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## **Intersectional examination of transgender women in South Korea: a case study of the dismissal of the first transgender officer by the Ministry of National Defense**

**Jungman PARK**, Lecturer,  
School of Professional and Continuing Education,  
The University of Hong Kong,  
[j.park@hkuspace.hku.hk](mailto:j.park@hkuspace.hku.hk)

ORCID: <https://orcid.org/0009-0008-4187-5715>

**Jianwen LIU**, PhD, Associate Professor,  
Department of English Language and Literature,  
Hong Kong Shue Yan University,  
[jwliu@hksyu.edu](mailto:jwliu@hksyu.edu)

ORCID: <https://orcid.org/0000-0002-8693-7827>

**Abstract:** This paper presents an intersectional examination of transgender women in South Korea, focusing on the dismissal of the first transgender officer, Hee-soo Byun (who committed suicide later after the dismissal), by the Ministry of National Defense in 2021. Drawing on the principles of Korean feminism and the third-wave feminist emphasis on intersectionality, the study

examines the intersecting factors of gender identity, military service, and institutional policies that contribute to the marginalization and mistreatment of transgender individuals. By investigating the multifaceted challenges experienced by transgender women in South Korea, this paper highlights the complex dynamics of discrimination, taking into account the unique cultural and socio-political context of Korean society. This article aims to contribute to the existing body of knowledge on transgender rights, gender equality, and feminist activism in South Korea, providing insights to inform future discussions, policies, and actions aimed at promoting inclusivity and equal opportunities for transgender individuals within the context of military service and beyond.

**Key words:** Korea; transgender; intersectionality; feminism; military service.

**한국 성전환 여성에 대한 상호 교차적 고찰:  
국방부의 첫 성전환 군인 해임 사례 연구**

**초록:** 이 글은 2021 년 국방부에 의해 해임된 첫 번째 성전환 군인, 변희수 하사 사건을 중심으로 대한민국의 성전환 여성에 대한 상호 교차적 접근을 제시한다. 본 연구는 한국 페미니즘의 이론과 상호 교차성을 강조하는 3 세대 페미니스트의 이론을 바탕으로 트랜스젠더 개인에 대한 소외와 학대에 기여하는 성 정체성, 병역, 제도적 정책의 교차 요인을 조사한다. 또 한국의 성전환 여성이 직면하는 다양한 도전을 조사함으로써 한국 사회의 독특한 문화적, 사회 정치적 맥락을 고려하여 차별의 복잡한 역학을 조명하고 있다. 마지막으로 이 글의 목적은 한국 트랜스젠더의 권리, 성평등, 페미니즘 운동에 대한 기존 지식 체계에 기여하고, 트랜스젠더 개인의 포용성과 군 복무 및 그 외 상황에서의 평등한 기회 획득을 촉진하기 위한 향후 논의, 정책, 행동에 대한 통찰력을 제공하는 것에 있다.

**주요 키워드:** 한국; 트랜스젠더; 상호 교차성; 페미니즘; 군 복무.

**Intersekcjonalna analiza sytuacji kobiet transpłciowych w Korei Południowej: studium przypadku zwolnienia przez Ministerstwo Obrony Narodowej pierwszej transpłciowej żołnierki**

**Abstrakt:** Artykuł przedstawia intersekcjonalną analizę sytuacji kobiet transpłciowych w Korei Południowej, szczególną uwagę skupiając na zwolnieniu przez Ministerstwo Obrony Narodowej w 2021 roku pierwszej transpłciowej żołnierki, Hee-soo Byun, która krótko po zwolnieniu popełniła samobójstwo. Na podstawie założeń koreańskiego feminizmu oraz feministycznego skupienia na intersekcjonalności (w ramach trzeciej fali

