisation of the English language, and Anglophile knowledge structures. Now that the foundational framework for SOGIE marginalisation is standardised through local language naturalisation, the proceeding construction of SOGIE identity markers has

an epistemological root to attach itself to; whereby, the same-sex intimacies of SOGIE persons is already constructed as morally and naturally obscene. Thus, reconstructing SOGIE South Asian existence as incompatible with socio-cultural modernity, compared to the historical tolerance and integration of SOGIE identity in pre-British South Asia.

2.2 Criminal Tribes Act 1871

The Criminal Tribes Act (CTA) presents another indictment against SOGIE minorities in British India (BLIOR/V/8/42). Before the CTA, the 1860 Indian Penal Code imposed frameworks of Anglophile heterosexuality through the construction of sexual intimacies as criminal acts, without the essentialisation of observable intimacies to identity. Perhaps more importantly, the lack of an essentialised identity to represent same-sex intimacies limited the capacity for QLI; whereby, an English language identity marker is standardised among the local population and is a site of the epistemological transmission of Anglophile frameworks of gender and sexuality. However, from the data collected, the CTA is the first instance of English language identity markers in official documents of British colonial administration. Therefore, this subchapter first summarises the CTA and outlines the relevant acts directed to South Asian SOGIE persons, classified as 'eunuchs' (BLIOR/V/8/42).

The Criminal Tribes Act is an 1871 legislation enacted by the British colonial regime in India and sought to classify and suppress local populations that the administration deemed prone to criminal behaviour (Jain, 2023; Rana, 2011). As part of the act, frameworks of supposed criminality were described within the legislation, enabling somewhat of a definitional flexibility as to who the act was imposed upon. The framework presented attributes criminality on stereotyped bases of economic, social, and cultural practices deemed as predispositions for criminal behaviour. However, part two of the act defies the previous indeterminability of distinct identity groups and instead elects to specifically define the identity of 'eunuchs'. Eunuchs remain the only named designation of criminal tribes within the Act and resultantly are specifically defined by Anglophile frameworks which stereotype their identity, culture, and social practices as criminal (BLIOR/V/8/42). Act I, which details the prescription of other criminal tribes does not feature the specific naming of distinct 'tribes', instead opting to represent them by virtue of their socio-cultural, economic, and habitational practices.

Throughout the CTA, the proscribed traits of criminality are based upon the British perception of what constitutes criminal behaviour and assumes these perceived traits as hereditary. The 'perception' of criminality based on cultural practice, or local knowledge systems which contrast to the Anglophile norms of social organisation, can be linked to the 'imaginary' of Macauley's Minute on Education (1835). Whereby, local knowledge systems, especially those which normalise SOGIE embodiment, and their social practices are attributed to both ontological and epistemological categories of the 'imaginary'. Insofar, that SOGIE identity and the associated cultural representation and practices are beyond the realms of Anglophile realities. Therefore, to

the mindset of British colonial administration, which sought to Anglicise Indian society through the superiority of British rationality, SOGIE identity, specifically the Eunuch, was a perceived imaginary category which warranted regulation.

As the first official usage of the term eunuch in documents available for public consumption, the CTA becomes a crucial discourse for the marginalisation of SOGIE peoples in South Asia. From the data collected, and according to existing literature, as this is the primary instance of eunuch's dispersion beyond private papers, this is likely the first introduction to the eunuch identity among Indian populations. Per the CTA, the British designated eunuchs to be:

"The term 'eunuch' shall, for the purposes of this Act, be deemed to include all persons of the male sex who admit themselves, or on medical inspection clearly appear, to be impotent"
(BLIOR/V/8/42)

There are several layers of QLI analysis, here, and will be presented in the four following themes: eunuch as an anglophile reconciliation with Eastern imagination; anglophile masculinities; enlightenment sexual prophecy; and hereditary criminality.

2.2.1 Eunuch Identity as an Anglophile Reconciliation of Eastern 'Imaginaries'

European enlightenment thinking encouraged the rationality of reason based on empirical observations through which flora, fauna, and human-behaviours could be codified for better understanding of the world (Garlick, 2009; Stoler, 2004). Despite the possible debates as to the 'reality' of these observations as objective extra-humanistic properties of human existence, it is crucial to outline the standardised discourses of identity in 19th century Britain so that the colonial interaction with SOGIE marginality can be understood.

Nineteenth century Britain's conception of gender identity contained influences from Victorian gender binaries and scientific developments which intertwined to create discourse of an observable gendered reality (LaVopa, 2008; Russet, 1991; Tomaselli, 2012). Victorian Britain's cultural and social perception of gender is ratified by binarism, which dictated that embodiments and performances of gender are inherently linked to the biological sex assigned at birth; and therefore, all social interactions are pre-ordained eventualities which intersect societal expectation and the order of nature (Gibson and Begiato, 2019). Thus, by determination of genitalia, one is to present and interact with society in the established gender codes ideologically placed upon them (Greene, 2020). The limited Victorian understandings of gender enacted newly emergent scientific discourses which pathologised gender as binary, with deviations as abnormalities of the natural and human condition (Milne-Smith, 2022; Russett, 1991).

Establishing this assumption which underpinned the dominant epistemological system during British coloniality enables QLI to extract the meaning constructed by the English-language term,

eunuch. Refer to the included quotation above from the CTA (1871) which outlines ‘eunuch’ identity as determinant of male sexual biology. For British colonial administrators to encounter South Asian Hijra and Khwaja Sira identities, it defies the Victorian binary gender essentialism which dominated the cultural consciousness. To witness South Asian SOGIE embodiments of gender, which epistemologically and ontologically are harmonies of masculinity and femininity, contrasts with the British scientific view of gender variance as a pathological anomaly.

Not only does South Asian SOGIE identity differ to that of Victorian scientific discourses, it further ratifies the Anglophile assumption that Eastern socio-cultural knowledge, extending to that of identity, are within the realms of imagination rather than observable empiricism. Per Macauley’s Minute on Education (1835), the CTA witnesses a process of intertextuality; whereby, the knowledge conveyed in the CTA assumes that British notions of identity are rooted in empiricism. Hence, there is the definition of the ‘eunuch’ identity as biologically determinant, rather than the ‘imaginary’ categories of South Asian identity which revolve around historic, culturally inherited traditions (Gannon, 2011).

Therefore, the knowledge constructed and disseminated by the English-language term eunuch is not merely a framework of empirically observable bodily reality in which a ‘eunuch’ can be defined, it also diminishes the long-standing local knowledge systems of Hijra and Khwaja Sira identities as an acceptable tradition. Through associating ‘eunuch’ with that of criminality, the British disperse the idea that the eunuch body is a scientific anomaly which is inherently

deplorable, incongruent to social development and civility. To sow the seeds of the eunuch as an ontologically criminal entity, the CTA weaponises local South Asian epistemologies to represent SOGIE identity as reductive to modern progress. More so, in tandem with the English Education Act (1835), it associates the local-language terminologies of Hijra and Khwaja Sira with inferiority compared to the scientific, developed vocabulary of 'eunuch'. In hierarchising the anglophile eunuch with the local-language Hijra and Khwaja Sira, primarily by referring to SOGIE minorities solely as eunuchs, it encourages the definition of the latter to be naturalised and embraced by cultural consciousness.

For QLI, the process of stigmatisation is present not only in the replacement of the local-language terminologies Hijra and Khwaja Sira by the English-language eunuch, but the devaluation of South Asian identity altogether. Insofar, the CTA (1871) and English Education Act (1835) attribute South Asian languages as incapable of sophistication, where it is the duty of the British colonisers to enrich local vernaculars with English terminology that represent anglophile knowledge. Eunuch, through its CTA definition represents this imposed transition from 'imaginary' to empiricism. The construction of eunuch is rooted in an observable empiricism among Hijra and Khwaja Sira, mapped onto anglophile frameworks of binary gender essentialism. Of course, then there is the added layer which superimposes that biological characteristics are perceived criminality, overall reconstructing local identarian knowledge into categories of (il)legitimacy and moral virtue. However, this is an entanglement with anglophile philosophies of identity with that of the colonial desire to bring European social systems, structural and epistemological, to the Global South.

2.2.2 Anglophile Masculinities

Interconnectedly to the previous subchapter, anglophile masculinities present another layer of identity construction which designates the eunuch as a perverse, and inherently masculine embodiment. Beyond that of male sexual anatomy outlined in the CTA's definition of eunuch, the legislation's stipulations reveal the fragility of anglophile masculinities in opposition to South Asian SOGIE subjectivity. Paragraph 26 of the CTA part II on 'Eunuch's' criminalises those who are "ornamented like a woman" (BLIOR/V/8/42). This inclusion is an extension of the observed empiricism described in the anglophile reconciliation of Eastern imaginaries which assumes gender presentation upon the basis of anatomy.

The encounter between the British colonial regime and South Asian SOGIE minorities observes the ontological basis of eunuch identity via sexual anatomy, yet also through the gendered presentation of the body. While clothing is not an extra-humanistic product of nature, there is certainly an observable characteristic to the use of clothing, even if it is rooted in socialisation. Thus, the British observation that perceived eunuchs are adorned in clothes engendered to women, contradicts the entrenched Victorian values which consumes British society. For the anglophile mindset, the long-established, traditional gender roles in Britain somehow corresponded with the sexual biology of men and women.

For Victorian Britain, men wore tailored attire which created a masculine silhouette per the engendered beauty conventions of the time, and women adorned tailored bodices with exaggerated skirts to create a vision of feminine delicacy (Edwards, 2016; Sayer, 2002). Witnessing the stark opposition of South Asian attire in their numerous forms, there is one main and underlying difference between clothing customs of Victorian Britain and South India at the time; namely, tailoring. Of course, this statement does not discount the probability of clothing variance among both geographies; however, it is a mere commentary on the observable majority per the existing literature (Ahmed, 2016). In this generalised assumption, the less-form fitting attire of South Indian men presented an already racialised dynamic of fragile masculinity which viewed subcontinental men as effeminate (Kulkani, 2014; Sinha, 1995).

With an already disapproving perception of South Asian men as simultaneously savage and effeminate, to see what the British viewed as men, adorned in garments befitting women, further ratified the belief that Indic society required British intervention. Eunuch men, therefore, were not only anomalies of male sexual anatomy, but endorsed their difference through the appropriation of women's clothing. To ornament oneself in a choli and lehenga associated with South Asian women resembles the silhouette of Victorian petticoats and British femininity (Belliappa, 2018). Through the lens of Victorian masculinities, eunuchs as perceived men become figures of emasculation who emulate womanhood as understood by anglophile norms of gender. Overlaying anglophile gender codes onto perceived eunuchs without an attempt to understand

their own unique epistemologies and ontologies of identity assumes the universality, and rationality, of British society. The inclusion of the stipulation against women's clothing clearly ignited the colonial desire for social reformation by the imposition of anglophile frameworks of gender and its associated socialisation. Though, it does present an interesting correlation to sexuality.

Victorian Britain's attitudes towards sexuality were an entanglement of strict regimes of sexual acceptability and the growing recognition of diverse sexualities (Vanita, 1995). Emerging medical discourses categorised 'cross-dressing' as a deviation from the norm, often pathologising gender performances beyond the remit of social acceptability through medical frameworks (Foucault, 1976). Moreover, forms of 'cross-dressing' confronted the fragility of Victorian gender roles and opened the possibilities of same-sex intimacies which shattered the illusion of functionalist biology and human sexuality per enlightenment thinking (Joyce, 2018). The pathologisation of 'cross-dressing' in Victorian Britain, outside of theatrical contexts, perceived men to have homosexual tendencies due to the unfulfillment of traditional gender roles; all of which was a desire to codify human same-sex behaviours within the realms of existing knowledges of biology, and social gender (De Block and Adriaens, 2013).

British domestic knowledge systems which attributed 'cross-dressing' to homosexual inclinations applied the same rationale to the 'eunuchs' of South Asia. Rather than gaining an understanding of local manifestations of identity, British colonialism applied British knowledge systems to Indian

societies and sought to regulate them via similar processes to those used in Britain. Therefore, the implications of regulated sexualities are seen in the IPC (1860), via the criminalisation of “carnal intercourse against the order of nature”, combine with the specific address of the CTA (BLIOR/V/8/42) which criminalises the British understanding of ‘cross-dressing’ to situate same-sex intimacies as criminal. While neither the IPC nor the CTA specifically designate ‘homosexuality’ to these criminalised attributes, they instead attach the outlined behaviours under the identity of eunuch. Through intertextuality, and the contextual analysis which extracts the Victorian knowledge systems which led to the construction of these legislations, QLI argues that these discourses intersect to construct the ‘eunuch’ as a catch-all SOGIE identity. An identity which encompasses all forms of gendered and sexual opposition to entrenched Anglophile frameworks of socio-sexual and gender essentialist normativities.

2.2.3 Enlightenment Sexual Prophecy

The use of the noun ‘impotency’ within the CTA (1871) to describe the condition of eunuch identity raises interesting conjectures about the interlinked nature of gender, sex, and sexuality for the British colonial regime. According to McLaren, impotency in the dominant socio-cultural, medical, and scientific narratives of Victorian Britain has three definitions (2007). Firstly, per late 19th century medical discourses, impotency in Victorian Britain was understood to be both a psychological and physical disorder of male inability to achieve and maintain an erection, as well as to complete ejaculation (McLaren, 2007). Secondly, a socio-medical definition combines entrenched gender codes of masculinity and medicalisation to refer to impotency as a lack of

strength, vigour, and power; all of which a Victorian man is supposed to possess (McLaren, 2007). Lastly, McLaren argues that prior to the late 19th century, the cultural definition of impotency inhabited a moral perspective; whereby, it represented personal failures and inadequacies not necessarily linked to sexual performance (2007).

Victorian Britain generally faced anxiety over the facade of an engendered and heterosexual social order becoming ever challenged through enlightenment curiosity. Of course, gender non-normative and non-heterosexual individuals existed, though, the socio-cultural precedent of lingering religiosity and inattention toward deviations of social acceptability rendered SOGIE minorities as largely an invisible category (Joyce, 2022). However, the enlightenment desire to understand, codify, and categorise all facets of human interaction brought attention to SOGIE existence through both fascination and fear. Resultantly, as cemented in the English Education Act (1835), the colonial desire to transform Indian populations into a society with British values, opinions, and morals sought to implement Anglophile sexual frameworks onto India. Thereby, interactions with South Asian SOGIE existence presented a sexual obstacle for the British Empire to overcome and regulate aligned with their own discourses of sex.

Enlightenment discourses of sexual intercourse are varied and demonstrate a perpetual state of evolution over time. For this research, only the dominant narratives of sexual intimacies in Victorian Britain are relevant in understanding how they shaped British colonial interactions with SOGIE minorities in South Asia. Early 19th century discourses of sexuality inhabited largely

moralistic valuations of sex which inherited epistemological legacies of Christian religiosity (Jones, 2013; Stone and Sanders, 2020). However, towards the latter half of the 19th century, enlightenment desires for knowledge sought to explore human behaviours of sex and sexuality with more nuanced understandings (Joyce, 2022). Despite the comparatively nuanced exploration of sex and sexuality of late 19th century investigations, the resultant discourses remained confined to frameworks of control and regulation.

The epistemological frameworks of enlightenment sexual prophecies and what constitutes natural and legitimate sex remains the same as that detailed in the previous subchapter on the Indian Penal Code (1860). An understanding of sex as a naturally occurring condition of human existence, though, a condition which necessitates both social and physical regulation to maintain norms of Victorian tradition (Adams, 2014). Therefore, while sexual desires are a natural manifestation, only heteronormative forms of vaginal intercourse are actionable, with all forms of same-sex, and anal intercourse characterised as “carnal intercourse against the order of nature”, reduced to moral comparisons of bestiality (BLIOR/V/9/3-6).

Aside from the definitions of impotency presented above, an earlier, now considered obsolete definition of impotence describes the lack of self-restraint, or self-governance to control impulses (Mumford, 1992). There is certainly an interplay here, or at least an evolution of the archaic meaning of impotence and the Victorian definitions collated by McLaren (2007). Insofar, this idea of self-restraint, or lack thereof, strengthens Victorian anxieties of gender and sexuality as

ungovernable forms which disrupt the cult of domesticity and emerging fascination with sexuality as a categorisable facet of the human condition (Adams, 2014; Heilmann and Llewellyn, 2016). Moreover, the 'eunuch' risks disrupting the facade of normalcy as constructed through Christian organisations of society; whereby, social obligations and performances of gender are rigidly bound, along-side sexual intercourse as a taboo, yet functional necessity of engendered duty and familial obligation (Smart, 2002). Emerging recognition, medicalisation, and pathologisation of sexual possibilities which deviate from the conventions of heteronormativity generate a social austerity which desires to maintain tradition and the status quo.

Victorian Britain's understandings of sexual intercourse resemble rigid forms of heterosexuality framed through the lens of religion and biological mechanism (Foucault, 1976). Scientific understandings of the Victorian era likened the body to a machine, where the body represented a system of cogs and wheels which function collectively to ensure human life (Heilmann and Llewellyn, 2014; Russett, 1991; Smart, 2002). Similarly, sexual intercourse was applied to the same rationale of the body; whereby, sexual intercourse was a functional process with the outcome of procreation (Tuzin, 1994). The other influential discourse of sex within Victorian society outlined acceptable forms of sex to be vaginal intercourse within the confines of marriage which sought procreation, stemming from Christian codes of morality (Stein, 1989). Therefore, the knowledge systems which influence Britain's colonial rule in India establish sex as acceptable and natural only within the confines of procreative capacity. Thereby, non-heterosexual forms of sexual intimacy fall outside of the scope of both a moral and scientific framework of what is

natural and appropriate for the function of the body and also society (Foucault, 1976; Garlick, 2009).

The sexual prophecies of the Enlightenment which inform dominant discourses of sexual intercourse which establish the 'eunuch' as other are visible in the earlier Indian Penal Code (IPC) 1860. The IPC lays the framework which categorises non-heterosexual forms of sexual intimacy as both criminal and against the order of nature. Interestingly, through processes of intertextuality, the CTA extends the framework of heterosexuality as the moral and legal norm by prescribing that an individual must have the capacity for heterosexual intercourse and procreation. The CTA specifies impotency as a sign of criminality associated to the 'eunuch' body which suggests that by virtue of an inability to procreate, either due to castration, or impotency, the sexual prophecy of procreation cannot be achieved. Due to the criminalisation of the eunuch upon the basis of impotency, the capacity for fulfilling heterosexual desires becomes a marker of social civility which impacts SOGIE South Asian peoples, who are known to sometimes engage in same-sex intimacies and undergo castration for alignment to their identity (Vanita, 2001).

Furthermore, the CTA's subtle definition of sexual capacity, through impotency, interlinks with the Indian Penal Code's (1860) framework of sexual acceptability. Insofar, the CTA's construction of the colonial eunuch as a criminalised, sexually abject body, semantically relates to the sexual intimacies criminalised by the IPC. By attributing the English language identity marker eunuch to sexual criminality, the existing knowledge systems of the IPC which are unmarked by identity

terminology, become synonymous with the eunuch due to intertextuality. Therefore, the translated editions of the IPC which naturalised Anglophile epistemologies of acceptable sexual intimacies among the Indian population serve as predispositions to the construction of the eunuch as a sexually deviant body.

In sum, the construction of the eunuch is intertwined with British conceptions of both gender and sex; whereby, the unintelligible body and sexual existence of the eunuch becomes a feature of Indian society which inhabits space outside of Anglophile frameworks. Eunuch as a site of QLI transmits the knowledge that since heterosexual and reproductive capacity is central to socio-cultural organisation, the bodily and sexual practices of South Asian SOGIE peoples are antithetical to moral obligations of Anglophile masculinity. Therefore, the eunuch is a criminal against the heteronormative order which British colonialism seeks to impose, and the eunuch identity marker is a signifier of criminality due to their 'immoral' non-heteronormative embodiment and existence.

2.2.4 Hereditary Criminality

Similarly to the previous subchapters on eunuch identities, anglophile masculinities, and enlightenment sexual prophecies, the British enlightenment era promoted an empiricist rationale; whereby, designated acts and attributes of criminality were compartmentalised into

categorisation (Woods, 2015). Fundamentally, the enlightenment era was intellectually fascinated with the categorisation of both the human and non-human sciences to monopolise knowledge and govern British society (Outram, 2019). As the CTA (1871) categorises the eunuch as a hereditary criminal, this subchapter uses QLI to extract the knowledge systems embedded within the CTA, identifying racialised genetic criminality and positivist criminology as prominent influences.

2.2.4.1 Racialisation and Genetic Criminality

As expected, enlightenment constructions of knowledge are influential in the racialisation of genetic criminality. To grasp the underlying knowledge which constructs the eunuch as a hereditary criminal, there requires an understanding of enlightenment racialisation due to the colonial enterprise of British India. Scientific racism as a development which coincides with that of European colonialism is both a byproduct of colonial exploration and a justification for colonial enterprise. Race science largely emerges out of Linneaus' *Systema Naturae* (1758), which applied the scientific method to humanity to develop classifications among global societies akin to that of plants and animals (Vartija, 2021). The Linnean taxonomy and binomenal nomenclature which arose out of *Systema Naturae* infiltrated the British episteme in 1806 with the first English language translation. While racialised categorisations existed in pre-Linnean Britain, the introduction of *Systema Naturae* offered Britain a framework through which humans could be classified into a socio-racial hierarchy (Hoquet, 2014).

Linnean categorisations differentiate between *Europeus albus*, *Asiaticus fuscus*, *Americanus rubescens*, *Africanus nigriculatus*. *Europeus albus* translates to white Europeans, with an accompanying description of fair-skinned, rational peoples who are governed by laws and civil institutions (Mitchell, 2024). *Asiaticus fuscus* translates to tawny Asians, described to be darker skinned with 'stern' and 'severe' temperaments (Skott, 2019). *Americanus rubescens* translates to Red Americans, with prideful and perverse personalities (Jablonksi, 2021). *Africanus nigriculatus* translates to black Africans, characterised as black-skinned, inattentive, lazy peoples by nature (Skott, 2019).

Note the above Linnean taxonomical categories, particularly, how these classifications are enforced through the trifecta of geography, appearance, and perceived socio-cultural behaviours. Again, QLI exposes the power of perception in constructing knowledge, a now recurring theme among how the British Empire understood and categorised SOGIE South Asian peoples. Perception, here, becomes the frontier of epistemological colonisation, located on all fronts; physiological appearance and sexual anatomy, socio-cultural practice, criminality, and epistemological value.

Take for instance the *Asiaticus fuscus* category, which compartmentalises the vast geographical continent of Asia into a rigid and reducible category, characterisable by a perceived severity. Not only is it a vast oversimplification of a plethora of distinct peoples and cultures, it establishes a

hierarchical narrative of difference in which white Europeans are superior. The British internalisation of this Linnean narrative provides a preconception which underlies colonial interaction with South Asian populations, demonstrated here with the colonial eunuch. Whereby, a pre-existing perception of severe temperaments is ratified through observation of the 'eunuch' as a severe materialisation of gendered identity which deviates from British epistemes of appropriate gender embodiment. This materialisation of identity is therefore contingent with the status of the eunuch's race as an *Asiaticus fuscus*, per the framework of Linnean taxonomy (Jablonski, 2021; Skott, 2019).

