

# Psychosocial and Educational Problems of LGBTQ Community in India



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*I dedicate  
this  
edited volume  
to  
'SUBODHINI': A learned lady.*



## About the Book

In a historic judgment, The Supreme Court of India on 6 September 2018 ruled that consensual gay sex in private space is not crime saying that sexual orientation is natural and people have no control over it. This judgment is a new dawn for personal liberty for LGBTQ community because in any inclusive society persons cannot be discriminated on the basis of grounds related to their identity. Judges of Apex court said that social morality cannot violate the rights of even one single individual.

As this decision was flashed in media, mixed reactions were captured among various sections of the society and new debates emerged on sexuality nationwide because larger part of Indian society was not ready to accept this kind of decision but smaller part of our society believes in right based society and welcomed this shift. Philosophy of inclusion emphasizes that no one should left behind and the role of families becomes decisive in increasing acceptance of LGBTQ community members' in society; minimizing their trauma and other problems. But inclusion of members of LGBTQ community with their dignity and natural identity is not easy and they are still living on the margins of the society.

The historic decision of Apex court has little impact in changing the mental set of our society and larger part of society is not able to digest the shifting paradigm in sexuality. LGBTQ community members are still facing many barriers, problems and trauma since long back in every aspect of life. Most of them left their education incomplete, sexually abused and exploited in society as well as in families, as many trans people have written in their autobiographies and exposed the exclusionary face of society. There is need to make people understand that every person has right to enjoy dignify and quality life with zero discrimination.

Present book emphasises on the shifting paradigm in sexuality and divided in three major sections psycho-social, educational and miscellaneous containing twelve chapters. These chapters draw attention to the invisibility of LGBTQ community, transphobia, coming out of the closet, trans marriage, prejudices against sexual minorities in schools, socio-economic and educational problems, problems transgender persons in higher education and their demographic pattern.

Editor hopes that collection of these articles contributed by valued authors will make clear picture about problems of LGBTQ community. I tried to make this book error free but extend a request to readers of this book to share their valuable suggestions and feedback via email given in about the author section. I extend thanks to all wise authors of various chapters for valuable academic support and choosing a suitable title too. Further, I acknowledge here with gratitude the support and love of my family during this journey.

*Satish Chandra*  
*The Editor*

# Contents

## Psychosocial Problems

<b>1. The Invisibles: The Third Gender of India</b>	<b>3</b>
<i>Dr. Mohd. Shamim, Dr. Mohd. Irshad Hussain</i>	
<b>2. Scaling to Silence— A Treatise to Transphobia</b>	<b>17</b>
<i>Payel Ganguly</i>	
<b>3. Coming Out of the Closet</b>	<b>30</b>
<i>Krupa Nishar</i>	
<b>4. Transgender Persons and Their Psycho-Social Problems</b>	<b>48</b>
<i>Jonali Borah</i>	
<b>5. Dynamics of Psycho-Social Issues Among Transgender Persons in India</b>	<b>64</b>
<i>Dr. (Ms.) Neha Sharma, Jasleen</i>	
<b>6. Trans Marriage in India: A Contrasting Journey of Hardship and Happiness</b>	<b>86</b>
<i>Khuman Bhagirath Jetubhai, Dr. Madhumita Ghosal</i>	

## Educational Problems

<b>7. Prejudices and Discrimination Against Sexual Minorities in Schools- An Exploration of Issues and Concerns in India</b>	<b>99</b>
<i>Amar Singh</i>	
<b>8. Social, Economic and Educational Problems of Transgender Persons in India</b>	<b>114</b>
<i>Dr. Rajalakshmi Das, Dr. Bimal Charan Swain, Mrs. Suchismita Das</i>	
<b>9. Challenges and Problems of Transgender Persons in Higher Education</b>	<b>124</b>
<i>Dr. G. Anbalagan</i>	
<b>10. Mitigating the Problems of Transgenders with Reference to Their Constitutional Rights and Teacher Education</b>	<b>138</b>
<i>Dr. P. B. Beulahbel Bency</i>	

## **Miscellaneous**

- |  |            |
|--|------------|
| <b>11. Demography Pattern of Transgender People in India</b>             | <b>151</b> |
| <i>Habib Subhan, Rubia Biswas, Hassan Momin</i>                          |            |
| <b>12. Transgender Persons in Indian Society- A Research Perspective</b> | <b>166</b> |
| <i>Dr. Bimal Charan Swain</i>  |            |

# **Psycho-Social Issues**



# **The Invisibles: The Third Gender of India**

**Dr. Mohd. Shamim, Dr. Mohd. Irshad Hussain**

On 15<sup>th</sup> April, 2014 the Apex court of India in its verdict addressed “*hijra*” or “eunuch” as “third gender” which disregarded the concept of ‘binary gender’ i.e. ‘man’ and ‘woman’, prevalent in our society since the dawn of civilization. The verdict stood in favour of humanity and went against gender which raised a wall among human beings. Gender never united but divided us. To eradicate this division the honourable Supreme Court directed the Central and State governments that *hijras* should be given the same respect, honour and regard which men and women are enjoying. The Apex Court instructed the State and Central governments to keep them in OBC Category to get the benefit of reservation policies in government services and educational institutions. (The verdict of honourable Supreme Court on third gender, 14<sup>th</sup> April, 2014)

## **Third Gender or ‘Third Sex’**

The term third gender refers to individuals who are neither man nor woman, but represent a third space which may be an intermediate state or a state of being both. Western academy used the term “third gender” as an umbrella term that encompasses anyone whose gender identity does not fully match their assigned birth sex. Western thought argues in terms of binaries, like man-woman, good-bad, day-night etc. The presence of third gender, therefore, has caused a great amount of academic interest and since the mid 1990s the growth and development of specific theories has marked this growing academic interest.

Third gender or ‘third sex’ are also creatures of God. They have heart, soul, emotions and feelings. They also laugh and cry, they also feel joys and sorrows, they also believe in God. They also take the taste of life. They also smell. They do what we do. They need what we need. Then why do we separate them? Because, they don’t have the sexual organs which we possess, because they don’t beget children. For their sexual disability they are not responsible but God. On this ground we don’t have any right to treat them as ‘minor’ creature of Almighty. Being the rational creature of Omnipotent we should disapprove the concept of

‘gender’ and would make society to welcome ‘sex’ because it is natural while the former artificial. ‘Gender’ is man created and sex God. Gender encompasses dress, manner, attitude, way of saying and living. The victim of gender politics is not only *hijras* but also women. They fought against it by starting the movement ‘feminism’ or ‘women empowerment’. Now the need of time is to raise the voices for third gender.

Lakshmi Parvati, an activist, lawyer and founder of Naz Foundation in an interview says. “A major part of third gender/transgender population- the *hijra* community has been ostracized for a very long time. The society has either treated them as born or as a bane. The only time the society is happy to see them is when they come to celebrate your daughter’s wedding or at birth of your son. Most other times, many of you simply roll up your car windows to avoid them when you spot them at traffic signals. All they have ever wanted is to be treated as normal human beings.” ([www.pinterset.com](http://www.pinterset.com))

Ramya Abhinand writes “The verdict of Supreme Court on third gender issue is a big step; there is still a long way to go in restoring the dignity of the “third gender”. They are still stigmatized by the mainstream society and are often denied the basic rights of education and employment. There is even a certain element of hesitance to rent a home to a transgender person. She further says, “until we begin to accept them as part of our society, no law is enough to give them the dignity they need so much. They will just be people you spot outside your car, clapping their hands, demanding your attention, as the windows roll up.” (From the blog of Ramya Abhinand)

## **Transgender in Indian Myth and History**

The *hijras* are a religious community of men who dress and act like women and whose culture centers on the worship of Bahuchara Mata, and one of many versions of the Mother Goddess, worshiped throughout India. In connection with the worship of this goddess, the *hijras* undergo an operation in which their genitals are removed. The *hijra* emasculation operation consists of surgical removal of penis and testicles, but no construction of a vagina. This operation defines them as *hijras*-eunuchs- neither men nor women. It is through their identification with the Mother Goddess, and the female creative power that she embodies that the *hijras* are given a special place in Indian culture and society. *Hijras*, as neither men nor women, function as an institutionalized third gender role: Their ambiguous sexual nature, through which they embody the power of generativity of the goddess, accounts of their traditional occupation, that of performing after the birth of a child, at weddings, and at temple festivals. As an institutionalized third gender role, the *hijras* are of interest not only in themselves, but also for their significance to the study of gender categories and human sexual variation. (Nanda, P.XI)

Historically, it is very difficult to find out the origin of the third gender. But through various references in ancient scriptures, literature, it was found that the existence of these people since the story of human life has been recorded. Erica Belkin asserted that the tradition of this group was found in the Indus Valley civilization dating as early as 25,000 B.C. (Belkin, 2008). God Shiva as well as goddess Bahuchara Mata are the patron deity of the modern *hijra*. (Penrose, 200)

In Kama Sutra *hijras* has been addressed as tritiya prakriti, an impotent being unable to bear children, perhaps hermaphrodites or those both with unusual gender characteristics who had little choice but to become courtesans. (Jeffrey, 1996)

In The Ramayana, Lord Rama while returning from exile with his wife Sita and brother Laxman blessed the *hijras* waiting for him for long 14 years. Rama sanctioned them the power to confer blessing on child birth and the belief is that their blessings can make a barren women fertile. (Darlymple, 1993, Narrain, 2003) This myth enables the *hijra* community of present time to earn a livelihood.

In Mahabharata Arjun played the role of third gender Brihannala in the court of king Virata at the time of exile. The same was done by Shikhandi, the rebirth of Amba. Lord Krishna took the role of a third gender Mohini to marry Arvan, the son of Arjun. (Reddy, 2005)

In Delhi Sultan and Mughal empire *hijras* played a vital role in court, kitchen and harem. The word for court eunuch in India came from Persian-Kwajasara (Kwaja honorific, meaning “real master”, sera to decorate). In Mughal empire most of the eunuchs who served in the courts were castrated. They existed as an institution (Sharma 2009). Some well known names of *hijras* in Delhi Sultanat and Mughal empire are Imaduddin Rayhan, Malik Kafur, Khusrace Sah, Muhit-ul-Mulk, Phul Malik and Firoz Khan.

During British empire The Criminal Tribes Act 1871, criminalized and persecuted *hijras*.

### **Third Sex in Postcolonial India**

In Postcolonial India the condition of third gender is very poor. The people are not aware that third sex is man or woman like them. They have also the basic necessities of life what man and women hold. Here the statement of Dalai Lama is very fruitful: “We often talk about moral values, justice and trust, but the important thing is to put them into effect in our everyday lives.” Regarding the rights of Third Gender the Apex Court of India directed both the Central and State governments in its verdict on 14<sup>th</sup> April, 2014 to keep them in OBC category to get the benefit of government jobs and education. Their problems should be seriously addressed as fear, shame, gender, dysphoria, social pressure, depression, suicidal tendencies, stigma etc. They should be given proper medical care in hospital and separate public toilets should be made for them. Healthy atmosphere should be created

---

in our society by which the TGs will feel that they are also part and parcel of this beautiful planet. They should be given the opportunity to get the blissful seat which they enjoyed in the past.

Within two years of the judgement of the Apex Court on TGs some fruitful result started to come. Indian Institute of Management opened doors to transgender following the Supreme Court order to recognize the third gender. Many students applied in CAT, 2015 in the category of third gender. After she Taxi, Kerala to launch G-Taxi for transgenders that shows the awareness of the people and also the activeness of various state governments. In Calcutta Manabi Bandopadhyaya became the first transgender principal of a P.G. girl's school.

In the words of Honourable Mr. Justice P. Sathasivam: "The constitution of India provides for the fundamental right to equality, and tolerates no discrimination on the ground of sex, caste, creed of religion. The constitution also guarantees political rights and other benefits to every citizen of India. But the third community continues to be ostracized. The Constitution affirms in all spheres but the moot question is whether it is being applied." (Lecture delivered by Honourable Justice p. Sathasivam)

## **Emasculation Ritual**

Emasculation is the major source of the virtual power of *hijras*. It is the source of their uniqueness and the most authentic way of identifying by the larger society. It is the emasculation operation that links the *hijra* to two of the most powerful figures in the Hindu religion. Shiva and the mother goddess, and it is emasculation that sanctions the *hijras* vital role as performers at marriage and births. Various kinds of eunuch priests who serve the mother goddess in India are ultimately impersonating Shiva, or Shiva in union with the mother goddess, this accounts for the third aspect of the *hijra* role, that is their presence at temple festivals. (Nanda, P.24).

The *hijras* call the emasculation operation nirvan. Nirvan is a condition of calm and absence of desire; it is liberation from the finite human consciousness and the dawn of higher consciousness. The Hindu scriptures call the beginning of this experience the second birth, or the opening of the eye wisdom. The *hijras*, too translate nirvana as rebirth. Emasculation is explicitly a rite of passage, moving "the nirvana" (the one who is operated on) form the status of an ordinary, impotent male person dies, and a new person, endowed with sacred power, is reborn ideally, the emasculation is performed by a *hijra* called a daai ma (midwife), a clear and strong symbolic statement of emasculation rebirth (Nanda, P.26-27).

Emasculation is not only a religious delegation, but it also distinguishes true *hijras* from "fake" *hijras*. This gives the *hijra* community a way to protect its economic monopoly over certain ritual occasions. This is an extremely important

consideration in a society where such economic niches are crucial for survival and where, of course, the social structure of the caste system provides a model for occupational exclusively. (Nanda, P.37)

## **Social Organization**

*Hijras* social organization is very strong. Like others they also have the community feeling which integrate them with larger society. They also give value to hierarchy, respect, respectability and reciprocity.

*Hijras* sometimes live alone, but even then, they keep close ties with the *hijra* communes in their locality. Whereas a few *hijras* live alone because of the temperamental preference for the isolated life, others do so because by virtue of their talents and ambitions they make an excellent living and feel secure enough in their worth to want to be independent of the restraints of communal living. (Nanda, P.38)

A *hijra* who lives on her own does not have to share all her income, but only the part of it she earns when working with a *hijra* group. The *hijra* household is organized as “commune”. The members contribute part of all their earnings to the household, and they may also help with household chores. In return they get a roof over their heads, food, protection from the police, and a place to carry on their business either this is performing, begging or prostitution. Thus, the *hijras* living in a household are subject to its rule, more or less strict depending on the region. (Nanda, 39).

In the division of the *hijra* community into houses, an analogy is also made with jati (caste). Each house within a region has a leader, called naik (chief) and it is the leaders of the houses in a region who get together nationally from time to time to decide on policy for the *hijras* in India as a whole or to celebrate some event of national significance to them, such as the death anniversary of a famous *hijra* leader. For any important occasion with a locality, whether the initiation of a new recruit or the resolution of a dispute, the naiks, as the head of the seven houses locally, get together in ajamat, or a “meeting of the elders”. (Nanda, P.39)

## **The Hijra Hierarchy**

The *hijra* community is composed of a strict hierarchy with large groups of *hijras* from different areas forming different dynasties of houses called gharanas. Each of these gharanas is headed by a Naayak, who is primary decision maker for that house. Each Naayak may have a number of gurus (literal translation of teacher) under him. These gurus rule can have number of chelas (followers) below him, who learn about various *hijra* customs and rituals from the guru. There are no rules or regulations as to when a *hijra* can become a guru. The *hijras* refer to each other as females, forming relations such as sister with contemporaries and, hence, maternal aunt (maasi) with their seniors. The grand-mother guru is referred

to as nani. These relation and social structures reflect the structure of heterosexual family except that it includes all-female members (i.e. *hijra*). Though uncommon, a *hijra* member of one gharana can change his gharana and join another one, after paying some amount of penalty (dand) (Kalra, P.124).

## **Hijras' Occupation**

*Hijras* are primarily associated with a traditional occupation, which helps ensure individuals on economic niche within Indian society. In cities *hijra* guru has a control over a particular neighbourhood, and her chelas ceaselessly comb the houses and maternity hospitals of their “territories” to find out when and where a child, particularly a male child has been born or where a marriage is about to take place. When they come across such a home, they put their distinctive mark, or sign, on the doorway in chalk. Each *hijra* house has such a mark, and this is a notice to other *hijras* that this location is “taken” and no other group may perform.

Other source of earning is asking for alms, either from passerby on city streets or, more commonly shopkeepers and exercising prostitution. (Nanda, P.128).

## **Verdict of the Apex Court of India**

1. *Hijras*, Eunuchs, apart from binary gender, be treated as “third gender” for the purpose of safeguarding their rights under Part III of our Constitution and the laws made by the Parliament and the State Legislature.
2. Transgender persons’ right to decide their self-identified gender is also upheld and the Centre and State Governments are directed to grant legal recognition of their gender identity such as male, female or as third gender.
3. We direct the Centre and the State Governments to take steps to treat them as socially and educationally backward classes of citizens and extend all kinds of reservation in cases of admission in educational institutions and for public appointments.
4. Centre and State Governments are directed to operate separate HIV Sero-surveillance Centres since *Hijras*/Transgenders face several sexual health issues.
5. Centre and State Governments should seriously address the problems being faced by *Hijras*/Transgenders such as fear, shame, gender dysphoria, social pressure, depression, suicidal tendencies, social stigma, etc. and any insistence for SRS for declaring one’s gender is immoral and illegal.
6. Centre and State Governments should take proper measures to provide medical care to TGs in the hospitals and also provide them separate public toilets and other facilities.
7. Centre and State Governments should also take steps for framing various social welfare schemes for their betterment.

8. Centre and State Governments should take steps to create public awareness so that TGs will feel that they are also part and parcel of the social life and be not treated as untouchables.
9. Centre and State Governments should also take measures to regain their respect and place in the society which once they enjoyed in our cultural and social life.
10. We are informed an Expert Committee has already been constituted to make in-depth study of the problems faced by the Transgender community and suggest measures that can be taken by the Government to ameliorate their problems and to submit its report with recommendations within three months of its constitution. Let the recommendations be examined based on the legal declaration made in this Judgement and implemented within six months.
11. Writ Petitions are, accordingly, allowed, as above.

..... J.  
(K.S. Radhakrishnan)

..... J.  
(A.K. Sikri)

New Delhi,

April 15, 2014.

Language Used by Third Gender		
S. No	Word(s)	Meaning
1.	Chibri	A symbolic language used for third gender, devoid of sexual organs.
2.	Tepka	Infant (Male baby)
3.	Tepki	Infant (Female baby)
4.	Punya	Welfare
5.	Karey Taal	A third gender in the attire of male.
6.	Buchara Mata	Goddess of third gender
7.	Barma	One hundred rupee note
8.	Chosa	Wealthy man
9.	Damri	Drum (<ksyd)
10.	Sewa-Sabhakhan	Nurturing and caring
11.	Tetua	Throat
12.	Jism	Physique
13.	Dozakh	Hell

14.	Niharan	Wife
15.	Vila	Miser
16.	Panki	A ten rupee note
17.	Katka	A fifty rupee note
18.	Badhiya	Vasectomy for male sterilization
19.	Chindu	Hindu
20.	Chilku	Muslims
21.	Dhaukanni	Biri, used for smoking
22.	Suddi	Mother
23.	Sudda	Father
24.	Giriya	A male with whom a <i>Hijra</i> maintains live with relationship.
25.	Koti	A <i>hijra</i> who makes an illegitimate relationship with a man. It also refers to a <i>hijra</i> in female attire.
26.	Kanbasi	Telephone
27.	Patwai Das	Don't entertain
28.	Kathuwai	Wrist watch
29.	Bandariya	English men and women
30.	Teen Bara Vala Barma	One thousand rupee note
31.	Khairgally	Third gender singers and dancers who intrude into the prohibited area of any other <i>hijra</i> community.
32.	Pankey	<i>Hijras</i> who sing and dance in their decided are to get 'Neig' and 'Baddhai'
33.	Bena	A hand fan made of wheat corn
34.	Chotey Baher	Put off Urine
35.	Barey Baher	Latrine
36.	Karey Taal	A <i>hijra</i> in male attire
37.	Chamakney	Bell or musical instrument wore on ankle
38.	Mamwi ker khur chatka	Clap and dance before anyone putting off your cloth
39.	Bhapki	Tea
40.	Dhulkani	Rickshaw
41.	Aai Chickney	To address handsome boy

42.	Khilwa Talk ley Aaker	Come and take drink
43.	Hamsi Guruma Bhauni Takni	My guru is my mother, she is taking tea.
44.	Chandru	A familiar person
45.	Yajman	Society
46.	Toolna	Boy
47.	Toolni	Girl
48.	Suta	Old man
49.	Suti	Old woman
50.	Bhavla	Brother
51.	Bhavli	Sister
52.	Roti-Chati	A big ceremony in which <i>hijra</i> of every corner of India gather to celebrate this programme
53.	Ghora	A ceremony celebrated after the death of an aged <i>hijra</i> .
54.	Hamsi chispan giriya hai... per hamsi giriya likam Ariyal	My lover is very handsome and he has a large strong penis.
55.	Safedka	Silver
56.	Pilga	Gold

To conclude, ‘third gender’ or ‘*hijra*’ is a living rational creature of God like us. They have emotions, feelings and notions. They eat, sleep, cry, smile and feel joys and sorrows in their lives. They also sing and dance. They also worship God. They also perform ritual ceremonies. They need the same things which we need. Why are they separate to us? Why are they not part of our lives and society? Who is responsible for this? The answer is the narrow thoughts and gender discriminatory policies of our society. To bring them in the main stream of life they should be given equal opportunity. What we eat and wear should be given to them also. Our religious and educational institutions should be opened for them. Otherwise the world will not be a better world and the dream of “Utopia” will be only on paper not in real life. Politically and economically they should be given a platform which strengthens them. In this case the verdict of Apex Court will be a milestone to improve their condition. A campaign of literacy drive should be run for them. They should make aware that ‘sex’ is natural ‘gender’ social. For their physiology

or anatomy, they are not responsible. God made them in this way. They can hold and enjoy all the things which a normal man and woman avail. For it we need a revolutionary spirit that can discard ‘gender superiority’. We can take the help of NGO’s to make aware them to their rights and duties. No other planet and island can be made for them. They are part and parcel of our culture and society. We should greet them from the core of our heart. I would like to quote Tennyson here: “to strive, to seek, to find not to yield”.