feminizmu) badanie zwraca uwagę na przenikające się czynniki tożsamości płciowej, obowiązku służby wojskowej oraz regulacji instytucjonalnych, które przyczyniają się do marginalizowania i niewłaściwego traktowania osób transpłciowych. Artykuł analizując wielowymiarowe wyzwania, w obliczu których stają transpłciowe kobiety w Korei Południowej, podkreśla złożoną dynamikę dyskryminacji biorąc jednocześnie pod uwagę wyjątkowy kulturowy i społeczno-polityczny kontekst. Tekst ma na celu omówienie istniejącego stanu badań w zakresie praw osób transpłciowych, równości płciowej i aktywizmu feministycznego w Korei Południowej, jak i podzielenie się spostrzeżeniami na potrzeby przyszłych dyskusji, rozwiązań systemowych oraz działań podejmowanych w kierunku promowania inkluzywności i równych szans dla osób transpłciowych w i poza służbą wojskową.

**Słowa-klucze:** Korea; transpłciowość; interseksjonalność; feminizm; służba wojskowa.

#### 韓國跨性別女性的交織性研究：以國防部解僱首位變性軍官為案例

**摘要：**本文對韓國跨性別女性進行了交織性研究，重點討論 2021 年國防部解僱首位變性軍官卞熙洙 (Hee-soo Byun, 後自殺身亡) 一事。本研究借鑒韓國女權主義和第三波女權主義強調交織性的原則，探討了性別認同、兵役政策和制度政策等導致跨性別人群被邊緣化的交叉因素。本文結合韓國社會獨特的文化和社會政治背景，探討了韓國跨性別女性所經歷的多方面的困境。本文旨在為現有的有關韓國跨性別人士的權利、性別平等和女權運動的知識體系做出貢獻，為未來的討論、政策和運動提供啟示，以促進跨性別人士在服兵役期間乃至其他社會空間裡的包容性和平等機會。

**關鍵詞：**韓國; 跨性別; 交織性; 女性主義; 服兵役.

## 1. Introduction

The contemporary understanding of complexity recognizes that singular factors, theories, or analyses are insufficient to explain every occurrence. Instead, a diverse perspective and approach are required. Feminist theory has undergone significant evolution over the centuries, expanding from a narrow focus on achieving equal rights for women in society to encompassing a broader range of women's diverse needs (Tong and Botts 2017). Early feminist movements primarily

concentrated on developing influential and informed theories that provided a theoretical foundation for understanding the history of women's oppression.

One prominent strand of early feminism was 'Liberal Feminism', which sought to understand why women, particularly white women, were not treated as equals to men. Liberal feminists argued that the absence of women's rights reflected a lack of equal opportunities. Mary Wollstonecraft (1792), for instance, advocated for women's right to develop as autonomous individuals, just like men. She specifically emphasized the importance of equal access to education, which was lacking at the time she made her claims. Inspired by Wollstonecraft's ideas, women began to demand suffrage rights and equal educational opportunities, forming the foundational principles of liberal feminism. The growth of liberal feminist theory has had a profound impact on women's rights, most notably culminating in the historic achievement of women's suffrage. This movement, driven by the desire for equal rights and education, represents a significant milestone in the advancement of liberal feminism. The influence of liberal feminism, with its emphasis on equal opportunities and education, has played a pivotal role in shaping women's rights movements and achieving significant milestones such as suffrage.

Despite significant advancements that have made women's lives more independent compared to the past, a considerable number of women continue to experience discrimination and inequality resulting from various factors beyond their sex, class, race, color, and personality traits. Recognizing this limitation, a new wave of feminism known as 'third-wave feminism' has emerged. This movement emerged in the 1990s as a response to the perceived limitations of second-wave feminism, which had been criticized for its exclusive focus on the experiences of white, middle-class women. The third-wave feminism movement aimed to address the diverse experiences of women by embracing the concept of intersectionality as a central tenet. Intersectionality recognizes that gender oppression intersects with other forms of oppression, such as racism, classism, and homophobia. It emphasizes the need to acknowledge and confront these intersecting systems of oppression in feminist activism and theory. The focus of third-wave feminism extends beyond a specific type of 'women' and encompasses a broader range of minority women, including women of color and LGBT (lesbian, gay, bisexual, and transgender) women.