The eunuch as an embodiment of *Asiaticus fuscus* already lends itself to the colonial mission, as Victorian enlightenment sought to civilise the East to comparable markers of *Europeanus albascens*. This is further demonstrated within the English Education Act, where Macauley states the intention to create a caste of Indians, Indian in colour, but British in morals, opinions, taste, and intellect (1835). External to the white appearance of the European *albascens*, they were also governed by laws and institutions, which act as markers of a higher civility. The CTA is an example of the civilising mission; whereby, British-modelled governance and legislature is imposed onto colonial India. By virtue of the CTA itself, it is a materialisation of the knowledge systems which relegate Asian populations to a status of inferiority and need for systems of governance which limit the perceived attributes of 'uncivilised' society. To understand the eunuch as more than just a governable subject by racial class, but as a criminal category, attention to the positivist criminology of Victorian Britain establishes yet again the role of perception in designating criminality.

2.2.4.2 Positivist Criminology

Akin to the supposed scientific nature of Linnean taxonomy, positivist criminology bases itself on a perceived correlation between observed characteristics and biology. Where Linnean race science attributed socio-cultural practices to perceived racial categories, positivist criminology proposes that acts of criminality are be genetically derived (Mehozay, 2023). Narratives of positivist criminology believe that criminality can be understood and measured through a scientific method akin to the natural sciences; whereby, animal behaviours and practices innate to species are biologically hard-wired (Davie, 2003). It was believed that particular genetic features were predisposed to criminality; some examples include pronounced jaws, and phrenological shaping (Joshi, 2022). Such perceived correlations between biology and criminality share eerie similarities to attributions of lesser civility upon the basis of race.

Within the CTA, the influence of positivist criminality and racialised science dominates how the British Empire classifies SOGIE persons; constructing an entire knowledge system which associates the prescribed eunuch identity with hereditary criminality and lesser civility by virtue of their embodied identity. Though, interestingly, the CTA is compounded by two distinct sections; Part I, and Part II, Eunuchs. Part I details criminal tribes more broadly as prescribed by perceived ethnic and cultural markers underscored by descriptions of criminality; whereby, Part

II identifies eunuchs as an especially specific category of hereditary criminal. While Part I collates an approximate 106 South Asian communities as criminal, with limited detail as to their identity beyond 'Indian', the eunuch receives an entire legislative act dedicated to them (BLIOR/V/8/42). Furthermore, Part II specifies acts of criminality specific to eunuch individuals, conflating entrenched cultural practices with British ideals of criminality. Queer Linguistic Imperialism identifies the acts of criminality outlined and seeks to situate these acts within their pre-British contexts to establish how the CTA constructs the eunuch as criminal.

The relevant instances of eunuch criminality in the CTA include the assumption that eunuchs are "reasonably suspected of kidnapping or casting children" (BLIOR/V/8/42). Through understanding the pre-British norms and traditions of South Asian SOGIE minorities, the correlation between the colonial eunuch and both kidnapping and castration reveal themselves to be a fundamental misinterpretation of culture rather than a malicious fearmongering mission. Again, like much of the knowledge constructed in the CTA by the British colonial episteme, it is rooted in Anglo-supremacist perceptions of the East. South Asian SOGIE individuals typically live among one another in communes of sorts, characterised as student-teacher discipleships (Khan, 2020). Meaning, that self-identified SOGIE persons seek out other members of their community to live together, as a means of protection, but also cultural dissemination from elders to younger generations (Hussain, 2024). This of course includes children, or youth who define themselves as Hijra and/or Khwaja Sira. As a part of this process, there are recorded instances of ritual castration (nirvaan) which align the physical gender presentation to that of the spiritual gender realm (Brinda and Gayathri, 2023).

Although the morality or appropriacy of ritual castration may be debated, the purpose of this research does not concern the rite of nirvaan nor the (il)legitimacy of Britain's colonial regulation of it. The purpose here is to establish the knowledge constructed by the British Empire and attached to indentarian terminologies of the English language. Nonetheless, the CTA (1871) act which prohibits the alleged 'kidnapping' of a child demonstrates the British inability to comprehend socio-cultural systems outside that of Anglophile acceptability. To conflate unique forms of community cohabitation to the act of kidnapping reduces not only the identity of the eunuch to that of a criminal, but social cohabitation traditions as criminal, also. Notably, the criminalisation of SOGIE cohabitation as kidnapping exposes the nuclear family ideals of Victorian society, which reinforces gender and sexuality norms which criminalises the 'eunuch' identity in the first place. In the colonial endeavours to impart Anglophile social structures and social knowledge onto India populations, it is understandable why the British imposed legislative measures to limit the non-nuclear cohabitation of 'eunuchs' as it was perceived as antithetical to social function.

Despite the biological inability of the prescribed eunuch to reproduce, the particulars of the CTA present a non-biological component under the guise of hereditary criminality. To limit the generational practice of 'eunuch' cohabitation among in the knowledge that reproduction and genetic inheritance is not possible, means that there is a British anxiety about the status of hereditary criminality and eunuchs. Insofar, that the inherited criminal traits and actions of the

eunuch is not necessarily biologically transferred, but rather socially manufactured. If the criminality of the eunuch is designated upon the status of their identity, as essentialised by castration or impotency, then the ritual practice of castration among eunuch communes is the site of a culturally inherited criminality. The point of castration acts as the boundary in which the British Empire can no longer attempt a re-socialisation of self-identified eunuchs, as without reproductive capacity, or indeterminable genitalia, they exist outside of the gender binary that compounds Victorian society and the epistemology of peoplehood.

To transcend the extent of Anglophile gender frameworks, as castration does, the ability to regulate eunuchs by Victorian societal norms becomes futile as they do not fit the model of what British colonisers perceive as functional, nor moral. Therefore, the student-teacher communal practices of community induction and cohabitation becomes the site where criminality becomes hereditary; not by procreative inheritance, but a socio-cultural one. To summarise the knowledge that QLI extracts here, is that the CTA not only constructs the 'eunuch' by the definition of anatomy and procreative capability, but by cultural practice and capacity for socio-cultural inheritances of criminality.

2.2.5 The Criminal Tribes Act: Constructing the 'Eunuch'

The Criminal Tribes Act (CTA) of 1871 remains a crucial document to the study of how the British Empire impacted SOGIE minorities in South Asia. Perhaps more-so than any other document

analysed as part of this research, the CTA is the most widespread SOGIE-oriented discourse disseminated to both colonial administrators, local rulers of the princely states, and to the wider public. By virtue of the CTA being a legislative act, its Empire-wide dissemination is compounded through the overarching desire to regulate and govern. Visible in the CTA, the act outlines the processes for the registration of eunuch populations and promotes local officials, populations, and eunuchs themselves to register with authorities (BLIOR/V/8/42). Colonial records state that the CTA was initially imposed onto the North-Western States, Oudh, and the Punjab before dispersion into other territories governed by the British (BLIOR/V/27/161/21). Importantly, the North-Western States and part of the Punjab encompass the present-day territories of Pakistan, the focus of this research. Therefore, this subchapter compounds the analyses of this chapter and presents the knowledge constructed in the CTA and represented by the English-language terminology of 'eunuch'. Furthermore, in employing QLI, this summation invokes intertextuality of the Indian Penal Code (1860) and comments on the process of linguistic domination and epistemological transference as naturalised among colonial Indian populations.

Eunuch as the English-language identity marker used to represent South Asian SOGIE populations as a catch-all category is constructed through four main epistemes; the Eastern imaginary, Anglophile masculinities, enlightenment sexual prophecy, and hereditary criminality. To assess what the 'eunuch' identity represents, the aforementioned knowledge systems of the CTA construct a narrative in which defines the eunuch not only by sexual anatomy, but by the prevailing epistemologies dominant in Victorian society about gender, sex, and criminality. Therefore, the identarian site of 'eunuch' becomes not only a beacon for the transmission of

identarian definitions, but of Anglophile knowledge structures which construct the eunuch as antithetical to societal progress, per the CTA.

First, the CTA defines the eunuch as *“all persons of the male sex who admit themselves, or on medical inspection clearly appear, to be impotent”* (BLIOR/V/8/42). Here, the British Empire replaces the local language identities of Hijra, Khwaja Sira, Kothi, and others to produce a singular identity which serves to typologise all forms of South Asian SOGIE difference to a reducible anatomy. Of course, the CTA was drafted on behalf of the British colonial administration of India, so the legislative act being written in English is not surprising. However, it is entirely possible for the CTA to be written in English while utilising local-language identities to represent the communities in which they are addressing, much like the naming of the tribes in Part I of the Act. As this is not the reality, there is a question as to why the British Empire purposefully replaced local identity descriptors with that of the English eunuch.

Recall the English Education Act of 1835 which outlined that English-language scientific terminology should be dispersed into the “vernacular languages” to disseminate superior European knowledge into Indian society (Macauley, 1862). The British Empire therefore assumes that the eunuch identity is scientifically coded rather than the ‘imaginary’ Eastern parameters of SOGIE embodiment. Not an identity per-se, but a physiological condition of failed masculinity intrinsically tied to anatomical form, or incapacity to perform duties of male reproduction. Resultantly, the English-language term eunuch constructs and communicates SOGIE identity as

an abnormal category of man that is 'scientifically' ratified, reinforcing the gender-essentialism of Victorian knowledge systems. Furthermore, replacing the local language identity terminologies of Hijra and Khwaja Sira, among others, stigmatises the socio-cultural identity customs of South Asia. Insofar, it transitions identarian knowledge from the interpretivist category of self-identification and actualisation to a positivist paradigm of gender binarism which is indisputable.

In addition to an imposed gender binarism which re-structures established knowledge of identity in South Asia, the term eunuch communicates ideas of Anglophile masculinities which conflicts with the existence of SOGIE persons. For example, the gendered embodiment of SOGIE South Asian's, whereby the presence of a phallus, or a castrated phallus ordains them to adhere to codes of masculinity including attire. The CTA specifically outlines the "ornament of female dress" by eunuchs are prohibited (BLIOR/V/8/42). Therefore, further emphasising the 'male' identity of the eunuch via the Anglophile scientific model of identity, but also its social embodiment through outward presentation.

Further to the reconstruction of SOGIE South Asian persons as male, the term eunuch is implicitly tied to criminality, due to the appearance of the eunuch act being within the stated CTA of 1871. Not only does the identarian terminology of eunuch reconstruct SOGIE persons in the Anglophile image, it does so as a criminal category. The eunuch therefore becomes a criminal, a 'man' of a deplorable and dangerous disposition to society due to his inability to confirm to the gendered frameworks imposed upon him by the British (Hinchy, 2017). Framing the eunuch as a hereditary

criminal constructs his mere existence as an inevitable condition of criminality, an association which typologises the identity itself as a social-ill, applicable to all who fall within the definition of eunuch. Of course, the semantic associations of 'criminal' are innately negative and induce hostility among the wider population who naturalise the knowledge system which designates the eunuch as criminal.

The CTA's construction of the eunuch as a category of criminal identity rooted in failed adherence to anglophile gender frameworks naturalises through the discourse itself. Whereby, a legislative act is an ideological communicator of social knowledge which is applied to the ruling episteme of the population it governs. Moreover, it serves as the referent to which subsequent uses of the identity eunuch are utilised, repeated, and become ingrained into the public psyche. Whenever the term eunuch is employed in subsequent discourses, it ratifies the knowledge communicated by the CTA, as at least for this research, it is the first usage of the word in the public domain and therefore the point of reference. Legislative discourses themselves invoke societal naturalisation due to their repetitive use in other public discourses, as well as their enforcement among the populations they govern (Mogashoa, 2014). They are publicly available, widely disseminated discourses which propose to organise society according to ideals of morality and social sensibility, communicated as an interest of the wider population (Rajah, 2017). By intimately linking the eunuch to a framework of socio-cultural morality and moral fabric of societal organisation, the CTA is crucial in distributing the identity marker 'eunuch' and transferring the epistemology of the colonial eunuch to wider populations. Therefore, due to the discourse type, purpose in society, and dissemination, the CTA is the primary reason for the naturalisation of the 'eunuch'

identity; especially, in tandem with the EEA (1835) which seeks to promote the injection of English language scientific terminology into local vernaculars. It is for that reason South Asian SOGIE identity is constructed in English, to erase the imaginaries of the East and implement the scientific knowledge of the West for supposed social development.

2.3 Bussunt Ali Khan: One Khwaja Sira, One Major Colonial Concern

An interesting archival collection, which spans 73 pages and collates 32 documents, relate specifically to one individual: Bussunt Ali Khan. From the data collected within the British Library, this serves as the largest repository of data analysed within this thesis. The documents within the collection range from 1857 to 1874 and comprise a series of private papers which relate specifically to the colonial investigation into Khan, accused of murdering colonial officials (BLIOR/L/PS/6/117). The collection includes 36 instances of private correspondence among colonial officials, 29 witness testimonies, 3 internal reports, an arrest warrant, and an autopsy report for Khan. Due to the timeframe of collection BLIOR/L/PS/6/117 and its contents, Bussunt Ali Khan represents a potential catalyst for the creation and implementation of both the IPC (1860) and CTA (1871). Documents pertaining to Khan reveal colonial anxieties about South Asian SOGIE identities which share similarities to the proceeding IPC and CTA which sought to legislate the marginalisation of non-Anglophile identities. Therefore, this subchapter uses QLI to analyse the colonial obsession with Bussunt Ali Khan, the effects this had on the construction of the

‘eunuch’ identity marker, and the governance of SOGIE South Asian by the British Empire. Firstly, QLI analyses the construction of Khan’s identity via the official British colonial correspondence housed within the document collection. Secondly, this subchapter considers the standardisation and naturalisation of the eunuch identity across the span of the two decades represented across the private paper collection. Thirdly, the witness statements provided by local Indian peoples considers the impact of language transference and lingual domination, per the identarian terminology used to represent Khan.

2.3.1 Constructing Bussunt Ali Khan:

The first document present within collection BLIOR/L/PS/6/117 begins by outlining Bussunt Ali Khan as a “person ... deeply implicated as far as the evidence goes in the murder of Europeans in 1857”. Khan is noted to be “small”, but “probably certain ... an eunuch” due to an “appearance [that] is so remarkable as to render their identification easy” (pp.1). Notably, the principal document in the collection is an abstract of the investigation file, dated February 1873, written by the Officiating Secretary to the Government of the Punjab. The production of this abstract postdates the Criminal Tribes Act (1871) which outlines the ‘eunuch’ as a legislatively recognised and defined identity and employs similar terminologies to refer to Khan. For example, particular attention was given to Khan’s ‘appearance’, of which the CTA outlined as men clearly ornamented in women’s dress. Therefore, at least here, the eunuch as an identarian category used by the colonial regime is a somewhat standardised knowledge system among the internal governance system. Thus, this subchapter proceeds to chronologically analyse the construction

of Khan between 1857 to 1873 to trace the language usage and epistemological formations which led to Khan's standardisation as a eunuch.

Throughout the fifteen documents of official British colonial correspondence, there are eight distinct examples of discourse which construct Khan as a eunuch, and the eunuch as undesirable. For instance, the selected documents compound the use of eunuch with the subject's name, Bussunt Ali Khan, or solely refers to Khan as 'the eunuch'. Queer Linguistic Imperialism deduces that this process of syntactical interchangeability seeks to intrinsically tie Khan to the status of a eunuch; whereby, the crimes of which they are accused are reducible to their designation as a eunuch, rather than their actions as an individual. For example, in 1857 the Deputy Assistant Commissioner states "Bussunt Ali Khan is therefore a eunuch. There are witnesses to his identification" (BLIOR/L/PS/6/117: pp.5). On the aspect of individuality, by interchangeably referring to Khan as either Khan, eunuch, or eunuch Khan, the subject transforms from an individual into a collective identity marker through which their actions and character are representative of eunuch-hood. Insofar, to conflate Khan with the designation of eunuch, it promotes the discursive association of criminality and moral destitution to that of the eunuch body, similar to that outlined in the Criminal Tribes Act (1871).

Beyond the conscious designation of Khan as a eunuch, Khan's disposition is continuously defamed simultaneously with reduction to their anatomical reality. For example, Khan is "notorious for his savage disposition" and their dress "consisted of a turban and a sheet made of

thin transparent muslin and a pair of loose cotton pyjamas”, per a report written by David Turnbull in 1865 (BLIOR/L/PS/6/117: pp.8). Inextricably, Khan’s character is reducible to the embodiment of gender they elect, presenting a duality of ‘savagery’. First, the ‘savage’ disposition constructs the eunuch identity as savage in and of itself, as a physiological and psychological propensity for incivility which contrasts with the anglophile norms of dichotomous and essentialised gender frameworks. Second, the gendered embodiment of eunuch through attire is constructed as a savage disposition since it defies the acceptable norms of anglophile masculinity, and for Khan to adorn themselves with garments befitting women despite, to British conventions, not resembling a woman whatsoever. Thereby, Khan is constructed as savage, ripe for intervention on behalf of the British political regime which sought to model Indian society on Victorian ideals.

However, Khan’s savage disposition both by body and by elective choice of clothing does not only affect them individually. As Khan is repeatedly referred to as a eunuch, the emphasis on the identity category inadvertently collectivises the knowledge constructed about Khan and serves to denote all eunuchs by the same episteme. Khan’s designated identity of the eunuch, on behalf of the British Empire, would not be important if the administration did not perceive eunuchs as a social problem in which to be contained. Thus, Khan is emblematic of the wider eunuch population, and this provides the British Empire an insight into an otherwise relatively closed community (Khan, 2014); whereby, the construction of Khan and eunuch identity serves as the prevailing English-language knowledge on the subject. Of course, this does not legitimate the deductions made about Khan and the ascription of the Anglophone eunuch framework to them.

Nonetheless, it demonstrates the unwillingness of colonial appreciations for cultural subjectivity, and the preference for Anglophile streamlining which support the orientalist endeavours of the Empire.

To further ratify Khan as a eunuch, the commissioned autopsy report on the decedent's body reveals the British Empire's preoccupation with sexual anatomy as a conviction of Indian incivility. George Seward, resident Medical Doctor of Baroda states within the autopsy reports that "the dead body of an adult man, affirmed to be that of one Bussunt Ali Khan, an eunuch" lays before him (BLIOR/L/PS/6/117: pp.12). Despite Khan's designation as a eunuch within the autopsy report and the preceding documents analysed, there is a continual reaffirmation of the eunuch body as male, regardless of whether castration has occurred. This is not the only instance, as throughout the document collection, male pronouns of he, him, and his are adopted in reference to Khan. Not once within the documents written by British officials is Khan ever referred to via non-masculine pronouns. However, this demonstrates a larger system of knowledge which plagues the eunuch construction; whereby, the eunuch is always understood as male, though stigmatised through the lack of ontological and physiological adherence to British conventions of masculinity.

Seward later notes that he "found him [Khan] to be an eunuch, that is to say, that he had been deprived of all external evidences of manhood, to wit, penis, testes, and scrotal bag, witnesses of such deprivation and excision remaining in the shape of the resultant cicatrix"

(BLIOR/L/PS/6/117: pp.12). Again, there is a preoccupation with Khan's anatomical reality rather than the means by which they died. Here, Seward describes, in crude terms, the 'deprivation' of Khan's manhood. The adjectival use of deprived here connotes that Khan's lack of phallus is a detrimental deficit of an all-important phallus, and that by virtue of castration, Khan has a damaging absence of normalcy. To describe Khan's castration as deprivation exposes the pertinence of a phallus, particularly among the men of the British Empire. Whereby, to imagine a 'male' body as lacking a phallus evokes a threat to masculinity and androgenic power in society. Furthermore, expressing linguistic disdain over Khan's omitted phallus, Seward refers to manhood, deducing that Khan's status as a man is compromised not only physically, but epistemically. Instead of acknowledging Khan's bodily reality and acknowledging the distinct category of gendered difference among SOGIE South Asian communities, there is a wilful effort to engender Khan as distinctly male; though, with a deficiency of outward masculinity.

Enduring efforts to masculate Khan through the Anglophile socio-scientific frameworks of gender and sex which British men and Seward are accustomed witness Khan's anatomy reduced to sexual organs. As this is a unique embodiment of South Asian SOGIE identity, British encounters with castrated bodies presents itself as an anomaly not often witnessed within Victorian Britain (Ghosh, 2022; Hinchy, 2015). Of course, interaction with a foreign castrated individual is understood by the conventions of the colonisers home episteme, without consideration of the frameworks through which local populations conceive of such physicality. Then again, that is to assume that British administrators were interested in accurate representations of gender in South Asia, when it is known that identity beyond male-female dichotomies was classified as an

imaginary of the Eastern mind; whereby, it does not compare to the scientific, and rationale frameworks of European-borne knowledge (Macauley, 1835). Moreover, the identity markers of SOGIE individuals is a redundant enterprise for the British colonial psyche, since English-language scientific terminology is to be injected into local vernaculars per the English Education act (1835[Macauley, 1862]). Seward's classification of Khan's body as male, yet deprived of masculinity renders Khan as an anomaly not considered as a legitimate identity, but as a body of scientific excision. Therefore, the emphasis on Khan being a eunuch is a further ratification of the eunuch body being a scientific divergence from the norm, in which the English-language typology is appropriate, versus the local-language, non-scientific, imaginary identity which Khan assigns themselves (BLIOR/L/PS/6/117).

Eunuch being the prevailing terminology ascribed to Khan, rather than local-language equivalents, or merely the Khwaja Sira term preferred by the community represents a complete disregard of South Asian SOGIE variance. These documents act as a deliberate reconstruction of South Asian identity to mirror that of British engendered parameters. Of the fifteen documents which represent the official British colonial correspondence on the case of Bussunt Ali Khan, there are forty-one separate usages of the English-language identity term eunuch (BLIOR/L/PS/6/117). The aforementioned fifteen documents encompass the equivalent of twenty-eight pages of written content; whereby the term eunuch was used a number of forty-one times. Invoking QLI, by virtue of the repetition of eunuch and its intertextual occurrence in fifteen documents, from six different authors, it can be assumed that eunuch is common verbiage among the colonial administration. Insofar, that to be so commonly used it is either of particular relevance to use

the term, or the attribution of the eunuch identity is commonplace. The particular relevance, here, being the construction of the alleged criminal Khan as a eunuch which enables the British Empire to correlate civil disobedience to eunuch identity.

To distinguish Khan as a eunuch, rather than by identifying them by religious or ethnic affiliation, the British Empire is further able to regulate Indian society through disenfranchisement and compartmentalisation. On the other hand, the commonality of the term eunuch in the English language is an apparent, but not a necessarily staple instance of vocabulary in anglophile societies (Gannon, 2011). However, it does indicate that the eunuch was an established knowledge system of identity which at least existed within the English language during the creation of these documents. Therefore, the pre-existence of eunuch as an established Anglophile knowledge structure compounded with the legislative recognition of the eunuch in the Criminal Tribes Act (1871), suggests that 'eunuch' was standardised in English-language discourses.