Mental Agony, Stain, Pain and Trauma of Third Gender in the select works of Hindi Novel: Astitva and Darmiyana.

To show trauma, agony and pain of third gender authors have selected two novels of Hindi Literature: Astitva (2017) written by Girija Bharti and Darmiyana (2018) by Subhash Akhil. Both the novels describe the plight of third gender. They also highlight their culture, language, customs, rituals, myth, past and present status. They also depict the causes of their marginalization and exclusion.

With the coming of ‘stream of consciousness’ technique in fiction the novelist started to read a man at inner level. The outer appearance or anatomy of a man is only the structure of man and studying. It means to convert a man into machine. Science only studies the physical organs of a man from mechanical perspective but literature reads the soul, heart and mind. In other words it studies human behavior, its relationship, based on love, emotion generously, benevolence and hatred. Man is not a robot which is devoid of emotion. Man is a living creature of God adorned with celestial and divine beauty which makes him the rational among all the creature of God. But the selfishness and evil ambition taught him the lesson of inequality and injustice which he applied among his own people to make them slave. By the consequence trauma, agony, pain and stain came. Taking these many plays, novels, poems and stories have been written. To interpret such literature critics applied psychoanalytic criticism propounded by Freud and Jung. In English literature William James, brother of Henry James gave the theory of ‘stream of consciousness’ technique to in his book Principles of Psychology (1890) to unveil the curtain of soul, heart and mind. Henry James, James Joyce, Virginia Wolf and many other novelists wrote their novels in the perspective of ‘stream of consciousness’ technique.

The novel Astitva written by Girija Bharti in the story of Priti, third gender whose parents Sudha and Verma conceal her identity from the eyes of society and family members. She has a fear if the people come to know that Priti is a third gender they will snatch her or third gender community will force them to give Priti to them. Sudha as a mother is ready to sacrifice and endure all the pains and stains to save her daughter Priti. Her mother-in-law, parents and relatives always taunt her for not being allowed to see Priti. Sudha is under the grip of fear if family members came to know the reality related to Priti, they will not treat Priti like a common

girl or they will start to hate her. Sudha force her husband to make transfer of his job in any city only to save her child from the eyes of society which gives value to ‘gender’ not ‘sex’. The novelist has depicted the mental agony of Sudha in these words, “...My daughter is a kinnar and *hijras* will snatch her to me.” (Astitva, P.8) On an occasion some kinnar comes to ask ‘neig’ to Sudha. Seeing them she shuts her door. A story kinnar says give us ‘neig’ otherwise I will take your daughter. Hearing it Sudha got angry and said, “How can you take my daughter? She takes a knife from a kitchen and warns if you come forward I will stab it”. (Astitva, P.11)

In the novel the psycho of a third gender comes in the form of stain, pain, trauma and agony when novelists tell about Priti. With the passage of time Priti grew up. She started to feel that she is not normal. She is not like a common girl. People hate her because she is a kinnar. She presents a paradoxical force of our society by saying her mother.

“I don’t understand, mother the people bring up a dog. They love it, care it, nurture it and also show their affection. They bath it by rubbing shampoo and soaps on its body. They show their respect and regard. They also arrange food, milk and other basic necessities to them. They keep it in their car and also sleep with it. That’s a dog, only animal. If they can give it right to live why not a kinner?”

As the time flew changes also came in the body of Priti. She was in deep stress to know that she is entirely different to other children. She is such a type of a child whom society does not greet or welcome. Her mental agony has been presented by the novelist in following words: Now she has completely understand that she is a kinnar not a normal girl. After recognizing her she used to be lost in memories. At times she got up from her nostalgic state and start reading and sometimes wandering outside. One day she reached in a temple and lost in vacuum without knowing how much time she wasted there gazing the status of Gods and Goddesses. It seems that she was asking to God why he had made her in this way? Has she not right to worship him? Why is she so different? During the marriage ceremony of Rupali her father-in-law rebukes Priti by saying that long ago kinnar used to come to get ‘neig’ but they started to give advice also. It shows the mentality of a man who does not give any value to Priti being a kinnar. Priti opposed the demand of dowry, took it as insult and leave no chance to abuse and humiliate Priti. The pain of Priti can be felt in following words:

Priti started to weep embracing her mother. I find helpless myself in understanding the customs and rituals of this society. I accept that I am a kinnar and society has no benefit to me. This is why we are exiled from society still being a human....(P.71)

In the novel Astitva some kinnar asks rupee to passengers with force. A passenger reacted why do you not work? Live and let live with honour. Why do you create trouble for others in train? Very pathetically a kinnar said, “What can

we do son, parents gave up us, we don't know about our home, we don't have any art to do any job. What should I do? Tell me."(P.75)

Sudha, mother of Priti takes her in confidence to marry someone but she says, "only men and women can marry. It's a curse that neither I am a man nor woman but a kinnar.... I don't have my own existence and identity" (P.110-111)

Overall the novel Astitva reveals the plight condition of third gender but it also gives a ray of hope. If parents do not give up *hijras*, society will also come in their supports. The same thing we find in the novel in portraying the characters of Priti, Sudha and Verma. The novelist has presented the stain, pain and humiliation of third gender through third person narrator.

The second novel is Darmiyana, written by Subhash Akhil. First it published in the form of story in 1980 in Sarika magazine. That time no one was interested to write on such issues. Recently it came in the form of novel in 2018. It contains five chapters, each has a story of *hijra* who has been marginalized, excluded, abused and humiliated. It tells about *hijras* living in countryside and city areas. It is well-researched work on the use of their language, customs and rituals. The novelist passed to his life in their company and could see them very closely.

The first chapter of the novel tells about two *hijras* Reshma and Tara. They have guru-chela relationship. They love and care each other. Through them the novelist has presented the rituals, custom and tradition of third gender community. Tara has affinity with Ashu, childhood name of author. She treats him as her son. Ashu comes in the company of bad boys she warns him to leave this company. She says. "...I am unfertile, I can't begot a child like you. Why can I facing the curse of God?"(P.50)

The second chapter of the novel around a third gender named Sanjay. He has a body of male but soul of a female. He finds himself helpless in male attire and starts to wear female cloths. Through castration she converts into Sandhya but died due to excess bleeding. In conversation with Ashu she says. "I have a soul of a woman...I mean I am a woman from soul but other appearance of my body brings me in the category of man. I don't understand what should I do...I am a woman and I want to be that"(P.39). It shows the mental agony of a third gender who is neither man nor woman. She does not have any identity. The society is not ready to give her that honour and respect endured by men and women. There is defect in her body but that is biological. Society cut off a *hijra* because she does not fit in his category of either male or female. For this defect she is not responsible but God.

Sanjay has narrated the trauma and pain of third gender in one of his remarkable statement.

"Bhai, I am a kinnar. People call me with this name. There is no meaning with this significance of the name Sanjay and Sandhya. My life is hellish. We pray to

God to give healthy child to every mother but God send some children like us who struggle throughout life. We implore God don't send children like us. Either make them male or female. (P.37)

The third chapter of the novel tells about a *hijra* named Sunanda, born in a Hindu family but brought up by a Muslim, was given up by her parents. She was born with a male body and had gone with the same trauma, pain and stain to be Sunanda which other *hijra* face. She served Bibi Rukhsar, managed her family and saved them during Hindu-Muslim violence.

The fourth chapter of the novel moves around Rekha, a third gender living in Delhi. She was brought up by her guru Salma. After castration she became a female, named Rekha, given by Salma. She was brutally murdered by her own people. Abused and humiliated by her parents, excluded by society Rekha bravely challenged the name of society based on gender but the victim of the conspiracy of her own people.

The fifth chapter tells about a *hijra* named Daya, living in Ghaziabad, a political figure among *hijra* community. She participated in many elections as a candidate but could not win because gender based society was not ready to give a platform to a *hijra*. She says:

“Sir, I am not a big leader of any party. I don't have unfair means as extra money and scoundrel to win it...we only follow the path of honesty (P.114)

The narrator tells that Daya wore male attire at the age of 17-18. She was not a bright student. She started to run a shop at Sihasui gate. The family members make distance to her. As she grew up she came to know that she is not a normal boy and decided to live a life of a woman. She made her contact to *hijra* Kinnar and started to live in her company. She could learn *hijra* culture especially dance to get ‘neig’. In the novel Daya shares the mental agony of third gender with the novelist. She says, “There is no utility of my life. Society neglect and ignore me being a *hijra*. I want to use the moments of my life for the betterment of my community.” She further says, “Having a body of a male and sole of a female I don't pass a restful life. I have succumbed to unrest and anxiety. I am half and incomplete. I don't have any identity”.(P.119-120)

To conclude, *hijra* have to go with mental agony, trauma and pain because biologically they don't fit either in the category of male or female. Our society believes only in binary gender which does not give any room to third gender. Therefore they face unrest and anxiety. Their experiences have been shared by the novelists in Astitva and Darmiyana.

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# **Scaling to Silence- A Treatise to Transphobia**

**Payel Ganguly**

*“The achievement we celebrate today is but a step, an opening of opportunity, to the greater triumphs and achievements that await us. Are we brave enough to grasp this opportunity and accept the challenge of the future?.....*

*.....That future is not one of ease or resting but of incessant striving so that we may fulfil the pledges we have so often taken and the one we shall take today. The service of India means the service of the millions who suffer. It means the ending of poverty, ignorance, disease and inequality of opportunity. The ambition of the greatest man of our generation has been to wipe every tear from every eye. That may be beyond us, but as long as there are tears and suffering, so long our work will not be over.”*

***Jawaharlal Nehru on India’s First Independence Day Speech (1947)***

The triumphs and sufferings are unending against each other posing challenge to each and every moment of our existence. We have scaled to heights in terms of education, career, awards, employment, fashion, international relations and in every arena that we have chosen but there also lay problems like poverty, communalism, casteism, price rise, political vandalism, rape cases and lesser back up to disability sector as well as to the world of LGBT community. Our scaling is all about moving towards silence, in search for a future that is unknown. This paper will discuss the issues of transgender community and their status in Indian society. The first Prime Minister of Free India, Jawaharlal Nehru has envisaged India as a place to ‘wipe every tear from every eye’, though tough and Herculean job yet he cautioned that ‘as long as there are tears and suffering, so long our work will not be over.’ President Ram Nath Kovind’s Independence Day speech on 15<sup>th</sup> August, 2017 states, “New India must also include that integral humanist component that is in our DNA, and which has defined our country and our civilization. New India must be a..... compassionate society” but how to form a compassionate society in our midst?

According to Caitlyn Jenner, “Trans people deserve something vital. They deserve your respect. And from that respect comes a more compassionate

community, a more empathetic society, and a better world for all of us.” Now what is meant by ‘Transphobia’? It is the fear, hatred, disbelief or mistrust of people who are transgender or thought to be transgender or doesn’t conform to traditional gender roles. This attitude retards the transgender or gender non conforming people from living carefree life. It is as if their life stands at the mercy of social norms. According to Chaz Bano, “There’s a gender in your brain and a gender in your body. For 99% of people, those things are in alignments. For transgender people, they’re mismatched. That’s all it is. It’s not complicated, it’s not a neurosis. It’s a mix-up. It’s a birth defect, like a cleft palate.” The status of the trans- people is diagnosed by society, they seek for a meaningful existence where they will be revered and adored. As the fate of an old woman who has lost her youthful beauty and charm in Sylvia Plath’s ‘Mirror’ depends on the mercy of mirror, so does the transgender people at the reflection of social mirror:

*I am important to her. She comes and goes.  
Each morning it is her face that replaces darkness.  
In me she has drowned a young girl, And in me an old woman.  
Rises toward her day after day, like a terrible fish.'*

When a man does a work of a woman or woman of a man, our society never fails to point to the question of crossing the Laxmanrekha (the border to another territory). We often come across the remarks of like ‘boys don’t cry’, ‘she is tomboyish’ or questions like ‘Are you a man or woman’. When a person speaks in this manner, he or she raises a concept of radical sex-segregation defying one’s embracing the concept of selfhood. It is sexual orientation that affirms who we are, our truthful self in embracing the gender identity of masculine, feminine, neither of these or both, raising a question of identification of one’s sex. Sex segregation is the physical, legal and cultural separation of people according to their biological sex established by social norms. It raises the question of what to be done if a particular person doesn’t belong to any of the gender binary? In Peter Aeslop’s inspirational song called ‘It’s only a Wee–Wee’, we find the truth behind gender identification:

*'As soon as you're born, grownups check where you pee  
And then they decide just how you're s'posed to be  
Girls pink and quiet, boys noisy and blue.  
Seems like a dumb way to choose what you'll do.'*

This leads to gender dysphoria, a fundamental unease and discontentment with the biological sex one is born with which results in depression and anxiety, a tug of war between the genders that one presents the world versus the gender that one feels oneself to be in. In the course of acknowledging selfhood, it becomes a cause of isolation from oneself and high rate of social alienation along with withdrawal symptoms. This results in escalating problems in unpleasant scenario like bullying, abuse and hurtful jokes at appearance along with awkward stares coming on the way of the transgender people. In the context of bullying one fails to understand the parameter of trauma the bullied person go through resulting in emotional break –downs. The curious look of the onlookers regarding how a trans–people behave beyond gender binaries. At times, trans–identity leads to a lack in social or family support reducing the confidence of an individual.

Social ostracization, lack of acceptance within or outside family, discrimination and victimization, identity crisis, fear of having or losing a partner, high –rate of homelessness, self conflict, sense of deadness, lack of employment and weird experiences of life along with other facets of emotional turmoil are the various factors that leads to psycho- social aspects in transgender people. According to Manabi Bandhopadhyay, transphobia is deep-rooted in people's psyche."Unless they are examined by psychiatrists, it is difficult to understand who suffers from it and who does not. The expressions of transphobia will vary from what is done to me and what is done to someone who stands with a begging bowl at crossroads." Looking back through the pages of history, we find a reference to tritya prakriti or transgenders in kamasutra. Certain deities are also closely related to transgender community like Bahuchara Mata, a Goddess in Mehsana (Gujarat). The members of third gender have played a prominent role in Indian culture especially in the religious texts of 'The Ramayana' and 'The Mahabharata'. The Pandavas used Shikhandi, an eunuch, to defeat Bhishma in the Battle of Kurukshetra of 'The Mahabharata'. While leaving for his fourteen years exile, Lord Rama of 'The Ramayana' asked all men and women who came to mourn for his separation from homeland and to return to the city. Among them was a group of eunuchs who divided to stay as they felt bound to Lord Rama, who was so much impressed by their devotion sanctioned the third gender, a power to bless people on auspicious occasion. Later on, during the British colonial rule, the Britishers passed Criminal Tribes Act 1871, classifying the entire transgender community as criminals. It is even believed that trans people descend directly from Koothandavar's lineage. The ancient story of Hindu legend is about Lord Krishna who on changing into female form became a beautiful seductress called Mohini in order to marry Koothandavar. Shortly after the marriage, Koothandavar is executed, leaving Mohini mourning her husband's death, before transforming back to Krishna's male form.

Now with time, the third gender has come out of the closet yet struggling their course of life through the rugged terrains, asserting their selfhood. According to Cooper Lee Bombardier, “It’s not about ‘becoming’ another person - I already am who I am - I just want my body to reflect that. It’s not like I’m suddenly changing from the person you’ve always known - this is more about your willingness to see who I’ve always been.” Perhaps the attitude of the society or people has changed than earlier, though the margin is always less. There is always a battle between the genre of blue and pink. Why not we discover another colour that has both the features of blue and pink? Every public toilet is marked with the old notion of ‘Female’ or ‘Male’, why not a unisex proposal accepted when we have family salons? The mantra could be ‘Live and let live’. Why penalize someone who is not responsible for the gender of his or her birth. Gurvinder Kalra, a Psychiatrist who has studied the *hijra* community, recalled the time when a troupe showed up uninvited at his nephew’s birth. “The first thing people said was, ‘Oh my God, the *hijras* are here.’ “Then there was a nervous pause with laughter.” There is this mixture of negativity and positivity, a laughter, a fear, this sense they are oddities,” Dr. Kalra said. According to Kate Borstein, “Let’s stop ‘tolerating’ or ‘accepting’ difference, as if we’re so much better for not being different in the first place. Instead, let’s celebrate the difference, because in this world it takes a lot of guts to be different.” Gurvinder Kalra, a Psychiatrist who has studied the *hijra* community, recalled the time when a troupe showed up uninvited at his nephew’s birth.

Yes, there definitely requires guts to be different, to be out of the box, why live like a flock of sheep. In spite of all odds, these transgender people are making their mark, by mocking social ignorance. Nothing is impossible if one knows how to celebrate life amidst all odds. The struggle for the third gender to be at per with the mainstream of the society is perhaps their struggle to spread an aura of the famous song, ‘We shall conquer’. Hence, the list is endless. Manabi Bandhopadhyay has become India’s first transgender college principal on 9<sup>th</sup> June, 2015 when she assumed the role of principal of Krishnanagar Women’s College in Nadia district, West Bengal. On 5<sup>th</sup> November, 2015, K. Prithika Yashini has become the first transgender police officer in the state of Tamil Nadu. Anjali Ameer came to fame when she was announced as the first transgender actress to work in a mainstream film. Same is the case with Lakshmi Narayan Tripathi, a trans right activist, who has fought for India to recognize a third gender. She has actively fought to repeal Section 377 of the Indian Penal Code. Padmini Prakash has braved the odds to be the first transgender news anchor in India by anchoring a prime time news show for Lotus TV in Tamil Nadu. Joyita Mondal has become the first transgender judge of Lok Adalat in India. She is the first transgender to get a voter ID in her district in 2010. Mona Veronica Campbell is a plus size transgender model who graduated

from NIFT along with a Ph.D. The list of the rising transgender people is endless but their rise to power is a story of determination amidst mind and body conflict.

The pain of a trans- person is a combination of both internal and external one. In the autobiography of ‘Man into Woman - An Authentic Record of a Change of Sex’, we find the transformation of the Danish painter Einar Wegener into Lili Elbe is a remarkable journey from man to woman in 1920s Paris is found in the following lines:

*'There were so many things that bound them together, so many struggle, so many things that bound them together, so many struggle, so many memories, bright and dark, and most of all, Lili. For Andreas was, in fact two beings: a man, Andreas, and a girl, Lili. They might even be called twins who had both taken possession of one body at the same time.'*

When consulted a doctor regarding his gender status, Einar Wegener says:

*"Well, Professor, What am I?.....What .....?"*

The true story of the miraculous transformation of a reputed Danish painter, Einar Wegener, also records his journey where even the doctor fails him. No one understood his agony:

*'Nobody understood what was wrong with him. But his sufferings were of the strangest kind. A specialist in Versailles had without further ado declared him to be an hysterical subject; apart from this he was a perfectly normal man, who had only to behave reasonably like a woman to become perfectly well again; all that the patient lacked was the conviction that he was perfectly healthy and normal.'*

Einar Wegener had the support of his own wife, Elena in his gender – crisis, and for her pivotal role in his sex- transition treatment. Einar thanked her with his heart through the following lines:

*"Elena" he stammered through his tears, "the life which is now coming with which I shall have nothing whatever to do...this life, Elena, you have saved. Without you, Elena, I should never have come here."*

Along with the trauma of surgery, Einar Wagner dreamt of his Lili --- his other self, a true self. His happiness at the doorstep of surgery was immeasurable in spite of the pain of the operation that would be his call for he being the first transgender of the world to undergo such operation:

*'It is too wonderful to think that Lili will be able to live and that she will be the happiest girl in the world — and that this ghastly nightmare of my life is drawing to an end. This wretched comedy as a man!.... I am no longer fit for anything. I am like a wretched grub which is waiting to become a butterfly'.*

Let us peep into the laws passed in India to protect the people of third gender against transphobia. It is true that India cannot deny her citizens the right to be different. The use of ‘they’ rather than ‘she’ or ‘he’ is inferred by the pronouns

from our own idea about what gender looks like. Under Article 14, the Preamble of our constitution seeks “Justice – Social, economic and political equality of status”, which gives the citizens of India, the Right to Equality. Article 15 prohibits ‘discrimination on the ground of religion, race, caste, sex or place of birth.’ Article 21 ensures ‘Right to privacy and personal dignity to all the citizens.’ The constitution prohibits ‘trafficking in human beings as beggars and other similar forms of forced labor and any contraventions of these provisions shall be an offence punishable in accordance with law’. Therefore, Indian constitution promises to give its citizens justice of every kind without discriminating any person on the ground of religion, caste v, creed or sex. It also asserts that the citizens live peacefully with dignity. Then how are the rights of trans gender person usurped? In 2014, the Supreme Court of India has recognized the transgenders as the ‘Third Gender’ and to improve their degrading living conditions, the court has declared the transgender community as economically backward class who are entitled to reservations and welfare benefits like skill development along with 2% reservations in government jobs, legal aid, pension and allowances. It also states medical care to transgender people in the hospitals and provide separate public toilets. All these are mere laws passed by the Supreme Court of India which cannot change the attitude of the people towards the transgender community. One needs midas touch to make every law golden and fruitful. Tamil Nadu and Kerala are the first two states who have set up a benchmark by introducing transgender welfare policy which gives free access to sex reassignment surgery (SRS), free housing programme, admission in government with full scholarship for higher studies, income generation programmes, etc. Defanging a 158 year old Victorian era law, the Supreme Court of India through its landmark judgement invoked ‘transformative constitutionalism’ with a confessional note, ‘history owed an apology to LGBTQ members and their families ‘for the wrongs inflicted on them by legalizing consensual sexual relations among gay adults by partially striking down Section 377 on September, 2018. Still the need of this hour is public awareness and proper education to look at others with dignity. The Central Government should revisit its draft and incorporate the necessary inputs to come up with more and more inclusive approach in inclusive set up for the third – gender community.