In this study, drawing upon the principles of Korean feminism and the emphasis on intersectionality within the third-wave feminist framework, we examine the intersecting factors of gender identity, military service, and institutional policies that contribute to the marginalization and mistreatment of transgender individuals in Korea. Specifically, we present an intersectional analysis of the dismissal of the first transgender officer, Hee-soo Byun (변희수), by the Ministry of National Defense in 2021. Considering the unique cultural and socio-political context of Korean society, this paper highlights the imperative for inclusive and equitable approaches to transgender rights, informed by feminist principles and an understanding of the intersecting forms of oppression that transgender individuals face.

## **2. Feminism in South Korea**

Korean society has traditionally been highly male dominated, with its origins rooted through the history. The environment placed men in significant roles, not only as fathers and heads of households but also as leaders and decision-makers in the hierarchical community. Consequently, women assumed passive roles focused on caregiving within the family and society, rather than being recognized as individual members of society. During the time Korea has been developed, and there were significant changes in the social status of women over the centuries. However, the mindset regarding women's rights and the cultural expectations placed upon women still adhere to a hierarchical social order that has not kept pace with the speed of social changes.

Feminism has gained significant recognition in South Korea, encompassing advocacy for women's rights in a male-dominated society as well as the pursuit of women's basic social rights and quality of life. The earliest feminist movement in Korean history was the women's liberation movement. During its inception, the prevailing belief among the majority of Koreans was that women had little reason to pursue education and should instead focus on acquiring skills related to home economics. Efforts to promote women's fundamental rights led to the establishment of the Korean Women's Association United (KWAU) in 1959 under the leadership of Dr. Kim Hwal-lan. This organization campaigned against practices that devalued women and

perpetuated gender inequality in traditional societies, such as advocating for the removal of public officials who maintained concubines during the selection and appointment processes.

In the 1970s, South Korea entered a period of rapid economic development following the Korean War, with a primary focus on the manufacturing sector. During this time, many women, employed as factory workers, faced significant challenges in accessing their rights. Consequently, organizations like KWAU concentrated on improving women's labor rights in Korean society. From the 1980s to the mid-1990s, South Korea experienced social upheaval due to the democratization movement. This period witnessed a surge in women's social and political participation, with Korean feminism striving to promote women's engagement in these spheres and secure their rights as equal members of society. The establishment of the Korean Federation of Women's Organizations (KFWO) in 1985 aimed to challenge policies such as 'early retirement at 25 for female workers' and advocate for women's rights. The KFWO remains actively involved in promoting women's rights to this day. Following the economic collapse in South Korea in 1997, the focus of the Korean feminist movement shifted toward achieving equality with men in various aspects of daily life, including social status, financial equality, and fair treatment. This emphasis on equal status and liberation from male-dominated culture has led to the establishment of the Ministry of Gender Equality and Family as a government ministry in South Korea. The ministry, along with policy advancements, has worked to establish a legal foundation for gender equality.

In the 2000s, the Korean feminist movement shares similarities with 'radical feminism' and represents the mainstream of the movement. There is a growing trend among the younger generation to reject marriage and challenge traditional societal expectations imposed on women, as exemplified by the 'anti-corset' movement. These movements aim to break free from traditional gender roles and standards imposed on women in Korean society. Notably, South Korean feminist activist and scholar Kim MiHyun (2018) emphasizes the importance of the new generation of feminists actively participating in the fight against violence towards women and raising their voices in support of feminism:

"I have introduced the new feminism generation of South Korea that fights to stop violence against women. The new generation has been

actively participating in feminism reboot to oppose violence against and speak out their voice.” (Kim MiHyun 2018: 27).