Among these official documents on behalf of the empire, there are five observed authors who each adopt the term eunuch to describe Khan: Sir James Watson, the Deputy Commissioner of Ajmere; John Clendon, Deputy Assistant Commissioner of Delhi; David Turnbull, Assistant Superintendent of Police; George Seward M.D.; W. H. Propert, Political Agent; and Sir James William Grant, Secretary to the Government of India (BLIOR/L/PS/6/117). Notably, each of the authors acting on behalf of the British colonial administration are British men. It is reasonable to

deduce that by virtue of the English language being their mother tongue, and the Anglophile influences of their upbringing, that the 'eunuch' was an established category of identity within their vernacular. Furthermore, due to the political aims of the British Empire which sought to import anglophile social frameworks for the governance of Indian populations, the repetitive use of 'eunuch' as a discernible social category ripe for regulation reinforces narratives which construct the eunuch as an outlier of civil society. Through repetition, and without challenge, these documents materialise the eunuch as a social subject in which Khan's crimes become implicit features of the eunuch's identity.

Throughout the official British correspondence in collection BLIOR/L/PS/6/117, Bussunt Ali Khan is constructed through a plethora of linguistic and terminological choices which deny their identity as a Khwaja Sira and instead reconstruct them as the colonial eunuch. Continual uses of male pronouns he, him, and his, compounded with the explicit typologisation of Khan's male sexual anatomy, or lack thereof, constructs Khan as inherently male yet deprived of masculinity. Despite linguistic devices and vivid descriptions which construct Khan as male, the prevalent use of the term 'eunuch' to somewhat correct the designation of masculinity establishes Khan as a category related to, but separate from, male. Eunuch as a distinct category is further compounded by moral judgements of Khan's character, the nature of their accused crimes, and the description of their excised anatomy. Most damningly, Khan's bodily reality and their disposition are described as 'deprived' and 'savage', respectively (BLIOR/L/PS/6/117).

At no point throughout these documents is Khan constructed using language which evokes positive attributions, there is only a series of negatively charged vocabulary which subsequently constructs Khan, and the eunuch identity, as unfavourable. Therefore, through mapping Anglophile frameworks of gender onto South Asian society, the British Empire replaces SOGIE identarian markers with scientific designations of anatomy, compounded with moral attributions which categorise the eunuch as an anomaly to social existence. Moreover, the repetition of eunuch as the description afforded to Khan emphasises the normative knowledge of British administrators and the ignorance of South Asian SOGIE identity. However, these documents do not reveal the extent to which the adoption of the eunuch identity is embraced among non-British, Indian populations. Thus, for now, the eunuch remains a British epistemological phenomenon.

2.3.2 Eunuchs, Witnesses, and Identarian Language:

The previous subchapter concluded with a commentary which understands the construction of Bussunt Ali Khan as a eunuch as confined to the socio-political episteme of the British and their normative use of the English language. However, within the document collection BLIOR/L/PS/6/117, there are 25 witness testimonies of local Indian peoples which detail their interactions with Bussunt Ali Khan between 1857 and 1865. This subchapter primarily evaluates the identity terminology used to represent Khan, as well as the language of instruction. Of the 25 witness statements, Khan is referred to via the four different identity markers Meeah, eunuch,

Mirza, and Khojas (BLIOR/L/PS/6/117). Below, find a table visualisation of the witnesses and the selected terminology they use to describe Khan.

Witness Name	Age	Caste	Occupation	Terminological Usage
Mirza Mendee			Kotwal of Cambay	Meeah
Mundoo Kassum	50		Cotton Cleaner	Eunuch
Luttoo Aytar		Rajput		Meeah
Samut Amed	40	Musulman	Sepoy	Eunuch
Syed Amir Syed Mohamed	30	Musulman	Sepoy	Meeah, Eunuch
Gulloo Meah	37	Musulman	Resident	Meeah, Eunuch
Elai Begum	60	Musulman	Labourer	Meeah, Mirza, Eunuch
Badhur Dadoobhai	22	Rajpoot	Sepoy	Meeah
Lulloo Awulsing	35	Rajpoot	Crown Service	Meeah
Manka Ambaidas	48	Zohar	Resident	Meeah, Eunuch
Moonsee Nizabut Ale Syed Meerum	50	Musulman	Resident	Eunuch, Khojas
Luckhoo Vunmali	40	Ravulio	Servant	Meeah, Eunuch

Hussein Beg Wazir Beg	22	Musulman	Police Constable	Eunuch
Sowcar				Meeah
Farikh Ali			Informer	Eunuch
Mirza Juber-ood-deen Meera Saheb Dara Bukt,	32/ 33	Musulman	Resident	Eunuch
Abdoolla Khan Hemut Khan	43	Musulman	Silversmith	Eunuch, Khojas
Futteh Mahomed Sheikh Sadoola	32	Musulman	Resident	
Meeah Meboob	40	Musulman	Resident	Meeah, Eunuch
Meeah Muzoor Hussein Khan	45	Musulman, Puthan	Eunuch	Meeah, Eunuch
Meeah Navroz	30	Musulman	Resident	Eunuch
Meeah Aga Meeah Sooltan Ali	75	Musulman	Eunuch Service	Meeah, Eunuch
Meeah Mookta Hussein	60	Musulman	Eunuch	
Nubee Buksh Elai Buksh	40	Musulman	Eunuch	
Abdoolla Hajee Sala	40	Musulman	Eunuch	

Please note that all spellings are representative of the text extracted from collection BLIOR/L/PS/6/117.

From the 25 witness statements, there are four distinct identity terminologies used to represent Bussunt Ali Khan. Though, interestingly, three of those represent local-language identities with the remaining identity being eunuch. This raises several fascinating questions on the authorship of the witness statements, the level to which the English language is commonplace among local Indian populations, and the level of standardisation of the eunuch identity in British India. Therefore, the subsequent subchapters approach each of these questions individually, using QLI to analyse the epistemological transmission of anglophile frameworks via English-language identity terminology.

2.3.2.1 Khoja, Mirza, Meeah:

Khoja represents an interesting yet complex understanding of identity in North India. According to existing research, Khoja represents a distinct cultural and ethnic group of Lahonian Indians who converted to Nizari Ismaili Islam between the 13th and 19th century (Ranjan, 2017). Etymologically, Khoja derives from the Farsi term Khwaja which is an honorific title which denotes respect (Mahboob, 2020; Schroff, 2022). Khwaja is a feature of the literature review chapter of this thesis and explores the correlation between Khwaja and the unique Khwaja Sira identity of South Asian SOGIE individuals. Since the term Khoja has been used to describe Bussunt Ali Khan, known to be a colonially ascribed 'eunuch', it is reasonable to assume that Khoja is a derivative of Khwaja and therefore synonymous to the more widely known Khwaja Sira (BLIOR/L/PS/6/117).

Mirza appears to be an attribution of social status originating in Mughal India which denotes the ideal man (Gupta, 2014). The few primary sources of mirza usage are written in the Farsi language and appear as manuals for constructing gentlemanliness among the imperial servants of the Mughal Empire (Ahmad, 1975; Gupta, 2023). Whilst mirza may seem antithetical to the overarching argument of this thesis, which states that SOGIE South Asian identities operate beyond the gender binary, research indicates that the gentlemanliness referred to here is not descriptive of gender, but rather conduct of warriors (Anooshahr, 2008; Gupta, 2023). Mirza refers to a general, or servant of the Mughal Empire who practices abstinence and is not necessarily engendered to 'male' persons (Anooshahr, 2008). Thus, in acknowledgement of Bussunt Ali Khan being a known castrated Khwaja Sira, the ascription of mirza likely reflects an honorific title of his status as the King's servant, guard to women's chambers, and self-committed abstinence. Moreover, mirza then is not an attribute of SOGIE identity, but representative of an individual's social function within the socio-cultural structure of the Mughal Empire, or at least its inherited legacies. As the Khwaja Sira are acknowledged as statused officials in pre-European South Asia, mirza remains an inherited legacy of Mughal social organisation (see chapter 1).

Meeah is a recurrent feature among the witness testimonies and used to address and describe Khan (BLIOR/L/PS/6/117). Also, it appears as a self-identified form of address adopted by five of the witnesses themselves. Unsurprisingly, four of the five witnesses identify themselves as 'eunuchs', similar to Khan, which indicates that Meeah is contingent to South Asian SOGIE

identity in some capacity. However, attempts to locate the meaning of Meeah has proven difficult, even when considering linguistic and typological variations of Meeah. Through scholarly databases, academic reference to Meeah yields no results and presents a system of knowledge potentially excluded from anglophile research. Thus, despite the direct typological denotation of Meeah being inconclusive, the presence of its usage provides analytical potential, as discussed in subchapter 2.3.2.2 below.

2.3.2.2 Questions on Authorship:

Authorship of the witness testimonies presents several fascinating conjectures on the status of the English language within British India, the construction of SOGIE identities, and desires to transfer Anglophile gender and sexual frameworks onto India via identity terminologies. The inquiries of authorship, here, consider two main designations of composition. First, the possibility that the testimonies are witness-authored, and second, that the statements are authored by representatives of the British Empire.

The witness testimonies may be written and recorded by the witnesses themselves, or perhaps written and recorded by a representative of the British colonial administration of India. Due to the lack of methodological information about the attainment of these testimonies within collection BLIOR/L/PS/6/117, it is uncertain as to the reality of authorship. If the authorship corresponds to the witnesses themselves, then it is assumed that all participants have a fluent

command of the English language, regardless of their age, occupation, caste, and geographical residence. Whilst this is a possibility, this perhaps is an unlikely scenario considering that several of the witnesses exceed the age of institutional education initiated through the English Education Act (1835). Though, for the witnesses employed by the British Empire, such as the Sepoys and Police Constable, a command of the English language may be plausible due to their proximity with the colonial power (Fanon, 1952). Therefore, it is difficult to affirmatively state the accuracy of assuming the testimonial authorship is that of the witnesses themselves.

The more likely reality is that the testimonies are authored by a representative(s) of the British Empire, who's proficiency of the English language has produced a grammatically, syntactically accurate written account. The production of these testimonies may be a written recording of the events conveyed to the representative in the English language, or, the production of these testimonies may be translations from local languages into English for their use among British officials of the Empire. While there may be a combination of translation and transcription among these testimonies, the lack of methodological and contextual information regarding these statements prevents an affirmative conclusion on the processes of authorship. However, this subchapter will consider the analytical outcome of translation and transcription, using QLI to explore their implications for this research.

2.3.2.2.1 Authorship as Transcription:

Per QLI, should these testimonies be transcriptions of English-language conversations between the author and the witness, it demonstrates lingual domination; whereby, the colonial implementation of the English language is widespread and becomes a primary language of communication among the local Indian population. Furthermore, considering the identarian language use represented, the overwhelming usage of 'eunuch' to describe Bussunt Ali Khan represents the linguistic standardisation of SOGIE English terminology and the knowledge systems they represent among Indian populations. Therefore, the local language identity terminology of Khwaja Sira, Hijra, or other diminishes in favour of the English-language equivalent, due to the emphasis of the English Education Act's (1835) lingual assimilation policies. Where eunuch becomes the standardised identity terminology to describe SOGIE South Asians, resultant from the prevalence of the English language among the population, the knowledge systems that the identity marker 'eunuch' represents becomes the de-facto episteme of gender and sexual variance.

Among the witness testimonies here, eighteen out of twenty-five use the identity marker eunuch, which demonstrates that English-language term eunuch and its associated episteme are the dominant conception of SOGIE identity among Indian populations. By comparison, the endured usage of local-language identity markers such as Meeah, Mirza, and Khoja appear in fifteen of the twenty-five witness statements (BLIOR/L/PS/6/117). The total frequency of these three instances of local-language terminologies are surpassed by an English-language importation when referring to Khan, who represents a distinct South Asian SOGIE identity. Thereby, English-language identity terminologies are hierarchically favourable over local-language typologies due

to the perpetuation of the English Education Act (1835) which posits that the English language is superior in the communication of science. Due to the Anglophile construction of 'eunuch', which is implicitly aligned to medico-scientific epistemes of gender essentialism, eunuch is inevitably more valued than equivalent local-language identity markers such as Mirza, Khoja, Khwaja Sira, Hijra, and others.

If indeed the witness testimonies are products of transcription, where the written statements are direct recordings of English-language testimonials, QLI deduces that the use of the eunuch identity markers indicates an epistemological shift. Insofar, the epistemological of the eunuch becomes a standardised and naturalised knowledge system which has overtaken the SOGIE frameworks of South Asian identity communicated by local-language identity markers. Moreover, the negative connotations of SOGIE identity conveyed by the term eunuch, which describes both a physiological and moral typologisation of depravity, therefore become the prevailing conception of SOGIE persons. This epistemological shift contrasts the established knowledge systems of local-language SOGIE identity, which comparatively have positive connotations and are not bound by essentialised notions of gender, sex, and sexuality. Such an occurrence of epistemological shift perpetuated through lingual domination and the transference of the identity marker 'eunuch' alters the status of SOGIE South Asians in society under the influence of Anglophile frameworks of identity. Reductively, SOGIE identity prior to the lingual and epistemological domination of the English language was an integrated and tolerated part of Indic society, whereas the standardisation and naturalisation of the English language, and therefore eunuch, has reduced SOGIE persons to a status of inferiority and social revile.

2.3.2.2.2 Authorship as Translation:

Per QLI, should these witness testimonies be translations of the statements given by individuals in their local languages, the discursive usage of identity markers is subject to authorship interference. The process of translation, assumed to be committed by representatives of the British Empire, is an ideologically aligned enterprise which obscures the data collected and represented in this chapter. For example, the witness testimonies and the identarian language used is then a conscious choice of the translator rather than an occurrence of natural language usage among the non-British witnesses. Translation is a politicised and subjective process inseparable from the authors own epistemologies and catalogue of knowledge (House, 2015; Muller, 2007). Moreover, the author is prone to an institutionalised meaning hegemony; whereby, the author domesticises the text for the intended audience, often electing vocabulary which reflects the cognizant knowledge structures of the language it is translated into (Richard, 1992; Tian, 2023).

Considering domesticisation, the prevalent usage of 'eunuch' among the identities represented to refer to Bussunt Ali Khan does imply that SOGIE South Asian identities were translated into an Anglophile equivalent. As discussed in the previous subchapters of this colonial analysis, eunuch does (mis)represent an Anglophile understanding of South Asian SOGIE identities, particularly in the presence of castration. Thus, rather simplistically, the English authorship of these witness

testimonies may have translated local language SOGIE identities to the most appropriate English language equivalent, which during the late 19th century, was eunuch (Gannon, 2011). Though, in adopting this thought process, it fails to consider the occurrence of local language identity terms such as Meeah, Mirza, and Khoja in the translated witness testimonies.

Of course, there is the plausibility that the author believed for Meeah, Mirza, and Khoja to have no English equivalent or substitute which would benefit the understanding of the testimonies among the British colonial audience. Even then, with this deduction, it does not account for the maintenance of sepoy among the translated testimonies, which is an anglicisation of the Farsi sepahi (Mashiur, 2023). The colonial administration of British India readily used the term sepoy to refer to Indian soldiers to the extent that it was an integral part of colonial vocabulary (Mashiur, 2023). Since the Farsi sepahi had an equivalent English translation, soldier, its maintenance suggests that the British Empire was not averse to utilising local language vocabulary to represent the population they governed.

In acknowledging the local-language vocabulary maintained in the author's translation of witness testimonies and the absorption of locally contingent terminologies into the English language, the ideological process of translation goes unanswered. Queer Linguistic Imperialism proposes that sepoy, Meeah, Mirza, and Khoja are maintained in the local-language due to their non-scientific denotations; whereby, 'eunuch' is designated as a scientific classification of anatomical status

which blurs the Anglophile paradigm of essentialised gender, sex, and sexuality. Invoking intertextuality, the influence of the English Education Act (1835) promotes the dissemination of English language scientific terminology into vernacular languages for the standardisation of European knowledge among Indian populations. The English Education Act (1835) outlined the inferiority of Eastern imaginaries, which QLI argues to include SOGIE South Asian identities which exist beyond Anglophile frameworks of gender and sexuality. Therefore, the replacement of local language identity markers with English constructions which reflect the dominant British epistemologies of identity are justified through the colonial attribution of science.

Eunuch, and both gender and sexuality identities more generally were considered scientific designations of human existence in Victorian discourses, as explored earlier in this chapter. Therefore, the author's translation and the deliberate inclusion of 'eunuch' to represent Bussunt Ali Khan's identity is in direct alignment with the English Education Act (1835) to impose and transfer scientific knowledge onto Indian populations via English language terminologies. Ideologically, the decision to (mis)represent Khan through the designation of eunuch typology erases local language identity markers and the knowledge systems they represent; instead, hierarchically promoting and valuing the English eunuch as the correct manner of identification for South Asian SOGIE minorities. However, these testimonies are part of private paper, confidential correspondence from within the British Empire's internal governing body and do little to directly influence Indian populations.

2.3.2.3 Eunuch, the Possibilities of Standardisation:

As acknowledged above, the impact or influence of the English language identity markers used within the witness testimonies of BLIOR/L/PS/6/177 have little direct impact on Indian populations due to their private paper and confidential status. Despite their private paper status, the identity markers used and the knowledge they transmit are influential in the British administration's implementation of SOGIE public discourses which inform the greater Indian public, leading to possibilities of standardisation. These witness testimonies serve as internal repositories of knowledge which inform the governance of SOGIE persons within South Asia under the British Empire. Whilst the terminological usage of the testimonies is not visible to the wider population, the English language identity marker eunuch further detaches the Anglophile mind from local language SOGIE identities of South Asia, such as those featured in the testimonies.

Nonetheless, the repeated use of eunuch to (mis)represent Bussunt Ali Khan standardises the South Asian SOGIE body as a eunuch among the British administration, replacing the local frameworks of gender and sexuality, and aligning them with conceptions of failed bodies of masculinity. Standardisation of the eunuch identity among British administrators has a top-down effect on the local Indian populations; especially within public discourses which typologise South Asian SOGIE minorities as eunuchs. Insofar, the public discourses which are informed by the internal governing epistemes of identity construct South Asian SOGIE persons as eunuchs and facilitate the transference of Anglophile knowledge structures onto Indian populations. As the witness testimonies are dated between 1857 and 1865, there is sufficient reasoning to believe

that the case of Bussunt Ali Khan is a potential catalyst which informs the construction of the Criminal Tribes Act (1871) and the typology of eunuch identity (BLIOR/L/PS/6/177).

2.4 Revolt(ing) to Repression: Khan's Contribution to the Criminal Tribes Act 1871

The document collection BLIOR/L/PS/6/177 features discursive entries between 1853 and 1874. This subchapter utilises QLI to trace the influences from collection BLIOR/L/PS/6/177 and explores Bussunt Ali Khan as a potential catalyst which informs the Criminal Tribes Act (CTA) of 1871. Therefore, all discursive entries dated from 1871 onwards are excluded from consideration as they coincide with the CTA, rather than influence the CTA's construction of South Asian SOGIE identity. From collection BLIOR/L/PS/6/177, the excluded entries are the Official British correspondence regarding the arrest enquiry into Bussunt Ali Khan's death while in custody of the Crown. The witness statements, autopsy report, and the correspondence of Khan's alleged criminality form the basis of this subchapter, exploring how they potentially contributed to the creation and implementation of the Criminal Tribes Act of 1871.

First, this subchapter discusses Khan's alleged involvement in the mutiny against Europeans, in which several people were murdered. Second, the presence of the eunuch identity from within BLIOR/L/PS/6/177 analyses the rationale of standardising South Asian SOGIE identity under eunuch for the purpose of the CTA. Third, this subchapter analyses the influence of Khan's designation as a eunuch on constructing the eunuch identity witnessed in the CTA. Fourth, Khan's

alleged criminality as presented within collection BLIOR/L/PS/6/177 is analysed and considers the extent to which it informs the statute on the hereditary criminality of eunuch persons. Last, this subchapter concludes Khan's influence on the CTA (1871) and the processes of QLI which facilitated the English language construction of eunuch identity and the knowledge it communicates.

2.4.1 Suppressing SOGIE Persons to Suppress Colonial Resistance:

Bussunt Ali Khan is alleged to have organised, or at the least, participated in the mutiny against European colonial officials and their civilian families which resulted in their murder BLIOR/L/PS/6/177. The rationale for why the mutiny occurred is unclear as it is not detailed within the document file, nor is there reference to Bussunt Ali Khan or file BLIOR/L/PS/6/177 within existing research from postliminary literature investigations. Nonetheless, the specific targeting of European colonial administrators and their civilian families can be interpreted as part of the spatial resistances to British colonialism during the late 19th century (Chandavarkar, 1998; Davies, 2015). It appears as though Khan's resistance aligns with the Sepoy Mutiny of 1857, where Indian soldiers of the British Empire staged a rebellion due to socio-economic grievances with British imperial governance (Ahmad, 2021; Pender, 2022). Since Khan's mutiny coincides with the Sepoy Munity of 1857, it is plausible that the extensive campaign against Khan as depicted in these documents was a tactical response to dissent within the Empire.

In response to the Sepoy Mutiny, and other instances of dissent among Indian populations, the British Empire sought to suppress organised resistance through political means (Bates and Carter, 2009; Malik, 1973). British suppression measures against organised dissent include, but are not limited to, legal and political repression, divide and rule, and cultural and ideological control (Bender, 2016). By interpreting the CTA (1871) as a long-term response to Khan's alleged mutiny, and other dissent, the legislative act becomes a mechanism of legal and political repression which sows divide among Indian populations via the ideological promotion of British knowledge systems at the discredit of Indian cultural epistemes. Hereby, the classification and criminalisation of the 'eunuch' facilitates socio-cultural divisions among the Indian population and redirects dissatisfaction from the British Empire, to localised and manufactured issues to prevent organised rebellion. Moreover, Bussunt Ali Khan represents a potential catalyst for the legislative and political repression against South Asian SOGIE minorities to manufacture division, through the promotion of Anglophile gender and sexuality frameworks which delegitimise Indian traditions and social integration.

Considering Khan's alleged mutiny which resulted in the death of several Europeans, the magnitude does not appear to warrant the legislative response of the CTA (1871). Whether the alleged criminality warrants the extent of obsession detailed within the collection can be debated, though, this research interprets the administrative obsession over Khan as indicative of colonial anxieties of rebellion; especially, due to the murder of colonial officials. Khan's identification as a 'eunuch' alongside the supposed criminal offense provides a potential referent for the CTA to outline eunuchs as hereditary criminals. This is further evidenced through the CTA's construction

of the eunuch subject which shares parallels to that of how Khan is discussed by British Officials in BLIOR/L/PS/6/177.