At this juncture we are reminded of the words of Mahesh Dattani, the playwright said in one of his interviews on the burning issues of homosexuality:

*‘There have been caricatures. If we look at the statistics of a gay population in any given society, even if you look at the conservative five percent (people put it at ten, but even if you take five percent), with a population of 850 million we’re talking about almost 50 million people, and I think it’s a real invisible issue. Almost all gay people are married in the conventional sense, so I think there are invisible issues*

*that need to be brought out and addressed. In this case, it wasn't such a conscious attempt to say that being an invisible issue, let us all talk about it.'*

Dattani says that these people play hide and seek in order to avoid ostracization. Every next door one can find a homosexual but they stop themselves in exposing their real self and pretend to be heterosexual but the reality will definitely come out some or other day because a real self can never go hidden for long. His plays highlight the pressure that the third gender undergoes in the society. The characters of most of Dattani's plays are the people who are hiding their sexuality behind the mask of heterosexuality. All of them fight for their individuality in the family, marriage and public life. He declares that the third gender should create an attitude to face the world. Let us stop categorizing people as gay or straight or bi or whatever, and let this people do whatever they want with their life. The oar of their life's boat should be in their hand. Who are we to dictate them?

The film-makers too has portrayed the trans gender community through their films to create public awareness. 'Sadak', a Hindi film, shows a violent depiction of a trans-woman in the character of maharani who being an evil brothel owner tortures and traffics young women. 'Shabnam Mausi' is a Hindi film based on the life of India's first transgender to be an MLA. 'Vali', a short Tamil film based on the humiliation of the transgender community in India. 'Chitrangada', a Bengali film with a subtitle 'The Crowning Wish' depicts the challenge that the homosexuals and the transgender people face in today's society. The Hindi film, 'Daayra' shows its transvestite protagonist who comes in contact with a rape victim is a sensitive story of human relationships that go beyond narrow identities. The Hindi film 'Dastana' tells the story of two men who pretend to be gay to share an apartment with a girl. Finally, they both fall in love with her. The unexplored aspect of homosexuality is mockingly revealed in the Hindi film, 'Girlfriend' where Tanya's obsessive relationship is shown with Sapna who falls in love with Rahul. Tanya on the other hand starts feeling insecure due to growing intimacy between Sapna and Rahul. The film ends with Rahul and Sapna visiting Tanya's grave.'68 Pages' is a film about an HIV/AIDS counselor and five of her clients who are from marginalized communities. 'Fire' is one of the first mainstream Bollywood films to explicitly show homosexual relations. 'Bomgay' is often regarded as India's first gay short film and is known for its controversial gay sex scene in a library. It is based on the gay poetry of R. Raja Rao, a collection of six vignettes that depict the underground and twisted nature of the gay identity in urban India. The Telegu film, 'One and half brother' is all about a life of a transgender. In the English film, 'Dressed to kill', the villain dresses as a woman and in the course of cross-dressing kills his prey. In the film, 'Silence of the Lambs', a conversation is heard between Lector and Clarice regarding transsexuals. In 'La Cage Aux Folles' (French version) is

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the abuse of femme drag queen character, Albin by his partner George who is also considered to be transphobic or misogynistic. Lee Mokabe, an award-winning slam poet, LGBTQ activist specifically referencing the experience of a black transgender immigrant in South Africa and America reminds us transphobia is same everywhere. He pens down his lines:

*'My mother told me of the miracle I was,  
Said I could grow up to be anything I want  
I decided to be a boy'*

.....

*Played hide and seek with what was left to my goal.  
I was it*

*The winner to a game the other kids couldn't play.  
I was the mystery of an anatomy'*

*Tight roping between awkward boy and apologetic girl,*

.....

*Because people fear that my gender expression is a trick.*

*That my body is a feast for their eyes and hands.'*

Amit Bittoo Dey, an androgynous model and fashion photographer of Kolkata has conceptualized a photo-series depicting the dilemma of trans-community which is found through his photo series ‘To His Coy Mistress’. “The inspiration for this photo-series is personal”, Amit says, adding, “but, the predominant theme is the society preaching propriety for conjugal relationships, but love prevailing.” The photo-series the story of a same-sex couples, of which, one has taken a wife owing to societal pressure. The three characters – the man, his wife and his ‘coy mistress’ are dressed in traditional Bengali wedding attire, against a passionate red back drop. Raj Pandey of Mumbai has started ‘QGraphy’, a forum with an amalgam of ‘queer’ and ‘photography’ with a belief that “Photography overrides the barriers of language, helps you to connect with your emotions and allows you to share your story with the world. When you click a photograph, you not only capture that moment, you also preserve that memory. I wanted to highlight the LGBTQ community, its people b, events and the movements in an artistic manner. That’s why I chose this medium.” Amit Bittoo shares his childhood experience of being called ‘ladies’. He used to counter, “At least, try to speak correct English and call me a lady. There is a difference between a singular word and its plural form.” Amit sums up, “Do we fall in love with a gender? Or do we fall in love with a person? I think I fall in love with a person irrespective of his or her gender.”

The novelists too didn't lag behind as they too portrayed the transgender community with a hope to eliminate violence against this community. They need our acceptance and acknowledgement to be an inclusive part of our world. In Janet Mock's novel, 'Re-defining Realness: My Path to Womanhood. Identity, Love and So much more' (2014) is the memoir of Mock's journey of attaining selfhood. She says:

*"There is no formula when it comes to gender and sexuality. Yet it is often only people whose gender and or sexual orientations negates society's heteronormative and cisnormative standards who are targets of stigma, discrimination and violence."*

In Lisa Williamson's 'The Art of Being Normal' (2015), one finds the bewilderment and confusion of a lonely teenager, David Piper with utter chaos on selfhood. Rachel Gold's 'Being Emily' (2012) tells us the story of Emily, a transgender girl who is born as Christopher. The struggle begins during her junior years of high school to conveying the truth of gender crisis to the family with the help of a therapist. Emily says:

*"The trouble is that gender dysphoria is not something you can see. So, Mom and Dad thought they had a son. They'd spent ten years thinking they had a son before my continued insistence that I was a girl wore through mom's defenses."*

In Meredith Russo's novel, 'If I was your Girl' (2016), we learn about the story of Andrew Hardy who changes herself to Amanda Hardy. It depicts Amanda's pre and post transition life along with social response resulting in bullying, isolation and suicidal depression. Andrew says:

*"For as long as I could remember, I had been apologizing for existing, for trying to be who I was, to live the life I was meant to lead."*

In Mahesh Dattani's 'Do the needful' is a radio play and an unconventional romantic comedy. The hero of the play, Alpesh is a homosexual and has a strong relationship with Trilok and is unknown to his parents. Being a divorcee, Alpesh tries to hinder his second marriage to the woman of his parents' choice to prevent the same fate to repeat again. Instead of understanding their son, the parents do the same mistake once again as they did earlier. This play highlights the crisis of a gay who is unable to decide his own life. He says:

*Alpesh: What happened to my last marriage?*

*Kusumben Patel: Yes, what do you want to say!*

*Alpesh: You don't want it to happen again do you*

*Kusumben Patel: And you threatening me that it will happen again. (Act 1)*

Dattani highlights the mental agony of a gay through Kamlesh of the play 'On a Muggy Night in Mumbai':

*'Please! I am afraid! I need your help! I NEED YOU ALL. I am afraid, frightened. (Pause) After Sharad went away – I decided that I didn't need anyone'*

*to live with me. I had my work. That should have been enough. It wasn't. I felt this void. The same feeling when three years ago, Prakash left me, I would have understood it if he had left me for another man, but he was ashamed. I was very angry. I left my parents and my sister to come here ...for the first time in my life I wished wasn't a gay.' (Act 2)*

In 'Bravely Fought the Queen', Dattani shows how these people are trapped in marriage to save their homosexual relationship. Nitin realizes how unfair he has been to Alka, his wife through marriage. Nitin has homosexual relations with Alka's brother Praful and how he responded to his sexual overtures and married Alka just to keep his relationship to Praful going:

*'There was a game he played. And I-I was caught in it... He told me to get married... How could I? And to whom? ... He told me that you knew. And he had told you ...about me. And that didn't matter to you. You only wanted the security of a marriage. He ... told me everything would work fine... But you didn't know! He tricked you! I-I ....am sorry. It wasn't my fault.' (Act 3)*

This chapter raises different issues like what has to be done to reduce the sufferings of trans-people? How to eliminate their sufferings? This should be possible only when the framers, administrators, educators, guardians and government join hands to make an inclusive society with broad perspectives from within. The stereo type beliefs should be challenged and people should be enlightened from within through education and upbringing. The spectrum of gender must be respected. We should adopt more inclusive language to embrace every kind of people. Confidentiality should be preserved if one seeks help on gender queries or doubts. We should avoid children playthings or attires from being gender – biased. Professional counselling should be taken help of whenever and wherever required. There should be an integration of gender issues to the curriculum to raise awareness. The guardians should not shy away from the truth of gender Diaspora. Strict punishment should be given for violating the laws of trans people. Nothing becomes a law unless supported from the heart's core with broadness of mind. One day we can hope that like Dyson of Cheryl Kilodavis's 'My Princess Boy' (2009) every child could break the idea of stereotypical gender roles and declare her mother:

*'I am a Princess boy.'*

We can dream of an inclusive society through the lines of Janet Mock's novel, 'Re defining Realness: My Path to Womanhood, Identity, Love and so much':

*'I believe that telling our stories, first to ourselves and then to one another and the world, is a revolutionary act. It is an act that can be met with hostility,*

*exclusion and violence. It can also lead to love, understanding, transcendence, and community. I hope that my being real with you will help empower you to step into who you are and encourage you to share yourself with those around you. ’*

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# **Coming Out of the Closet**

**Krupa Nishar**

*“Sexuality is one of the biggest parts of who we are.”*

***Carla Gugino***

Why is this quote so important? Why is the world talking about sexuality and LGBTQ+? Why did the Supreme Court of India de-criminalise Section 377 in 2018?

To answer this, I decided to go to the root of this question and understand the basics. Many people are still unaware of simple concepts like sexuality, identity, sex, gender. Thus, I tried researching on questions like “How do you realise what is your sexuality? What do you do then? How do you come out of the closet? How do you tell the world?”

## **Identity**

Many sociologists and psychologists have tried defining Identity. According to Oyserman, 2007, 2009a, 2009b, “Identities are the traits and characteristics, social relations, roles, and social group memberships that define who one is. Identities can be focused on the past-what used to be true of one, the present-what is true of one now, or the future-the person one expects or wishes to become, the person one feels obligated to try to become, or the person one fears one may become. Identities are orienting, they provide a meaning-making lens and focus one’s attention on some but not other features of the immediate context”. (Oyserman, Elmore, & Smith, 2012) Thus, in simple words, identity consists of a stable sense of one’s goals, beliefs, values, and life roles (Erikson, 1950; Marcia, 1987, as mentioned in Dillon, Worthington, & Moradi, 2011) Identity is dependent on group-belongingness, profession, family role, cultural role, gender, race, ethnicity, social class, spirituality, and sexuality.

“Identity development is a dynamic process of assessing and exploring one’s identity and making commitments to an integrated set of identity elements”(Marcia, 1987). Identity formation was an important and crucial task of adolescence (Erikson, 1950, as mentioned in Dillon et al., 2011) But now, researchers have

seen identity as an ever-evolving concept for a human being, as we grow old and we meet new people along with having new experiences. Some view each identity as different, some view different identities as complementing each other.

Some examples of identity formation are:

1. A teen is asked about her political affiliation in India - whether she supports left, right or Centre ideologies. After thinking about it for a moment, she says that she does not identify with any political party and really does not know much about politics.
2. Boy 1 strongly identifies with the Sufi music and mentions that he identifies and wants to become a Sufi-musician. Boy 2, on the other hand, has never developed a strong interest in music.
3. An Indian boy identifies and sees himself as a chef, unlike his family who pressurises him to become a businessperson.

Thus, identity formation includes stages of comprehension by the individual where he feels a sense of continuity, affiliation, and uniqueness for his surroundings.

For example, a daughter walks to her mom and says ‘Mother, I identify myself as a homosexual. I am lesbian’. That is her sexual identity. So now, let us understand what this concept— sexual orientation and sexual identity is.

Our sex is based on the biological characteristics, which is used to label people as male or female with the help of X and Y-chromosomes, internal and external sex organs, hormonal levels and things like hair growth and breast development. Some are also born intersex. (Teenhealthsource, n.d.)

Our gender identity is how one identifies and presents oneself, for example as a boy or man, or as a girl or woman. Our culture, race, environment affect our gender identity. Gender identity is fluid and can change or remain constant throughout life. (Teenhealthsource, n.d.)

Gender identity may or may not match a person’s biological sex. Thus, there are two main groups of people depending on their gender identities:

1. Cisgender people- those whose gender identity and biological sex match one another;
2. Transgender people- those whose gender identity and biological sex do not match one another. (Ex-cult, 2009)

“Sexual orientation refers to an individual’s patterns of sexual, romantic, and affectional arousal and desire for other persons based on those persons’ gender and sex characteristics. Sexual orientation is linked with individual physiological drives that are beyond conscious choice and that involve strong emotional feelings (e.g., falling in love)”. (Dillon et al., 2011)

Sexual identity is how one thinks of oneself in terms of to whom one is romantically or sexually attracted. It is also known as sexual orientation identity.

Sexual identity has the following aspects:

1. The importance that sexual expression has or doesn't have in a person's life.
2. The way they express their sexuality.
3. Any preference they have about the kind of sexual partner they choose.  
(University of Surrey, n.d.)

Thus, we can say that, "Sexual orientation identity is what we term the individual's conscious acknowledgment and internalization of sexual orientation." (Dillon et al., 2011)

According to APA (2008) "Sexual orientation is an enduring pattern of romantic or sexual attraction (or a combination of these) to persons of the opposite sex or gender, the same sex or gender, or to both sexes or more than one gender." Sex, gender and psychological research have demonstrated that sexual orientation ranges along a continuum, from exclusive attraction to the other sex to exclusive attraction to the same sex. These attractions are categorised into heterosexuality (attraction to opposite sex), homosexuality (attraction to same sex), and bisexuality (attraction to both sexes), while some people have other sexual orientation, for example:

1. Asexual orientation- attraction to neither sex;
2. Pansexual orientation- attraction to all the sexes (including attraction to transgender and intersex people);
3. Polysexual orientation- attraction to many sexes, but not to all. (Ex-cult, 2009)

Thus, sexual orientation is a conscious acknowledgement of sexual identity.

There is no common consensus among scientists about the exact reasons that why an individual develops a heterosexual, bisexual, gay, or lesbian orientation. Although much research has explored the possible causes like genetic, hormonal, developmental, social, and cultural influences on sexual orientation, no conclusions have emerged that permit scientists to examine that sexual orientation is determined by any particular factor or factors. For now, we can conclude that, many think that nature and nurture both play complex roles. (American Psychological Association, 2008).

## **LGBTIQA+**

Alfred Kinsey shocked Americans 60 years ago when he revealed the extent of homosexual behaviour among men who would have denied any homosexual identity. He along with his colleagues developed the Heterosexual-Homosexual Rating Scale- more commonly known as "The Kinsey Scale." The findings concluded that people did not fit into exclusive heterosexual or homosexual categories. (Altman, 2018)

The term "LGBTIQA+" combines sexuality (lesbian, gay, bisexual) with gender identity (Trans) and gender characteristics (intersex). (Altman, 2018)

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Let's look at some important definitions:

**Lesbian:** A person who identifies as a woman who can experience sexual, romantic or emotional attraction to other people who identify as women.

**Gay:** A person who identifies as a man who can experience sexual, romantic or emotional attraction to other people who identify as men. But, now-a-days, a lot of people refer all types of homosexuals as gay.

**Bisexual:** A person who can be sexually, romantically or emotionally attracted to people whose identities are similar or different to themselves.

**Transgender:** A person whose assigned sex at birth (On the birth certificate) does not match their gender identity all the time.

**Intersex:** A person born with physical, hormonal or genetic features that are neither wholly vaginal nor wholly phallic; or a combination; or neither.

**Queer:** An umbrella term for LGBTQIA+ people or an identity that relates to aspects of a person's identity away from the stereotypes that come from labels.

**Asexual:** A person who can generally have little to no desire to engage sexually with someone.

LGBTQIA+ is a diverse culture. It's important to not bind oneself to these definitions or words. ("Transformative Practice- LGBTIQAP+ Mental Health Professionals Network," n.d.)

## Closeted

When Ellen Degeneres announced that she was lesbian in 1997, and she became the first person to come out on primetime TV. Many people would say that she "came out of the closet". But, what does that mean? Where did the term come from? And, why use the term "closet"? As we know the root word for 'closet' came from the Latin word 'clausum', meaning closed. So the metaphor of the closet means something private or keeping something a secret from the rest of the world. There is often a shameful connotation with the "closet" metaphor, and to "come out of the closet" means to admit your secrets publicly. More than often, if an individual were "in the closet", they often lived false, and unhappy lives. (Civic Issue- Penn State, 2016)

According to George Chauncey's comprehensive history of modern gay culture "Gay New York", the word- closet was not used by gay people until the 1960s. The phrase "coming out" did not refer to coming out of hiding, but to joining into a society of gay peers. There were other metaphors for the act of hiding or revealing homosexuality. Gay people could "wear a mask" or "take off the mask." A man could "wear his hair up" or "let his hair down," or "drop hairpins" that would only be recognized by other gay men (Okrent, 2013).

Now in recent years, the word closet has become a popular term in our culture in reference to someone who identifies as a homosexual, and is not public about it

fast forward to 2016 where celebrities such as Jodi Foster, Ellen Page, Neil Patrick Harris, and Raven Symoné have all come out as either lesbian or gay within the past decade.

The article, “Americans Move Dramatically toward Acceptance of Homosexuality”, presents the reasoning behind “the closet” metaphor: “The rise in support for same-sex marriage has been especially dramatic over the last two decades. It went from 11% approval in 1988 to 46% in 2010.”

Based on these statistics and the changing laws, it looks like our society is becoming more accepting towards the gay community, and hopefully one day, “coming out of the closet” will just be “coming out”. (Waxman, 2017)

### **Closeted to Coming Out of the Closet**

Coming out of the closet, as mentioned before, is disclosure of one’s sexual orientation or gender identity. It is a means toward feeling LBGT pride instead of shame and social stigma. (Counselling centre- University of Washington, n.d.)

Author Steven Seidman writes that “It is the power of the closet to shape the core of an individual’s life that has made homosexuality into a significant personal, social, and political drama in twentieth-century America”. (Steven, 2003)

However, American gender theorist Judith Butler argues that the process of “coming out” does not free gay people from oppression. Although they may feel free to act as themselves, the opacity involved in entering a non-heterosexual territory insinuates judgment upon their identity, she argues in *Imitation and Gender Insubordination* (1991). (Steven, 2003)

Coming out is a gradual process of exploring, accepting our identity and sharing it with others. The first step involves— coming out to oneself. Acknowledging that one is from the LBGT community can take many years. Some of us probably hoped these feelings were “just a phase”. In time, we realise that these feelings are not just a phase and we have to find a way of accepting them and dealing with the fact that we are sexually attracted to members of our own sex.(Empty Closets, n.d.)

This realisation is the first stage of coming out. Some may reach this point in teenage, some in adulthood. Some may be happy and ready to tell everyone, some may be scared and full of guilty to everyone. (Stonewall.org.uk, n.d.)

The next step is going public about your sexuality. Because coming out also means openness, honesty and disclosure about your sexual identity. Coming out can be very challenging irrespective of a positive or a negative response. (University of Washington- Counselling center, n.d.)

Research has shown that regardless of how well the after-experience of coming out is, the period prior to coming out can be a time of significant stress. But research also shows that despite the stress and worry people can experience before telling someone for the first time, most people say that telling people went well for

them and that they are happier after coming out to family, friends and colleagues. Thus, it can be a free/liberating process too.(Counselling centre- University of Washington, n.d.)