As seen above, it is undeniable that feminism in Korea has represented the voices of women who are socially, economically, and politically marginalized, advocating for the expansion and assurance of their rights. However, it is important to acknowledge that Korean feminism has primarily focused on women’s rights and the empowerment of women, without necessarily encompassing the rights and experiences of other marginalized groups. This narrow focus on women’s rights and the power dynamics between men and women, particularly within the family and broader social environment, does not necessarily address the intersecting forms of oppression experienced by various minority groups. While it is not inherently wrong for feminism to prioritize women’s rights, it is crucial to recognize that an inclusive and intersectional approach should be taken to ensure that the rights and concerns of all marginalized groups are addressed.

This limitation in Korean feminism can be traced back to the early waves of feminism in Western countries. While the historical contexts and issues addressed by Western feminism and Korean feminism differ, both movements have, to some extent, formed dominant categories that neglect or exclude other minority groups. This includes women of color, individuals with minor sexualities, and non-women minorities. The majority of feminists in Western countries and contemporary Korean society have often failed to fully address the social issues faced by these other minority groups. In the case of Korean feminism, the movement has struggled to embrace diverse subjects of oppression that do not fit neatly within their defined category of women. Consequently, many individuals and groups that fall outside of the narrow ‘women’ category have been left out and have not received adequate social care or support. This narrower perspective may contribute to the exclusion and neglect of issues related to non-heterosexuality in Korean society, as it may not align with the primary focus of Korean feminism on women’s rights. However, it is worth noticing that in recent years, there has been an increasing recognition and inclusion of LGBT issues within the feminist movement in Korea. Many feminist activists have been working to address the intersectionality of gender and sexuality (Seo Jungmin and Choi Seoyoung 2020), acknowledging that the struggles faced by LGBT individuals are interconnected with those faced by women.

### **3. Third wave feminism and Intersectionality**

Third-wave feminism represents the importance of diversity and individuality towards minorities' rights. Leslie and Drake (1997) state that all streams of feminism are part of the third wave lives, thinking, and praxis, as third-wave feminism embraces the broad range of social issues related to inequality. However, at the same time, this new trend of feminism also takes a perspective as focusing the analysis on individualities. Hence, this multi-vocal feminism covers a wide range of minority issues, including race, gender, disability, or homosexuality. In order to interconnect all these different and robust features in one target, third-wave feminism has used one keyword, "Intersectionality".

"Intersectionality" is a concept that was originally introduced by Kimberlé Crenshaw (1989: 141), a civil rights activist and legal scholar, in her influential work published in 1989. In this groundbreaking piece, Crenshaw critiques the existing US antidiscrimination laws, highlighting their failure to acknowledge the interconnectedness of racism, sexism, and classism experienced by black women. She argues that these forms of discrimination cannot be viewed as separate entities, but rather as integral components of a complex and intertwined system. Coined by Kimberlé Crenshaw (1989: 141), intersectionality challenges the dominant white feminism by highlighting the interconnected nature of various forms of oppression within society. Crenshaw argues that patterns of oppression are not isolated but rather intertwined, influenced by intersecting systems of race, gender, class, ability, and ethnicity. To truly understand discrimination, it is essential to consider the multiple dimensions of identity and their interactions, rather than attributing it solely to one factor, such as gender. For example, if we compare a white gay male from a labor-class background to a highly educated young black female, the discrimination they face cannot be solely attributed to the binary relationship between men and women or their individual characteristics. Instead, discrimination is the result of the interconnectedness of all their factors. In this case, the black woman faces more discrimination due to the intersection of her race and gender, placing her in a more disadvantaged position compared to the white gay man. This example demonstrates a basic, yet clear division of how interconnected factors impact the lives of marginalized individuals.