For example, the CTA criminalises the “ornamentation of women’s clothing” (BLIOR/V/8/42) by proscribed eunuchs, and Khan is noted to wear “a sheet made of thin transparent muslin and a pair of loose cotton pyjamas” (BLIOR/L/PS/6/177). Whilst the use of pyjamas to describe Khan’s dress does not necessarily signify gender, the description befits the traditional salwar kameez, worn by South Asian women (Kumar and Walia, 2016). The salwar kameez is described as a pyjama type outfit which has loose fitting cotton trousers and a silk tunic layered overtop (Kumar and Walia, 2016). Interestingly, the salwar kameez is a Persianate import of the Mughal Empire which became prominent attire among women of the Northern regions of South Asia (Kumar and Walia, 2018). Therefore, the pyjamas described by Turnbull (BLIOR/L/PS/6/177) likely resemble the salwar kameez and is a point of contention for the British administration rooted in contrasting British norms of gender and gender presentation through clothing. Khan’s visible gender presentation through clothing is then utilised to codify eunuch identity and informs the legislative CTA (1871) to vilify South Asian traditions through the Anglophile frameworks of gender and gender presentation.

By criminalising the ‘eunuch’ body from appropriating women’s clothing, the CTA promotes Anglophile frameworks of gender and its presentation; of which, the eunuch exists beyond. In doing so, the CTA transforms an established and historical cultural custom of SOGIE identity and

stigmatises it. Sowing seeds of cultural illegitimacy among the wider population, such as diminishing SOGIE minorities, aligns with the noted tactics of the British Empire's attempts to suppress rebellion against the regime. Thereby, the CTA is potentially a response to Khan's mutiny, criminalising the identity ascribed to them, which mitigates the rebellious threat of 'eunuchs' by constructing them as a social issue to manufacture social discontent.

2.4.2 Standardising Eunuch Identity:

As evidenced by collection (BLIOR/L/PS/6/177), Bussunt Ali Khan is consistently referred to as a eunuch by British officials and in the witness testimonies. Whilst there are few instances of local-language terminological usage, such as Meeah, Mirza, and Khoja present in the witness testimonies, the dominant term to describe Khan is eunuch. When faced with alternative terminologies, or merely local-language identity markers such as Khwaja Sira, Hijra, Khoja, and others, there is a clear preference to identify SOGIE persons via the English-language identity marker eunuch. This conscious decision to disregard local-language identity markers and hierarchise the Anglophile alternative suggests a desire for standardisation within the internal governance of the Empire, but also among the population. In addition to the standardisation of scientific terminology discussed in section 2.2 of this chapter, the CTA (1871) represents a firm stance on the standardisation of SOGIE identity in British India. By virtue of the discourse type, a legislative act institutionalises knowledge, ideas, and identities to structure societal organisation (Statham, 2022). Their institutionalisation is enshrined in the public sphere and transmits

knowledge onto the wider population, as well as through the implementation measures of the purported act (Neal, 2023).

The elective decision to standardise the plethora of SOGIE South Asian identities via the English typology eunuch is a systematic replacement of local-language identity markers for the standardisation of knowledge. As Khan is continually referred to as a eunuch by British officials in collection BLIOR/L/PS/6/177, despite the availability of local-language identity markers adopted by the witnesses, Khan can be regarded as the catalyst for SOGIE standardisation under the term eunuch. The CTA's sole use of eunuch to define SOGIE identity, without inclusion of local language forms, represents a desire for standardisation which transcends lingual barriers. Queer Linguistic Imperialism analyses that despite available SOGIE identity markers in local languages, the British colonial administration sought to standardise SOGIE identity via the English language. Moreover, in employing English only identity markers in the CTA to criminalise SOGIE identity, the intention was to transfer Anglophile frameworks of gender and sexuality onto Indian populations through the promotion of 'eunuch'. Given the discursive nature of legislative acts, which are already mediators of standardising knowledge, the purposeful usage of eunuch serves as an assimilative tactic for eventual naturalisation. Whereby, the promotion of the Anglophile eunuch superimposes local language SOGIE identity markers and operates through the epistemological system that eunuch represents via its construction. Resultantly, the epistemological system compounded by the English typology of eunuch within the CTA shares commonalities with collection BLIOR/L/PS/6/177 and suggests that Bussunt Ali Khan's identification may influence the definition of eunuch in the CTA.

4. Calculated Erasure and Instalment of Anglophile Gender and Sexuality in the Punjab:

The process of erasing South Asian SOGIE persons occurs over several decades and primarily develops through a calculated effort to replace local-language identity markers with English language equivalents. As part of this linguistic domination, where English terminologies are prioritised over local language alternatives, the knowledge represented by those English typologies become dominant discourses among the lingually dominated population. For these processes to occur, there requires a sufficient infrastructure which facilitates the replacement of local language identity markers and instead replaces them with English language constructions. In the case of British India, the overarching infrastructure which enables the calculated erasure of South Asian SOGIE minorities is the English Education Act (1835). The English Education Act (1835) provides the justification and active processes of linguistic domination through its legislative promotion of English language transfer into local languages to facilitate knowledge transfer.

Beyond the English Education Act (1835), the next public discourse which centres SOGIE identity is the Indian Penal Code (1860), where the Anglophile foundations are laid to regulate South Asian SOGIE peoples. The Indian Penal Code (IPC) of 1860 initiates the process of regulating South Asian SOGIE persons via Anglophile frameworks of gender and sexuality, through the communicative medium of local languages. Although disseminated via local languages, the IPC

outlines that sexual intimacy outside of the confines of vaginal intercourse is an act against the order of nature. Moreover, that the proscribed sexual intimacies of sodomy and buggery constitute an offence against nature, morality, and norms of civilised society. By criminalising penetrative acts of sodomy and buggery, the IPC instils a framework of heteronormativity which emphasises the engendered roles of reproductive sex dominant in the Anglophile episteme of the 19th century. Thus, the IPC, despite its lack of identarian sites of QLI, standardises a framework of gendered and sexual conformity akin to British society. Insofar, the previously unregulated sexual intimacies of SOGIE minorities of South Asia encounter a legislation which criminalises their existence upon British perceptions of socio-cultural and sexual acceptabilities.

In rather quick succession, the Criminal Tribes Act (1871) expands on the Anglophile knowledge systems propagated via the IPC to include gender identity. Unlike the IPC, the CTA constructs and enacts an English language identity marker to represent the South Asian SOGIE person; namely, 'eunuch'. The CTA compounds the Anglophile sexuality frameworks communicated in the ICP through a gendered lens, specifying sexual impotency as a characteristic of the criminalised eunuch category. Here, the specification of the eunuch identity marker becomes a site of Queer Linguistic Imperialism; whereby, the identity terminology is a site of English language construction and the communicator of Anglophile gender and sexuality knowledge which misrepresents local language South Asian SOGIE identities and their epistemes.

4.1 Beyond 1871, Another 74 Years of British India Remain:

The public discourses collated as part of this research, namely the Indian Penal Code (IPC) of 1860, and the Criminal Tribes Act (CTA) of 1871, represent only a small epoch of British colonial rule in India. Beyond 1871, with the implementation of the CTA, there remains another 76 years of colonial rule prior to British India's independence and the partition into the contemporary states of India, Pakistan, and Bangladesh. Archival research and data collection within the periods of 1871 to 1947 yielded limited data of other SOGIE-oriented, public facing discourses. However, archival data collection did reveal several documents which relate to the amendments of the previously analysed CTA and adjacent documents pertaining to the registration of criminal tribes.

Upon the construction and standardisation of criminal tribes, including the identity marker 'eunuch', the CTA has undergone five amendments under the remaining colonial administration of British India. The noted amendments, discussed in parliament and re-distributed throughout the empire do not concern part II on the criminalisation of eunuchs. Therefore, the amendments dated 1911, 1914, 1915, 1920, and 1923¹ reflect the unchanged status of eunuch criminality in British India, and demonstrate the naturalised capacity of its legal classification. Insofar, the CTA 1871 maintains the constructed identity marker of eunuch, reflective of Anglophile frameworks of gender and sexuality which suppose inherent criminality, for almost a century during the

¹ Of the amendments made to the Criminal Tribes Act (1871), none concern the status of eunuchs and instead relate to Act I. Thus, the eunuch remains an unchanged criminal category and continues to be a public transmitter of the Anglophile epistemologies which marginalise South Asian SOGIE identities.

British Empire. With conjecture, the 76 years in which the eunuch was an established category in British India equates to approximately three generations of linguistic naturalisation (Saraceni and Jacob, 2019).

Across the three generations between the initiation of the CTA and eventual independence, English language education burgeons to a total of 134,866 schools throughout the colonised territory (Shah, 2013). However, estimates of English literacy claim that in 1947, at the end of the British Empire rates were stagnant and low (Chaudhary, 2015). While these statistics present a perception that Macauley's English language project in India failed to achieve lingual domination, they do not account for instances in which English vocabulary are common features of local language speakers and instead measure the ability to read and write with understanding (Saxena, 2022). Of course, as a result, the penetration of English language vocabularies among Indian populations cannot be accurately measured nor represented. Thus, the quantitative standardisation of eunuch as an instance of QLI cannot be determined. However, with the statistical data available, the English language literacy rates largely represent local elites and Indian officials of the British Empire who were educated through Anglophile institutions to serve the interests of the colonial administration (Bhattacharya, 2022).

The role of local elites and Indian officials of the British Empire directly influence the enforcement of colonial epistemologies. Recall QLI's invocation of Fanon (1952), where those who speak the colonial language are informed by the colonists' episteme and the objectives of the English

Education Act (1835) which sought to create a caste of Indians who are British in taste, morals, and opinions. This is important, as the elites and local officials of the British Empire assumed power in the aftermath of the 1947 partition into the contemporary states of India, Pakistan, and Bangladesh (Frost, 2020; Nandy, 1989). The true measure of QLI will be in both the maintenance, and presence of SOGIE-focused documents which organise the contemporary state of Pakistan; whereby, the standardisation of the Anglophile frameworks implemented during colonialism can be seen. The subsequent chapter on postcolonial Pakistan, between the 1947 and 2018, measures the legacy of QLI by analysing the remnants of the Anglophile gender and sexuality frameworks described in this chapter.

5. Queer Linguistic Imperialism: Standardising SOGIE Otherness

Of the colonial analysis present within this chapter, the process of QLI demonstrates the orchestrated campaign of standardising SOGIE otherness by the British Empire. From the data collected, the earliest instance of disseminating Anglophile epistemologies of SOGIE otherness occurs in the Indian Penal Code (1860), which characterised same-sex intimacies as carnal criminalities antithetical to social development. The influences of the IPC are visible in the later Criminal Tribes Act (1871), which further promotes Anglophile sensibilities of engendered sexual interaction; whereby, the prescribed 'eunuch' fails to embody the conventions of 'natural' reproduction on account of their presentation and physiology.

In-between the IPC and CTA, collection BLIOR/L/PS/6/177 details the private paper engagement with Bussunt Ali Khan, who was prescribed to be a 'eunuch'. This chapter concludes that despite the private nature of the documents, they were greatly influential in the legislative standardisation of SOGIE otherness. Notably, Khan was a known Khwaja Sira who allegedly participated in a mutiny which slaughtered European colonists and their families. The alleged crimes of Khan were detailed within this collection, with both overt and covert relation of their crimes to their status of eunuch-hood. Details of Khan's anatomy, character, socio-cultural position, and their dress demonstrates parallels with the CTA of 1871. Thereby, the latter construction of eunuch criminality predicated on anatomy, gender presentation, and actions associated with SOGIE South Asian communities, is likely a standardisation of otherness rooted in colonial repercussions to Khan's alleged crimes.

Chapter 5: Inherited Language, Inherited Marginality; Postcolonial Pakistan's Colonial Legacy

1.0 Introduction

The previous chapter of colonial analysis sought to identify sites of QLI within official documents of the British Empire's administration in India, and to uncover the systems of Anglophile knowledge which constructed English language identity markers. In addition, the previous chapter identified the prevailing frameworks of gender and sexuality implanted onto colonial Indian society through a series of legislative acts; whereby, the promotion of Anglophile knowledge, through the communicative medium of the English language was an established goal of British colonialism. As these systems of knowledge and instances of QLI have been identified, the objective of this chapter is to analyse the extent to which these epistemes and occurrences of English-language identity markers are present in postcolonial Pakistan's official discourses.

This chapter explores the remnants of colonial frameworks which construct and govern gender, sex, and sexuality, to measure the impact of QLI; whereby, epistemological transmission occurs through implementation and maintenance of English language vocabularies pertaining to identity. Therefore, this chapter collates a series of legislative, census, and print media discourses dated between 1947 and 2018 to trace the colonial legacies of knowledge which exist in contemporary Pakistan and form the existence of SOGIE minorities. First, this chapter outlines the status of the

English language and its usage within postcolonial Pakistan, to establish the success of (post)colonial language domination per QLI. Second, the discourses of sex and acceptable intimacy are analysed to understand the extent to which colonial frameworks of heteronormativity govern Pakistani society. Third, discourses of gender essentialism feature to demonstrate the entrenched colonial episteme which erases SOGIE South Asian identities such as the Khwaja Sira. Fourth, this subchapter analyses traces of the English language identity marker eunuch, exploring the ramifications it has on SOGIE minorities in postcolonial Pakistan. Fifth, the Transgender Persons Protection of Rights Act (2018) provides an opportunity to explore how the Government of Pakistan elects to represent SOGIE identities regarding their legislative protection. Last, this chapter discusses the occurrence of QLI and argues that the typological and linguistic impositions from the British Empire endure the colonial marginalisation of SOGIE minorities in contemporary Pakistan while presenting an obstruction to sexual and gendered emancipation.

2.0 Status of the English Language in Postcolonial Pakistan:

Queer Linguistic Imperialism theorises that linguistic domination occurs through both colonial and postcolonial systems of power. Contemporary Pakistan is already a victim of colonial domination, where institutionalised language policies of the British Empire, such as the English Education Act (1835) glorify the use of the English language at the expense of local languages.

Due to the longstanding glorification and implementation of the English language in colonial India, through educational institutions and public discourses, postcolonial Pakistan is already susceptible to maintaining the English language in some formal capacity. Conversely, contemporary Pakistan is also a victim of postcolonial language domination, where the political negotiation of the English language is advertised to promote economic prosperity and socio-political mobility. This subchapter outlines the status of the English language in contemporary Pakistan and the conditions of both colonial and postcolonial QLI.

Upon Pakistan's independence in 1947, the English language was an already entrenched structure which controlled legislative and governing processes which oversaw the colonial administration of the British Empire (Bangash, 2018). Beyond the bureaucratic and institutional power of the English language, it was also a fixture among political elites and local representatives of the British Empire and served as a communicative medium of educated classes (Zaidi and Zaki, 2017). The status of the English language during the transition from colony to independent state of Pakistan represents the policy-driven initiatives which manufactured the political usage of English, per colonial QLI. Then, it is unsurprising that the social and political elite of local populations who engineered the independence of Pakistan were also English speakers.

For example, Muhammad Al Jinnah, the founder of Pakistan was an English speaker, educated in England, and held prominent legislative and political positions in the latter decades of the British Empire (Nanda, 2013). Jinnah represents the dominance of the English language in India and the

postcolonial conditions of political negotiation which maintain English as an Official language in contemporary Pakistan. Through English education, Jinnah became influenced by liberalist thinkers such as Bentham, who inspired his political worldview (Unterberger, 1981). The extent of Jinnah's Anglophile conditioning through the English language is perhaps summarised best through his proclaimed adornment of suits and ties typical of British fashions (Alam, 2024). Per QLI which takes influence from Fanon, by virtue of Jinnah's embrace of the English language and attire, his worldview is representative of Anglophile knowledge structures which glorify social, political, and cultural signifiers of the colonial language culture.

Therefore, the transition from colony to independent Pakistan under Jinnah's directive exposes the postcolonial negotiation of the English language as a maintained socio-political institution. In 1956, the constitution of Pakistan outlines that the English language is to have Official language status along-side Urdu as the national language (Pakistan, 1956). Resultantly, the legislative, bureaucratic, and governmental structures of postcolonial Pakistan were to be performed via the English language, at least for the interim (Pakistan, 1956). Later, in 1973, with an amended constitution, the dual-language structure of Pakistan's governance structure was reaffirmed to be that of Urdu as the national language and English as the Official language (Pakistan, 1973). Upon this reaffirmation of the dual language structure, Urdu proposed itself as a national unifier by the metric of language; whereby, the various ethnic and linguistic groups of Pakistan were united by Urdu in an attempt to communicate the ideals of Pakistani identity (Ahmad, et al., 2022). English, however, saw its maintenance as the language of the government, judiciary, diplomacy, business, and elite education (Mahboob, 2002). Hereby, demonstrating the

postcolonial negotiation of QLI, which posits that the English language is a preferable system for (inter)national governance. Of course, the postcolonial negotiation which promotes the usage of the English language over local languages for (inter)national governance is a result of British colonialism which established English as the lingua franca (Phillipson, 1992).

Since 1973, the status of English remains unchanged. Therefore, for the remaining duration of time which encompasses this research, English continues as the Official language of the Pakistani government, its legislation, official documentation, and is still a prominent fixture of elite education (Pakistan 2009; 2018). Until 2018, at which point this research ends, the engrained nature of the English language demonstrates not only a colonial legacy of inherited language and institutions, but the postcolonial decision to maintain English for proclaimed utility. Now that the status of the English language in postcolonial and contemporary Pakistan is outlined, the extent to which the inheritance of Anglophile colonial knowledge systems and SOGIE terminology are maintained can be analysed. Insofar, the conditions for their maintenance, through the preservation of the English language, are mandated through state policy.

3.0 Sex; Still Taboo:

Sexual intimacies remain a taboo subject in contemporary Pakistan and attitudes towards sex are influenced by the colonially implemented Indian Penal Code (IPC) of 1860. Until 2018, where this research ends, the IPC has yet to be repealed by the government of Pakistan and is instead an

active legislation titled the Pakistan Penal Code (PPC, 1860). As the legislation has been inherited without amendment, article 377 on carnal intercourse against the order of nature which criminalises sodomy and buggery has a 158-year legacy. Due to the public facing nature of legislative discourses, the contents of the IPC's article 377 are a site of epistemological transmission of sexual regulation which standardise as dominant epistemes of societal organisation which informs social interaction.

Since article 377 of the IPC regulates sexual intimacies, forming a knowledge system which associates same-sex intimacies with non-naturality, its maintenance in postcolonial Pakistan's legislature continues to espouse the same regulatory practices of colonialism which harms South Asian SOGIE minorities. Moreover, the maintenance of the IPC in postcolonial Pakistan achieves maximal transmissive potential due to the Official status of the English language which represents both the IPC and the communicative transfusion of the knowledge it represents. Therefore, in inheriting the IPC and the English language, the legislative formation of contemporary Pakistan enables the colonial systems of sexual knowledge to further naturalise and become social codes of sexual acceptability; whereby, heterosexuality and procreative capacity is the norm, and non-heterosexual, non-procreative sexual intimacies are criminalised acts which effect SOGIE peoples.

Interestingly, as noted in the literature review chapter of this thesis, same-sex intimacies were not criminally codified prior to the influence of British colonisers. Furthermore, there are recorded histories rooted in Islamic Sufi mysticism which detail the acceptabilities of same-sex

male intimacies occurrent in South Asia (Chatterjee, 2012; Vanita and Kidwai, 2021). While the level of contestation which same-sex intimacies endured pre-British colonialism is uncertain, the introduction of the IPC and discourses of what constitutes natural sex per anglophile frameworks has transformed the landscape for SOGIE minorities in contemporary Pakistan. By the virtue of codification and introduced structures of legislative governance, the British Empire imported a system of sexual regulation which has contributed to the enforced heteronormativity present in Pakistan.

4.0 Gender; Still Essentialised:

Under the British Empire, the Criminal Tribes Act (CTA [1871]) sought to define the gendered identity of South Asian SOGIE persons through the scientific designation of eunuch-hood. While the CTA did not overtly outline gender essentialism, the construction of the 'eunuch' through anglophile frameworks of gender essentialism advertently constructs and reinforces gender essentialism. Per the previous chapter, the CTA constructed the 'eunuch' as a body of failed masculinity; whereby, biologically sexed men were either impotent or castrated and adorned themselves in women's attire. Through criminalisation, the British Empire rigidly defines the parameters of gender and its associated presentation and social roles. Thereby, men are responsible for ensuring their biological role of procreation and performance of masculinity as outlined by the CTA. Even though the CTA was repealed by the government of Pakistan in 1956, the legacies of codified gender essentialism persist in the social organisation of contemporary Pakistan (MLAW/38/500). The constitution of Pakistan states in clear terms that "words

importing the masculine gender shall be taken to include females” (MLAW/263:377). The above assertion presents three fascinating prospects for QLI, namely, the dichotomy of gender, SOGIE erasure, and the legacy of the colonial eunuch.

Dichotomic gender, here, reaffirms the British colonial knowledge systems of gender essentialism; whereby, male and female are scientific categories of gender which represent the realities of social existence (Ghosh, 2004). Moreover, the Pakistani government elects to represent its population through the frameworks of essentialised gender where only male and female are applicable categories for identification. Since the constitution is a public facing discourse which informs the socio-political organisation of society, the definition of gender identity as dichotomous communicates gender essentialist frameworks onto the wider population. Furthermore, the institutional practices which result from the constitution employ these binary notions of gender in their interactions with the Pakistani population. Insofar, gender as a dichotomous category of identity is both epistemologically and materially enforced as the dominant organiser of postcolonial Pakistani society. For South Asian SOGIE persons, this essentialised framework emphasizes both public and institutional legacies of the CTA which sought to dismiss cultural systems of gender variance and categorise local Khwaja Siras and Hijras as men; albeit, male bodies diagnosed with inadequate masculinity.

Through employing dichotomous gender frameworks within the constitution of Pakistan, it continues the colonial effort of rejecting the epistemological and ontological realities of South

Asian SOGIE identities and superimposes Anglophile notions of gender as scientifically empiricist categories. Despite the repeal of the CTA, which technically decriminalises the eunuch body, the constitution furthers their socio-political marginalisation through the mis-characterisation of their identities via gender essentialism (Pakistan, 1973). Additionally, even though the CTA has been repealed, the knowledge system of 'eunuch' bodies as incohesive to scientific metrics of gender are ratified through the rigid confines of gender acknowledgement per the constitution.

The constitution of Pakistan's implicit transmission of essentialised gender frameworks not only embraces anglophile notions of SOGIE identity as invalid categories of human existence but also erases SOGIE peoples altogether. Upon drafting the constitution, the Pakistan government had the opportunity to include the gender identities of their historic SOGIE communities, the Hijra and Khwaja Sira. However, as seen here, no gender identities beyond male or female are represented. The omission of SOGIE identities within the constitution indicates the power of QLI; whereby, the construction of SOGIE identities, import of Anglophile gender frameworks, and transmissive capacity of English language penetration have altered local knowledge systems about Hijra and Khwaja Sira persons.

Firstly, the English language terminology which dominated and replaced the local Hijra and Khwaja Sira identities is the eunuch. Considering the constitution of Pakistan is written in English, the 'eunuch' as a representation of SOGIE identity is an availability to the authors; however, the government elects to confine gender to male female dichotomies. While yes, the inclusion of

‘eunuch’ is not an ideal prospect, especially in how the English typology misrepresents Hijra and Kwaja Sira persons, and also how eunuch is semantically tied to criminality, its usage within the constitution would have provided some semblance of recognition to SOGIE persons. Since that is not the reality, here, the total erasure of SOGIE identity as a recognised category of gender in the constitution demonstrates the efficacy of Queer Linguistic Imperialism.