People, who came out to themselves, now want to disclose it to someone else. And they might be confused, whom to tell and how. These are some pictures by Stonewall.org, which will help you to address these questions. (“Coming out- Answers to some of the questions you may have,” n.d.)



Image source- (“Coming out- Answers to some of the questions you may have,” n.d.)

## **Stages of Sexual Identity Development**

There have many theories to describe the coming out process. It describes the development of gay, lesbian, transgender and bisexual identities. However, not every LGBT person follows such a model. For example, some LGBT youth become aware of and accept their same-sex desires or gender identity at puberty in a way similar to which heterosexual teens become aware of their sexuality.

The Cass identity model is one of the earliest and important theories of gay and lesbian identity development, developed in 1979 by Vivienne Cass. This model was one of the first to treat gay people as “normal” in a heterosexist society and in a climate of homophobia instead of treating homosexuality itself as a problem. Cass described a sequential process of six stages of gay and lesbian identity development. (Cass, 1979)

### **1. Identity Confusion**

This stage begins with the person’s first awareness of gay or lesbian thoughts, feelings, and attractions. The people typically feel confused and experience turmoil because he is aware that he might be different. (Safe zone: Division of student affairs, n.d.). To the question “Who am I?”, the person may react in acceptance, psychological self-denial and repression, or rejection (Counselling centre-University of Washington, n.d.). At this stage, a person needs encouragement to explore sexual identity as a normal experience. He may find support in knowing that sexual behavior occurs along a spectrum. (Cass, 1979)

### **2. Identity Comparison**

This stage is filled with acceptance and confusion. In this stage, the person accepts the possibility of being gay or lesbian and examines the wider implications of that tentative commitment. There is a feeling of isolation and self-alienation because he compares himself to his heterosexual friends/near-ones. (Safe zone: Division of student affairs, n.d.). Here, the person may start by embracing their sexual orientation. They may accept lesbian/gay definition of behavior but maintain “heterosexual” identity. They may also convince themselves by saying “It’s only temporary”; “I’m just in love with this particular woman/man”; etc. (Counselling centre- University of Washington, n.d.). It is important that the person gets encouragement to talk about loss of heterosexual life expectations and may be permitted to keep some “heterosexual” identity (as “not an all or none” issue). The person also needs support from lesbian and gay community resources (Cass, 1979).

### **3. Identity Tolerance**

In the third stage, identity tolerance, the person comes to the understanding they are “not the only one”. The person acknowledges and starts to tolerate that

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they are likely gay or lesbian and seeks out other gay and lesbian people to combat feelings of isolation. (Safe zone: Division of student affairs, n.d.). There may be increased commitment to seeking out for lesbians or gays as to social alienation. It is said positive contact leads to more positive sense of self, negative contact leads to devaluation of the culture, stops growth. (Counselling centre- University of Washington, n.d.)

The individual may start thinking about this issue and recognize their identity. They may understand the difference between hetero and homosexual. In this stage, the person needs to be supported in exploring the shame feelings derived from heterosexism, as well as internalized homophobia. It is particularly important for the person to know community resources for support. (Cass, 1979)

#### **4. Identity Acceptance**

Here, the person accepts himself or herself. “I will be okay.” The person has a positive outlook towards their gay or lesbian identity and accepts rather than tolerates it. There is continuing and increased positive contact with the gay and lesbian culture. The task is to deal with inner tension of no longer subscribing to society’s norm, attempt to bring congruence between private and public view of self.(Safe zone: Division of student affairs, n.d.). In this stage, a person not only identifies himself as gay or lesbian, but also attempts to “fit in” and “not make waves” within the gay and lesbian community. He tried to begin some selective disclosures of sexual identity. One can expect more social coming out and being more comfortable being seen with groups of men or women that are identified as “gay”. (Counselling centre- University of Washington, n.d.). There can still be continuation of exploring of grief and loss of heterosexual life expectation, exploring of internalized homophobia (learned shame from heterosexist society). It is important that at this stage one finds support in making decisions about where, when, and to whom to disclose. (Cass, 1979)

#### **5. Identity Pride**

Here, and the main thinking is “I’ve got to let people know who I am!” The person divides the world into heterosexuals and homosexuals, and is immersed in gay and lesbian culture while minimizing contact with heterosexuals. (Counselling centre- University of Washington, n.d.) The person may split the world into “gay” (good) and “straight” (bad) and may experience disclosure crises with heterosexuals, as they are less willing to “blend in”. They may identify gay culture as sole source of support, acquiring all gay friends, business connections, social connections.(Safe zone: Division of student affairs, n.d.) It is important that they receive support for exploring anger issues, find support for exploring issues of heterosexism, and develop skills for coping with reactions and responses to disclosure to sexual identity, and also resist being defensive (Cass, 1979).

## **6. Identity Synthesis**

Finally, the person integrates their sexual identity with all other aspects of self, and sexual orientation becomes only one aspect of self rather than the entire identity.(Safe zone: Division of student affairs, n.d.). The task is to integrate gay and lesbian identity so that instead of being the identity, it is an aspect of self. (Counselling centre- University of Washington, n.d.). They may continue to be angry at heterosexism, but with decreased intensity, or may allow trust of others to increase and build. The person feels “all right” to move out into the community and not simply define space according to sexual orientation. (Cass, 1979)

However, the model does not take into account the socio-cultural aspects in development, the stigma that changes the course, and is based on *research of predominantly white gay men and lesbian women of high to middle class status.*

Based on the assumptions of Cass, Coleman (1982) suggested these stages:

1. Pre-coming out
2. Coming out
3. Exploration
4. First relationship
5. Integration (McCarn & Fassinger, 1996)

Troiden (1989) suggested a sociological model, which suggested importance of social support along with self- acceptance.

1. Sensitization
2. Identity confusion
3. Identity assumption
4. Identity commitment (McCarn & Fassinger, 1996)

Fassigner (1996) model focuses on both – individual sexuality development and group membership. According to this model, the stages are circular and continuous and each relation raises new questions about sexuality.

1. Awareness
  - i. Individual Awareness of feeling or being different from other people and the heterosexual norms.
    - a. Gay: “I wonder if there is something strange about me.”
    - b. Lesbian: “I feel pulled toward women in ways that I don’t understand.”
  - ii. Group Awareness of different sexual orientations in people and there is a realization that heterosexuality is not a universal norm. There is disintegration and bewilderment.
    - a. Gay: “I had no idea how many gay people there are out there!”
    - b. Lesbian: “I had no idea there were lesbian/gay people out there.”

2. Exploration
  - i. Individual Exploration of strong, erotic feelings for people of the same sex (or a particular person of the same sex). There is active examination of the questions arising in the first phase.
    - a. Gay: "I want to be closer to men (or a certain man)."
    - b. Lesbian: "The way I feel makes me think I'd like to be sexual with a woman."
  - ii. Group Exploration of one's position regarding lesbians/gays as a group (both attitudes and membership). There is active pursuit of knowledge about lesbian/gay community and there is a guilt/rage because of being duped by heterosexuality.
    - a. Gay: "I think a lot about fitting in as a gay man and developing my own gay style."
    - b. Lesbian: "Getting to know lesbian/gay people is scary but exciting."
3. Deepening/Commitment
  - i. Individual Commitment to self-knowledge, self-fulfilment, and crystallization of choices about sexuality. This stage involves creation of a personal relation and is filled with excitement, rage, pride and internal conflict.
    - a. Gay: "I might be willing to live with a male lover."
    - b. Lesbian: "I clearly feel more intimate sexually and emotionally with women than with men."
  - ii. Group Commitment to personal involvement with referenced groups, with awareness of oppression and consequences of choices.
    - a. Gay: "I get angry at the way heterosexuals talk about and treat lesbians and gays."
    - b. Lesbian: "Sometimes I have been mistreated because of my lesbianism."
4. Internalization/Synthesis
  - i. Individual Synthesis of love for women or men, sexual choices, into overall identity. There is a feeling of resolution of all the difficult decisions and there is a completion of emotional and sexual self-discovery.
    - a. Gay: "I feel deep commitment about my love for other men."
    - b. Lesbian: "I am deeply fulfilled by my relationships with women."
  - ii. Group Synthesis of identity as a member of a minority group, across contexts. There is a feeling of integration of the worldview and a sense of belongingness because of the identity disclosure.

- a. Gay: "I rely on my gay/lesbian friends for support, but I have some good heterosexual friends as well."
- b. Lesbian: "I feel comfortable with my lesbianism no matter where I am or who I am with."

(McCarn & Fassinger, 1996)(Safe zone: Division of student affairs, n.d.)

**Dr. Anthony D'Augelli**, University of Connecticut Professor of Human Development, identified and stated six interactive processes (not stages) involved in lesbian, gay, and bisexual identity development. These processes are included in the "Homosexual Lifespan Development Model."



## **1. Exiting Heterosexual Identity**

A person recognizes and realises that one's feelings/identity and attractions are not heterosexual (as the society deemed normal) as well as he tells others that one is lesbian, gay, or bisexual.

## **2. Developing a Personal Lesbian/Gay/Bisexual Identity Status**

A "sense of personal socio-affectional stability that effectively summarizes thoughts, feelings, and desires" (D'Augelli 1994). A person also challenges any internalized myths/norms about what it means to be gay, lesbian, or bisexual and thus, there is a process of coming out to one's self. There is a Development of a personal identity status, which must be done in relationship with others who can confirm ideas about what it means to be non-heterosexual.

### **3. Developing a Lesbian/Gay/Bisexual Social Identity**

There is a creation and building up of a support network of people who know and accept one's sexual orientation, along with determining people's true reactions can take time. Thus, this is a process of coming out to friends, or close people.

### **4. Becoming A Lesbian/Gay/Bisexual Offspring**

A person starts disclosing one's identity to parents and redefining one's relationship after such disclosure. D'Augelli noted that establishing a positive relationship with one's parents can take time but is possible with education and patience. This developmental process is troublesome or confusing and tiring for those people who depend on their parents for daily needs.

### **5. Developing A Lesbian/Gay/Bisexual Intimacy Status**

This is a more complex process than achieving an intimate heterosexual relationship because of the invisibility of lesbian and gay couples in our society. "The lack of cultural scripts directly applicable to lesbian/gay/bisexual people leads to ambiguity and uncertainty, but it also forces the emergence of personal, couple-specific, and community norms, which should be more personally adaptive." (D'Augelli 1994)

### **6. Entering a Lesbian/Gay/Bisexual Community**

There is a coming out process in different areas of a person's life like work, organizations. Due to social and political views, some individuals never take this step; others do so only at great personal risk, such as losing their jobs or housing. (Safe zone: Division of student affairs, n.d.)(University of Georgia's Lesbian, Gay, Bisexual, n.d.)

**Arlene Istar Lev's "Transgender Emergence Model" (2004)** is a stage model that looks at how trans people come to understand their identity. Lev explores the counselling/therapeutic point of view and this model talks about not only what the individual is going through, but also the responsibility of the counsellor. ("Coming out- Answers to some of the questions you may have," n.d.)

#### **1. Awareness**

Here, gender-variant people are often in great distress. Thus, the therapeutic task is the normalization of the experiences involved in emerging as transgender.

#### **2. Seeking Information/Reaching Out**

In the second stage, gender-variant people seek to gain education and support about transgenderism. The therapists may facilitate linkages and encourage outreach.

### **3. Disclosure to Significant Others**

The third stage involves the disclosure of transgenderism to significant others (spouses, partners, family members, and friends). Counsellor helps in supporting the transgendered person's integration in the family system.

### **4. Exploration (Identity & Self-Labelling)**

The fourth stage involves the exploration of various (transgender) identities. The therapeutic task is to support the articulation and comfort with one's gendered identity.

### **5. Exploration (Transition Issues & Possible Body Modification)**

The fifth stage involves exploring options for transition regarding identity, presentation, and body modification. It is important for the therapist to help in resolution of the decision and advocacy toward their manifestation.

### **6. Integration (Acceptance & Post-Transition Issues)**

In the sixth stage the gender-variant person is able to integrate and synthesis (transgender) identity. The therapeutic task is to support adaptation to transition-related issues.

#### **Effects**

After coming out of the closet and going through all the stages of sexual identity development, there may be positive or negative consequences, which the person has to face.

Most people will experience many positive reactions. For example, “*We're so pleased you could tell us*” or “*Well we had already guessed and were just waiting for you to say something*”.

Some may experience negative response.

“*My parents refused to talk about it. They dismissed it and said they didn't want the subject brought up again. I decided that I was going to continue to live my life as a gay man. I stopped going home as often as I used to and attending family occasions. It is only now, three years later, that they have begun to broach the subject with me.*”

“*My family says that they accept that I am gay but they don't want to see me being affectionate with another man. They say that they won't be able to cope with it.*” (*Men's Sexual Health, n.d.*)

There are positive consequences of coming out because coming out is often an important psychological step for lesbian, gay, and bisexual people.

1. Feeling positively about one's sexual orientation and integrating it into one's life fosters greater well-being and mental health. It involves disclosing one's identity to others; it may also entail participating in the gay community.

2. Being able to discuss one's sexual orientation with others also increases the availability of social support, which is crucial to mental health and psychological well-being.
3. Like heterosexuals, lesbians, gay men, and bisexual people benefit from being able to share their lives with and receive support from family, friends, and acquaintances.
4. Youth need caring and support, appropriately high expectations, and the encouragement to participate actively with peers. Lesbian, gay, and bisexual youth who do well despite stress—like all adolescents who do well despite stress—tend to be those who are socially competent, who have good problem-solving skills, who have a sense of autonomy and purpose, and who look forward to the future.

There are negative consequences of coming out because coming out is often against the country's laws, religion or social norms.

1. Young people who identify as lesbian, gay, or bisexual may be more likely to face certain problems, including being bullied and having negative experiences in school.
2. There are negative outcomes, such as suicidal thoughts, and high-risk activities, such as unprotected sex and alcohol and drug use.
3. Many lesbian, gay, and bisexual youths appear to experience no greater level of health or mental health risks
4. Prejudice and discrimination along with social stigma have social and personal impact. For example, limitations on job opportunities, parenting, and relationship recognition are often justified by stereotypic assumptions about lesbian, gay, and bisexual people. (American Psychological & Association, 2008)

## **Suggestions for Coming Out**

In coming out to parents or friends, consider the following:

1. The first person who one picks has to be very supportive.
2. When you come out, carefully plan out what you will say and what will be the time and place.
3. Give time to the other person. Let them get adjusted to what they just heard from you.
4. Don't give up hope if you get a rejection. Do not de-value yourself.
5. Find trusted allies who can help you cope with your experiences.
6. Get support from the available resources.

## **India's Stand on Sexuality**

"History owes an apology to the members of this community and their families ... for the ignominy and ostracism that they have suffered through the

centuries. The members of this community were compelled to live a life full of fear of reprisal and persecution.” With these words, Justice Indu Malhotra, held the opinion that Section 377 was unconstitutional. (Suresh, 2018)

The Supreme Court had to decide whether to uphold a law commonly known as Section 377, a statute imposed by their British colonisers that prohibits “carnal intercourse against the order of nature with any man, woman or animal”. After the ruling against this colonial-era law, the court delivered a powerful riposte to institutionalised disgust, stigma and contempt aimed at the LGBT community in India. (Withnall, 2018)

In 1830 Thomas Macaulay who was the main drafter of the penal code, called homosexual sex “odious” and “revolting”. In 1884, a court in north India ruling on the prosecution of a *hijra* gave the judgement that a physical examination of the accused revealed she “had the marks of a habitual catamite” and appreciated the police’s desire to “check these disgusting practices”. In 1934, a judge in Sindh reported a man who had consensual sex with another man as “a despicable specimen of humanity”. In 2003, the government of India declared that decriminalising homosexuality would “open the floodgates of delinquent behaviour”. And in 2013 the Supreme Court ruling on an earlier challenge to section 377 held that LGBT people constituted a “minuscule minority” who bore only “so-called rights”.

This contempt and discrimination had far-reaching consequences. In the 1990s, the HIV/Aids epidemic arrived in India, linking homosexuality in the public mind with disease and contagion. In 1992, the Delhi police arrested 18 men in a park as a “clean-up” drive. The allegation was not that they were having sex but “were about to indulge in homosexual acts”.

The harassment, blackmail and ostracism faced by LGBT people on a daily basis made it necessary to address the everyday, structural and endemic forms of violence towards the LGBT.

While the LGBT+ rights movement has progressed across the Western world in recent decades, India remained one of the countries until the 2018 judgement that still criminalised consensual same-sex relations between adults.

Lawyers representing the petitioners before the Supreme Court argued that Section 377 was not in keeping with a ruling last year that guaranteed the constitutional right to privacy, including for gay people.

After the Supreme Court setback in 2016 activists regrouped, and in 2018 they again challenged Section 377, saying it violated their rights to equality and liberty under India’s Constitution, resulting in a victorious win for the LGBT community. (Schultz, 2018)

Thus, this law did give hope to the LGBT community in India to live more freely, and rightfully. The ‘coming out’ process has become a little easier for these

people, as they have acceptance by the law. Stigma still prevails, but this landmark judgement has given them hope for a life with freedom.

I will conclude my chapter with a poem on Closing out by Denny Quinteros, a queer poet, who accurately captures the multitude of emotions felt while in the closet.

### Closeted: The Same Parts

*I stand in a dark room filled with fear and resentment*

*This stems from the idea that speculation of my identity may hurt my well-being*

*This dark room soon enclosed me for plenty of my childhood year and became a  
sense of need*

*Hiding felt like chains around my body but also protected me like armor*

*I desired to be free but when I tried to reach the door in front of me, these chains  
pulled me down onto my knees*

*I can feel people on the outside trying to look in*

*Their eyes filled with acceptance and protection but mine were to armored to be  
vulnerable*

*They struggled to get inside and see but I struggled to get out and perceive a new  
view*

*A knock resigned from the door, almost as a reminder*

*An alarm, that I would snooze because I was not ready to wake up*

*A lump in my throat began to build, filled with words I would not have the  
strength to hold*

*Everything came up roses, and I threw up a garden*

*I could only lay in the flowers and say such relieving words*

*“I am gay”*

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# **Transgender Persons and Their Psycho-Social Problems**

**Jonali Borah**

## **Introduction**

The terms sex and gender are used interchangeably. Sex refers to biological status as male or female. Gender is a term that is often used to refer to ways that people act, or feel about themselves which is associated with boys/men and girls/women. “Transgender” is a word that is derived from the Latin word “Transgenre” which is a general term applied to a variety of individuals, behaviours and groups involving tendencies to vary from culturally conventional gender roles. Transgender is the state of one’s gender identity not matching one’s “assigned sex”. In fact the term “Transgender” became popular in the 1970s. It described people who wanted to live cross gender without reassignment surgery. In the 1980s the term was expanded to an umbrella term. It included all those whose gender identity did not conform to their gender assigned at birth.<sup>1</sup>

Transgender is an umbrella term used for a wide range of identities including persons whose gender identity does not match with his/her biological sex. The term ‘*Hijra*’ is used in India for males who have physiological feminine gender identity. Transgender people may identify as heterosexual, homosexual, bisexual, pansexual or asexual. Kinnar or *hijra* community is a subset of transgenders. Transgenders/*hijras* are described as ‘third gender’ as an institution that includes and comprises of *hijras*, eunuchs, kinnar, kothis, aravanis shiv/shakti, jogtas/jogappas, guru/chela etc.

Transgender or Trans indicates someone whose gender differs from the one they were born. Such people may be identified as male or female, or they may feel that neither label fits them. Some of them prefer transition and change. Usually they change their names or way of dressing. It is seen that some of them choose a medical transition with the help of medical specialists, who prescribe hormones and/or surgery. Transsexual is a person who lives in a different gender. They differ from the person they were born. That is, they differ from their parents.<sup>2</sup>

Transgender people are individuals of any age or sex whose appearance, personal characteristics, traits or behaviours normally differ from stereotypes

about how men and women are ‘supposed’ to be. In the history of human life the transgender people have existed in every culture, race and class from the inception. Only the term ‘transgender’ and the medical technology available to transsexual people are recent. The transgender behaviours have separate identity and falls outside the purview of stereotypical gender norms. (Source: [www.socialjustice.nic.in](http://www.socialjustice.nic.in))

A transgender person is not a clone of another transgender person. He or she is different and unique just as is every other person. Such people who transgress gender norms of society by attempting to transition into the correct gender into which they should have been born. They are not the same as transvestites, cross-dressers, drag queens or drag kings. Transgender is about gender identity whereas cross-dresser or drag queen or king is not about gender identity.<sup>3</sup>

Many health experts believe that being transgender isn’t caused by just one factor. What makes a person comfortable or uncomfortable with his/her anatomy is unclear, but they believe it’s the outcome of a complex mixture of biology, psychology and environmental factors- and not simply a matter of choice.<sup>4</sup>

Transgender community forms a part of the world population be it in India, United States, Britain, China, Japan, etc. India is one of the nations in the world that has diversity in religion and tradition. She has a very long history of her own which reflects the customs and usages that prevailed during that time and is still prevalent in this modern century. The very concept of *Hijras* and other Transgenders in India is not a new concept; they have been recognized in our ancient history as well. Transgender community as a group has a strong historical presence in our country in the Hindu mythology and other religious texts.