However, intersectionality goes beyond this simple example, recognizing that the mechanisms of discrimination are often more complex and require in-depth analysis in individual cases. It allows for a deeper understanding of the ways in which different systems of oppression intersect and shape individuals' experiences. Intersectionality has been recognized as a valuable method for examining the institutional reproduction of inequality, whether in the context of the state, family, or legal structures. It has made significant theoretical contributions to women's studies (McCall 2005) and provides a framework for understanding the complexities of discrimination and oppression faced by various marginalized groups. As stated by Grabham et. al (2009: 1), intersectionality can be used as a method for "interrogating the institutional reproduction of inequality, whether at the level of the state, the family, or of legal structures more generally".

Intersectionality in the context of third-wave feminism highlights the importance of understanding and addressing the ways in which gender intersects with other identities and social structures. It recognizes that women's experiences are shaped by multiple dimensions of their identities and that different women face different forms of oppression and privilege based on these intersections. It calls for inclusive feminist movements that center the experiences of marginalized groups and strive for a more holistic and nuanced understanding of gender and social justice (McCall 2005). As pointed out by Tong and Botts (2017: 131), the solutions to the problems taken up by feminism "must resist simplistic analysis and instead reflect the complexity of the historicity of the women who experience them". Intersectionality can be an essential tool that explains discrimination with multi-dimensional approaches since discrimination does not solely stem from sexual differences between men and women but arises from diverse conflicting factors, even within the same gender. It encompasses various minorities such as gay, lesbian, disabled, or other marginalized individuals. According to Seo and Kubota (2023), the concept of intersectionality has transcended disciplinary boundaries and geographical borders. It has not only been embraced by various academic fields but has also found its way into administrative offices within universities. While the original purpose of intersectionality, as outlined by Crenshaw (2011), was to address the unique challenges faced by black women and dismantle the marginalization resulting from

the intersection of race and gender discrimination, subsequent studies (Cho et al. 2013; Davis 2020) have expanded and modified the concept.

In addition to its application in different contexts, the concept of intersectionality has been utilized to examine various phenomena. For example, it has been employed to explore the experiences of the Korean diaspora (Choo Hae Yeon 2012; Chun et al. 2013; Song Jee Eun Regina 2023) and shed light on the lived experiences of Black female English teachers in South Korea (Seo and Kubota 2023). These studies aim to comprehensively understand the multifaceted role of gender and feminism within Korean society, considering their cultural, social, political, and economic implications (Kim Jinsook 2021). Utilizing this theoretical framework, we can analyze the case of the first transgender officer dismissed by the Ministry of National Defense in South Korea, aiming to dissect the discrimination faced by transgender women within the country's societal and institutional contexts, through the lens of third-wave feminism.

#### **4. Intersectional analysis of the transgender officer discharged by the Ministry of National Defense**

In the case of staff sergeant Hee-Soo Byun, an active-duty soldier serving in the Korean Army, an intersectional analysis reveals the discrimination she faced within the societal and institutional contexts of South Korea. Byun underwent sex reassignment surgery during an official vacation, a process that did not violate any regulations. However, the Ministry of National Defense dismissed her, citing a “physical and mental disability” as the rationale for the discharge (Choi Si-young 2021). Despite Byun's desire to rejoin the army as part of the ‘women's army corps’ instead of remaining in the male troop, all her efforts to remain as a member of the army were rejected. Additionally, her petition for reinstatement was also denied. Frustrated by these decisions, Byun filed a lawsuit on 11 August 2020, seeking the cancellation of her discharge and expressing hope for a just decision by the judiciary and for the Republic of Korea to overcome hatred (Choi Si-young 2021). Unfortunately, the situation took a tragic turn, as Byun was found dead on 3 March 2021, having taken her own life (Choe Sang-Hun 2021).