Due to the implementation of the CTA (1871) by the British Empire, the association of South Asian SOGIE identities to criminality and social deprivation successfully changed local epistemes which resulted in the erasure of SOGIE persons in the constitution of postcolonial Pakistan. Moreover, QLI was successful in superimposing English language identity terminology which dominated local language identity markers and their respective knowledge systems. Insofar, the transmission of British perceptions of SOGIE South Asian identities onto local populations has restructured conceptions of permissible identities. Resultantly, the vilification of SOGIE identity which occurred through the construction of the eunuch category, compounded by the CTA, has altogether erased the presence of gender variance in the postcolonial formation of contemporary Pakistan.

Local language identity markers like Hijra and Khwaja Sira were at the disposal of Pakistani leadership in the construction of the constitution. Though, as the constitution and all governmental administrations were mandated to be written in the English language, the dominance of English and anglophile knowledge systems reigns supreme. In maintaining the

colonial language, postcolonial Pakistan remains subjugated by the colonial episteme as demonstrated through the omission of local language SOGIE identities, and the unwillingness to utilise the English language 'equivalent' of eunuch. Thereby, the negative connotations of SOGIE identity as constructed and transmitted through the eunuch typology continues to circulate as a dominant knowledge system which affects postcolonial social organisation.

The government of Pakistan has conducted six nationwide censuses since independence from the British Empire in 1947. Across the census questionnaires in 1951, 1961, 1972, 1981, 1998, and 2017, the category attributed to identifying gender is listed as 'sex', with a codified response for which 1 indicates male, and 2 indicates female (GOVPK, 2024). Per the data accessible for the 2017 census, the Pakistan Bureau of Statistics published that the population consists of 106.3 million males and 101.3 million females (PBS.GOV.PK, 2017). Given the breadth of dissemination in which the census questionnaire is circulated, the rigid definitions of gender as interrelated with sexual anatomy are witnessed by the greater public at large. Such an encounter presents the public with codified frameworks of gender essentialism and neglects to offer the opportunity to self-identify as other.

As an institutionalised dissemination of gender frameworks, the census represents the official position of the government and bears witness to the normative and naturalised knowledge of gender. Of course, as the census is a government-affiliated institution, the standardisation of gender identity apparent in the constitution and the categories of the census are coherent.

Among the wider heteronormative population, the essentialised categories of gender reinforce existing social knowledge which prioritises cis-gender identities. Moreover, the rigid parameters presented to the public erase the visibility of the SOGIE identities and subliminally attribute them as either anomalies or incongruent to the social civilities of Pakistani society. For SOGIE persons, the entrenched gender essentialism of the census questionnaire and its published data marginalises SOGIE existence by enforcing conformity and erasing visibility. Lack of SOGIE visibility altogether in public and civic institutions detaches the Pakistani population from their cultural histories of SOGIE existence. Furthermore, it distances the possibilities of reconciliation between historical, cultural forms of gender like the Hijra and khwaja Sira and socio-political emancipation from contemporary marginalisation.

Queer Linguistic Imperialism rears its head once again, here, demonstrating the impact of colonial language domination in altering the local epistemes of SOGIE identity. The census questionnaires distributed among the population are available in both English and Urdu, which aligns with the constitution of Pakistan's policies on language. Similarly to the English questionnaire, the Urdu version conforms to gender essentialist frameworks and excludes the option to identify outside of the gender binary. Since congruence between the English and Urdu translations are required for methodologically accurate census data collection, the lack of Urdu gender variant identities such as Khwaja Sira becomes apparent (PBS.GOV.PK, 2017). The British Empire and the English language's representation of South Asian SOGIE identities as the colonial eunuch discourages the acknowledgement of a gender category outside of the gender binary.

The colonial eunuch, constructed as an inherently male person with a criminal affinity for deviating from the prescribed, supposedly scientific, codes of gender and masculinity does not recognise the South Asian SOGIE person as a distinct gender category. Correspondingly, the SOGIE body becomes a malfunction of gender rather than an identity in and of itself. Thus, due to the naturalisation of the CTA and the English language, it is reasonable to assume that the inclusion of SOGIE categories in both editions of the census (English and Urdu) are redundant since the colonially imported episteme typologises them into frameworks of gender essentialism. Additionally, it is plausible that due to the naturalisation of the gender essentialism imported by the British Empire, Urdu SOGIE identity markers fall out of common parlance as they contradict the social and institutional norms of gender.

5.0 The (Post)Colonial Eunuch:

Traces of the colonial eunuch in the public discourses of contemporary Pakistan follows a similar pattern as described in the previous subchapters; insofar, SOGIE identity is often erased altogether through the dominant epistemes of heteronormativity and gender essentialism. However, there are few instances of eunuch's presence among public discourses which raise interesting implications for QLI. This subchapter details the legislative presence of the colonial eunuch, as well as the curious 'unix' category present in the Khaki versus Rawalpindi litigation.

5.1 Unix; Queer Linguistic Imperialism:

In a landmark 2009 case, the government of Pakistan ceded civil rights protections to SOGIE minorities, namely, the 'unix' (Supreme Court of Pakistan, 43/2009). The case outlines the welfare protection of unix and notes that:

“this class of society has been neglected merely on account of gender disorder in their bodies, otherwise they are entitled to enjoy all the rights granted to them by the Constitution”

Supreme Court of Pakistan, 43/2009

The 2009 case Khaki versus Rawalpindi, in which gained the protections of welfare and recognition of gender-variant minorities in Pakistan, is the first and only instance of the term 'unix' among the data gathered for this research. As it is the only document in which uses this spelling, or variation, of 'eunuch', it is an opportune moment to explore the audial capacity of Queer Linguistic Imperialism. Where QLI emphasises the written component of language domination and epistemological transference, there has yet to be much consideration of the phonetic properties of lingual dominance. Since the term unix is recorded here, the origins of its inclusion suggest that it is a phonetic misspelling of the identity marker eunuch.

According to the standardised International Phonetic Alphabet (IPA) the phonetic pronunciation of eunuchs is /' ju nəks / (IPA.org). Compared to the IPA phonetic spelling of unix which appears as /' ju nɪks /, there is a small difference in the pronunciation of the vowel placed between the two consonants present in eunuch and unix (IPA.org). The phonetic similarity between eunuchs and unix likely represents a difference of English versus American English accents. Studies show the preference of American English among Pakistani graduates and Pakistani English speakers more generally, due to the dominant consumption of American media and the similarities between Urdu and American English stressed syllables (Azam et al., 2024; Abbasi et al., 2018; Sheikh, 2012). Moreover, in comparing the standardised English accent to the standardised American accent, the American phonetic emphasis on the stressed syllables presents a likeness to the phonetic pronunciation of unix. For QLI, the phonetic similarity suggests their interchangeability and lack of ideological difference in articulation, for which Schroff (2019) notes the eunuch/unix interchangeable verbiage used in Pakistani society. Insofar, the eunuch and unix represent the same SOGIE identity and its reflective knowledge systems; merely with a difference in pronunciation.

There is limited research on the presence of 'unix' within the Khaki versus Rawalpindi case which enacted safeguards for gender-variant peoples in Pakistan; however, the term unix mirrors a typological and linguistic trend similar to 'Latinx'. The signifier 'x' in Latinx represents non-binary identities within Latino culture; an addition for inclusivity within grammatically gendered languages, such as Spanish, that represent gender dichotomy via masculine and feminine noun classes (DeGuzmán, 2017; de Onís, 2017; Torres, 2018). While speculative, a similar

rationalisation applied to the context of unix demonstrates that it is a feasible explanation, given that Urdu, the national language of Pakistan, is grammatically gendered (Hachimi, 2001; Di Garbo, et al., 2019).

If the similar philological formations between Latinx and unix are to signify the same outcome, it assumes that the 'eunuch' has undergone a progressive reconstruction; whereby, the 'x' signifier of unix represents an acknowledgement of gender-variance which extends beyond the typology of eunuch. For instance, where eunuch intrinsically tied the gender-variant peoples of South Asia to bodies of masculinity, unix appears to challenge the entrenched gender essentialism associated with the colonially instated eunuch. Thereby, the category of the unix becomes an altogether new identity marker, separate from the epistemological and typological origins of the colonial eunuch. While this is plausible, the discourse in which unix is used states that they are people who experience "gender disorder in their bodies", which implicitly suggests an existence of the gender binary. Insofar, 'unix' represent a disordered existence of gender in which their biological sex misaligns with their embodied gender (Supreme Court of Pakistan, 43/2009). Furthermore, the Khaki versus Rawalpindi case document acknowledges that the unix have not enjoyed the civil liberties of the constitution, due to the engendered nature of Pakistani social organisation which excludes existence beyond gender essentialism.

The constitution defines gender through the usage of 'man' to be inclusive of the 'female sex', which implies that gender is an essentialist category of either one or the other (Pakistan, 1973).

Therefore, it is unlikely that the term *unix* represents a kind of non-binary category but instead is interpreted through a more progressive lens of gender essentialism compared to that of the colonial eunuch. However, despite the comparably progressive attitude towards *unix* in contemporary Pakistan as ‘gender disordered’, its phonetic resemblance to ‘eunuch’ replicates the colonial marginalisation inescapably tied to the construction of the typological eunuch. Whereby, the ideological attachment to ‘eunuch’ both as a written and oral discourse reproduces the colonial typological oppression of the sexually and identarian transgressors of modern civilisation presently. The substituted ‘*unix*’ is not a distinct enough linguistic nor phonetic departure from ‘eunuch’ and enables interchangeability due to their similarity, rather than a disassociation altogether to represent the non-binary identity variants for which the signifier ‘x’ serves.

5.1.1 Colloquial Use VS Literacy:

Interestingly, the written inclusion of *unix* within the Khaki versus Rawalpindi case document is that it suggests the phonetic spelling of eunuch is resultant from oral usage rather than written literacies. Through deducing that the likely origins of *unix* are phonetically rooted, the conditions for which it arose propose that the common usage of *unix* is conversational, rather than textual. In this instance, the case for QLI is strong in that the conversational use of English, or English language terminology more specifically, has been successful in forming the socio-cultural

episteme of lingually dominated populations. For example, to attribute the usage of eunuch to a conversational category, the penetration of English language terminology to represent gender-variant South Asian persons superimposes the local language identity markers of Hijra or Khwaja Sira. Insofar, the conversational circulation of the eunuch category is present enough to undergo the necessary articulative changes which result in the transition from eunuch to unix.

Therefore, the conversational presence of eunuch/unix represents the efficacy of lingual dominance and the transmissive capacity which sites of QLI have. The mere opportunity for eunuch to undergo a shift in pronunciation to unix underscores the existence of the knowledge systems the identity marker represents in postcolonial Pakistani society. For local language identity markers such as Hijra and Khwaja Sira to be superimposed by the English terminology eunuch/unix, QLI was a success, compounded by the 2009 Khaki versus Rawalpindi legislation being written in the English language, where unix appears.

While the phonological transformation of eunuch to unix suggests a conversational and colloquial usage, there is the possibility that the conditions for this are due to a lack of written presence of eunuch in public discourses. Based on the data collected, the limited official, public discourses of contemporary Pakistan which detail the 'eunuch' may indicate that the source of unix is not due to literacy or lack thereof; instead, may be a lack of representation altogether. This is unsurprising, given the inherited legacies of British colonialism which terminologically and legislatively cleansed the presence of 'eunuchs' from mainstream society (Hinchy, 2013, 2014a, 2014b, 2015,

2017, 2019). Therefore, the limited public discourses on eunuchs may result in the reliance upon phonetic spellings rather than the English literacy rates of contemporary Pakistan. Nonetheless, this distinction presents an interesting case for QLI; whereby, the effects of colonial language dominance, the implementation of SOGIE identity markers representative of Anglophile gender-sex frameworks, and legislative regulation had the desired effect. Insofar, the identarian site of QLI, eunuch, had altered local knowledge structures of SOGIE existence to a point in which the disdain developed into marginality of erasure.

5.1.2 'Eunuch' (II) literacy:

The landmark case discussed here, the 2009 Khaki versus Rawalpindi litigation, was filed by a lawyer on behalf of gender-variant communities. An admirable feat, especially to include the communities which the litigation concerns as part of the legislative battle to achieve welfare protections. However, the extent to which gender-variant communities and/or individuals of South Asia were involved or consulted is uncertain. Despite this, the extent of involvement has significant implications for QLI; especially, the structures of the sogieclass and the heteroclass.

The sogieclass, who represent the SOGIE minority amongst the heteroclass majority have limited power in the representation of their identity. Due to the colonial structures of the eunuch episteme and the Criminal Tribes Act (1871) which criminalised their existence, the sogieclass are largely regulated out of the public sphere. This public (in)visibility continues in postcolonial and

contemporary Pakistan, where positions of power are futile and representation in the media is scarce (Bano, 2024; Panhwar, 2023; Tripathi et al., 2024). Moreover, the frequent abandonment of the sogieclass by their families and limited opportunities in mainstream education further compromises the possibilities for the sogieclass to challenge normative discourses about their identities (Pasha and Suhail, 2024).

For the sogieclass to challenge the status quo which misrepresents and mis-characterises them as eunuchs, the conditions of positive visibility are required. Insofar, the sogieclass are combatting the maintenance of colonial-era epistemologies upheld by the preservation of English language terminologies amongst the heteroclass. The heteroclass, here, who dominate the government, legislature, and media due to the socio-political structure of Pakistan which privileges heteronormativity and demonises the SOGIE other. Since the Khaki versus Rawalpindi litigation utilises *unix*, it may be that the self-representation of SOGIE individuals was limited, which led to the reliance on pre-existing, dominant knowledge structures of SOGIE identity as synonymous with the eunuch.

The heteroclass, then, controls the way SOGIE Pakistani's are represented even in discourses which relates to their welfare. As Khaki is a member of the heteroclass, he is communicating the need for welfare protections on behalf of the sogieclass, to other members of the heteroclass: the judiciary. The elective decision to represent the sogieclass via the term *unix* may be a conscious effort to communicate with the heteroclass judiciary through dominant terminologies

they are familiar with. Given the only other SOGIE legislation in Pakistan's (post)colonial history is the CTA, the 'eunuch' becomes an intertextual point of reference for English language identity terminology. Hereby, the term unix is likely a more often encountered typology of gender-variance than self-identifications of Hijra or Khwaja Sira, due to the unlikelihood of common interactions between the bourgeois heteroclass and the proletariat sogieclass (Alamgir et al., 2024).

Since the sogieclass are often marginalised to the sidelines of society both economically and politically, chance encounters with the bourgeois heteroclass are infrequent. Therefore, the heteroclass perceptions of the sogieclass are reliant upon the dominant knowledge structures which govern society. In English language contexts, this is the episteme of the eunuch; colonially instated, and postcolonially preserved through English language dominance. In this context, it is possible that the term unix is utilised due to the discourse's authoritative language being English. Thus, the use of an English language terminology is reasonable. However, this would demonstrate the argument of QLI; whereby, the maintenance of the colonially dominant language preserves the circulation of English language identity markers and the negative knowledge structures they reflect from the colonial era.

5.2 Social effects of the Rawalpindi legislation:

As a result of the 2009 Khaki versus Rawalpindi litigation which outlines the welfare of 'unix' individuals, the state of Pakistan proposes to support the integration of unix into education and accommodate employment opportunities (Supreme Court of Pakistan, 2009). While little data exists, since the census data does not include a eunuch/unix, or other category, the social actualities of the 2009 legislation is unclear. However, the limited availability of relevant studies which post-date the 2009 legislation indicates 75% of 'eunuchs' have little to no formal education and 57% are unemployed, with the remainder being either self-employed or employed by others for sex work and dancing roles, among other precarious labour (Nazir & Yasir, 2016). More recent studies suggest that 'eunuchs' experience unequal employment opportunities and interpersonal discrimination which leads to social exclusion and a reliance upon sex work, begging, and dancing (Ahmed et al., 2014; Khan, 2014; Tabassum & Jamil, 2014).

Thus, the material effects of the Khaki versus Rawalpindi legislation are demonstrably limited, with a notable lack of enforcement of welfare protections. Furthermore, the 2009 litigation has failed to transform social relations among the heteroclass and the sogieclass, considering the data overwhelmingly reports the discrimination levied against 'eunuchs' in Pakistani society (Khan, 2014, 2016; Khan, 2017). Queer Linguistic Imperialism argues that despite the progressive policies intended by the Khaki versus Rawalpindi litigation, the maintenance of the colonial English identity marker unix (eunuch) replicates the colonial episteme of the proscribed eunuch. Whereby, the knowledge which constructs the eunuch (unix) identity is negative and situates the subject as other among rigid frameworks of gender essentialism and heteronormativity which dictate social norms.

The Khaki versus Rawalpindi litigation, despite its progressive proposals for welfare protections, still employs the colonially instated knowledge of 'eunuchs'. For example, order five states:

“in the name of unix some males and females who are otherwise have no gender disorder in their bodies have adopted this status and commit crimes on account of which a bad name is brought to unix”

Supreme Court of Pakistan, 43/2009

The validity of the claims here is outside of the remit of this research; however, the semantic relation of criminality to unix's is an interesting prospect for QLI. By the mere suggestion that individuals adopt the identity of 'unix' to commit crime exposes the normative discourses of Pakistani society. Insofar, the 'unix' is perceived as criminal, and through assuming the unix identity to commit crime the suspected criminal reinforces colonially constructed stereotypes of gender-variance. Moreover, the suspected criminal relies on the unix to be a convenient scapegoat, which is only possible if the stereotypes of unix and criminality are prevalent in society.

Where it is expressed that fraudulent adoptions of the unix identity give a bad name to the community, the government fails to acknowledge the mere existence of the eunuch/unix identity marker represents gender-variant communities negatively. Eunuch/unix as an identity marker

explicitly constructs gender-variance as ‘bad’ through the Criminal Tribes Act (1871) which actively attributes criminality to ‘eunuch’ embodiment. Moreover, the gender-expression of the proscribed ‘eunuch’ is regarded as an unnatural occurrence of gender essentialism; whereby, instances of castration and adornment of ‘womens’ clothing conflicts with the expectations of Anglophile masculinity inherent to biological men. Therefore, as a site of QLI, the endured usage of the colonially instated eunuch (unix) continues to transmit the knowledge which constructs the identity marker into Pakistani society. Unix, despite being a minor representation within the dataset collected, is a significant contribution to the study of QLI and how the maintenance of the English language in postcolonial Pakistan preserves colonial-era SOGIE marginality.

6.0 New Typologies, Old Traditions; Transgender Inclusion and Khwaja Sira Acknowledgement:

During 2018, at which point the temporal parameters of this research ends, the National Assembly of Pakistan passed the Transgender Persons Protection of Rights Act (TPPRA). The TPPRA aims to provide relief and welfare to gender-variant persons of Pakistan and rehabilitate their rights indefinitely (National Assembly, 23(20)2018). It appears that the TPPRA is a response to the inefficacy of the Khaki versus Rawalpindi litigation which sought to protect the educational and employment welfare of unix. Moreover, in the preceding months to the TPPRA bill, SOGIE individuals, activists, and charities actively campaigned for a legislative protection of gender minorities against everyday violence (Hali et. Al, 2018; Redding, 2019). Notably, the identity terminology of the TPPRA greatly differs to that of the previous Khaki versus Rawalpindi litigation; whereby, gender-variant persons were described using the term unix.

Within the TPPRA, there are five distinct identity markers used throughout to describe gender-variance, which is a stark departure from the sole use of eunuch/unix within previous official discourses. Interestingly, the identity markers represented are a mixture of English and Urdu typologies, despite the legislative discourse being written in the medium of English; a before unseen development among the data collected for this research. Despite the progressive developments of language and identity representation, along with the contents of the Act, the presence of English raises concerns for Queer Linguistic Imperialism. As it stands, the TPPRA represents new identarian typologies, colonial traditions, and pre-European reclamations of language. The TPPRA outlines the definition of transgender to include:

“(i) intersex (khusra) with mixture of male and female genital features or congenital ambiguities; or (ii) eunuch assigned male at birth, but undergoes genital excision or castration; or (iii) a transgender man, transgender woman, KhwajaSira or any person whose gender identity or expression differs from the social norms and cultural expectations based on the sex they were assigned at the time of their birth.”

National Assembly, 23(20)2018

6.1 Typologising Transgender:

Transgender represents an English language identity marker which first appears in English as early as 1965 (Pearce et al., 2019; Rawson and Williams, 2014). Historically, the term transgender referred to an individual whose birth sex does not correlate to their self-identified gender, whereas contemporarily, transgender represents an umbrella term non-heteronormative and non-cisgendered identities of all descriptions (Stryker, 2017; Vicente, 2021). Interestingly, there is a correlation between the Anglophile epistemology of contemporary transgender identity and that employed in the TPPRA by the National Assembly of Pakistan. Insofar, that transgender is somewhat of an umbrella term which encapsulates an array of distinct identities which defy the dichotomies of gender essentialism.

As an English language import, the use of transgender in the English-written TPPRA demonstrates a natural evolution of language usage (Ellis, 2008; Hamilton, 2016; Jourian, 2015). Of course, transgender is itself an instance of QLI; whereby, through language domination, the dissemination of English language identity markers is privileged over local language identities and diffuse Anglophile epistemologies of gender. The notion of lingual hierarchy is demonstrated here, though the TPPRA's executive use of the English transgender as the subject of the Act and its primary position within the section on definitions. In addition, the English transgender is utilised to act as an umbrella term for both English and Urdu identity markers, which highlights the dominance of the English language over local language concepts. However, the lingual hierarchy observed above can be attributed to the written medium of the discourse, which is English; nonetheless, it is a representation of QLI and the dominant status of the English language as the official language of Pakistan's legislature.

Within the TPPRA, transgender is used as a collective identity which represents the identities listed thereafter; namely, intersex (Khusra), eunuch, and Khwaja Sira. Not only does this represent the privileged place of English language terminologies in representing South Asian gender-variant identities, it marks a potentially new occurrence of QLI; whereby, instead of eunuch, transgender becomes the operative identity marker to refer to gender-variance in Pakistan. Nevertheless, the positive Anglophile knowledge associated with transgender is preferable to the colonial typology of the eunuch. Furthermore, the legislative contents of the Act suggests that such an instance of QLI may have positive effects on the socio-political relations between the heteroclass and the sogieclass, depending on its rate of penetration.

6.2 Identifying Intersex (Khusra):

The inclusion of intersex, here, is an interesting addition to the acknowledgement of gender-variant identities. Insofar, the English language intersex is used along-side the Urdu Khusra, which according to the literature, is a synonym of eunuch, Hijra, and Khwaja Sira (Kuehn, 2021). Etymological studies indicates that Khusra is an Urdu equivalent to eunuch and denotes a castrated man (Jayaprakash, 2022; Schroff, 2020). Therefore, should these be accurate definitions, the English intersex is not equivalent to the Khusra, which is more closely aligned to the colonial eunuch category. Resultantly, the intersex category is a site of significance; whereby,

the congenital ambiguities and presence of both male and female sexual anatomies are comparable to castration.