The literature named Kama Sutra is the ancient Hindu text in which they have been referred as ‘third sex’ or ‘Tritiya Prakriti’, who dressed either in men’s or women’s clothes and perform fellatio on men. These persons have also been considered to be the equivalent of the modern *hijras* of India. ‘Ardhanareshwar’ is one of the forms of Lord Shiva in which Lord Shiva merges with Parvati to form ‘Ardhanareshwar’— a deity that is half Shiva (male) and half Parvati (female). ‘Ardhanareshwar’ is especially worshipped in North India and is regarded as a patron of *hijras*. There is an interesting story regarding this. It is said that Parvati had once suspected Lord Shiva of infidelity after she saw her own reflection in the crystal-like chest of Lord Shiva. After days of dispute and when the matter was finally resolved, Parvati wished to stay eternally with Shiva’s body and the couple fused to give form to ‘Ardhanareshwar’. Most transgenders have been known to be the devotees of Lord Shiva, and ‘Bahuchara Mata’. But the story of ‘Bahuchara Mata’ is not unanimously accepted and is in fact, a grey area in history.<sup>5</sup>

A story of ‘Bahuchara Mata’ describes her to have once cursed the man who tried to rape her. She cursed him to be impotent. When the man begged for her

forgiveness, she told him that she would only take back her curse if he promised to run in the woods and act like a woman. The most prominent temple of ‘Bahuchara Mata’ is located in Gujarat. This temple is actually a place of pilgrimage for the *Hijras* of India.

Another reference can be cited from the Hindu epic ‘The Ramayana’ and ‘The Mahabharata’. In the ‘Ramayana’ when Rama leaves Ayodhya for his fourteen year exile, a crowd of his subjects follow him into the forest out of their devotion to him. On seeing the crowd Rama tells them not to mourn and that all the ‘men and women’ of his kingdom should return to their places in Ayodhya. After the fourteen years exile, when Rama returns to Ayodhya, he sees that the *hijras* being neither men nor women have not moved from that place for fourteen years. Impressed with their devotion Rama granted *hijras* the boon to confer blessings on people during inaugural functions and auspicious occasions like child birth and weddings. This boon is the origin of ‘badhai’ in which *hijras* sing, dance and give blessings.

The transgenders reminds the story of ‘Aravan’ in ‘Mahabharata’. In South India, *hijras* regard him as their progenitor and call themselves as “Aravanis”. In Koovagam, Tamil Nadu, this incident is re-enacted in an 18 day festival, first by a ceremonial marriage of Aravan and then by their widowhood after ritual re-enactment of Aravan’s sacrifice, the *hijras* mourn Aravan’s death through ritualistic dances and by breaking their bangles. Iravan is also known in Indonesia, where his name is spelled “Trawan” and an independent set of traditions have developed around him on the main Island of Java. Again in Mahabharata, while the Pandavas are in exile, Arjuna takes a “vow of being a eunuch to live as the third sex” by the name ‘Vrihannala’ for a year.

To take another instance, it is said that Bhishma had once refused to marry Amba. This deeply insulted her and vowed to be the cause of Bhishma’s death, even if it takes multiple births for her to accomplish her revenge. Amba was later reborn as Shikhandini, who was a talented warrior but lacked the physical strength of a man. To defeat the mighty Bhishma, Shikhandini took shelter in a forest where she exchanged her gender with Yaksh to become a eunuch. She transformed from Shikhandini to Shikhandi, a eunuch with the talents of a warrior but along with the strength of a man. Later during the great battle, when Shikhandi fought for the side of Pandavas, she encountered Bhishma and upon recognizing Shikhandini, Bhishma immediately accepted to die at her hands as he was cursed to be fatally wounded by only that person who would possess both genders.<sup>6</sup>

In the Mughal Period, *Hijras* played a famous role in the royal courts of the Islamic world, particularly in the Ottoman empires. They held to well-known positions as political advisors, administrators, generals as well as guardians of the harems. *Hijras* were considered clever, trustworthy and fiercely loyal and had

free access to all spaces and sections of population, thereby playing a crucial role in the politics of empire building in the Mughal era. The *Hijras* also occupied high positions in the Islamic religious institutions, especially in guarding the holy places of Mecca and Medina the person of trust. They were able to influence state decisions and also received large amount of money to have been closet to kings and queens. Thus *hijra* frequently state the role of their status in that period.

In the beginning of the British period in Indian sub-continent *hijra* used to accept protections and benefits by some Indian states through entry into the *hijra* community. With the onset of colonial rule, the situation changed drastically from the 18<sup>th</sup> century onwards. In the second half of the 19<sup>th</sup> century, the British colonial administration vigorously sought to criminalize the *hijra* community and to deny them the civil rights. The Criminal Tribes Act, 1871, this included all *hijras* who were concerned in kidnapping and castrating children and dressed like women to dance in public places. The punishment for such activities was up to two years imprisonment and a fine or both. However the Act was repealed in 1952 and its legacy continues and many local laws reflected the prejudicial attitudes against certain tribes, including against *Hijras*.

The transgender in India is possibly the most well known and popular third type of sex in the modern world. The Supreme Court declared for transgender as third gender. The third genders in India have emerged as a strong faction in the LGBT rights. In the contemporary time the Government of India so many welfare policy and schemes such as, census, documentation, issuing of the citizenship ID cards, issuing passports, social-economical development and constitutional safeguards for the transgender people.

In fact, there are many who do not belong to any of the groups but are transgender persons individually. Transgender fall under the LGBT (lesbian, gay, bisexual and transgender). They constitute the marginalized section of the society in India, and thus face legal, social as well as economic difficulties. Transgender earn their livelihood by begging or prostitution, which is neither prestigious nor hygienic for their safe living. In reality, neither they are considered as members of mainstream community, nor are they given general respect as a common human being. The worst part of their identity is despite knowing neither these people are neither male nor female, society enforces them to select between the identity of a male and female.<sup>7</sup>

The Preamble is the preface of the Constitution. It mandates Justice, Social, Economic and Political Equality of Status. Article 14 of the Constitution of India guarantees that the state shall not deny to any person's equality before the law or the equal protection of the law within the territory of India. Article 15 ensures the prohibition of discrimination on the ground of race, caste, sex or place of birth.

Article 16 prohibits discrimination on the ground of sex in public employment and also imposes a duty on the state to ensure that all citizens are treated equally in such matters. Article 21 of the Indian Constitution speaks out right to privacy and personal dignity to all citizens. Trafficking in human beings as beggars and other similar forms of forced labour and any contravention of these provisions shall be an offence punishable in accordance with law as per Article 23 of the Constitution of India.<sup>8</sup>

## **Psychosocial Problems of Transgender Persons**

Our thinking, feeling and behaviour or the psychological realm has an interrelation and what happens in the social realm includes family, society, culture and norms. This interrelation is called psychosocial. If the society accepts one's behavior, one can adjust in the society. If it is not accepted one cannot find a balance between one's needs and society's expectations. This imbalance can have an impact on individual's thinking, emotions and behaviour and can lead to psychosocial problems which can affect well being and quality of life. Psychological symptoms are the manifestations of psychosocial problems. Sociological and psychological problems faced by the transgender people may be categorized under the following heads:

### **Distress and Anxiety**

Society is very harsh on gender variant people. Transgender person may be subjected to abuse at home, at school or in their communities. Their life can be very challenging and sometimes causes psychological and social problems. It is found that transgender persons suffer from distress and anxiety about gender identity and they have less family and peer support. The family and friends disapproves or do not understand them.

### **Low Self-Esteem**

Transgender persons are not accepted, loved and respected by others. They have low self-esteem. They find it difficult to face life with more confidence and optimism and cannot reach their goals. Ultimately low self-esteem leads to depression and they become the victim of anxiety, shame and criticism. There are certain other factors which causes their self-esteem to drop. They are rejection from family, friends, media, looks, ethnicity, financial status, drugs and or alcohol, HIV/AIDS as well as other health related issues, prejudice, discrimination and stigmas.

### **Fear and Anxiety**

These persons suffer from social anxiety which is a form of fear. They are afraid of social situations and they have a fear of being judged as unworthy by

others. They also suffer from internal distress due to peer victimization. Sometimes they are being bullied by their peers and they suffer from anxiety. Transgenders face this dilemma of being labelled everywhere they go. Many times transgender people prefer to be alone as they feel that they are being noticed by others and criticizing them everywhere. They feel shy because of gender nonconformity and this make them feel unlovable or insecure to maintain relationships and thus leads to social anxiety.<sup>9</sup>

### **Transphobia**

Transphobia is the fear, hatred, disbelief or mistrust of people who are transgender, thought to be transgender, or whose gender expression doesn't conform to traditional gender roles. Transphobia can take different forms, which includes negative attitudes and beliefs, irrational fear and misunderstanding, derogatory language and name-calling, bullying, abuse and even violence. People may hold transphobic beliefs if they were taught them by other people. Sometimes people are transphobic because they have misinformation or have no information at all about trans identities. The stress of transphobia on transpeople can be very harmful or can have mental health risks and can cause depression, fear, isolation, feelings of hopelessness and suicide.<sup>10</sup>

### **Homophobia**

Homophobia is a social disease which encompasses a range of negative attitudes and feelings towards homosexuality or people who are identified or perceived as being lesbian, gay, bisexual or transgender (LGBT). Homophobia is observable in critical and hostile behavior such as discrimination and violence because of sexual orientations that are non-heterosexual. Today, homophobia is beyond being personal fear and irrational system. It is something that occurs in relation to social traditions.<sup>11</sup>

### **Transition**

Transgender individuals may experience what to do regarding transition. Making decisions about transition is a very complicated decision which requires time and support. There are fears of how one will be accepted by family (parents, partners, children, grandparents and others), friends, college fellow students, church groups etc. There can be anxiety i.e. whether or not one will 'read' as transgender. At this point many things are unknown and it can be very stressful. Transgender individuals who decide for transition (to present and live in the other sex outwardly) may suffer from psychological issues like impact on family relationships with parents, children and relatives, impact of relationship at work and with friends, fears about violence and prejudice when one is read as transgender and so on.<sup>12</sup>

## **Psychosis**

Transgender population suffers from a serious mental disorder known as ‘psychosis’. It is characterized by an impaired relationship with reality. Transgender persons may either have ‘hallucinations’ or ‘delusions’ and this may cause mental health risks of psychosis. They may have sensory experiences without the actual stimulus. This is known as hallucinations. Even they may experience thoughts which are contrary to actual evidence. These thoughts are nothing but they are known as delusions. These persons may experience loss of motivation and social withdrawal. These experiences can be frightening. It may hurt themselves as well as others. Transgender persons can experience depressed mood, sleeping too much or not enough, anxiety, delusions, hallucinations, depression, suicidal thoughts or actions. These may trigger due to certain situations of the environment.<sup>13</sup>

## **Sex Reassignment Surgery**

Sex Reassignment Surgery or SRS is the surgical procedure by which a transgender person’s physical appearance and function of their existing sexual characteristics are altered to resemble that socially associated with their identified gender. It is a part of a treatment for gender dysphoria in transgender people.

In case of male-to-female (MTF) surgery it involves reshaping the male genitals into a form with the appearance of and, as far as possible, the function of female genitalia. There are associated surgeries patients may elect to, including facial feminization surgery, breast augmentation and various other procedures.

On the other hand female-to-male (FTM) transgender people includes a variety of surgical procedures that alter female anatomical traits to provide physical traits more appropriate to the Trans man’s male identity and functioning. Many trans men considering the option do not opt for genital reassignment surgery. There are more frequent surgical options which includes bilateral mastectomy (removal of the breasts) and chest contouring (providing a more typically male chest shape), and hysterectomy (the removal of internal sex organs). Sex reassignment surgery is usually preceded by beginning hormone treatment with testosterone.<sup>14</sup>

The greatest advantage of SRS is that many transgender individuals can live and lead a life without trauma, which they did prior to the operation. It is not that the surgery is panacea to their all issues but at least to some extent they are relieved to have a reduced gender dysphoria. Many transgender cannot afford private surgeons thus they turn up to the unqualified medical practitioners for undergoing ‘emasculcation’ (removal of male external genitalia).

In India, there are multiple subpopulations within the transgender community (especially *Hijra* community), which includes individuals who have undergone salvation or Nirvana. These Nirvana have undergone removal of their male genitalia surgically and thus are incompetent to take pleasure of vaginal intercourse. On

the other hand, transgender women who have not undergone SRS are termed as Ackwa or Ackwa Kothi.<sup>15</sup>

### **Forced to Leave Parental Home**

Transgender persons are not considered important in a normal community and class. Once their identity is identified, they are forced and pressurized to leave their family environment. Transgender persons live with their own communities. Actually it should be the responsibility of the family for the provisions and the protection of the child till he/she attains the age of maturity. But it is completely different in their case. The attitude of the family is so rude and degrading that they had to run away from the home due to the harsh attitude of the family members. Their approval within their legitimate family is painful and so they find people like them as their own family. They like to reside within those communities for peace of mind. They have very limited family interaction or no interaction at all.<sup>16</sup>

### **Lack of Educational Facilities**

Education is one of the basic activities of people in all human societies. It is a process of modification of behaviour. It also transmits culture to the young. Education is not only imparting knowledge to the pupil in some subjects or making the pupils literate but it has to develop in him/her those habits and attitudes with which he or she may successfully face the future. It is seen that majority of the transgender population is uneducated or illiterate. So, they remain away from participating in the socio-cultural and the political and economic part of the country. They are deprived from schools and colleges and they lack in career opportunities.<sup>17</sup>

### **Marital Problem**

Marriage is one of the universal social institutions. It is a bond of relationship between man and woman to control and regulate sex life. But transgenders and marriage are seen in different picture which may raise one's eye brow. Most of the transgenders are engaged in 'live in relationship' with other males. This trend is catching up slowly in most of the metropolitan cities in India. In this respect, the transgenders are a little ahead than the others. Still there are some who live in single lives without any particular attachment with any particular person. This does not mean that they are not engaged in sex. They are certainly engaged in prostitution for their livelihood.<sup>18</sup>

### **Depression**

According to Indian adoption laws, the right to adopt a child is however, a bleak for transgender men and women. Without the endorsement of law, in most practical situations, legal adoption is a far-off-dream for transgender man and

woman. It could be a painstaking task for the member of the third gender too. Ultimately this leads them to depression.<sup>19</sup>

### **Misgendering**

Transgender persons are disrespected in each and every aspect of life. Small words like ‘he’, ‘she’ or ‘they’ are used which hold a lot of significance when it comes to identity. ‘Misgendering’ is a sign of harassment when done intentionally and this is found in the case of transgenders. Most of the time people do not use particular names but use ‘other names’ or ‘dead names’ which is an act of disrespect for transgender persons. Again, these people are treated badly or oppressed by people in power. They are prone to struggle for social justice because of their identity as Transgender.<sup>20</sup>

### **Lack of Legal Protection**

There is no comprehensive non-discrimination law that includes gender identity. In too many cases, this lack of legal protection translates into unemployment for transgender people. The wide spread lack of accurate identity documents among transgender people can have an impact on every area of their lives including access to emergency housing or other public services. In short, without identification, one cannot travel, register for school or access many services that are essential to function in society. This can be expensive and for all transgender community it may be unaffordable.<sup>21</sup>

### **Abuse**

Transgender communities are experiencing physical or sexual abuse and/or psychological distress at higher rates when compared with other adult populations. They are prone to face rape followed by physical and verbal abuse. These individuals are afraid to come forward and disclose abuse in their relationship. This kind of abuse affects mental health which leads to negative outcome of trauma. Transgender individuals are also the victims of domestic violence. These individuals are subjected to domestic violence at the hands of family members because they were transgender or gender nonconforming. They have to face barriers in seeking help for domestic violence. Sometimes transgender people are suspected and convicted of crimes. This amounts to a public rejection of transgender identity.<sup>22</sup>

### **Migration**

Migration has been a key focus for the transgenders. It reflects that transgender migrating to urban set up is a reality and in rural parts it is still a taboo. They usually take up this option to escape abuse and discrimination from their communities of origin. The major reason for migration to an urban community is to enhance social support and build community institutions for acceptance.<sup>23</sup>

## **Stigma**

General public sometimes provides misinformation regarding the transgender population. This often leads to ignorant and biased opinion. In turn transgender individuals face persistent and intense stigma. On the basis of gender nonconformity social stigma plays a huge role surrounding the transgender population. Stigma may be discrimination, harassment and even violence which can cause social, psychological and physical distress. Children who are gender nonconforming in childhood from the very tender age have no other alternative than to learn to cope or adjust with the enacted stigmas. Thus stigma leads individual to a life of constant combat with their own self, families and the world outside.<sup>24</sup>

## **Prejudices**

Transgender people living in our society face many significant obstacles or prejudice, borne both of ignorance and malice. There are evidences from research findings that societal prejudice against transgender people is pervasive. Rates of harassment, discrimination and violence against transgender people are high and most cities and states offer limited protection to transgender individuals who experience prejudice or violence.

MTF's are nervous about being alone in public. They are concerned that they will be beaten or even killed. On the other hand, FTM's fear violence is in highly gendered and physically vulnerable spaces.

Therefore, it is seen that prejudice, harassment and violence emerge in all aspects of life- on the job, in health care settings, in interaction with law enforcement, at home, at school and on the streets. When individuals are transgender and are members of that community, they are at even higher risks. Unfortunately, prejudice against transgender individuals is still overwhelmingly powerful and is almost always outside of a transgender person's control.

Most of the Transgender belongs to lower socio-economic status and have low literacy rate. It seeks to have improper health care. Studies have revealed that transgender persons face social, personal and political challenges. These challenges include addiction and mental health issues. A lot of substance use stems from marginalization, prejudice and stigma among the transgender community. These sections of the population are considered especially vulnerable because of high rates of substance abuse which is prevalent among them. Transgender persons suffer depression to a great height because of social stressors.<sup>25</sup>

## **Discrimination**

Transgenders have very limited employment opportunities. They have no access to bathrooms/toilets and public spaces. The lack of access to bathrooms and public spaces is a discrimination faced by transgenders in availing each facilities and amenities.<sup>26</sup>

## **Rejection**

It is evident from several researches that transgender persons are rejected to enter directly or indirectly at some Public places like hospitals, hotels, Malls, Restaurants, Dance, Floors, Theatres, Shopping Complexes. They face extreme discrimination in all spheres of society. Almost all the transgender had undergone harassment of one form or the other at the hands of one section or the other of the society. The greatest harassment that the transgender faces is from the police. The transgenders are subjected to not only physical and mental harassment but also looked down upon with contempt by the doctors and nurses when they go to hospitals for medical treatment. They are harassed and insulted while travelling by buses or trains.<sup>27</sup>

## **Social Exclusion**

Social Exclusion is a situation where certain groups or community within a society are systematically disadvantaged because they are discriminated against. These groups are often differentiated by race, ethnicity, age, sexual orientation, religion, caste or gender. In India, the third gender people (*Hijra*) are extremely marginalized from the mainstream society. The third genders (*Hijra*) face multiple form of oppression when they are being socially excluded. They are excluded from participating in social, cultural and economic life. In brief, they are excluded from economy, employment and livelihood opportunities, excluded from society and family, lack of protection from violence, restricted access to education, health care and personal care, limited access to public spaces, limited access to collectivization, rights of citizenship, excluded from decision-making and lack of social security. So, many transgender or third gender people land up in livelihood options like selling sex, traditional activities such as blessing births, dancing on social events, begging etc. Lack of livelihood option is the fundamental reason for continuing such type of traditional activities and sex work.<sup>28</sup>

## **Instances of Involvement of Transgender in India**

Generally we see transgender people roaming about in groups in the roadside and in a train while we travel. They go to people and demand money. If they get money they feel happy and shower boon on the person who give them money. If people seem to neglect them they curse.

Another very common instance is that transgender people visit families where a baby is newly born. They visit them in a group. They visit and demand a large sum of money at the happy occasion. If they don't get the expected amount and if they feel neglected, they curse the family they visit. So, people are scared so that such people don't curse them. Interestingly, they shower boon from their heart when they are contented by people and get the expected amount.

There is a belief when transgender people curse it becomes worst and causes harm. Another belief is that when such people shower boon upon someone, they do it from the core of their heart and it creates good effect on the person concerned.

### **Legal Solutions (Protection of Rights) Bill, 2016**

The Transgender persons (Protection of Rights) Bill has been enacted to provide for protection of rights of transgender persons and their welfare and for matters connected therewith and incidental thereto. It has been enacted by the Parliament in the Sixty-seventh Year of the Republic of India.<sup>29</sup>

### **Conclusion**

Transgender is the state of one's gender identity that does not match one's "assigned sex". Transgender is an umbrella term used for a wide range of identities including person whose gender identity does not match with his/her biological sex. The term '*Hijra*' is used in India for males who have physiological feminine gender identity. Such people are found all over the world. Transgender persons face innumerable difficulties in their day-to-day lives. These people suffer from psycho-social problems which affect their quality of life. Their uncommon identity brings negative attitude towards the people. So the transgender have low self-esteem as they are rejected by the society and they have more anxiety. The negative attitudes held by people should be removed in order to gain social acceptance by the transgenders. Awareness programmes in future should focus on removing the barriers. Better understanding by the society the problems faced by transgender may help in bringing about the changes in policies and give them their due rights.