The case of staff sergeant Hee-Soo Byun and the ensuing discussions in Korean society highlight the complexity and divergence of opinions regarding transgender individuals serving in the military. While Gallup statistics indicate that a majority of Koreans believe that changing one's gender is a personal choice, the acceptance of transgender individuals serving in the military shows a different trend. According to the same Gallup survey, 58% of respondents believed that a male-to-female transgender person could not remain in the army (Gallup 2020). This disparity between general acceptance of transgender individuals and the specific context of military service demonstrates a deviation in attitudes. It suggests that societal views on transgender issues may vary depending on the specific field or context. A study conducted by Lee, Ryu and Lee (2022) further supports this finding. Their analysis of online news articles and comments related to Byun's case revealed that while a portion of the comments acknowledged the personal autonomy of surgical transition, only one comment expressed support for transgender soldiers with surgical transition (Lee Jeehye, Ryu Dong-Hee and Lee Su-Jin 2022).

To comprehensively understand the discrimination faced by Byun and others in similar situations, an intersectional analysis is necessary. This approach examines how various factors intersect and influence the rationale behind such cases. By considering the diverse elements at play, such as gender identity, societal attitudes, legal frameworks, and institutional biases, we can gain insights into the complex dynamics contributing to discrimination in this context. An intersectional analysis allows us to examine the interconnections between gender, social norms, institutional policies, and public attitudes. It helps us understand how these factors intersect and shape the experiences and challenges faced by transgender individuals in the military and society as a whole.

Firstly, it is crucial to recognize the diversity within the transgender category and understand the inequality faced by transgender individuals. The history of sex reassignment and transgender identities is relatively recent, leading to persistent misconceptions and prejudices. Many people still hold the belief that transgender individuals suffer from mental or genetic disorders. Initially, the World Health Organization (WHO) defined transgender individuals as individuals with gender disorders. However, in the recent WHO ICD-11 (2019), the definition has been updated to "gender incongruence", reflecting a shift in attitudes towards transgender individuals and

recognizing their experiences as a valid aspect of their identity. Despite this evolving understanding, the Ministry of National Defense in Korea, in their statement on January 16, 2020, referred to the officer's decision to change her sex as a mental and physical disorder. This decision by the Ministry of National Defense exemplifies the intra-categorical complexity framework, as it illustrates discrimination based on a specific categorical identity, namely transgender. By adhering to traditional biases regarding sexuality and perceiving minorities as physically and mentally abnormal, the ministry's decision perpetuates discrimination against transgender individuals. Such discrimination by a national institution violates the principles of equality among diverse categories advocated by the perspective of third-wave feminism.

Secondly, the military exerts a significant influence in this case. Specifically, the Korean Army holds a prominent role as the national defense force, responsible for safeguarding the country from potential threats. Due to the historical context of the Korean War and the ongoing tensions with North Korea, the Korean Army operates within a strict hierarchical structure and maintains a predominantly male-dominated system. The Gallup survey (2020) results reveal an important finding: while the majority of Korean people do not view the category of 'transgender' as inherently discriminatory, when the question presupposes the context of the army, approximately half of the respondents answered negatively. This underscores the significant role played by the army as a determinant of discrimination. The Korean Army, by nature, does not readily embrace the inclusion of diverse sexualities such as transgender or homosexuality. The interplay between the categories of 'army' and 'sexuality other than heterosexual' is crucial and contributes to the discriminatory outcomes observed. The army represents a strict adherence to a heterosexual norm, leading to the exclusion and non-acceptance of other categories that deviate from this specific group. Consequently, the presence of the army in the question limits the acceptance of categories that contradict its strict 'heterosexual' identity. The army stands out as an influential factor in perpetuating discrimination in this case. The Korean Army's characteristics, including its historical background, hierarchical structure, and male dominance, contribute to a lack of acceptance for diverse sexualities such as transgender or homosexuality. The strict heterosexual identity associated with the army restricts the acceptance of other categories that challenge or deviate from this norm. Moving forward, it is crucial to address and transform the rigid norms and

exclusionary practices within the military to foster inclusivity and equity for individuals of all gender identities and sexual orientations.