Through inferring that Khusra is the Urdu equivalent of the English intersex, there is the possibility that intersex characteristics are semantically tied to that of the colonial eunuch category which typologised the castration practices of Khwaja Sira under the CTA (1871). Although castration and congenital ambiguities are not synonymous, the inference that the castration associated with Khusra identities are equivalent anatomical features has the capacity to entrench the colonial associations of Khwaja Sira with that of the eunuch. Take for instance, Bussunt Ali Khan, who was the 'eunuch' subject of collection BLIOR/L/PS/6/177 on account of their castration. As Khan was a known Khwaja Sira, their colonial assignment as a eunuch suggests that the (occasional) castration rituals of Khwaja Siras were foundational to the construction of the eunuch identity marker. Whereby, the dominant Anglophile frameworks of gender and sex criminalised SOGIE existence through both the ambiguities, and excision of sexual anatomy.

Thereby, the construction of the eunuch being implicitly tied to the (occasional) practices of castration among Khwaja Siras presents an epistemological association between the colonial eunuch and Khusra. The TPPRA's suggestive equivalence of the Khusra with intersex persons epistemologically correlates castration to congenital ambiguity, and by extension, the castration practices which underpin the eunuch identity marker. Such a correlation, despite the progressive intent of the TPPRA, has the capacity to impact intersex persons through the negatively charged

knowledge of SOGIE identity under the British Empire; whereby, the conditions of marginality for which the TPPRA needs to be implemented were first initiated.

For QLI, the epistemological and material implications of the TPPRA's discursive construction in regard to intersex and Khusra persons demonstrates its underlying argument. To achieve the emancipation of SOGIE minorities in contemporary Pakistan, the colonially instated linguistic and typological marginalisation of their existence requires a total decolonisation of national language practices and identity terminology. The prospect of SOGIE emancipation, then, faces significant challenges when the English language discourses of SOGIE identity (the TPPRA) operationalise the colonial episteme via the relation of castration to local identities. Yes, the association of intersex and Khusra are false equivalencies; however, the suggestion that castration is correspondent to congenital ambiguities renders all forms of local gender expression subject to excision as tangential eunuchs. Even though the suggestion of castration is promoted by the Urdu Khusra, the colonial attachment of castration to eunuch criminality and negative knowledge structures soils the practice altogether. Regardless of the local language representation of castrated identities pre-dating the colonially instated eunuch, the common denominator of castration is sullied through the Criminal Tribes Act (1871) which constructed the marginalisation of SOGIE persons.

6.2.1 Khusra Equals Eunuch?:

Similarly to the analysis above on the inclusion of intersex (Khusra), the representation of the eunuch within the TPPRA as a category of transgender identity serves as a continuation of the colonial episteme and legacy of SOGIE marginalisation. As outlined in the colonial analysis chapter of this thesis, the British Empire constructed the identity marker eunuch as an umbrella term to represent South Asian SOGIE identities. Per the Criminal Tribes Act (1871), the British Empire defined a eunuch to be “all persons of the male sex who admit themselves, or on medical inspection clearly appear, to be impotent” (BLIOR/V/8/42). Queer Linguistic Imperialism’s analysis of the Anglophile gender-sex knowledge systems which produced the colonial eunuch identifies an emphasis on biological empiricism.

The British colonial emphasis on biological empiricism as a framework in which to govern Indian society is demonstrated through the definition of the eunuch; whereby, defiance to norms of gender essentialism and codes of masculinity is criminalised. Moreover, the existence of SOGIE South Asian identities which transcend the Anglophile prescriptions of masculinity, sexual intimacy, and gender essentialism are collated under the reductive category of the eunuch. The biological empiricism which informs the British colonial perceptions of SOGIE existence harkens back to the English Education Act (1835) which outlined the systematic promotion of English language terminologies among local populations to transfer the virtues of European rationality and scientific thinking. Therefore, the eunuch identity marker is compounded by a systematic disregard of local South Asian SOGIE identity markers and the knowledge they represent in favour of Anglophile scientific rationale. Unfortunately, the colonial eunuch is constructed through

lenses of biological determinism, devaluation, and criminality, which renders the eunuch as a site of QLI that transmits SOGIE marginality.

The inclusion of the eunuch within the TPPRA serves as a stark reminder of the colonial episteme and the power of lingual domination which the British Empire enacted. For QLI, the sheer endurance of the English language identity marker being legislatively utilised in the 2018 TPPRA indicates its status of naturalisation in Pakistan. From the first official public facing usage recorded in this dataset, the inception of eunuch is the 1871 Criminal Tribes Act. Thereby, the eunuch has been represented within public discourse for 147 years in total up until this point and has survived the British Empire's withdrawal from South Asia by 71 years.

Until Pakistan's independence in 1947, the eunuch identity marker had 76 years of public-facing visibility via the Criminal Tribes Act (1871). Although the CTA has since been repealed, the TPPRA's adoption of the eunuch typology exhibits the entrenched nature of the colonial eunuch due to the legitimisation of eunuch identity as a category of gender difference. Thus, for the 71 years following the cessation of the British Empire, the English language identity marker eunuch has rooted itself as a normalised category of identification.

Unfortunately, the inherited and sustained implementation of the English language in an official, governing capacity, enables the continued epistemological diffusion of the colonial eunuch.

Whereby, in official discourses written in the medium of English, the reliance upon English language terminologies perpetuates the usage of colonial vocabulary. As is the case here, in the TPPRA, a discourse predominantly communicated in the English language, there is a reliance upon English language terminologies in the discussions of SOGIE identity. For example, of the available English language terminologies to describe gender-variance, the eunuch makes its appearance in the TPPRA and signifies the default English typology of gender difference within Pakistan. Of course, this is resultant of the conditions by which the English language and eunuch identity marker were introduced to South Asia: via colonialism and lingual domination.

Due to the coalition of the English Education Act's (1835) implementation of English language education and the Criminal Tribes Act's (1871) introduction of English language categories of criminality, the eunuch identity marker is the first instance of SOGIE-related English terminology in public facing discourses. In addition, as the first interaction English terminology to represent South Asian SOGIE identity, the eunuch is memorialised through the production of its discourses; hereby, the Criminal Tribes Act (1871) and its later revised editions during the British Empire. Therefore, the presence of the 'eunuch' in the TPPRA harkens back to the discourses in which it is memorialised, namely, the Criminal Tribes Act (1871) and is a point of intertextual reference in which the audience situates their knowledge of the eunuch and by postcolonial extension, the khusra.

6.3 Queer Linguistic Imperialism, a Success? Reclaiming the Khwaja Sira:

Khwaja Sira is the second instance of Urdu identity marker usage in the TPPRA and presents a significant development towards the emancipation of SOGIE minorities per the theorisations of Queer Linguistic Imperialism. Whereby, through the decolonisation of national language practices and an embrace of local language SOGIE terminologies can alter colonially imposed marginality and reconstruct socio-cultural relationships of SOGIE identity. Therefore, for that reason, the inclusion of Khwaja Sira within not only an English language discourse, but in an Act which seeks to protect 'transgender' rights is overwhelmingly positive.

The Khwaja Sira identity marker pre-dates the British Empire, though, as demonstrated in the colonial analysis chapter, the English typology eunuch superimposed the Khwaja Sira and became the official colonial identity of SOGIE persons. Thus, the inclusion of Khwaja Sira as a distinct identity under the transgender label is a powerful reclamation of local South Asian identities. In particular, for the Khwaja Sira to appear within an English language discourse, it presents a shift in the dynamics of lingual power. For instance, until the TPPRA, all the dataset associated with this research featured only English language SOGIE identities. The lack of representation from Urdu, or other languages, in the dataset demonstrates the dominance of English in accordance with the English Education Act (1835) which sought to privilege Anglophile terminologies. Whereas, in the TPPRA, the mere acknowledgement of the Urdu Khwaja Sira (and Khusra) demonstrates a potential transition of lingual power; whereby, the domination of the English language to construct official discourses of identity is challenged.

6.3.1 Khwaja Sira Dominated Again; English Identity Markers at the Forefront:

Khwaja Sira's inclusion in the TPPRA as an identity represented by the transgender umbrella is not necessarily incorrect; especially, with the evolution of the transgender category embracing numerous forms of non-cisgendered and non-heteronormative identities (Fiani and Han, 2020; Stryker, 2017). The definition of Khwaja Sira, as extensively outlined in chapter 1 of this thesis, is the reconciliation of a masculine and feminine soul within one body; whereby, the gender expression, and gendered embodiment take several forms (Khan, 2016, 2017; F.A. Khan, 2014)). Thus, the Khwaja Sira does seemingly align with the principles of transgender. However, QLI identifies an issue with the association of Khwaja Sira as a derivative of transgender.

Already, this research has argued the impact of language dominance on local SOGIE identities. The Impact of the British Empire and the English Education Act's (1835) saw the superimposition of the English language identity marker eunuch, and its respective Anglophile knowledge, over the local Urdu identity marker Khwaja Sira. Resultantly, the knowledge compounded by the identity term eunuch served to criminalise SOGIE persons of South Asia through the Criminal Tribes Act (1871) and altered local perceptions of identity. Similarly, the TPPRA imposes both a linguistic and epistemological hierarchy where the English language identity marker is privileged over the Urdu language Khwaja Sira.

For example, the act is titled the Transgender Persons Protection of Rights Act, and the English language transgender takes precedent within the discourse and is the most visibly represented identity. The use of transgender represents an English language catch-all category for gender variance not only in Pakistan, but in the Urdu language and its socio-cultural knowledge systems. Therefore, there is a similarity between the British Empire's superimposition of the eunuch category and the government of Pakistan's implementation of the English language transgender identity marker to represent local Urdu identities of gender variance. Of course, the discursive context of the eunuch has negative connotations, whereas the discursive context of transgender, per the TPPRA, is positive and represents legitimised gender variance (2018).

While the contextual and semantic differences in the linguistic domination of English language identity markers does not go unnoticed, they share equitable outcomes; whereby, the English language representations of gender are promoted as the dominant identity marker which devalues, and superimposes, local language equivalents. Moreover, the local, historical, and culturally rooted Khwaja Sira identity is secondary to the English language imposition of transgender. Again, the local language representations of SOGIE identity are dominated by the English language, both through systems of colonial occupation and postcolonial negotiation. For the English transgender to achieve recognition and utilisation which displaces Urdu identity markers, it is a byproduct of colonial and postcolonial QLI.

The TPPRA's hegemonisation of the English language and specifically the identity marker transgender is a result of the colonial QLI of the British Empire. Insofar, the mechanisms which produced the conditions of the TPPRA, both linguistically and materially, are the product of the British Empire's calculated effort of English language domination. Due to the physical colonial domination of South Asia by the British Empire, the implementation of the English Education Act (1835) and development of educational infrastructure was an instance of coercion. As the desired effects had been achieved, with English literacy, educational institutions, and the normative utility of English for governance, the dominance of the English language represented colonial success.

Due to the success of English language dominance under colonialism, postcolonial Pakistan inherited the previous epistemological and lingual structures of the British Empire; whereby, the English language remains the language of governance, legislature, and the political elite, alongside the penetration of English among the local population (Aftab, 2017). As demonstrated by the constitution (1973), the Khaki versus Rawalpindi litigation (2009), the census (2017), the TPPRA (2018), and NARDA, the bureaucratic implementation of English is integral to Pakistani governance and represents the postcolonial negotiation of language domination.

English is therefore a colonial inheritance of language domination, though, the postcolonial maintenance of the English language is also a product of negotiation. For example, in the 71 years of Pakistan's independence, between 1947 and 2018, the designation of English to the status of

an official language highlights the overall conditions of postcolonial governance. Invoking both Phillipson's (1992) Linguistic Imperialism and QLI, the structure of postcolonial governance creates a power vacuum in which the adoption of English is strategic. Insofar, the postcolonial hegemonic powers consist of Anglophile states, and by extension, the English language has geopolitical currency for forming postcolonial relations (Phillipson, 1992).

6.4 Progress and Perversion; Sexual Orientation:

Of the available data collected for this research, there is an overwhelming invisibility of sexual orientation and discursive presence of sexual minorities. Other than the reinforcement of colonially implemented heteronormativity and the criminalisation of carnal intercourses, same-sex intimacies are seldom represented in contemporary Pakistan's official discourses. However, within the landmark TPPRA which mandates the recognition and protections of transgender individuals, there is an explicit reference to sexual orientation which serves as a reminder of the colonial episteme. Whereby, the TPPRA ensures to make a distinction between gender identity and sexuality by recalling the status of its criminality, invoking the Indian Penal Code (1860), and exposing the endured marginalisation of sexual minorities rooted in colonial governance. The TPPRA states that:

“(2) A word or expression not defined in the Act shall have the same meaning as assigned to it in the Code of Criminal Procedure, 1898 (Act V of 1898), or the Pakistan Penal Code, 1860 (Act XLV of 1860).”

National Assembly, 23(20)18

The Pakistan Penal Code, here, represents the Indian Penal Code of British India ([IPC] 1860). In particular, the colonial episteme it refers to is the statute on carnal intercourse against the order of nature. Per the colonial analysis chapter of this thesis, the IPC legislates heteronormativity through the criminalisation of same-sex intimacies which fail to engage in the enlightenment sexual prophecies dominant in Victorian Britain; whereby, sexual intercourse is permissible only through desires, or acts, which have procreative capacity. Therefore, the non-heterosexual, non-vaginal intercourse typical of same-sex intimacies is an act of social deprivation against the rationality of nature. Resultantly, the British Empire’s legislative discourses on sexual intercourse produced the episteme of ‘homosexuality’ as a depravity of human experience.

The TPPRA explicitly invokes the colonial frameworks of sexuality present within the IPC and demonstrates the legacy of English language domination. For example, the TPPRA is already indicative of English language domination due to its medium of communication; however, through intertextuality, there is the direct reference to another English language discourse, the IPC. Queer Linguistic Imperialism operates through a Fanonian lens and ascribes to the claim that those who speak the colonisers language adhere to the coloniser's worldview (Fanon, 1967). In

communicating via the coloniser's language, the legislature of Pakistan relies on the repertoire of the Anglophile knowledge to form the discourse of the TPPRA. Thus, in constructing the TPPRA via the English language, the author appeals to the knowledge that the English language represents; hereby, the Anglophile knowledge structures imported during the British Empire and communicated by English.

The reliance upon Anglophile epistemes represented by the English language demonstrates the success of the English Education Act (1835); whereby, the importation of Anglophile knowledge influences Pakistan's discourses on topics the British Empire perceived to be scientific. Here, the scientific knowledge represented is that of sexuality. While the status of sexuality as a scientific entity can be debated, the focus is on the perceived scientific nature of sex according to the British Empire. As outlined by the colonial chapter of this thesis, the British Empire diffused Anglophile frameworks of gender and sex(uality) through the IPC and the CTA, basing their views of sexuality on Victorian notions of sex as a scientific category of human interaction.

Therefore, the TPPRA suffers the effects of language dominance and promulgates the colonial-era marginalisation of sexual orientation minorities. Despite the unfortunate statute which endures the marginalisation of sexual minorities, it demonstrates the separation of transgender from homosexuality which indicates an acknowledgement of transgender persons as legitimate embodiments of self-identified gender. Transgender individuals of all associated gender embodiments are recognised as the gender they self-identify as, and the status of their sexual

anatomy does not define their gender. Resultantly, a transgender individual's sexual intimacies are not perceived to be homosexual, but rather, permissible interactions on the account of their self-ascribed gender identity and not their sexual biology. Of course, this is a positive knowledge system regarding transgender identities which legitimises the social existence of gender-variant identities; however, it has stark implications for sexual minorities. Through the separation of transgender from same-sex intimacies, the TPPRA discursively entrenches the heteronormativity and heterosexuality implemented and promoted by the British Empire. Subsequently, in contemporary Pakistan, the status of sexual orientation minorities is that of criminality per the endurance of the IPC (1860) which has yet to have been repealed.

6.4.1 Queer Linguistic Imperialism: The Rejection and Reinforcement Cycle and the TPPRA:

Queer Linguistic Imperialism hypothesizes that the identity markers which have been naturalised through colonial language domination are reinforced through interactions of postcolonial language domination. Where globalised discourses of LGBTQ+ identity are encouraged, or imposed, via a dominant language onto a dominated language culture, the dominated language culture rejects the imposition of global, or 'westernised' values reflected by those SOGIE identity markers. Consequently, the rejection of English language LGBTQ+ frameworks reinforces the existing dominant (colonial) knowledges. For instance, Pakistan's interaction with globalised frameworks of LGBTQ+ identities, hypothetically, would be rejected due to their positive

ascription of gender and sexual identity which contrasts with the colonially imposed and linguistically maintained epistemologies of eunuch-hood.

Interestingly, the TPPRA elects to adopt the globalised identity marker of transgender instead of rejecting it. As evidenced by the TPPRA, Pakistan embraces the English language term transgender and internalises the Anglophile episteme in which it represents. Etymologically, the term transgender is constructed in a sympathetic manner which acknowledges and legitimises gender-variant experiences (Brumbaugh-Johnson and Hull, 2019). Of course, there are examples of transgender-focused discourses which seek to vilify, devalue, and delegitimise transgender experiences (Dickey, 2023; Evans, 2024). However, within the TPPRA, transgender has not been constructed through value statements or epistemologies which define gender-variance as a scientific deficiency of gender essentialism, unlike the identity term eunuch.

Thereby, Pakistan's adoption of the globalised transgender identity marker contrasts with the hypothesis of QLI. Despite the embrace of transgender, rather than its rejection and subsequent reinforcement of the eunuch, the TPPRA represents the potential for a reinforcement of colonial knowledge structures. For example, recall the analyses of subchapters 6.2 and 6.3, where the discursive construction of the TPPRA equates the negatively attributed identity markers of the colonial era to that of transgender. The seemingly benevolent embrace of yet another dominant language identity marker to represent Pakistani gender-variance exists along-side the colonially implemented identity of the eunuch. Moreover, the English eunuch and the Urdu Khusra both

communicate the colonial episteme of identity, which emphasizes gender essentialism and ascribes deviations from this model as anomalies deserving of criminalisation, per the Criminal Tribes Act (1871). Therefore, to equate the newly imported transgender to that of the eunuch and Khusra has the potential to reinforce the knowledge and marginalisation associated with the colonial regulation of SOGIE minorities. The public dissemination of the TPPRA and transgender category confronts Pakistani society with the naturalised colonial beliefs of gender-variance, through the discursive inclusion of the eunuch and Khusra identity markers.

Of course, the TPPRA's promotion of the transgender definition and proposals for safeguarding may humanise the colonially reviled eunuch and instead challenge the naturalised marginalisation of gender-variant minorities. Although, as this research ceases in 2018 with the implementation of the TPPRA, this possibility is yet to be seen and can be neither confirmed nor denied. Despite the unknown impact of the TPPRA positively changing the entrenched epistemological structures of gender-variant discrimination, the possibility for QLI's rejection and reinforcement may become true. Insofar, the rejection of the globalised transgender is not on behalf of the state, but rather the public, who may perceive the promotion of transgender with contempt due to the negative connotations invoked by the colonially constructed eunuch and Khusra identity markers.

Beyond the confines of gender, QLI regards the rejection and reinforcement cycle to be inclusive of sexual identities. Per the TPPRA, the omission of sexual identities from the statute of

protection and an endorsement of their continued vilification of such may be in fact be a result of the rejection and reinforcement cycle. Recall the TPPRA's statement which writes *"(2) A word or expression not defined in the Act shall have the same meaning as assigned to it in ... the Pakistan Penal Code, 1860 (Act XLV of 1860)."* (National Assembly, 20(23)18). The formation of the statement arouses suspicion, particularly the focus on the "word or expression[s]" which do not appear in the TPPRA. Given the context of the Pakistan Penal Code, synonymously known as the IPC, there is strong reason to believe that the 'words' or 'expressions' hinted at here are actually the identity markers of sexuality.

The colonial analysis chapter of this thesis deduces that the IPC's criminalisation of carnal intercourses against the order of nature relates to same-sex intimacies. This is corroborated by scholarly consensus (Boyce, 2015; Ahmed, 2019) and the knowledge produced by the IPC represents what is now labelled homosexuality. It is then reasonable to attribute the criminalised same-sex intimacies of the IPC to the sexual identities of gay, lesbian, and bisexual. Therefore, the IPC represents gay, lesbian, and bisexual same-sex intimacies in knowledge but not in name. So, the TPPRA's reference to 'words' and 'expressions' not mentioned in the act, but represented by the Pakistan Penal Code, indicates that those excluded from the protections that the TPPRA affords are gay, lesbian, and bisexual persons.

As transgender features as part of the broader globalised LGBTQ+ framework, there is reason to believe that Pakistan has interacted with all the identities that LGBTQ+ represents. Though, it

appears as though the state of Pakistan has rejected the sexuality-based identities of globalised LGBTQ+ frameworks and has instead chosen to reinforce the colonially imported knowledge of the IPC which criminalised sexuality. Thus, QLI's rejection and reinforcement hypothesis is validated. However, the colonial dataset associated with this research, and scholarly consensus identify that sexuality identity markers were not constructed by the British Empire. Therefore, whilst the rejection of LGB identity markers has resulted in the reinforcement of colonial epistemes, they are in knowledge structure only, and not by colonial identity markers denoting sexuality.

7.0 Queer Linguistic Imperialism; Typological and Linguistic Obstructions to SOGIE Emancipation:

As demonstrated throughout this postcolonial analysis chapter, there are colonial remnants of typological and linguistic constructions of SOGIE identity in contemporary Pakistan's official discourses. Moreover, the English language continues to be an Official language of Pakistan which informs public facing discourses, the legislature, judiciary, and processes of citizenship such as the census. In tandem, the postcolonial maintenance of English as an Official language provides the communicative framework for colonially imported SOGIE terminologies to be reproduced. The conditions of (post)colonial national language practices which reproduce colonially constructed and disseminated SOGIE terminologies also replicate the knowledge in which those identity markers represent. As the colonial typological and linguistic representations of South Asian SOGIE identities constructed the epistemological marginalisation of gender variance and

non-heterosexual sexualities, their presence in postcolonial discourses maintain the knowledge which produce SOGIE marginality.

This subchapter concisely reaffirms the analytical findings of this research and presents the specific linguistic and typological obstructions to SOGIE emancipation in contemporary Pakistan. First, I outline the Anglophile typology of the colonial eunuch and demonstrate how the postcolonial maintenance of the eunuch identity marker transmits harmful knowledge of SOGIE identity. Second, I explore the postcolonial QLI of the transgender typology, identifying the hegemonic privilege afforded to English identity markers at the expense of local language SOGIE terminologies. Third, I detail how the Indian Penal Code (IPC) of 1860 transcends the British Empire and is an embedded epistemological structure of postcolonial Pakistan; whereby, its invocation within the 2018 Transgender Persons Protection of Rights Act (TPPRA) reaffirms the marginalisation of sexual orientation minorities. Last, I explain how the (post)colonial status of the English language both produces and reproduces SOGIE oppression and prevents their emancipation due to typological and linguistic mechanisms remnant from the British Empire.