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# **Dynamics of Psycho-Social Issues Among Transgender Persons in India**

**Dr. (Ms.) Neha Sharma, Jasleen**

## **Introduction**

Indian society has been tolerant of diverse sexual identities and sexual behaviours, as is evident from its mythologies and ancient scripts, like the ‘Kamasutra’. The transgendered “*Hijra*” community has evolved to form a unique subculture within Indian society, existing alongside the ubiquitous heterosexual family. This subculture has been clandestine about its customs and lifestyle, but the scene is changing. Any individual whose, identity, appearance or behaviour falls outside conventional gender norms can be explained as a transgender. The transgendered people are likely to be ridiculed in crude comedy at various public places, shunned and feared but tolerated at rituals, where their presence is considered to be auspicious. They are often called as “non-citizens” who lacks legal recognition and are inhabitants of a zone where official identification is absent. The community of transgender therefore, suffers a devastating effect as social and economic benefits are unavailable to them, also they are refrained to participate in any political or social economic process to which they require an official endorsed identity.

The term, “*Hijra*” has been used in India to identify transgender as an individual. They are even referred to as Jagappa, Aravani, Kothis, Jogtas, etc. Transgender people are known for its third gender and they have a history in Indian tradition. The word, ‘*Hijra*’ is an Urdu word, which is confined to these people. Minor proportion of these people get an opportunity to complete formal education and employment shall prevail. Many of them are vulnerable to health problems. The society of transgender is equipped with the discriminating attitude of many officials such as doctors at hospitals, police officers and public officials, etc. their life has been miserable to live in. the national data on the proportion of transgender population has not been uploaded till now. It has been perceived that migration from their birth place to other places is very common due to the stigma to being a transgender.

The term “trans” used by the authors enveloped the sphere of identities and experiences that are differentiated to sex at birth which do no harmonize their own feelings of gender identity nor favour societal gender norms (National LGBT Health Education Center, 2016). In the changing era worldwide, it has been perceived that an increased interest in the experiences, health, and social care requisites of people who identify as trans\* from a human rights and social inclusion perspective (Baur and Schiem 2015, Couch et al 2007, Daniel et al 2015, Gridley et al 2016). The concerns for different aspects also revolve around health and well-being among this group, including vulnerability and risk factors and the potential responses from healthcare providers also prevails (Institute of Medicine 2011).

Transgender is the conjugation of those individuals who are exceptional and do not accord to the prevailing binary categorization of male or female. The gender identity of an individual is reflected by its birth sex, not in the case of trans women, where they are assigned with male at birth and trans men have been designated female at birth (Coleman et al 2011, Wylie et al 2016).

Transgender people are termed to be those individuals whose gender reflection and their identity varied from accustomed expectations of the biological sex they are born with. The word ‘transgender’ is an unification to describe the identities and experiences of individuals which not only includes female-to-male and male-to-female sex reassigned persons, but also cross-dressers, drag queens, drag kings, gender queers and in populous. Taking South-Asian region as an example, it includes *hijras*, some kothis, zenanas and metis. The *hijras* are identified oftenly as transsexual up to certain extent as a misomer. It is a differentiable term which have been used by biological males who specify themselves as either not men/not women, but as a transgender. Ritual desexualize could be the part of *hijras* community but not every *hijra* are deprived of virility. The sex issue is common among men which have their own language called as Farsi.

The transgender have been identified as those who infract social norms. They are projected as a subject of linguistic on gender and sexuality. This third gender is highly complex, for their inconspicuousness in our society, their non-acceptance and denying their social identity and related expressions. The individual who are transgender assert for their gender identity in the later stage of development which normally termed as person’s internal, deeply, felt sense of being, either man or a women or something other or in between.

It has been estimated that one in thirty-thousand males and one in a hundred-thousand females have identified themselves of perceiving trans feelings, which has been supported by The Diagnostic and Statistical Manual IV (2013). There are numerous people who accept and deals with these feelings and thus, the recent Indian Statistical Data of lesbian gay and transgender in India is 70 million.

Considering the regional distribution of the identified organizations within India, major proportion (60%) who contribute towards the rights, psycho-social needs and other factors were from the eastern and southern states and Union Territories (32% and 29%) respectively. Furthermore, 21% were from the northern and central regions, with only 12% from the western region and 6% from the north-eastern states. Majority of these volunteered organizations are urban or semi-urban, their distribution across India has not been widespread. It becomes imperative to ensure the need of more organizations across various regions to serve the interest of transgender. It has been even seen that there are few regions which have been dominated for the same.

A very low proportion of prevalent rates (2%) in Pakistan and 43.7% in India have been recorded globally (Baral et al 2013). Current U.S. studies reveal that roughly 28% of trans\* people were infected with the HIV and 21% were infected with other STIs (Herbst et al 2008). In a study by Edwards et al (2007), it had showed that more than half a proportion(52%) are down with HIV on account of high-risk sexual practices including unprotected sex with male partners, injection drug use, and sex work (Mimiaga et al 2009, Operario et al 2008). The risk factors include social exclusion, unmet healthcare needs and financial hardship explain higher rates of HIV (Pinto et al 2008) along with the negative experiences associated with stigma and discrimination can lead to exclusion from HIV treatment, support and prevention services (Bith-Melander et al 2010, Khan et al 2008).

Major proportion of respondents (87%) has been identified discrimination and prejudice events which are concerned to their trans identity (Couch et al 2007). A significant higher rates of substance abuse have a bio-psychosocial consequences will require accommodated interference from practitioners and service providers (Clements-Nolle et al 2001, De Santis 2009, Nemoto et al 2012) globally. It is a need of transmen to be focused on, considering their higher rates of alcohol and illicit drug use (Santos et al 2014). The increased rates have been entity to the negative experiences of gender minority stress (Hendricks and Testa 2012).

Indian culture have examined the people who have a sexual intercourse with men (MSM) represent a group of largely invisible individuals are considered as a hidden population whose contribution to the HIV/AIDS epidemic in India is at elevated stage. India's National AIDS Control Organization (NACO) in 2006 has estimated the rate of HIV infection, which was recorded as 6.41%, though these may vary from state to state. The prevalence of HIV in Mumbai was found to be12% among MSM seeking voluntary counseling-and-testing services (Kumta et al 2006; Setia et al 2006) whereas Andhra Pradesh reported 8% prevalence over 10 clinics (Sravankumar, Prabhakar and the Mythri STI/HIV Study Group 2006). Most of these estimates are many times those of heterosexuals from the same

geographic regions of the country. The overall prevalence of HIV estimated in India was .36% (NACO, 2008).

In a country like India, having a homosexual sexual orientation, is not necessarily or typically tied to one's identity (Asthana and Oostvogels 2001; Chakrapani et al 2002; Humsafar Trust 2000). The act of MSM behaviour fall out in a complex and diverse manner beyond those who self-identify as homosexual (Dandona et al 2005, Go et al 2004, Nandi et al 1994, Verma and Collumbien 2004). Taking examples, such as kothi (feminine acting/appearing and predominantly receptive partners in anal sex), panthi (masculine appearing, predominantly insertive partners), and double decker (both insertive and receptive). Kothi are referred to be an identity, whereas, panthi and double-deckers are labels given by kothis to their masculine partners, depending upon on their sex role and behaviors (Asthana and Oostvogels 2001, Humsafar Trust 2000, Joseph 2004).

The current status of depression reveals the percentages between 26% and 66% (Nemoto, Bodeker et al 2011, Shipherd et al 2010), anxiety to be 33% (Bockting et al 2013) and alcohol and illicit drug usage ranged between 20–36% (Herbst et al 2008, Operario and Nemoto 2005) respectively. The rates for suicidality were between 37–65% (Liu and Mustanski, 2012, Nuttbrock et al 2009).

The available figures reveal that the rates of depression are between 26% and 66% (Nemoto et al 2011, Shipherd et al 2010 and anxiety was 33% (Bockting et al 2013). Furthermore, alcohol and illicit drug use ranged between 20–36% (Herbst et al 2008, Operario and Nemoto, 2005). The rates for suicidality are between 37–65% (Liu and Mustanski 2012, Nuttbrock et al 2009). The significant gaps around the health and social care services were available to the trans people. (Grant et al 2011, Resiner et al 2016, Wylie et al 2016). For instance, there is an insufficient range of interventions for HIV and STI treatment, prevention and care (Sullivan et al 2012). There are also significant shortcomings in knowledge and research into poverty, homelessness and the impact of substance use on the trans population (Grant et al 2011).

It has been statistically evident that high rates of depression for contracting HIV as a significant risk factor among them. Other factors such as violence in any form acts as an intermediate factor in the acquisition of HIV (Grant et al 2011). Social factors such as employment discrimination and engagement in sex work (Operario et al 2008) are also likely to affect. The psychological distress experienced by trans people can be a manifestation of the challenges associated with living in an oppressive society and gender-related victimisation (Ellis et al 2015, Grant et al 2011).

Despite the prominent risk of HIV infection, MSM in India remained silent or hidden, due to societal and cultural pressure and some got tied into matrimony

alliance (Dandona et al 2005, Go et al 2004). In case of India, these people may caught up in high risk behaviors with both men and women (Asthana and Oostvogels 2001, Chakrapani et al 2002, Dandona et al 2005, Go et al 2004, Humsafar Trust, 2000; Nandi et al 1994, Setia et al 2006, Verma and Collumbien 2004). They may even make a connection to the residing population to transmit HIV, and may even target the epidemic to heterosexual populations, if MSM have both male and female partners.

The youth, among the transgender people are more prone to be targeted which face great challenges with their own identity and gender expression to which they are opposing the gender identity and gender role being imposed depending on their biological sex. They are likely to face issues like shame, fear, and internalized transphobia, disclosure and coming out, adjusting, adapting or not adapting to social pressure to conform, fear of relationships or loss of relationships, and self-imposed limitations on expression or aspirations.

The psycho-social aspect, including mental health needs of *Hijras*/Transgender communities are hardly addressed in the HIV programs whereas issues like depression and suicidal tendencies, possibly secondary to societal stigma, lack of social support, HIV status and violence-related stress have been reported in different community.

Considering the regional distribution of the identified organizations within India, major proportion (60%) who contribute towards the rights, psycho-social needs and other factors were from the eastern and southern states and Union Territories (32% and 29%) respectively. Furthermore, 21% were from the northern and central regions, with only 12% from the western region and 6% from the north-eastern states. Majority of these volunteered organizations are urban or semi-urban, their distribution across India has not been widespread. It becomes imperative to ensure the need of more organizations across various regions to serve the interest of transgender. It has been even seen that there are few regions which have been dominated for the same.

The transgender community being part of the society has also equal right to all the facilities as provided to all other persons. Their presence has not remained unaware since ancestral times, but it can be seen from several scripts, probably because the nature requires such a class to maintain the equilibrium. The considerable aspect which needs attention is discrimination, based on their class and gender, making the transgender community one of the most disempowered groups in Indian Society.

The access to health and other services including HIV has been given at smaller rates to transgender on account of issues including stigma, discrimination, legal barriers and violence. The rate of HIV in transgender is at peak in some

countries. Taking all the nations into consideration, an official document such as birth certificates, passport etc. has been allocated to citizen to enlist a gender other than male or female. Nepal has been including TGs in national record since 2011 census. Pakistan, India and other some countries have legally accepted the existence of Transgender (pass port and other documents).

It has been evident that some transgender have developed coping skills and are resilient (McCann and Brown 2017), but an persuasion to various psychosocial issues including violence, discrimination, financial hardship, drug and alcohol misuse, and issues related to accessing and using appropriate health and social care services (Bockting, et al 2013, Dispenza et al 2012) may also prevail. These people are on the significant risk of contracting human immunodeficiency virus (HIV) and other sexually transmitted infections (STIs), as compared to the general population (Chen et al 2011, Reisner et al 2010).

A study by Operarion and Nemoto in 2005 described a significant number of participants either verbal, physical, or sexual victimisation experiences. Another study by Grant et al 2011 showed that transmen was eight times more likely to engage in illicit drugs as a way of coping with discrimination. They are also equipped with drugs and alcohol in order to deal with effects of stigma and victimisation (Fredrikson-Goldsen et al 2013). Transgender are twice unemployed, thus involving themselves in sex work and concordant substance use (Herbst et al 2008). An increased case of depression and associated suicidality are also common among these people (Grant et al 2011).

Though with time, there is a change in the perception of these transgender mostly in urban and metropolitan areas. The Indian law has been changed in past few years from decriminalizing the IPC 377 (the law under Indian Penal Code which considered carnal sexual intercourse as a criminal offence) and then re-criminalizing the same has initiated the changes in Indian value system. There is still an ambiguity of changed social stigma of homosexuality in India which would break the barriers between the sexual minorities and heterosexual society.

## **Psychosocial Problems of Transgender Persons**

There is a correlation between thinking, feeling and behaviour or the psychological realm which corresponds to societal realm including family, society, culture and norms, termed as psychosocial. A society will remain adjusted if a particular behaviour remains accepted. If bee seen. there is an ambiguity in acceptance, a disequilibrium between one's needs and societal expectations may likely to be seen, which have an impact on individual's thinking, emotions and behaviour and can lead to psychosocial problems (anxiety, low self esteem, guilt etc), thus affecting the well-being and quality of life. Psychological symptoms are the manifestations of psychosocial problems.

The society has a negative eye on the gender-variant people as they do not have families, allocated from homes and other support. The children of transgender are abused at home, school and other communities. It is therefore challenging for the transgender to survive thus, leading to anxiety disorders, depression and other psychological illnesses.

In a study by Israel and Tarver in 1997, they perceived that the transgender experience the most common mental health issues such as depression as well as adjustment, anxiety, personality, and post traumatic stress disorders. The stress to deal with the confusion and society's negative response can lead to numerous other problems. Mental health problems like major life changes, relationship difficulties, chronic medical conditions, or significant discrimination on the basis of minority status are also likely to encounter.

Majority of the transgender experiences distress and anxiety about their gender identity and may have less familial and peer support as compared to non-transgender individuals (Bockting et al 2005). A researcher, Ettner (1999) had emphasized on the shame of developing positive identity and Schaefer and Wheeler (2004) identified guilt as underlying a host of psychological problems facing the gender-variant individual. In addition, the process of transitioning to the other sex brings up a myriad of specific challenges, some anticipated and others harder to predict.

A research by Miller (1996), he reported that transgender individuals lose their lives in order to pursue transition process for a transsexual, leading to loss of family and friends, considering the gender variance. The loss can be particularly traumatic if, as is often the case, the disclosure or discovery of the person's transgender status is unplanned. "In many circumstances, being forced or even choosing to disclose without being fully prepared for what disclosure involves can have devastating consequences." (Israel and Tarver 1997).

It has been evident that transgendered people are less likely to get treatment for depression, fearing that their gender issues, thinking it to be the cause of their symptoms and therefore, will be judged negatively. The loss of home and jobs in the community are quite common and also giving privacy to their status is a challenge to survive. "Denied the opportunity to speak their stories, transsexuals were denied the joy of their histories." (Bornstein 1995).

Major proportion (60%) of the trans youth suffer violent assaults (Moran and Sharpe 2004) and 32% had attempted suicide (Fitzpatrick et al 2005). Parental rejection had been corresponded to low self esteem and negative self-image (Bolin1988). There is a margin to mainstream society and lesbian, gay, bisexual (LGB) social groups, compounding their risk. Fitzpatrick and colleagues (2005) reported that trans college students (32%) to be hopelessness, suicidal ideations and suicide attempts than their non-trans LGB peers.

Majority of the youth (80%) were involved in harassment and were originated in judgements about gender expression rather than sexual orientation (Reis and Saewyc 1999). They even suffer relationship difficulties with family and peers, depression, and a high risk of being victimized by violence and harassment (Di Ceglie et al 2002). Trans people in Asian countries drop out education early, drifting into the city with little education, affecting the job vacancy (Winter 2009). They experience some form of victimization as a direct result of their transgender identity or presentation. This victimization ranges from subtle forms of harassment and discrimination to blatant verbal, physical, and sexual assault, including beatings, rape and even homicide. The majority of assaults against transgender persons are never reported to the police.

Available evidence suggested the need to address alcohol and substance use among *Hijras*/communities. “*Hijras*” were provided several reasons justifying their alcohol consumption that range from the need to ‘forget worries’ (because there is no family support or no one cares about them) to managing rough clients in their sex work life. However, alcohol use was associated with inability to use condoms or insist their clients to use condoms and thus, increase risk for HIV transmission and acquisition (TG Issue Brief et al 2010).

## **Quality of Life**

Quality of life is subjected to the extent of judgement that an individual lives a good life. It is interconnected to feelings of happiness, meaning in life and inner peace. To determine the quality of life, an ability to enjoy life that life gives, ability to walk, see and feel contributes an overall quality of life. A quality life is a life full of meaning and purpose. A high-quality life is also a life of freedom from tyranny. If a person is happy, has inner peace, and perceives that his or her life is meaningful, then the person could be viewed as being successful and achieving a high quality of life.

The term, quality of life has been defined as a person’s perception towards their physical and mental health (Wong et al 2001) which do not relates to health status, lifestyle, life satisfaction, mental state or well being, it is rather a multidimensional concept incorporating the individual’s perception of those and other aspects of life. The department of Toronto’s Quality of Life Research Unit had defined quality as “the degree to which a person enjoys the important possibilities of his or her life”. Their Quality of Life Model is based on the categories “being”, “belonging” and “becoming”, respectively who one is, how one is connected to one’s environment and whether one achieves one’s personal goals, hopes and aspirations. In the clinical setting, individuals suffering from psychological disorders have low quality of life.

Fisch (1994) found that there is negative correlation of quality of life to levels of anxiety, major depression and psychological distress in psychiatric patients,

university counseling center outpatients and nonclinical undergraduate populations. It has been predicted that anxious personality was characterized by joylessness, negativity and dissatisfaction with life (Millon 1996), it can be conventional that anxious personality should correlate negatively with overall level of self-reported quality of life. It is the goal of medical therapy for transgender people to improve their quality of life by facilitating transition to a physical state that more closely represents their sense of themselves.

## **Self Esteem**

Self- esteem of an individual reflects an overall self-appraisal of one's worth which embraces both beliefs and emotions. Psychologists usually regard self-esteem as an enduring personality characteristic (trait self-esteem), though normal short-term variations (state self-esteem) occur. Self-esteem can apply specifically to a particular dimension or have global extent. The term, 'self-esteem' defined by Branden in 1969 stated that 'the experience of being competent to cope with the basic challenges of life and being worthy of happiness'. This two broad approach maintains equilibrium to be capable of dealing with limits of defining self-esteem primarily in terms of competence or worth alone.

Maslow (1954) has stated that no psychological health was possible unless the essential core of the person is fundamentally accept loved and respected by others and by himself. Self-esteem allows people to face life with more confidence, benevolence and optimism, and thus, easily reach their goals and become self-actualized. There is accumulating evidence that positive self-esteem can be an antidote to depression. Self-esteem serves as a buffer from the onslaught of anxiety, guilt, depression, shame, criticism and other internal attacks.

A study by Torres and Fernandez (1995) examined the relationship among psychological factors and contributing variables such as self-esteem, health values and health behaviours among adolescents. It was reported that a significant relationship between self-esteem and general health behavior for both younger and older adolescents was found and even transgender also suffers this kind of problem. Furthermore, self-esteem accounted for a significant percent of the variance in mental health behaviour, social health behavior and total health behavior. Bernard et al (1996) found high correlations among self-esteem, self-efficacy, ego strength, hardiness, optimism, and maladjustment and all of these constructs were significantly related to health.

On the contrary, according to McKay and Fanning (2000), low self esteem has its roots in early experiences of abuse or abandonment thus, highlighting the influence of home on self esteem. Harter (1993) said that people's judgment about themselves was an important factor of self esteem. An important basis for self judgment is how well one 'stacks up' against a reference group. The concept of

social comparison has implications in understanding differences in self esteem of members in groups that were discriminated such as the gender variant groups. It was assumed that individuals who are clear about their gender identification draw referents from an organized system of beliefs as to the psychosexual meaning of being a male or female.

As a developmental process, individuals incorporate the resultant composite of a set of beliefs about appropriate gender roles, sexual preference, psychological makeup, and physical appearance into their sense of self. Evaluative processes accompany this integration. A transgender perceives his or her gender identity to be incongruous with the apparent anatomical reality and this resulted in a boundary stress between core gender identity and physical characteristics.

Gender variant children are much more likely to run away from home and even attempt suicide than their heterosexual peers, probably as a form of escape from dysfunctional family system that resists the notion of a child with a nonconforming identity. They may learn to compartmentalize their lives, placing the secret parts of themselves deep inside. They develop a conformist exterior self that follows the rules of the family system and allows them to function in relative safety until they are able to arrange to move to an environment that is more healthy or accepting.

A negative body image in some transgender has been linked to emotional distress. Transgender have been described as fundamentally disliking their biological sexual characteristics (Hoeing 1985). According to Benjamin (1966), transgender exhibit intensely negative attitude towards their genitalia. For many individuals among the lesbian, gay, bisexual and transgender (LGBT) community, several factors could play key roles in causing their self-esteem to drop: rejection from family, friends or religious organizations, the media and looks, ethnicity, financial status, drugs and/or alcohol, HIV/AIDS as well as other health related issues, prejudice, discrimination, and stigmas (Riddle- Crilly 2009).