Furthermore, the constitutional policy in South Korea reinforces the exclusion of transgender women. Specifically pertaining to transgender individuals' right to self-determine their occupations, particularly in the context of military service, the Constitution of the Republic of Korea contains provisions that hinder their inclusion. Article 39 of the Constitution states that "All citizens shall have the duty of national defense" (Constitution of the Republic of Korea 1987) while Article 3 of the Military Service Act specifies that "Every man of the Republic of Korea shall faithfully perform mandatory military service. A woman may perform only active service or serve through volunteering" (Military Service Act 2019). Although transgender women can now be exempted from military service upon receiving legal gender affirmation, the previous requirement for proof of genital surgery along with the legal process posed significant challenges (Kim et al. 2018 cited in Lee et al. 2022). However, even with these recent changes, there is a lack of relevant policies and appropriate medical services for transgender women who express a willingness to serve their country. Consequently, their right to serve in the military is not guaranteed, despite the Constitution guaranteeing the right to pursue happiness, freedom of occupation, and prohibiting discrimination (Constitution of the Republic of Korea 1987). The United Nations High Commissioner for Human Rights has condemned the forceful discharge of individuals like Ms. Byun, asserting that "the dismissal of Ms. Byun would violate the right to work and the prohibition of discrimination based on gender identity under international human rights law" (Choe Sang-Hun 2021, para.15). Thus, the constitutional policy perpetuates the exclusion of transgender women, resulting in their marginalization within the military and broader society.

The constitutional policy in South Korea acts as a barrier to the inclusion of transgender women in the military. The provisions outlined in the Constitution and the Military Service Act hinder their ability to freely determine their occupation and exercise their right to serve. The lack of comprehensive policies and adequate medical services further undermines their inclusion. This exclusionary policy contradicts the constitutional guarantees of pursuing happiness, freedom of occupation, and protection against discrimination. As a result, transgender women face marginalization not only within the military but also within society at large.

Lastly, the absence of sufficient social systems or norms to protect minorities in the Korean society exacerbates the discrimination faced by transgender individuals. The social system's failure to accommodate and acknowledge alternative sexualities beyond the binary of male and female plays a significant role. The rejection of the transgender officer by both male and female army institutions demonstrates that the discrimination is not solely based on gender differences. Moreover, the lack of support from civic groups, which should ideally advocate for minor issues, further reinforces the perception of the 'transgender' category as being on a distinct level.

Korea is often characterized as a conservative country with limited tolerance towards the LGBT community compared to other nations. This conservative stance is frequently attributed to the influence of Confucian ideology (Kim Heisook 2009; Shim Young-Hee 2001), which emphasizes traditional conservatism and hierarchical relationships (Xu Xiaoge 1998; Mizock and Mueser 2014). Despite the presentation of eight previous proposals for an anti-discrimination law in Korea since 2007, such legislation has yet to be enacted. Previous studies have highlighted the existence of negative beliefs, attitudes, and fear towards transgender individuals, resulting in social stigma, prejudice, discrimination, and even violence against them (Mizock and Mueser 2014). Thus, the interconnected social structure and traditional biases towards different sexualities serve as significant factors contributing to discrimination (Lee Jeehye, Ryu Dong-Hee and Lee Su-Jin 2022).

It is noteworthy that a similar situation, but with divergent outcomes, occurred across the Pacific Ocean. In the United States, a transgender woman was able to continue her career as a female soldier, whereas the Korean officer faced obstacles in achieving the same outcome. These disparate results can be attributed to the differing social and cultural structures of the two countries. Unlike Korea, the United States does not regard transgender individuals as having a mental illness or physical disability (Marty and Segal 2015). According to Baker's definition, transgender individuals are those whose gender identity does not align with the sex assigned to them at birth (Baker 2017). It is important to note that not all transgender individuals experience significant distress, and the Diagnostic and Statistical Manual of Mental Disorders, 5th Edition (DSM-5), employs the term "gender dysphoria" to clinically describe this distress (Baker 2017: 1081). Hee-Soo Byun, throughout her lifetime, openly shared her journey of undergoing