7.1 Remnants of the Colonial Eunuch:

The colonial eunuch is perhaps the most instrumental instance of QLI in this research. Introduced into public discourse in 1871 via the Criminal Tribes Act (CTA), the elusive eunuch category has

naturalised as an English language identity marker which transcends the British Empire and is a feature of postcolonial Pakistan's official discourse; namely, the Khaki versus Rawalpindi litigation (2009) and the TPPRA (2018). Beginning with the typology of the eunuch, the construction of knowledge which represents the eunuch category is a product of Victorian era scientific empiricism and Anglophile notions of gender essentialism, sex, and criminality. Furthermore, the construction of the eunuch is inextricably related to the British Empire's interaction with local Khwaja Sira, Bussunt Ali Khan, who allegedly committed a massacre against colonial officials and their families.

The CTA (1871) sought to define South Asian gender variant peoples, such as the Khwaja Sira, Hijra, and Khusra through Anglophile concepts of gender. Due to Victorian-era gender concepts being rooted in a seemingly scientific empiricism typical of the time, the British Empire defined the eunuch upon the basis of their anatomy and the essentialised gender codes associated with sex. Moreover, the British Empire's effort to issue a new identity marker for local gender-variant persons coincides with the objectives of the 1835 English Education Act (EEA), which promoted the injection of English language scientific terminology into local vernaculars. Thereby, the perceived scientific nature of gender offered an opportunity to influence Indian society through the dissemination of English scientific terminology; hence, the introduction of the colonial eunuch in public discourse.

The eunuch, defined as a man “who voluntarily, or upon medical inspection clearly appears, to be impotent” is a construction rooted in several dominant discourses of Victorian British knowledge systems. Firstly, the supposed scientific essentialism of gender; whereby, sexual anatomy is mutually exclusive to socio-cultural norms of masculinity. As the prescribed eunuch was anatomically male, despite potential castration, the Anglophile expectation was that the individual is to perform male gender. Insofar, the CTA criminalised eunuch’s adornment of clothing socialised to be feminine and belonging to women. Secondly, the eunuch was constructed through paradigms of enlightenment sexual prophecies. In tandem with the IPC (1860), the parameters of sex were of interest to the British Empire so that they could regulate socio-cultural practices which contradicted the norms of Anglophile society. For instance, for the British episteme, sex was only permissible if there was a capacity or intent for procreation. Therefore, ‘carnal intercourses’, understood as sodomy and buggery, were beyond the scope of ‘natural’ procreative sex.

Furthermore, the castrated status of the ‘male’ body incapacitates the natural prophecy of sex, which is to procreate and engage in vaginal intercourse. The eunuch, then, becomes a body of failed masculinity as a result of castration induced impotency. For the British Empire, the eunuch was a man, albeit a socially unacceptable man, upon the castration which restricts the fulfilment of sexual procreation which earmarked a supposedly civilised society. As a culmination of the heterosexual incapacity and gender essentialism of the eunuch, the British Empire compounds these knowledges with that of hereditary criminality. The dominant knowledge of 19th century England which informed the British Empire was that of positivist criminology; whereby, the

physiological, social, and cultural characteristics of a given community indicates their propensity for criminal activity.

The colonial eunuch was a criminal category upon the observed characteristics of physiology, namely castration, the socio-cultural practices of adopting women's dress, and participating in performances relegated to women; in particular, singing, and dancing. Resultantly, the British Empire determined that the prescribed eunuch has observable traits which are susceptible to criminal activity. Of course, the observable traits which indicate criminality are the embodiments of gender-variance which do not correspond with the Anglophile norms of gender essentialism and heterosexual intimacies. Thereby, through an interrelated system of the EEA (1835), IPC (1860), and CTA (1871), the eunuch is constructed as a criminal identity upon their existence beyond the rigid confines of Anglophile frameworks of gender and sex.

Now that the knowledge which constructs the eunuch has been briefly outlined in relation to the public discourses in which it is disseminated onto the Indian public, QLI identifies the postcolonial presence of the eunuch identity marker and its reflective episteme in contemporary Pakistani discourse. The eunuch identity marker specifically appears in two instances of postcolonial public discourse, from the data collected; namely, the Khaki versus Rawalpindi litigation (2009) and the Transgender Persons Protection of Rights act (2018). Each of these discourses are state sanctioned legislations which seek to provision the protection of gender-variant persons in Pakistan. While the discourses themselves are positive in intention, especially compared to the

colonial CTA and the private papers on Bussunt Ali Khan, the presence of the eunuch identity marker raises issues.

First, the Khaki versus Rawalpindi litigation (2009) addresses gender-variant persons of Pakistan via the moniker 'unix'. This research establishes that the philological transformation from eunuch to unix is largely a product of lingual domination; whereby, the increased preference and penetration of American English in Pakistan results in a phonetic shift. The phonetic shift from British English to American English mirrors the similarities in stressed syllables among American English and Urdu. Resultantly, the phonetic spelling of the American English 'eunuchs' appears as unix. Beyond the differences in pronunciation between American versus British English, the philological transformation is likely a result of eunuch being colloquial parlance rather than a common feature of written discourses. This is further confirmed through the lack of eunuch-centred discourse within the dataset associated with this research; insofar, the textual presence of the eunuch identity marker is limited whereas verbal conversation is the predominant communicative medium of the eunuch/unix term.

Despite the interesting philological evolution of the eunuch/unix with regards to its spelling, the adoption of the identity marker within the Khaki versus Rawalpindi litigation (2009) highlights the postcolonial maintenance of colonially implemented terminologies. Within this discourse, unix is the only terminology used to represent South Asian gender-variance. Thus, the hegemonic preference of using English language identity markers over local language equivalents

demonstrates the naturalised extent of the colonially introduced eunuch category. Furthermore, in employing *unix*, the litigation diffuses the knowledge the identity marker reflects and reaffirms the colonial frameworks of gender essentialism, criminality, and socio-cultural disdain which facilitated the marginalisation of gender-variant persons under the British Empire. Above all, the inherited English language structure of South Asian governance promulgated by the British Empire creates the lingual conditions for the reliance on Anglophile terminologies. Correspondingly, postcolonial Pakistani discourses, even those which promote rights for gender-variant peoples, misrepresents local identities such as the Khwaja Sira through the endured usage of *eunuch/unix* and transmits the colonial episteme.

Shortly thereafter the landmark state enacted provisions of the *Khaki versus Rawalpindi* litigation (2009), the TPPRA (2018) reaffirms the protective status of gender-variant peoples in Pakistan. However, in the TPPRA, the philological misspelling of *eunuch* has been rectified and appears as part of a diversified collection of both English and Urdu identity markers. While the other identity markers of the TPPRA will be discussed in the next subchapter, the mere presence of the ‘*eunuch*’ as a ratified category further demonstrates the naturalised colonial episteme and English language domination. For instance, in a landmark effort to grant protections to gender variant peoples and to undo the colonially implemented marginalisation of the British Empire, contemporary Pakistan enacts the same identity terminology employed by the colonial regime. Similarly to the *Khaki versus Rawalpindi* litigation (2009), the inclusion of *eunuch* maintains the colonial episteme of gender essentialism and the hereditary criminality of gender-variant persons which marginalised local Khwaja Siras.

Beyond the presence of the CTA (1860), the gender essentialism which influences the CTA and construction of the eunuch permeates several other discourses where the eunuch is not present. For example, the census questionnaire and its respective statistical publications (2017), the constitution of Pakistan (1973), and a further 53 legislative acts reinforce gender essentialism. Within these documents, even those enacted after the introduction of the Khaki versus Rawalpindi litigation (2009), gender is reaffirmed as the male-female dichotomy. The Constitution of Pakistan outlines that the adoption of masculine terms, such as man, are inclusive of the female sex (1973). Furthermore, this institutional gender essentialism permeates the bureaucratic functions of contemporary Pakistan; whereby, only male and female feature as categories of gendered existence. Therefore, there is an exclusion of gender-variant persons and a calculated erasure of historic local identities such as the Khwaja Sira from the public sphere.

The British Empire implicitly constructed gender as binary and dichotomous to sexual anatomy through the definition of the eunuch, per the CTA (1871). In criminalising local gender-variant persons through the definition of eunuch-hood, the identity marker also espouses rigid frameworks of Anglophile perceptions of gender which differ from the established norms of South Asia prior to European colonisation. Moreover, the gender-essentialism communicated through the eunuch identity marker and the CTA (1871), as well as its revisions, influences the current social organisation of Pakistan. For example, the state insistence of delineating gender as

male-female textually regulates gender-variance out of public visibility, just as the British Empire criminalised the public presence of 'eunuchs' via the CTA (1871).

Thus, the colonial eunuch category as constructed by the British Empire through Anglophile frameworks of gender remains a prevalent system of social organisation in contemporary Pakistan. Of which, the rigid gender essentialism introduced via the British Empire continues to marginalise gender-variant individuals due to their exclusion in socio-political, and bureaucratic contexts. However, the most pervasive mechanism which endures the colonial oppression of gender-variant persons in contemporary Pakistan is that of the eunuch typology and English identity marker; whereby, the knowledge which constructs the identity is reproduced in postcolonial contexts as made possible by the penetration of the English language. Therefore, eunuch is an instance QLI which prevents SOGIE emancipation due to the linguistic and typological obstruction of the colonial eunuch which dominates discourses of identity in Pakistan today.

7.2 Transgender Privilege?

Recall the colonial knowledge which constructs the eunuch identity in the previous subchapter. The same epistemological influences apply here; whereby, the colonial construction of South Asian gender-variant identities as eunuchs has implications in contemporary discourses. The 2018 Transgender Persons Protections of Rights Act (TPPRA) on the surface appears as somewhat

of a postcolonial reckoning with the gender-variant marginalisation introduced by the British Empire. Perhaps, the TPPRA is an effort of decolonisation which acknowledges the pre-European toleration of gender-variant persons, such as the historical Hijra, Khwaja Sira, and Khusra. However, in the TPPRA's effort to recognise and protect gender-variant persons, local language identities are secondary to yet another English identity marker: Transgender.

Similar to the British Empire which witnessed the replacement of local language identity markers with the English term eunuch, the TPPRA engages in postcolonial QLI. Insofar, the relationship between a formerly colonised populus retains the language of the colonial power and utilises the English language for geopolitical purposes. As part of this, globalised discourses communicated in the English language are potentially absorbed by the postcolonial state by virtue of shared language and epistemological transmission. Per the TPPRA, this has occurred with the state accumulation of the globalised (English language) identity marker transgender. Resultantly, the TPPRA privileges the English language identity marker, demonstrated by the title of the act, and relegates local language identities to a status of secondary importance.

The issue with the prioritisation of the English transgender is that it misrepresents the unique forms of gender-variance evident in South Asia, such as the Khwaja Sira. While transgender typologically acknowledges the scope for gender identity to exist outside of sexual anatomy in several forms, it is unsuitable to represent the embodiments of Khwaja Sira, or the Khusra. Whereby, an individual reconciles both a masculine and feminine soul within one body, and

perhaps affirms their identity through processes of castration, rather than sex reassignment (Khan, 2019). As such, the Anglophile transgender misrepresents historic South Asian identities, much like the colonial eunuch did; however, the transgender typology is certainly favourable to that of the colonial eunuch. Nonetheless, the local language expressions of gender identities are secondary to hegemonic, English language frameworks of identity.

Despite the comparably favourable status of the transgender identity marker in the TPPRA, the identities outlined for protections include the colonially implemented eunuch. Due to the eunuch's inclusion, the remaining identities outlined for transgender protections, such as intersex, Khusra, and Khwaja Sira are equated to that of the eunuch. Through the endured presence of the colonial eunuch as a legitimate identity category, the identity marker is a site of QLI; whereby, the colonially constructed knowledge represented by the 'eunuch' typology reproduces the epistemes of SOGIE marginality. Specifically, it reproduces the negatively charged knowledge which constructs the eunuch as a failed body of masculinity, as an illegitimate embodiment of gender, and as a criminal affliction which manufactured the social exclusion of SOGIE persons under the British Empire. Subsequently, the inherited legacy of the colonial eunuch in postcolonial discourses reinforces the naturalised knowledge systems of SOGIE identity as incongruent for societal development. Moreover, it contradicts the TPPRA's promotion of SOGIE identity as a protected characteristic which positively locates gender minorities in Pakistani Society. The impact of the 2018 TPPRA is yet to be seen and may be constrained due to the maintenance of the colonial eunuch category.

7.3 Sexuality: Hegemonic LGB and English Obstructions

Beyond the linguistic and typological obstructions to gendered emancipation in contemporary Pakistan, the pathway to the liberation of sexuality minorities presents a comparably stark reality. Evidently, the linguistic and typological representation of sexual orientation minorities is limited in this research, with the primary discursive representation being the 1860 Indian Penal Code (IPC). Despite the limited data on the colonial linguistic and typological construction of sexuality, the IPC presents itself as a significant obstruction to the emancipation of sexual orientation minorities in Pakistan; particularly, in conjunction with globalised discourses of LGB rights.

Pakistan resists globalised discourses of LGB rights and their associated identity frameworks (Munir, 2019). This aversion to LGB frameworks is often labelled as a rejection of imported 'Western' ideologies which acts as present-day cultural imperialism; whereby, the 'West' seeks to influence the socio-political landscape of the Global South through epistemes which align with Western ideals and interests (Massad, 2007). Queer Linguistic Imperialism analyses Pakistan's aversion to LGB frameworks as interconnected to the colonially constructed knowledge of sex(uality) within the IPC, which produces a rejection and reinforcement cycle of colonial epistemes. Although the 2018 TPPRA does not identify sexual orientation by name, the knowledge structures of same-sex intimacies are invoked via the colonially implemented IPC

(1860). As Pakistan inherits the Anglophile IPC (1860), it retains the knowledge systems inclusive within it; whereby, same-sex intimacies are criminal afflictions against the order of nature.

Due to the status of the English in Pakistan combined with the prevailing same-sex intimacy episteme which legislatively and socially governs Pakistan, it is likely that the unnamed sexual orientations of the IPC (1860) are synonymously understood as lesbian, gay, and bisexual. Consequently, the attempted imposition of LGBTQ+ frameworks by Western actors likely invokes aversion due to the colloquial associations of the IPC (1860) with the identity markers lesbian, gay, and bisexual, even though they are not named specifically within the penal code. Nonetheless, the encouragement of LGB rights in Pakistan represents the rejection and reinforcement of QLI; whereby, the interaction with LGB globalised discourses proposes a contradiction to long-standing epistemes of sexuality. Promotions of globalised LBG discourses and rights frameworks intertextually conjures the knowledge systems of sexuality implemented during colonialism, due to their shared communication via English. Despite the lack of identity markers to represent LGB sexualities in the 1860 IPC, the hegemonic status of English in Pakistan, as inherited by colonialism, maintains the lingual apparatus for the association between LGB identities and the epistemes espoused within the IPC.

As witnessed in the 2018 TPPRA, QLI's rejection and reinforcement cycle hypothesis demonstrates an empirical reality; insofar, as the colonially constructed and implemented IPC (1860) remains an entrenched episteme in postcolonial Pakistan which is yet to be overcome.

Whilst the status of gender identity in Pakistan has experienced a positive transition from colonial marginality to postcolonial protection, its attribution is partially indebted to the reclamation of local Urdu gender identities, such as the Khwaja Sira. Even though the statute of gender in postcolonial Pakistan presents some worrisome prospects, via the maintenance of the eunuch identity marker in the 2018 TPPRA, QLI demonstrably displays its efficacy. To dismantle the colonially imported identity terminologies and the epistemes they represent, there requires a decolonisation of identity markers and national language practices. Queer Linguistic Imperialism demonstrates the formative stages of lingual decolonisation, via the TPPRA's Khwaja Sira inclusion, and concludes that the obstacles to SOGIE emancipation in postcolonial Pakistan are both linguistic and typological legacies of British colonialism.

Chapter 6: Reflections and Recommendations:

Upon the completion of this research project, having conducted an extensive analysis of how the colonial implementation of the English language in South Asia produces SOGIE marginalisation maintained through postcolonial Pakistan's inheritance of English, there are several reflections and recommendations I wish to make. Overall, whilst this thesis demonstrates a success in the achievement of its objectives, it has not been without difficulty or processes which could be improved upon. Moreover, there are some recommendations emergent from the completed project which may overcome the linguistic and typological obstacles to SOGIE emancipation in contemporary Pakistan. Therefore, this chapter first details a transparent reflection on the overall project, before a subsequent discussion of recommendations which may support a lingually-devised SOGIE liberation in postcolonial Pakistan.

1.0 Reflections

On reflection of the overall project, an accurate summary would be that the aims, objectives, and content of this research were perhaps over ambitious given the time frame and word limit. Even though the research questions and objectives have each been sufficiently answered, there are aspects which are potentially underdeveloped. In this reflection, there are four topics discussed. Namely, the limited inclusion of sexual orientation within this thesis, the naivety of expected data, and temporal (dis)continuity. However, there are also reflections of a positive nature to emphasise upon the completion of this research. To conclude this reflection, there features a

positive account of this research and an observation of its successes. In particular, the first edition of QLI, the academic contribution to the study of (post)colonial SOGIE marginality, and the intellectual integrity of the overall project.

Firstly, as the project contains SOGIE within its title, its research questions, and the theorisation of QLI, I am aware of the limited inclusion of sexual orientation within this thesis. Whilst this is not for a lack of trying, nor lack of consideration, the data collected from the British Library India Office Records and the Government of the Islamic Republic of Pakistan's repositories yielded little data pertaining to sexual orientation. It was hoped that archival research would present a sufficient dataset of discourses which included traces of Sexual Orientation, Gender Identity, and Gender Expression. However, the reality, as per the analytical chapters, demonstrates the limited capacity of sexual orientation inclusion in contrast to that of gender identity and expression.

As research is often unpredictable, the results obtained reflect the methodological design and decisions made throughout this process. Therefore, the greater focus on gender identity and expression is due to the data collected consisting of material which detailed more about gender than it did about sexuality. Nonetheless, as detailed in the methodological chapter, the reality of archival research differed greatly compared to expectations. Although, despite the acknowledged lack of sexual orientation related data, this research has still managed to discuss the linguistic and typological obstructions to sexual orientation liberation in contemporary Pakistan; albeit, in a restricted capacity. Even though this research proposes to cover the entirety

of SOGIE identity, the final product concentrates more on gender expression and identity; however, due to an initial naivety of archival research, the experience gained in this process may yield favourable results in future output.

On the naivety of archival research, a significant reflection of this project is the limited dataset obtained from 2,000 hours of primary research. Even though archival research collected a limited dataset, it has produced sufficient material to complete this research and demonstrate the overarching argument that colonially implemented regimes of language and SOGIE terminology are maintained in postcolonial Pakistan and perpetuate colonial marginalities. Nevertheless, the dataset obtained was far smaller than anticipated and contributes to the limited visibility of sexual orientation minorities in this thesis. It was expected that discourses relating to SOGIE identity would be navigable within the consulted archives; though, the reality highlighted the stark invisibility of gender and sexuality within archival indexes. While I am certain there exists SOGIE data related to this research that I have not accessed, I would seek out researchers with more archival experience to learn from their processes. Moreover, I would develop my knowledge of archival court proceedings and their cataloguing, as existing literature (see Hinchy, 2019) demonstrates several resources which detail sexuality in the British Library India Office Records.

An unforeseen result of a limited data set is the temporal discontinuity among the data collected. Since this research concerns official discourses between 1835 and 2018, it was anticipated that

there would be a dataset which represented somewhat of a temporal continuity between the parameters. However, as demonstrated by this research and its reflective dataset, there are vast periods of time between relevant discourses on SOGIE identity. Upon reflection, there was a preconceived naivety of the amount of data this research would yield, and a subconscious assumption that there would be a continuity of time which would show the increased naturalisation of SOGIE identities in (post)colonial discourses. Despite the assumptions of a temporal continuity, this research manages to demonstrate the epistemic naturalisation of SOGIE identity through the limited data collected. Nonetheless, the temporal discontinuity, in tandem with the naivety of dataset expectations, is worthy of reflection and considers the potential overambitions of the start of this thesis.

Despite the considerations above which have detailed the difficulties of this research, there are some achievements of this thesis which, upon reflection, have been successes worthy of mention. Firstly, to have theorised and developed QLI along-side the research itself has been a fruitful, albeit arduous endeavour. Moreover, this thesis demonstrates a strong application of QLI using the data collected, and produces an analysis which exhibits how colonially implemented language structures and SOGIE terminology are sites of epistemological transmission that replicate colonial marginalisation in postcolonial contexts. Although this is the first edition of QLI, its success in this research is a motivation to refine and apply the framework to other case studies in future research. The potential contribution to SOGIE-related research and academia through QLI's usage and revision demarcates a success of the original contribution of this thesis.

Inadvertently, despite the previous reflection on the limited dataset obtained through archival research, an instance of this thesis' success is that of collection BLIOR/L/PS/6/177. From searches of existing literature, to my knowledge, collection BLIOR/L/PS/6/177 is yet to feature in SOGIE-related studies of British India. This is unsurprising since the indexed and catalogued information about the collection does not mention the presence of gender nor covert sexuality which features within its pages. Nevertheless, BLIOR/L/PS/6/177 has been a fundamental collection in this research and has implications for further research which explores the influence of Bussunt Ali Khan in the British Empire's legislative implementation of the Criminal Tribes Act. Furthermore, this collection offers me and researchers alike the opportunity to further analyse the relationship between SOGIE identity and the British Empire through lenses of resistance, the body, and constructed criminality.

Related to the archival success of BLIOR/L/PS/6/177, another achievement of this thesis is the intellectual integrity borne out of archival research. Namely, the executive decision to geographically constrain the data collected to ensure the territorial confines of contemporary Pakistan mirror that of the corresponding geography of British India. Although this decision led to a limited dataset, as discussed in the methodology chapter, it has resulted in a streamlined research outcome which can be certain of the applicability of colonial documents and their influence on postcolonial Pakistan. Too often scholarly research on British India homogenised the output of colonial structures to be wholly applicable to all territories of postcolonial Pakistan,

India, and Bangladesh without consideration for colonial geography. Whereby, colonial acts occurrent in Bombay are inferred as influential on contemporary Pakistan, for example. This homogeneity assumes that British India as a whole was a homogenous exertion of colonialism and does not account for socio-cultural and historical contexts within the subcontinent. Therefore, this thesis considers it a success that it associates with colonial data directly applied and relevant to the corresponding geography of contemporary Pakistan.

Perhaps the most successful outcome of this thesis is the analysis itself, which proposes an alternative view to the achievement of SOGIE emancipation in postcolonial states. Insofar, postcolonial language practices which privilege the former colonial language, and its institutions act as sites of epistemological (re)production which transmits colonial-era marginalities. As the literature review chapter demonstrates, the consideration of (post)colonial language practices and the endured maintenance of colonially implemented SOGIE terminologies seldom features in discussions of postcolonial SOGIE advancement. Therefore, for this research to argue that lingual structures of (post)colonialism are mechanisms of SOGIE marginality, it challenges dominant narratives of SOGIE advancement in postcolonial states which suppose the decolonisation of LGBTQ+ frameworks to foster contextually relevant inclusivity that dispels Western hegemonies of identity.