By becoming aware of one's personal identity and accepting who they are, many of them have gained a higher self-esteem through their own self efficacy. Some argue that self-views are connected to an individual's values and goals, and that they strongly influence their global self-worth (Pelham and Swann 1989). When a transgender, for instance, sees his transition as his wholeness and this helps his self-esteem increase, he becomes a happier, a more positive individual and can be much more productive.

A report by Stonewall, Towards a Healthier LGBT Scotland (2003) found that “low self-esteem, anxiety and depression are common experiences for many LGBT people.” The report finds that “problems associated with homophobia and transphobia in early life, such as bullying and low self-esteem, can continue into adulthood and have serious, long-term negative health and social consequences for individuals affected”. The sting of emotional abuse carries the same effect on

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self-esteem as physical or sexual abuse. Transgender has its own built in Catch (Peters 2005) since one needs very high self-esteem to successfully deal with being transgendered, but simply being transgendered is one of the great forces sapping self-esteem.

## **Social Anxiety**

Anxiety is a persisting distressful psychological state arising from an inner conflict. The distress may be experienced as a feeling of vague uneasiness or foreboding, a feeling of being on edge or as any of a variety of other feelings, such as fear, anger, restlessness, irritability, depression, or other diffuse and nameless feelings. Social anxiety gives a person to be afraid of social situations and has a fear of being judged unworthy by others. Peer victimization is a social risk factor for internal distress. People with a diagnosis of social anxiety disorder find social situations nerve wracking, from mixing with friends to speaking in public.

A number of explanations have been proposed for why they feel this way, including that they are pre-occupied with creating the right impression. Weisman and her colleagues (2011) claimed that people with social anxiety are overly concerned with social hierarchy and struggle with what's called the affiliative side of relationships. In simple terms, this means they tend to perceive social situations as being competitive and judge themselves as having a lower rank compared to others and they also have difficulty forming close relationships.

Some researchers have explored the relationship between anxiety and various forms of bullying. It appears as though some forms of bullying are more strongly linked to anxiety than other forms. Storch (2003) had shown that overt victimization (i.e. experiencing attempts or threats to harm one's physical well being) and relational victimization (i.e., experiencing attempts or threats to harm one's peer relationships), were both associated with heightened levels of social anxiety for males and females aged 13 to 16 years.

Students who were bullied in multiple forms endorsed higher social anxiety levels than those who reported one form of victimization. Students who reported relational victimization seemed to have higher levels of social anxiety. Boys 14-18 years of age who were bullied by being called "gay" endorsed higher levels of anxiety than their peers who were bullied for other reasons. (Swearer et al 2008), Thus, being called "gay" seemed to be more strongly linked to anxiety than other forms of victimization.

Young people who sense they are in some way different easily learn some of these self destructive core beliefs. For most children and adolescents, different is not good. Being accepted by peers is essential to young people. For most young people, being different or non-conformist feels good only if theirs is a group of similarly different and non-conforming friends who accept and value them.

Young people who sense they may be lesbian, gay, bisexual or transgender (LGBT) are especially vulnerable to this dynamic of social unacceptability resulting in negative core beliefs. They are often being told that they are sick, sinful, disgusting and should not exist. Many who cannot hide their differences become the target of violence. Transgender persons face this dilemma of being labelled everywhere they go. They are continuously conscious of the way they appear towards the public, and hope that the public will perceive them for the gender they want to be, without repercussions. Studies in animals and humans show that psychological abuse can have long-lasting consequences. People who are bullied on a constant basis are under a lot of stress, and if the situation is not taken care of in the proper time, the victims might suffer from social anxiety and depression.

A study by Litvin (2011) of Rockefeller University in New York showed that stress can have a huge impact on the brain, just as alcohol can affect the liver, and smoking can affect the lungs. The researchers conducted their experiments on mice, which respond to the stress in a manner very similar to the one in which humans do. Many times people with social anxiety prefer to be alone. Even when they were around familiar people, a person with social anxiety may feel overwhelmed and have the feeling that others are noticing their every movement and critiquing their every thought. Isolation can occur before a person comes out as transgender, or after gender-role transition—when a person tries to “pass” and limits association with other transgender people or when he or she experiences overt stigma. Shame associated with gender nonconformity can lead some people to feel unlovable or to feel insecure about their abilities to establish and maintain intimate relationships.

Within the modern era, our society has alienated these people who do not confirm to its norms. Surviving the life of a transgender is far from easy as they are neither categorized as males nor females and this deviation remains unacceptable to a majority. Transgender still float beneath the surface, most of them invisible, like the unseen portion of the iceberg. One of the important problems transgender face in the society is lack of social acceptance. Although they have been part of every culture and society in recorded human history, they have only recently become the focus of attention in psychological, medical and social research. As the visibility of transgender increases it is time to help them join the main stream of society. In order to achieve this objective it is necessary to understand the psychological issues and challenges they face as well as examine the prevailing attitudes in the society. A major challenge in the mobilization process has been motivating the transgender to actively demand rights and services. There has been some progressive steps taken to improve their quality of life but this has come after years of crushing social stigmatization, abuse and general derision from the wider community.

To eradicate the inhuman behaviour towards transgender community, it is essential that an improvement should be made in existing laws and the law officers are modifiable to adapt a complete humanitarian approach towards them. The transgender community has developed significant and legal gains despite their discrimination in the society. Few states have made positive developments to win inclusion, notable among which is a special ‘third gender’ category for transgender on ration cards. Therefore, an affirmative action should also be taken to achieve equality by reserving seats for third-gender students in government-owned arts and science to third-gender people with the appropriate gender category. The state government also gives subsidy to all those transgender who wish to undergo surgical treatment for change of sex.

As the transgender is increasing, it becomes inevitable to help them in joining the mainstream of society. The psychological issues and challenges they face as well as examining the prevailing attitudes in the society need to be changed. Mobilization process needs to be motivated for transgender to actively demand rights and services. Some progressive steps should even be taken to improve their quality of life but social stigmatization, abuse and general derision from the wider community should also be considered.

## **Mental Health Issues**

Researchers like, Chakrapani et al 2011, People’s Union for Civil Liberties-Karnataka [PUCL-K] 2003 and Shaw et al 2012 have identified the problem of adequate attention to mental health issues and to violence against MSM and TG women, to which they suggested that ongoing HIV risk was due to the presence of multiple psychosocial health conditions, such as depression and victimization. This may collaborate with each other another synergistically (‘syndemics’), thereby increasing vulnerability to HIV infection. The term, ‘syndemics’ is a coincidence and collaborative approach to two or more diseases or psychosocial public health problems, that unjustifiably affect the health and well-being of marginalizing communities, including MSM (Singer and Clair 2003, Talman et al 2013) and TG women (Brennan et al 2012 Operario and Nemoto 2010).

For example, an increasing number of studies from Western countries have demonstrated that the HIV epidemic among MSM and TG women is associated with syndemic factors, such as depression, childhood sexual abuse, sexual compulsion, and intimate partner violence (Brennan et al 2012; Parsons et al 2012; Stall et al 2003). These studies have shown that as the number of psychosocial health conditions increase, there is a corresponding increase (additive or synergistic effect) in sexual risk behaviours and/or HIV prevalence.

In relation to syndemics among MGM and transgender women among Indians, studies have reported the presence of psychosocial health conditions

among MSM and their influence on HIV such as, the association between HIV-related stigma and sexual risk (Thomas et al 2012), the causal factor of sexual minority-related stigma and HIV-related stigma on depression (Chakrapani et al 2012), a link between depression and sexual risk (Mimiaga et al 2013, Safren et al 2009, Sivasubramanian et al 2011), and alcohol use and HIV-related sexual risk behaviours (Mimiaga et al 2011, Yadav et al 2014); as well as contagious rates of harassment and sexual violence (Chakrapani et al 2011, Chakrapani et al 2007; Newman et al 2008). There are limited studies available to support psychosocial conditions among TG women but the relatable studies suggested that high levels of physical and sexual violence from police and ruffians (PUCL-K 2003) and discrimination in health-care settings (Babu et al 2004, Chakrapani et al 2011) were likely in common among several states in India. Though, previous studies have shown a link between individual psychosocial health conditions and HIV risk, but there are no further studies which show individual psychosocial health conditions, or the synergistic relationships between syndemics and sexual risk.

## **Conclusion**

Therefore, it is a sense of encouragement and persistence to confront the gender issues which are surrounded with ear, shame, and feelings of hopelessness and despair. The psychologists can facilitate these people to make an informed decision about gender identity so that these obstructions can be overcome. Many of the transgender are gained with immense knowledge about treatment options and have a clear direction to step forward, yet few are devoid of such knowledge, except to seek guidance from a professional. Contact with peers in many ways can help to generate multiple options of gender expression, process of involvement for the treatment and their available options, speculating potential challenges concerned to transition and facing the discrimination and harassment, which are mostly experienced by them. Needless of all, trans also require empathic, ethical and clinically competent care as well as mental healthcare which are likely to be approached. Clinics concerned to mental health status can have a significant positive influence to help these people in building resilience in order to heal with societal stigma promoting healthy psychosocial development and facilitating timely treatment of mental health issues.

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# **Trans Marriage in India: A Contrasting Journey of Hardship and Happiness**

**Khuman Bhagirath Jetubhai, Dr. Madhumita Ghosal**

## **Introduction**

Marriage is an essential part of one's life in India. Its seriousness can be gauged from parents getting their children engaged at a tender age. In addition, under-age marriage is widely prevalent in India. It is believed that a person's life is incomplete without getting married. In Hindu mythology, the tale of Aravan signifies how important marriage is. Before sacrificing himself for Pandavas in Kurukshetra war with Kauravas, god Aravan expressed his last wish to get married, so that he would be eligible to receive cremation after his death, not burial. Closely connected with marriage is widowhood that people are frightened of. Since it was assured that whosoever married Aravan was going to be widowed the next day, no one was ready to wed him. Hence, Lord Krishna transformed himself into a woman and married God Aravan. This ancient myth symbolises vital role of marriage in an Indian's life and how incomplete life would be in its absence.

Transgender community of India considers Aravan as their God, as he married Krishna, a born male transitioned to female. This symbolic act of marriage is celebrated every year in a South Indian village named Koovagam, situated in the Tamilnadu state. The eighteen days festival culminates in marriage on the seventeenth day with transgender women, gathered from all around India, tying the knot to the God Aravan and next day they are widowed.

Owing to their marginalized status, transgender community is unable to fulfil their wish to find a life partner and marry them, but their desire is realised in Koovagam festival. Though for a brief period of one day, they enjoy the festivity and frolic of the marriage that they have been deprived. Like any other person, they wish to get married, to love and to be loved. India's prominent face of the transgender community, Laxmi Narayan Tripathi was once asked about her belief in the institution of marriage and her reply was, "I wanted to be loved and embraced by a man, like any other woman. At that, I sought someone whom I could love.

Meeting Vicky [her husband, Vicky Thomas] has fulfilled all those desires. No human being can escape the feeling of love” (Bahuguna, 2015). Many of the trans persons in India have dared to go beyond marrying a mythical God Aravan by marrying a real human being and thereby fulfilling their wish of marriage that in words of Kevin Gates (2015) is “most wonderful thing ever”. This paper discusses trial and tribulations that trans persons undergo to get married and complications arising post marriage. Upon careful study of various news report, it has been found that till date ten trans couples have been married or planning to get married. These are as follows:

1. Akkai Padmashali’s marriage to Vasudev V, who met eight years ago and fell in love but it took them two years to formalize and legalize their love (Staff Reporter, 2018).
2. Kerala’s transman Aarav and transwoman Sukanyeah announced their marriage publicly and received death threats (George, 2017).
3. Shree Ghatak, the first transgender person from West Bengal to be legally wedded had to undergo surgery to find acceptance by her in-laws (Biswas, 2017).
4. Madhuri Sarode, transgender woman, married Jay Kumar Sharma openly, in a temple in order to set an example for other trans people. Their wedding consisted of ceremonies such as mehndi, haldi, sangeet and garland exchange like any other straight couple (D’souza, 2017).
5. Saroj Sahu’s marriage to transgender woman, Kinnar Mama of Ramachandipada in Odisha, was unique because the couple did not belong to metro city but village and found support and acceptance there (Odishatv Bureau, 2018).
6. Transwoman Surya Vinod’s marriage to transman Ishaan was a heart-warming story of Hindu-Muslim wedding in Kerala that was attended by over one thousand people, signifying growing social acceptance of trans marriages in India (Express News Service, 2018).
7. Transwoman Sony married a man namely Rambabu in Khammam district in Telangana (TV5 News, 2013).
8. Childhood friends Premkumar Chandnani and Tiya Hingorani got married on Valentine’s day and adopted children of their respective family to fulfil their wish to have offspring (TNN, 2017).
9. Body Darling and Ramnik Sharma got separated after a year-long marriage and the latter accused her of falsely claiming that she could have children, highlighting impending complications that can arise in long-term if done without proper knowledge (Panchal, 2017).
10. CISF female soldier transitioned to male to get married to her female colleague. To quote him “Had same-sex marriage been allowed in India,

I would have not undergone sex-change” (Haidar, 2017). It shows while trans right has made progress in India and received the legal protection, the same cannot be said of same-sex couple and marriage.

Out of these ten, this paper charts the journey, from falling into love to getting married, of five couples. It also notes the trials and tribulations they encountered en route to their marriage.

## **1. Akkai Padmashali and Vasudev V**

On 20<sup>th</sup> January, 2017, they got married and legal approval came on 23<sup>rd</sup> January, 2018. Surprisingly, Akkai is the first trans woman to legalize her marriage in the state of Karnataka. It is an evidence of the fact that how difficult is the path of marriage for trans community. That is too she being in a privileged position of being well known activist in India, who has access to legal and financial help to overcome any roadblocks that may come her way. In a country where most of the trans people are “isolated, labelled freaks and facing a life of begging and prostitution” (Stanton, 2015), they cannot even think of getting married when their main worry is to fill their stomach and surviving in a hand to mouth existence. It is doubtless to state that Akkai is one of the few who managed to cross all the hurdles.

Her journey from traumatic childhood to blissful marriage, was not an easy one. She managed to study till class 10<sup>th</sup> and had to discontinue owing to her identity. The Logical India describes, “At the age of 12, Akkai tried to kill herself, twice” (The Logical Indian Crew, 2018). She resorted to sex work and begging. She successfully dealt with all hardship that life threw at her, and also set up of an NGO called Ondede, (“convergence” in Kannada) to fight for LGBTQ rights.

The report in The News Minute (2018) confirms that there may be many cases of couples staying together but they are afraid to make their relationship public. To cite the report:

Many do not even want to make their relationships public because of the social stigma they face and the legal hurdles that come after. One trans woman from Kerala, who has been in a long-term relationship with her partner, said that they have been staying at their friend’s place because no one would rent out an accommodation to them. (TNM Staff, 2018)

Akkai’s marriage was not the one with a fairytale ending. Post marriage the problem of finding accommodation is evident in the above-quoted report. The legal hurdle can be passed thanks to India’s biggest decision making body Supreme Court that recognized the rights of the third gender community. But who will change the mindset of the people around them? It is the reason why accommodation is a big issue for them. The News Bytes narrates, the Akkai and Vasudev were not allowed to rent or buy a house because their “presence was ‘black mark’ on the building” (Ojha, 2018). The Quint (2018) quotes her, “[I] was told to vacate multiple houses

because of my identity. I need your support to be able to purchase a house in my village - a place that I can call home". To fulfil her dream, Akkai launched a fundraiser campaign on ketto.org, as it was the only source to collect fund after receiving refusal from two banks for home loan.

Akkai and Vasudev were in a live-in relationship for eight years. Though Akkai did not believe in marriage, she yielded to the pressure of her relatives who were again against the couple living together out of the wedlock. Moreover, legalizing their union was also important to her. She was quoted as saying that "It is a big thing to be registered under and recognised by a government body. The government should frame schemes to support transgenders' marriage" (Staff Reporter, 2018). The caste difference of the couple also emerged. So was the issue of trans woman being unable to bear a child. But their love was too strong to be affected by such minor hiccups that came on their way (Dev, 2017). Deccan Herald with the headline "Tough times ahead: Adoption, a challenge for newly-wed trans woman" (DH News Service, 2018) notes, adoption agency's reluctance to allow transgender person to adopt a child and if done, the insult and rebuke the child may face as an offspring of transgender mother.

On the footstep of Akkai and Vasudev on 13<sup>th</sup> May, 2018, Savitha, a transgender woman, married Prasannan in the same state. Since the bride was a trans woman, groom's "family opposed their union and threatened him with dire consequences. They harassed [him] mentally and tried to blackmail [him] emotionally" (Deccan Chronicle, 2018). But they overcame it and got married. Akkai's marriage is expected to encourage many more such couples to make their relationship legal and it is certainly positive trend, as the protection that comes with legalizing of the union that live-in relationship may not offer.

## **2. Shree Ghatak and Sanjay Muhury**

West Bengal gave us the first trans woman principal in the form of Manabi Bandyopadhyay in the past, and now the first trans woman amongst 4.88 lakh Indian transgender population, to get her marriage registered legally ("Transgender in India," 2015). The love story between Shree and Sanjay began in 2000 and formalized in a marriage in 18<sup>th</sup> February, 2017. Generally for a man or woman, to get married is not a matter of achievement but when it comes to trans community it is certainly no easy task. The groom Sanjay had to face harassment and stigma as his lover was a trans woman. Their families too were against such marriage. But Shree underwent gender affirmation surgery in 2015 and it won her acceptance from her in-laws. In her own words, "Initially, our families were very much opposed to us getting married. They were worried about what people would say. But once I underwent the surgery to be what I had always been, a woman, my in-laws welcomed me with open arms" (Biswas, 2017).

In her case, it can be observed how protective India is for the rights of the third gender but the same cannot be said about the homosexual people. Along with her evident gender dysphoria, criminalisation of homosexuality in India also played role in her decision to change her sex. She writes, “Article 377 would not have allowed us to tie the knot hence I decided to change the sex” (Ghatak, 2017).

In her difficult time, her husband was the pillar of strength for her. In her words “All I want from him is love. He is very caring and will be the best husband ever” (Saha, 2017). What is more heartening is, to support fellow community members, she has started Troyee (“roaring fire” in Bengali) Foundation on the day of her marriage.

### **3. Aarav Appukuttan, and Sukanyeah Krishnan**

Theirs was a unique love story in the sense that they met in the hospital where they were admitted for their respective gender affirmation surgeries and got close. Aarav proposed to Sukanyeah in April 2017. They were initially sceptical about their relationship due to age difference as the former is 46 years old and the latter is 22 years of age. But their love blossomed. The tale of romance between trans man and trans woman was widely covered in national and international media, resulting in their instant popularity. When the news announcing their plan to get married came out, instead of good wishes, they were bullied and threatened with dire consequences. The report in The Times of India noted, “Their social media pages are now filled with abuses, threats and slurs and understandably, they are annoyed by the way society is making comments about something deeply personal for them” (George, 2017). This incident highlights that mere legal acceptance of the third gender will not solve their problem. Social acceptance must go hand in hand to achieve the equal rights. Their answer to the online troll predicting they would end up in hell showed how insignificant they believe was religious dogma and afterlife threat: “Apparently, if we marry, we will be denied entry into heaven in the life after death. But for us, heaven is about being together, here on Earth” (George, 2017). They also planned to adopt.

There is not news after that, and whether they actually married or not could not be confirmed.

### **4. Madhuri Sarode and Jay Rajnath Sharma**

Madhuri Sarode is well known for her dancing skills and founder of the first Indian transgender dance group called the Dancing Queens. The couple from Mumbai got married on 28<sup>th</sup> December, 2016 in the temple with god as a witness. Their marriage too was not a bed of roses. To quote a report, “After going public with their love story to inspire others, they are having their share of personal problems. From their jobs to families to applying for their marriage certificate,

everything is taking a toll on them" (Patnaik, 2017). Though her transformation to woman was complete, she did not wish to apply for a marriage certificate as a woman but as a transgender to help in the cause of transgender rights.

Their marriage was an elaborate affair, with Madhuri making sure that none of the wedding rituals was skipped. It was done in public and in the presence of a huge number of guests that included relatives from her sisters' side and her neighbours (Her other relatives severed their contact with her after her mother's death.). She reasoned for the ostentatious display of ceremonies lasting for days:

Marriages do take place in the TG (transgender) community, but never openly. It's usually a small affair with a handful of friends, a mere exchange of rings or garlands. But I didn't want that. I wanted to have a proper invitation card, an album of pictures, a wedding outfit, the works, like everyone else. If the Supreme Court ruled in 2014 that transgender be recognised as the third sex and given equal rights, then why can I not have all these things? (D'souza, 2017)

Her husband, Jay Rajnath Sharma belonged to a traditional family from Uttar Pradesh. It was no less struggle for Jay to get married to a trans woman. His sister was in support of Madhuri and his decision to marry her, but his mother who was completely unaware of her son's wedding. He planned to tell his mother about Madhuri in future when the time was right. For the couples convincing his mother and finding acceptance for Madhuri in Sharma's family was next upheaval task. Madhuri was confident of winning her over by her womanliness. She said, "She hasn't seen me so far. Once she does, she will not miss the 'woman' in me" (D'souza, 2017). Talking about the time ahead, the couple was optimistic but not without the ignoring the upcoming battle they needed to fight for a marriage certificate, adoption, and acceptance.