gender-affirming surgery to live authentically as a woman and as a soldier (Kwon Junhyup 2021). However, the current military personnel regulations in South Korea do not fully encompass the DSM-5 definition of transgender. It is increasingly recognized that considering transgender identity solely as a mental illness is outdated (Brown and Kolditz 2015; Lee Jeehye, Ryu Dong-Hee and Lee Su-Jin 2022).

From an intersectional perspective, it becomes evident that the issues faced by marginalized individuals are not solely rooted in simplistic differences based on sex. Instead, they are the result of multi-categorical complexity, wherein various intersecting factors interact in diverse ways. The discrimination observed in the current Korean case can be understood through the lens of intersectionality and the framework of third-wave feminism. Such discrimination should be analyzed as a consequence of individual, categorical, and socially interconnected complexities, which are encountered by minority groups worldwide.

## **5. Concluding remarks**

This paper begins by examining the earlier development of Western feminism and its parallels with Korean feminism within the historical and social context. It subsequently introduces the intersectional framework as a means to analyze the case of Hee-Soo Byun, the first transgender officer who faced discharge from the South Korean Ministry of National Defense. More specifically, it explores the interplay of gender identity, military service, and institutional policies that contribute to the marginalization and mistreatment of transgender individuals within the military. By utilizing the case study of Hee-Soo Byun, this research sheds light on the challenges encountered by transgender individuals in Korean society where the LGTB group represents a gender minority. In Korea, the absence of anti-discrimination laws and the cultural context contribute to an unfriendly environment for LGTB individuals. As noted by Yi and Phillips (2015), the LGBT community is often excluded from discussions on human rights issues in Korea. Additionally, research on transgender health primarily focuses on clinical aspects and surgical experiences, neglecting the social well-being of transgender individuals (Kim et al.

2018 cited in Lee et al. 2022). Following the death of Hee-Soo Byun, the Defense Minister acknowledged the need for research on the inclusion of transgender individuals in the military (Ji Da-gyum 2021). However, as of now, no such study addressing Byun's case has been published (Lee Jeehye, Ryu Dong-Hee and Lee Su-Jin 2022). This highlights the severe situation faced by transgender people in Korea, characterized by multidimensional exclusion and oppression.

Feminism has evolved over time, initially focusing on securing rights for women, particularly white women. Contemporary feminism, however, transcends binary gender boundaries and embraces a more diverse understanding of identity. As society becomes more complex with intersecting identities, the feminist movement reflects this diversity. While Korean feminism has predominantly focused on women's rights, the case of the transgender officer sheds light on a new approach to future feminism, not only in South Korea but also in countries still operating within the framework of second-wave feminism. Third-wave feminism, which emphasizes intersectionality, offers fresh insights into gender, recognizing its complexity beyond the male-female binary. It argues that discrimination and inequality arise from various conflicting factors, including the outdated misconception of transgender identity, policy and hierarchical culture within the military and the conservative traditional Korean culture. This paper, which takes into account the unique cultural and socio-political context of Korean society, underscores the need for inclusive and equitable approaches to transgender rights. With the above analysis and discussions, it is hoped that this paper will contribute to the existing body of knowledge on transgender rights, gender equality, and feminist activism in South Korea, providing insights to inform future discussions, policies, and actions aimed at promoting inclusivity and equal opportunities for transgender individuals within the context of military service and beyond.

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The authors declare that they have no conflicts of interest related to this research. No financial or personal relationships with other people or



organizations could have influenced the interpretation of the data or the decision to publish.

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Conceptualisation: Park Jungman and Liu Jianwen;  
Methodology, Park Jungman and Liu Jianwen;  
Writing – original draft preparation: Park Jungman;  
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