2.0 Recommendations

From the outset, this research acknowledges the infeasible recommendation of rejecting the English language in Pakistan; primarily, due to the geopolitical utility of English as the global lingua franca resultant from colonisation. To expect Pakistan to renounce the official capacity of the English language and implement a local language to assume its position is perhaps an unrealistic recommendation given the geopolitical currency of English and the long-established presence of English in South Asia due to colonisation. However, there are three recommendations eminent from this research which can be implemented at state and non-state levels to facilitate the emancipation of SOGIE persons in Pakistan. The first recommendation is to privilege local-language identity terminology instead of hegemonic English typologies. Second, this thesis recommends that charities and non-governmental organisations refrain from utilising hegemonic LGBTQ+ frameworks and adopt local-language equivalents relevant to the geographical contexts they operate within. The final recommendation of this thesis is to encourage further QLI research using different (post)colonial and lingual contexts, to test the theory, but also enrich academic contributions to the knowledge of language, SOGIE identity, and empire.

As demonstrated by this research, the 2018 Transgender Persons Protection of Rights Act in Pakistan utilised local language identity terminology along-side the hegemonic English typologies of eunuch and transgender. This marks a progressive step towards SOGIE emancipation from linguistic and typological structures which reproduce colonial marginalisation. It is recommended that the Government of Pakistan continues in this direction, though, with the eventual complete substitution of English identity terminologies with local language equivalents. Moreover, even if

the English language remains the communicative medium of legislation, administration, and governance, the Government of Pakistan should take active measures to implement local language SOGIE identity terms in discourses to which they apply. Insofar, this research demonstrates the transformative capacity that local language reclamation has for SOGIE persons in challenging the normalised epistemes of colonially manufactured marginality.

Significant criticisms of the assumed transhistoricity and transnational applicability of hegemonic LGBTQ+ frameworks features prominently in this thesis. Ahmed (2019) highlights the damaging effects of LGBTQ+ centred charities and organisations who export LGBTQ+ identity categories and frameworks of human rights onto the Global South. Due to academic and grass-root calls for the decolonisation of LGBTQ+ rights frameworks and their operations, this thesis recommends that organisations seeking to facilitate the advancements of SOGIE protections decolonise the identity categories they employ. As part of this decolonisation, SOGIE-driven organisations operating on an international level must resist the normative usage of hegemonic LGBTQ+ identity terms and their respective typologies. Instead, such organisations must engage with local SOGIE communities and adopt local language identity terminologies, rather than the default LGBTQ+ of normative discourses.

In employing local language SOGIE terminologies, there exists a capacity to transcend the boundaries of culture, language, and history in a way which uplifts nuance rather than conforms to hegemonic assimilation. SOGIE-centred charities have the opportunity to engage in active

identarian decolonisation which serves as a mediary for improved relations between local SOGIE communities, and the states in which they operate. The above recommendation requires organisations to invest in the cultural and linguistic landscapes of the respective communities they work in. Resultantly, by platforming local language identity markers, organisations are able to evade the commonplace criticisms that LGBTQ+ identities and rights frameworks are Western imports. Moreover, in employing culturally relevant, local language SOGIE terminologies, it broadcasts the epistemological and ontological knowledge systems of those identities. The transmission of local epistemologies and ontologies of SOGIE identities as represented through local language terminology can facilitate the normalisation of local SOGIE identities in culturally intelligible terms and demonstrate their societal existence external to ‘Western’ importation of LGBTQ+ frameworks. With this recommendation, there is an opportunity for SOGIE-centred organisations to act as a mediary to bridge disharmony between SOGIE communities and the state they reside within. In particular, through the elevation of local identity terminology congruent to the local SOGIE populations, as well as the lingual and epistemological traditions of formerly colonised societies.

Lastly, as this project represents the first theorisation and implementation of QLI, this thesis recommends future research using QLI to demonstrate its efficacy and develop it further. Beyond the usage of QLI, there ought to be future research which explores other lingual and geographical case studies. While English centres as the lingual system of domination which constructs SOGIE identity within this thesis, there are several opportunities to investigate QLI’s claims using other (post)colonial language practices. For example, the French Empire and the sustained usage of the

language in former French colonies. By furthering the development of QLI and examining alternative case studies, the linguistic and typological obstructions to SOGIE emancipation can both be better understood, and experience greater focus.

Chapter 7: Concluding Queer Linguistic Imperialism

Queer Linguistic Imperialism demonstrates that the linguistic and typological obstructions to SOGIE emancipation in contemporary Pakistan are products of colonially constructed identity markers and epistemes, which are maintained through the inheritance of the English language. Due to the interrelation of postcolonial language practices and the colonial construction of South Asian SOGIE identity, emancipation is obstructed by the continued dissemination of Anglophile frameworks of gender and sexuality, produced during the British colonial administration of South Asia. For emancipation to be achieved, this thesis empirically demonstrates the necessity of shedding colonially implemented SOGIE terminology in favour of local language identity markers. Therefore, this conclusion summarises the findings of this research which result in the proclamation that the barriers to SOGIE emancipation in contemporary Pakistan are lingually derived. The conclusion individually addresses the research questions associated with this thesis and presents a summation of both the research undertaken and findings related to each objective.

- i) Map the development of Queer Linguistic Imperialism as a conceptual framework:

Queer Linguistic Imperialism developed in tandem with the empirical research of this thesis. While a preliminary theorisation was made before the commencement of data collection and the ensuing analysis, QLI continued to develop alongside the evolution of this thesis to capture the

relationship between (post)colonial language practices and SOGIE marginalisation. As demonstrated in chapter 4, instances of English language identity vocabulary are the sites of QLI that transmit Anglophile knowledge structures constructed by the colonial episteme. The colonial analysis chapter exhibits how colonially constructed SOGIE identities are sites of Anglophile knowledge which redefine local conceptions of gender and sexuality.

While the sites of QLI present within collections BLIOR/V/8/42, BLIOR/V/9/3-6, and BLIOR/L/PS/6/117, were primarily represented by the identity marker 'eunuch', there were other instances of knowledge systems which did not meet the original theorisation of identity vocabulary. For example, the colonial analysis of the 1860 Indian Penal Code (IPC) confronted QLI with a textual system of SOGIE knowledge that was not represented by a singular identity marker. Upon the presence of knowledge systems that were not neatly represented by a distinct term, unlike eunuch, QLI expanded its scope to include discursive structures of SOGIE knowledge. The expansion of QLI's application enabled the key analysis of how the IPC's discourse of carnal sexualities, indicative of homosexuality, is maintained in postcolonial Pakistan through the 2018 Transgender Person's Protection of Rights Act (TPPRA).

Queer Linguistic Imperialism demonstrates the influential capacity of colonially introduced identity terminology and knowledge in standardising identity through discourse. Moreover, the postcolonial inheritance of colonial language structures provides the lingual apparatus for colonially implemented SOGIE identity markers and epistemes to naturalise and inform

understandings of identity. The identity marker eunuch and episteme of same-sex intercourse being an immoral act against the order of nature were identified within colonial discourses and later witnessed within postcolonial discourses. Insofar, the Anglophile knowledge which constructs the eunuch identity and the aversion to same-sex intimacies are reproduced verbatim, enabling the continued diffusion of the colonial episteme. Therefore, QLI demonstrates its efficacy through the empirical analyses of this thesis. Through the empirical analysis completed, QLI states that colonially constructed SOGIE identity markers and epistemologies are maintained through the inheritance of the colonial language and, thereby, the colonial linguistic constructions of identity.

- ii) Identify the specific lexical sites of Queer Linguistic Imperialism and the Anglophile gender-sex knowledges as they have been (re)produced in (post)colonial Pakistan:

This thesis has successfully identified the specific lexical sites of QLI which represent and transmit Anglophile epistemologies of gender and (sex)uality in British India and in postcolonial Pakistan, between 1835 and 2018. Notably, the lexical sites which represent QLI centre around the eunuch identity marker. While it was hoped that the archival data collection would yield further vocabularic sites of Anglophile construction and implementation, the data obtained pertained solely to the 'eunuch'. Within the 1871 Criminal Tribes Act (CTA), collection BLIOR/L/PS/6/117,

the 2009 Khan versus Rawalpindi litigation, and the 2018 TPPRA, eunuch features as a recurrent site of QLI which spans both colonial and postcolonial discourses.

The identity marker eunuch represents an intricate construction of knowledge which draws upon several Anglophile frameworks of gender, sex, and sexuality. However, these frameworks are further produced through Anglophile perceptions of the imaginary, positivist criminology, and racialisation which makes for an interesting construction of identity that manufactures SOGIE marginalisation. A QLI analysis deduces that the eunuch identity marker is first introduced into public discourses through the CTA (1871) where the definition of what constitutes a eunuch is presented. Although 1871 is the first public instance of eunuch as a lexical site of QLI, the CTA's construction of eunuch identity as a criminal category is a potential byproduct of a series of private papers which traces the alleged criminality of 'eunuch' Bussunt Ali Khan between 1857 and 1874 (BLIOR/L/PS/6/177).

Due to the alleged mutiny doctored by 'eunuch' Khan in 1857, the process of the British Empire's construction of eunuch identity as criminal begins within a series of private papers, witness testimonies, an autopsy report, and further correspondence between colonial officials. Khan is noted to be a "person ... deeply implicated as far as the evidence goes in the murder of Europeans", with an "appearance [that] is so remarkable as to render their identification easy" and implies they are "probably certain ... an eunuch" (BLIOR/L/PS/6/117: pp.1). Here begins a calculated process of connection between observable characteristics of biology to that of

predisposed criminality which was prevalent in Victorian Britain. Khan's observed characteristics consist of their castrated anatomy and their choice of clothing, which resembled women's salwar kameez; of which, the British perceived to be antithetical to the norms of Anglophile masculinity they are accustomed to. By virtue of these sites of difference, the designated eunuch identity marker is plagued by suspected predispositions of criminality, further ratified through the alleged crimes being investigated. Whilst these constructions of eunuch identity occur in private papers, the materialisation of collection BLIOR/L/PS/6/177 likely informs the CTA 1871, which specifically typologises the eunuch as a criminal entity.

The CTA defines the eunuch *"for the purposes of this Act, be deemed to include all persons of the male sex who admit themselves, or on medical inspection clearly appear, to be impotent"* (BLIOR/V/8/42). Per the definition given, the status of eunuch criminality is intrinsically linked to their anatomical function, the normative knowledge of Anglophile masculinities, and the enlightenment sexual prophecies which inform the British colonial episteme. Eunuch criminality is constructed upon the perceived superiority of Anglophile epistemes and approaches to biological science, which subscribe to the notion of gender essentialism. Since the proscribed eunuch does not adhere to the 'scientific' frameworks of gender essentialism, castration and non-normative gender expression are constructed as sites of a socio-sexual abnormality dictated by Anglophile scientific discourses.

Moreover, the inability to perform the duties of enlightenment sexual prophecies, the eunuch's incapacity of reproduction decidedly marks them as a body which exists beyond the remit of socio-sexual acceptability according to Anglophile frameworks of gender and sex(uality). Due to the marked site of difference, the basis of eunuch identity is rooted in an observable scientific framework of Anglophile reality. Since the eunuch is predicated upon the observable castrated body and presentation of gender variance, colonial officials attempt to assimilate South Asian SOGIE identities to frameworks familiar to the colonial regime: namely, Anglophile norms of gender and sex(uality).

Eunuch features prominently across the colonial data collected between 1835-1947 and in each instance, the discursive context constructs South Asian gender variance as negative, to be regulated, and incompatible with modernity. Although 'eunuch' is the prevailing site of QLI uncovered in this research, there are interesting instances of Anglophile knowledge represented in (post)colonial discourses which are not attached to a specific identity marker. For instance, the 1860 IPC and the 2018 TPPRA make direct references to sexual minorities, albeit not by name. Nevertheless, the evidence of Anglophile sex(uality) knowledge is present and serves as a knowledge system which governs sexual orientation minorities through paradigms of enlightenment sexual prophecy and notions of sexual acceptability emblematic of the colonial British episteme. Therefore, there is evidence of epistemological reproduction whereby the colonial construction of sexuality is maintained in postcolonial discourses, espousing the same knowledge system of manufactured marginality.

The lexical sites of QLI uncovered through this study centre around the eunuch and the knowledge system of sexual carnality. Eunuch, representative of gender, is an Anglophile streamlining to colonially intelligible frameworks of science and gender that are constructed through colonial documents and reproduced in postcolonial discourses. Same-sex intimacies as carnal acts which contradict the order of nature first appears in the IPC (1860) as a statute of criminality, produced through Anglophile notions of sexual acceptability, and reproduced in subsequent postcolonial discourses such as the TPPRA (2018). Furthermore, same-sex sexual intimacy remains prohibited by the IPC, still in effect in contemporary Pakistan. Thereby, the colonial eunuch and colonial attribution of same-sex intimacies to carnality are demonstrable instances of colonially constructed and postcolonially reproduced sites of Queer Linguistic Imperialism.

- iii) Examine the (post)colonial epistemic and linguistic evolution of these discursive sites in (post)colonial Pakistan:

Eunuch presents an interesting and significant process of both epistemic and linguistic evolution. To address the linguistic evolution, the colonially constructed eunuch undergoes a morphological process within the Khaki versus Rawalpindi litigation (2009), whereby the eunuch appears as 'unix'. Queer Linguistic Imperialism deduces that the transition from eunuch to unix was not intentional, but rather a product of pronunciation facilitated by the postcolonial inheritance of

the English language. Due to the hegemonic status of English as an official language in contemporary Pakistan, inherited by the colonial implementation of English, the language is widespread (Haidar and Manan, 2021; Shah and Afzar, 2016).

Unix resembles an Americanised phonetic spelling of the pluralised eunuch. Despite English being a postcolonial legacy of the British Empire, American English accents are more dominant due to cultural exposure and are the preferred accent among students educated in English (Azam and Jahan, 2024). Queer Linguistic Imperialism argues that the textual exposure of the identity term eunuch is limited, with conversational usage likely being more commonplace due to the finite presence of eunuch within official discourses disseminated by postcolonial Pakistan. Therefore, due to the limited exposure to the written eunuch, its usage in the Rawalpindi litigation reflects an attempted phonetic spelling correlative to the prevalent American English accent in circulation; thus, resulting in unix.

Unix presents an interesting linguistic evolution of the colonially implemented eunuch; however, the discursive usage of unix also demonstrates an epistemological evolution. Prior to the Rawalpindi litigation (2009), the eunuch remained a socio-politically ostracised identity upon the basis of the Anglophile episteme which underpinned it; namely, that the eunuch is a criminal state of (im)masculinity due to scientifically informed discourses of castration and essentialist biology. The 2009 Rawalpindi litigation represents a departure from the colonial Anglophile epistemology that constructs the eunuch as both criminal and an illegitimate identity and seeks

to reconstruct the unix as a legitimate gender. Furthermore, the litigation argues that unix are a distinct gender identity who require recognition and protection. Interestingly, the presentation of unix as a 'third gender' somewhat resembles the local language identity markers of Khwaja Sira, who exist beyond the gender binary and embody a spiritual entanglement of masculinity and femininity. Here, the unix is narrated within a framework indicative of historical understandings of South Asian gender and dispels the colonial binarism which divorces the 'eunuch' from its Khwaja Sira origins.

Within the Rawalpindi litigation, there is an epistemological and linguistic evolution of the colonial eunuch which transforms the knowledge structure from negative into a positive attribution of identity. Eunuch undergoes a further epistemological evolution following the success of the Rawalpindi litigation which laid the foundation for the legislative acceptance of gender variance in contemporary Pakistan. Per the 2018 TPPRA, gender identity experiences another positive epistemological shift which ratifies South Asian gender minorities as legitimate embodiments of existence. Even though the inclusion of eunuch remains within the TPPRA, it is compounded with the inclusion of additional identity markers; namely, Transgender, Khwaja Sira, Khusra, and Intersex.

The TPPRA demonstrates a reckoning with the inheritance of colonial epistemes by firstly acknowledging the legitimacy of South Asian gender variant minorities. Transgender features as the operative term to describe South Asian gender variance throughout and is yet another

Anglophile, English language importation. However, in contrast to the eunuch, transgender is discursively constructed through the lens of legislative legitimacy, as opposed to the eunuch's discursive existence as a marker of illegitimacy. Though, while the operative use of transgender is preferable to that of the eunuch, there remains a hegemony of Anglophile frameworks of identity which do not accurately represent the unique ontological and epistemological existence of South Asian SOGIE persons.

Nonetheless, while superficially the transition from eunuch to transgender is a positive evolution, the hegemonic usage of transgender presents several issues. In correlating transgender as a synonym for khusra, Khwaja Sira, and eunuch, the eunuch episteme remains intact and attached to the attempted positive reclamation of South Asian gender identity. Insofar, through the discursive reproduction of eunuch in the TPPRA, it continues to communicate the Anglophile epistemes which construct it; specifically, criminality, illegitimacy, and the reinforcement of gender essentialism. However, by the mere inclusion of khusra and Khwaja Sira, which are each Urdu identity markers demonstrates the epistemological reclamation of South Asian identity.

- iv) Critically explore the societal and political impacts of Queer Linguistic Imperialism and the linguistic obstructions to Sexual Orientation and Gender Identity/Expression (SOGIE) emancipation in postcolonial Pakistan:

Queer Linguistic Imperialism demonstrates the process of identity construction during the British colonisation of South Asia and analyses the Anglophile frameworks which inform them. The colonial analysis identifies the sites of QLI as the 'eunuch' identity marker and the knowledge system which labels same-sex intimacies as criminal. Both the 'eunuch' and sexual orientation minorities are constructed as criminal states of existence through legislative acts; namely, the IPC (1860) and the CTA (1871). Due to the colonial construction and discursive legislation of South Asian SOGIE identities as criminal ontologies antithetical to social development, SOGIE persons experienced a codified delegitimisation of their identities. Moreover, the colonial marginalisation of SOGIE persons epistemologically, ontologically, and linguistically divorced the SOGIE subject from their historic identities and societal tolerance (Khan, 2019a; van Ess and O'kane, 2016). Therefore, under the legislative regulation of the British Empire, SOGIE minorities experienced socio-political marginalisation which emanated from the colonial attempts of streamlining South Asian SOGIE identity to Anglophile frameworks of gender and sexuality (Hinchy 2013, 2015, 2019).

Consequent to the reproduction of colonial identity markers and identarian epistemes in the official discourses of Pakistan, it is evident that the discursive frameworks of South Asian SOGIE identity are inherited legacies of British colonialism. Moreover, since the English language has been inherited and maintained as an official language of postcolonial Pakistan, there exists the lingual framework to utilise and transmit Anglophile identity markers; specifically, it maintains the usage of colonial constructed SOGIE identity terminology. Through the vehicle of the English language, Anglophile concepts represented by English vocabulary become default points of

reference. Therefore, official discourses of contemporary Pakistan which detail SOGIE identity intertextually rely on the available English language terminology to communicate SOGIE-related information. Moreover, the reliance upon English terminology to represent SOGIE identity is dependent on lingual experience; insofar, the intertextual vocabularies depend on frames of reference and experience. Whereby, the identity terms used are rooted in the lingual experiences of Pakistan.

Pakistan's lingual experience of English language SOGIE identities is that of colonialism and the implemented vocabularies and Anglophile knowledge structures which regulated SOGIE persons. Thereby, the intertextual frameworks of reference are the colonially constructed and implemented vocabularies of SOGIE identity; namely, the 'eunuch' and the episteme which posits same-sex intercourse as criminal. Since the referent frameworks are Anglophile, English language constructions of South Asian SOGIE identity, the resultant intertextual usage of colonial vocabularies in postcolonial documents reproduces the epistemologies associated with the identity marker. As such, the colonial episteme of SOGIE illegitimacy and deviancy is transmitted to Pakistani society through the replication of colonial vocabulary in English language, postcolonial discourses.

Due to the reproduction of colonially constructed identity markers and their epistemes of manufactured SOGIE marginality, the perpetuation of harmful knowledge permeates the official discourses of Pakistan. Analysis of the 2018 TPPRA demonstrates this reproduction within the

context of an official discourse which attempts to rehabilitate the marginalised status of gender minorities in Pakistan. Despite the rehabilitation of gender minorities through the use of transgender as a collective category, the endured use of eunuch as a facet of transgender identity perpetuates the eunuch episteme; whereby, the eunuch represents a sexually impotent man of criminal predisposition. Although the TPPRA outlines the legitimacy and protection of gender minorities under Pakistani legislation, the positive ascription is tarred by the continued visibility of the eunuch identity marker. Therefore, the colonial eunuch episteme remains circulated in contemporary discourse and risks the public association of gender variance to eunuch criminality, illegitimacy, and undesirability.

While the repercussions of the eunuch's inclusion within the TPPRA are yet to be seen due to this research's parameters ceasing in 2018 with the adoption of the act, there is a stark reality contained within the TPPRA, which presents an obstacle to the emancipation of sexual orientation minorities. The TPPRA perpetuates the colonially implemented episteme of sexual orientation marginality which outlines same-sex intercourse as criminal and against the will of nature. The discursive instance of same-sex criminalisation first appears in the 1860 IPC and led to the marginalisation of same-sex intimacies in British India (BLIOR/V/9/3-6). Although the IPC did not represent same-sex epistemes via a singular identity marker or vocabulary, the knowledge system is reproduced verbatim in the TPPRA. After the TPPRA's outline of legitimate, protected gender identities, there is a clause that mandates all identities not represented or outlined in the TPPRA are subject to criminalisation per the Pakistani Penal Code (1860). Since

the Pakistani Penal Code (1860) is the same as the Indian Penal Code (1860) implemented by the British colonial administration, the identities not referred to within the TPPRA represent the identities criminalised by the IPC; namely, the sexual orientation identities inferred by the colonial episteme which mandates same-sex intercourse as criminal. Through the TPPRA's intertextual reference to the IPC (1860), the prevailing knowledge structures on sexual orientation remain the same as the colonially enacted criminalisation of same-sex intercourse. Evidently, the postcolonial inheritance of English as an official language enables the intertextual reliance upon colonial English discourses and frameworks of knowledge, such as the criminalisation of same-sex intercourse.

Therefore, in critically exploring the societal and political impacts of QLI and the linguistic obstructions to SOGIE emancipation in postcolonial Pakistan, the primary impact is the production of colonial epistemes in contemporary discourses. The postcolonial inheritance of English as an official language of Pakistan enables the sustained usage of colonially constructed and dispersed SOGIE identity markers and knowledge systems. These colonial frameworks of South Asian SOGIE identity were attempts at Anglophile assimilation that sought to regulate SOGIE persons and resulted in an effective manufacturing of marginality (Hinchy, 2019). Due to the construction of SOGIE identity as criminal, illegitimate, and antithetical to both science and nature, the colonial eunuch and sexual orientation minorities are consumed by harmful rhetoric. In the contemporary usages of colonial identity markers and replication of colonial sexual epistemes, Pakistan maintains the SOGIE oppressive structures of knowledge inherited by

colonialism. Even though positive developments are ongoing with regard to gender minorities, the endurance of colonial English identity markers within official discourses presents both a linguistic and typological obstruction to the emancipation of SOGIE minorities.

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Appendices

Appendix 1:

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Appendix 3:

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