## **5. Surya Vinod and Ishaan**

May 10, 2018, was the day Surya Vinod, an activist, television artist and member of the Kerala Transgender Justice Board tied the knot to Ishaan. It was the first transgender marriage in Kerala. It was registered under the Special Marriage Act since the couple belonged to different religion, Ishaan being Muslim and Surya, Hindu. There were troubles in their love life from their family due to their different religious background but it was sorted out. An interesting fact about the couple was Surya was trans woman and Ishaan was trans man. Surya in her conversation with journalist said "One day, he proposed to me and said he wanted to take me home as his wife. I have always dreamt of myself as a bride in a red sari and, on May 10, this dream will be realised. The dreams of many, many, transgenders in our community are going to be realised through me" (Warrier, 2018).

Ishaan proposed to Surya, and they dated for six months before reaching the wedding stage. Both of them had the approval and blessing of their parents.

When she revealed her desire to get married to others, people were quick to comment that “only a man and woman can get married” (Warrier, 2018). But they proved them false. The wedding was attended by dignitaries of Kerala. From State Tourism Minister Kadakampally Surendran to V.P. Prasanth the Mayor of Thiruvananthapuram City Corporation, from personalities of TV industry to LGBTQ activists, all made their presence felt. The Deccan Chronicle (2018) aptly wrote, “The marriage of Ishaan and Surya comes as a victory in the face of the trauma and humiliation many from the marginalised community continue to go through in the country”. Like her, to get other trans women’s dreams fulfilled, Surya opined that “There should be matrimonial columns for TG community in newspapers and websites” (UR, 2018).

## **Conclusion**

The journey of each couple is inspiring. We find that “all the conventional ideas about love seemed frivolous and small in front of their journey” (Pattnaik, 2017). The strength of real love cannot be blocked from its fulfilment due to social stigma, lack of legal provision or absence of support from friends and family. Their vicissitude inspires us to follow what our heart desires and never give up. It offers us hope and positive energy against all odd. Their success goes beyond weddings and rituals by motivating us to fight for what we long for without being disgruntled, wallowing in pain and suffering silently.

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# **Educational Issues**



# **Prejudices and Discrimination Against Sexual Minorities in Schools- An Exploration of Issues and Concerns in India**

**Amar Singh**

## **Abstract**

In a democratic country like India, where the Constitution guarantees right to life with dignity, equality and freedom without any discrimination to the people, unfortunately sexual minorities are still treated as second-class citizens, who are living in the isolated areas of society and deprived of the social acceptance that put their lives into miserable conditions. The present chapter tries to explore issues and concerns of the queer community in relation with sexual violence and social problems in society and education. The dominance of the ‘hetero-patriarchal’ culture in the society including schools leaves no space for homosexuals to live a dignified life which deny their Right to education to some extent. School curriculum, peers and teachers reject the subject of alternative sexuality. Chapter also suggests coping strategies and reforms in pedagogy and school culture which are required to combat social and educational discriminatory treatments towards sexual minorities and develop a critical discourse on the issues of sexuality and queer in schools, child’s social milieu and legal system to bring the community into the ‘mainstream’.

**Keywords:** Sexual minorities, mainstream, sexuality, pedagogy.

## **Introduction**

In a democratic country like India, where the Constitution guarantees right to life with dignity, equality and freedom without any discrimination to the people, unfortunately sexual minorities<sup>1</sup> are still treated as second-class citizens, who are living in the isolated areas of society and deprived of the social acceptance that put their lives into miserable conditions. Moreover, this is the great irony of Indian society, where we are recognizing the right of one section while on the other hand, treating other sections as criminals.

In a historical judgment of Delhi High Court in 2009<sup>2</sup>, the homosexual act between two consenting adults was decriminalised. In the Judgment, Delhi High Court located equality before law (Article 14), the right of liberty (Article 19(1)(a)-(d), prohibition of discrimination on the ground of religion, race, caste, sex or place of birth (Article 15) and the right of life and liberty (Article 21) which are provided by the Indian Constitution. It led to more people coming out of their closets and accepting their alternative sexual orientation and identity without any fear. But In the year 2013, the honourable Supreme Court<sup>3</sup> of India again criminalised homosexuality. This was the major setback for the queer<sup>4</sup> community as now one can be punished and easily tortured for their alternative sexual identity and orientation. However, the judgment of the honourable Supreme Court regarding recognition of transgender as ‘third gender’ in 2014, opens the door of some hopes and possibilities. But the judgment pertains only to transgender people and not to any other section of the LGBTQ community (Lesbian Gay, Bisexual, Transgender and Queer). Despite this legal acceptance of transgender, there is hardly any change at the societal and educational level. But after a long struggle honourable Supreme Court reversed its previous judgment in 2013 and decriminalise homosexuality on September 6, 2018 and also concluded that 377 section of IPC is the infringement of constitutional article 14,15,19 and 21. In K.S. Puttaswamy & Anr. v. Union of India & Ors case (2017), in article 15, sex consists sexual identity and orientation; and now right to privacy is an innate part of the right to life and personal liberty under article 21. Sexual orientation is an inevitable component of one’s identity which is guarded by Indian constitutional fundamental rights.<sup>5</sup>

Section 377<sup>6</sup> of the Indian Penal Code, 1860 has been used by the police as an instrument to harass and blackmail queer people. There are instances where they are physically tortured, raped, jailed and charged for their alternative sexuality and identity. It is difficult for a queer person to go to the police and report the sexual assault because it may disclose their identity and there is a fear of getting a case registered against them under section 377. The Breaking the binary report (Shah et al., 2013) found that families have also used many forms of violence against the community. There are many cases where family members have beaten up the queer person to make them ‘straight’<sup>7</sup> (also see Nevatia et al., 2012; Sheikh, 2013). Their sexual orientation<sup>8</sup> is considered as unnatural in the hereto-sexual patriarchal society. Because of their alternative sexual orientation, family members become hostile towards them. Homosexuality<sup>9</sup> has never been considered as the main issue by the Indian society. Therefore, issues and problems related to them are never discussed in the ‘mainstream’<sup>10</sup> society.

In a hetero-patriarchal society like India, sex is considered as a taboo. The subject of sexuality and sexual orientation is hardly discussed in ‘mainstream’

society. The LGBTQ community is struggling to attain equal status, dignity and human rights in this so-called egalitarian and democratic Indian society.

Lesbians, gays, bisexuals and transgenders are socially, economically and educationally excluded and isolated sexual minorities. Due to a lack of cultural, social and symbolic capitals (social prestige, status and recognition), these social groups have not been enjoying their lives as human beings. Because of non-dominant sexual orientation and gender identity, they have to face segregation, harassment and hostile behaviour in their natal communities, in educational institutes and in workplaces (Subhrajit, 2014). Homophobic<sup>11</sup> (phobia of homosexuality) feeling which prevails in our society is the main cause for the exclusion and violence against the sexual minorities. In our society, sexual orientation of dominant groups is heterosexuality which is considered as the legitimized sexual orientation and imposed on all social members including LGBT. Therefore homosexuality is being considered as illegal<sup>12</sup> and offensive. For this, in some countries, these minorities are punished in the form of imprisonment, fines and death sentence (Subhrajit, 2014).

Homosexuality is considered as a western concept in India and it is believed that it does not exist at all in the first place and even if it exists somewhere then it is the result of westernization and is a phenomenon of the upper class only. Moreover, homosexuality is considered as a ‘disease’ which can be cured. As Bouchard (2010) discusses, heterosexuality in family is the backbone of the Indian hetero-patriarchal system. The purpose of the family is to maintain that ‘hetero-patriarchal’ system and give legitimacy to heterosexual activities e.g. marriages are arranged between men and women, who are expected to lead a heterosexual lifestyle and have children. The concept of homosexual families does not exist in Indian society, because homosexuality is considered ‘unnatural’ as they cannot reproduce children. In families, sexual minorities face discriminatory treatment, insult, disbelief, and rejection of their desire and love; and isolation. Parents often demand their children to become ‘straight’ like other heterosexuals. They are not free to disclose their identity, because the reaction of family regarding disclosing the identity of being gay, lesbian, bisexual or transgender is considered as a matter of family’s disgrace and public shame. Because of the homophobic environment within Indian families, homosexuals usually do not want to disclose their orientation and identity. In this scenario, people who are forced to marry a person of opposite sex, thereby ultimately live a double standard life. They spend their whole life in rejection of their same-sex desire and love because they fear that upon being discovered as homosexual, the family will reject and isolate them because of public shame and stigma which is associated with homosexuals.

Traditional Indian values are linked with public shame and social pride which are sustained by the society. Sexual minorities are not considered as full-fledged

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citizens as heterosexuals in India and rest of the world. They live their whole life as aliens in their own country, being considered as ‘unnatural’ and ‘abnormal’. The dominant ‘hetero-patriarchal’ rules and beliefs are strictly maintained and propagated by our society. Family, school, religion and other institutions of socialization reproduce these hetero-patriarchal rules, beliefs and values. It was found that in a heterosexual society, LGBTQ children in their early ages have to face the problem of fitting in a heterosexual world. 61% participants faced inequality and discrimination in school, 51% in their family, 38% in community and 30% in peer groups (Takacs, 2006).

The present paper tries to explore the current position of the queer community in relation with sexual violence and social, psychological and economical problems in society and education. Paper also suggests coping strategies and reforms in pedagogy and school culture which are required to combat social and educational discriminatory treatments towards sexual minorities and develop a critical discourse on the issues of sexuality and queer in schools, child’s social milieu and legal system to bring the community into the ‘mainstream’.

### **Daily Life Problems of Sexual Minorities**

In Indian society, homosexuality is considered as a sin and members of the dominant heterosexual orientated group are acceptable while any other sexual orientations and sexual identities are considered as ‘deviant’ and ‘abnormal’. So, these sexual minorities have to face harassment, violence and exclusion in their whole life in the heterosexual cultural milieu. LGBTQ continue to be denied equal access to fundamental rights under the Indian constitution, like the right to education, right to live with dignity, equal access before the law, the right of equal opportunities and protection from discrimination on the basis of sexual orientation.

Sexual minorities have to face negative attitudes and are also stigmatised. As a result, they have a low self-image, self-concept and self-confidence in their later life. Marginalization and segregation have several negative impacts like forced marriage, lack of social and parental support, low wage jobs, frequent moves to other places, leaving their houses and so on.

Sexual minorities hide their sexual identity and do not share their feelings with their family members because of the fear of denial of their homosexual identities. After knowing about their ‘deviant’ sexual orientation, reaction of the family members matter for LGBTQ and affect their mental health, self-esteem, and self-confidence. Many parents see their sexual orientation as a socially ‘deviant’ act and want to turn them ‘straight’ (heterosexual) and fail to understand their feelings through their point of view. Lack of valid information and gaps between parents and LGBTQ children increase disputes between them and at last they are forced to leave their families. Parents’ negative responses affect their mental

health, physical health, self-esteem and education etc. Such sexual minorities are more vulnerable and are segregated than those who get support from their families.

People from ‘deviant’ sexual orientations and gender identities are experiencing a considerable amount of exclusion and sexual violence. Due to a lack of social, peer and family support, they have to cope without any support. It can be said that they can easily cope with violence and discrimination when they have support from their parents, community, NGOs and peers. Harassment, violence and discrimination negatively affect their mental health, and they face depression, anxiety and other psychological problems; some attempt and commit suicide. These psychological problems are not a sign of ‘deviant’ sexual orientation and gender identity, but of harassment, exclusion, bullying and unfair behaviour and attitude.

Homophobia is the rejection of same sex and ‘deviant’ sex orientation and; fear and hatred for homosexuals. As the consequence of ‘deviant’ sexual orientation and identity, LGBTQ are a most vulnerable social group and face extreme discrimination, segregation and harassment which are never experienced by the heterosexual group. Homophobia is being continuously reproduced and maintained through various social institutions and social practices. It is associated with stigma and hostile behaviour against these sexual minorities. It can be seen in terms of abusive language, jokes, physical and verbal violence; discrimination in schools and labour market.

Bedgett (2014) conducted a study in 39 countries which studied the impact of social inclusion of LGBT on economic development in these countries. It was found that violation of rights and social stigma which is attached with these sexual minorities, are affecting the economic growth negatively. Economic development is strongly associated with the inclusive approach towards sexual minorities. Due to stigma, they are discriminated against in the workplace, not hired to upper segment jobs, terminated from the jobs and have to face prejudice at entry points. It sometimes leads them to indulge in sex work. Some sexual minorities do not reveal their sexual identity in workplace because of the fear of termination. Fear of exclusion and sexual violence is the main cause of hiding their sexual orientation in the labour market. Discrimination, prejudice and harassment against sexual minorities in labour market are the root cause of their unemployment, underemployment, poverty and underinvestment in human capital. In India, third gender belongs to poor strata and earns wages through sex work, dance in ceremonies and begging (Masih et al., 2012 as cited in Bedgett, 2014). Recent studies found that sexual minorities are more likely to be poor than sexually dominant groups (Badgett et al., 2013; Badgett, 2014). According to the 2011 census of India, 38% people from the third gender group are working in comparison to 46% people who are working among the other two gender groups (Nagarajan, 2014).

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Indian cinema has never been a true representation of issues and problems of sexual minorities. The characters shown are very stereotypical and mainly used to add some spice and fun in movies. They are shown with weird and weak personalities. Movies try to maintain and reproduce the hetero-patriarchal nature of society. These characters are shown as ‘abnormal’ people who should be got rid of. Whenever the movies in Bollywood (like ‘Fire’ which deals with lesbian issues, ‘Aligarh’ deals with Gays issues etc.) tried to project serious cinema on Homosexuality, they faced criticism and rejection by the dominant group, claiming these movies were trying to pollute the culture of India.

## **Harassment and Discrimination in School**

In many countries, bullying attitude among boys is quite visible and regular in schools than girls, especially in terms of physical violence. The incidence of bullying occurs in the classroom, playing grounds, toilets and on the school way while going to and returning from school (UNESCO, 2015). Gays experienced more violence in terms of physical and verbal than lesbians. Singh, Krishan, & Mishra (2015) reported the incidence of violence against those sexual minorities in school who do not behave in accordance with patriarchal gender norms. Among 943 participants range 18 to 64 age, 8% transgender has been unjustly terminated from educational institutions. They faced discriminatory treatments and isolation by their class fellows and teachers and also lack of acknowledgment of their identity and sexual orientation in Indian schools. In a comparison to Gays/ Lesbians, transgender face higher degree discrimination, violence and isolation in educational institutes in teenage years and experienced hostility in schools and colleges (Singh et al., 2015). Singh et al., (2012) also found that sexual minorities faced ostracize behaviour and treatments from their class fellows, discrimination from teaching and administrative staff at the time of admission and evaluation, harassment in the form of ragging, mental and physical abuse and blindness of school towards ‘deviant’ sexual orientation and gendered students, which leads to higher rates of termination from the school, low academic achievement and rejection from ‘mainstream’ school system and society (also see Dhall, & Boyce 2015). In another study which was conducted in Bangladesh by Khan, Bondhyopadhyay, & Mulji in (2005), found that about 50% of MSM<sup>13</sup> participants suffered from violence and harassment in schools by their class fellows and school staff that ultimately adversely affect their educational prosperity and compelled them for early termination. Khan et al., (2009) also found that teachers’ abusive behaviour towards *Hijra*<sup>14</sup> students, such as forcing to change their sexual orientation, blaming them for polluting social and school customs and norms in Bangladesh. Other studies from South Asia region verify school as a hostile place for sexual minorities where discriminatory and exclusionary practices have taken

place through their classmates and teachers (UNESCO, 2015). ‘Inclusion Matter: The Foundation for Shared Prosperity’ (2013), also found similar findings with extension that discrimination, assault and harassment in educational institutions of LGBTQ badly affect the human capital and results in economic loss for the country through restraining job opportunities and corroding cultural and social capital (World Bank, 2013).

Many studies suggested that problems and issues of sexual minorities in schools and colleges have been hardly ever critically and meticulously dealt with (UNESCO, 2012). Schools and colleges continuously reproduce and normalize binary gendered norms and heterosexuality has been certified in its culture where Queers feel like ‘fish out of water’. Schools and colleges do not have any acceptance of their orientation, dressing, gesture and posture styles and devalued their ‘deviant’ behaviour and orientation. School and college life of queer is likely to be a nightmare and mostly live a hostile life.

A study of the LGBTQIA<sup>15</sup> students on Delhi campus, all participants reported isolation and stigmatisation which lead to poor academic outcomes and early termination from educational institutions. As one of respondents narrated: ‘My grades significantly declined as I started having same-sex attraction. It was not just the fact that I was having attractions, but the fact that it was so taboo and nobody had talked about it’. The cultural taboos and rigid binary sexual orientations, which are also reproduced through school practices via explicit and hidden curriculum, were unfavourable to ‘deviant’ sexual orientation and gender identity. They hide their identity and face high pressure which results in the formulation of their low self-confidence, self-esteem, depression during school years and further in life (Krishan et al., 2016), higher degree of victimization, physical and verbal harassment and cyber bullying in educational institutions (World Bank, 2013). Queers were teased and taunted, felt excluded, depressed and confused in educational institutions, having negative effects on their educational achievements and resulted in termination and eventually not able to get employment (Khanaa, 2011). Takacs (2006) found that young homosexuals faced plenty of problems with the main agents of socialization like school, family and community.

Bedgett (2014) found that sexual minorities are facing discriminatory practices in schools which encourage their early dropout and discourage them from taking admission. A stigma which is linked with their homosexual identity and segregation of LGBT in schools has also become a root cause of mental illness, poor health, and irregularity in schools, early dropout and suicide. School is also a facilitator and contributes to maintaining the notion of heterosexual society which excludes homosexual students. Homosexual students face bullying in terms of name-calling, verbal abuse and physical attack. 43% participants experienced discriminatory and

exclusionary practices in the curriculum. 53% students experienced violence in school premises (verbal and non-verbal) (Takaes, 2006; also see UNESCO, 2012). Discrimination and bullying by students and teachers have serious negative impact on LGBTQ students viz. dropout at an early age, isolation in the classroom, low self-esteem and depression.

A study by Naz foundation (2005) showed that MSM feminine males experienced sexual violence and harassment, which prevented them to get education and adversely affected their job prospects. 50% MSM participants experienced sexual harassment and abuse in educational institutes by their school/college friends and teachers because of their ‘deviant’ sexual identities. The study also found that intensity of sexual harassment was increasing as their educational level increased. In higher educational institutes, they have to experience higher level of harassment (Khan et al., 2005). Another study of Nirantar (2013) reported that sexual violence and abuse were experienced by transgender in school and teacher and classmates were the main sources of sexual violence and abuse (as cited in Badgett, 2014).

## **How School Maintained Hetero-Patriarchal Power Structure**

Peer groups play a positive role in socialization in school, but when we discuss LGBTQ issues in school, peer groups become an agent to social reproduce of inequality and maintain hetero-patriarchy. Other students are responsible for negative socialization, discrimination and exclusion of LGBTQ. Sexual minorities usually suffer from bullying and are harassed because of non-acceptable standard behaviour style, gesture, ‘deviant’ sexual orientation and their dressing sense, walking style and even talking style. All these practices are examined through very ‘hetero-patriarchal’ binary terms (male and female). One cannot cross his/her standardized gender-behaviour which alone is considered acceptable in the heterosexual society. Peers usually make fun of them on the basis of legitimized gender-behaviour. Appropriate and legitimized sexuality is learned through primary and secondary socialization in family, community and school.

Teachers also are a source of homophobic harassment. Lack of teacher training on sensitive issues like homosexuality, problems of sexual minorities, lack of positive role models in schools and society, are the main problems. The curriculum of teacher education does not represent homosexual issues. It also contains discriminatory and biased elements of homosexuality.

School curriculum is highly heterosexual and maintains invisibility of the experiences of homosexuals. School, peers, school curriculum and teachers reproduce the dominant ‘hetero-patriarchal’ cultural inequality which is pervading in the society. Curriculum (overt and hidden) also reflects heterosexual couples, families and love etc. in textbooks and cultural activities. It clearly denies and

rejects homosexual relationships, which shows inferiority of homosexuality and superiority of heterosexuality. It shows homosexual desires and love as ‘unnatural’ and homosexual people as ‘abnormal’. School gives legitimacy to dominant heterosexual relationships by giving it space in its realm. Later on, heterosexuality becomes standard for success in educational, economic and social life.

Homophobic bullying and discretionary practices against sexual minorities in school have an adverse effect on their educational achievement and school experiences. Students who experience bullying and biases are less likely to get higher education and professional education which leads them to aspire for low profile jobs. During their schooling, the low academic performance of sexual minorities is the result of the low self -image, confidence, esteem and problem of physical and mental health, and isolation from the ‘civilized’ society.

Above social agencies (teachers, peer group and curriculum) and institutes like school maintain hetero-patriarchal power structure which is unquestionable in schools and legitimise through our educational institutions.

### **Implication and Suggestions**

It is a very well-known fact that issues of sexuality have been discussed rarely in the rigid Indian patriarchal social structure. Educational problems of sexual minorities are not considered as legitimate problems of the society. So the problems of these groups are not being dealt in educational policies and educational institutes. There is no scope of alternate sexuality and behaviour in the pedagogy and culture of school. Moreover, it punishes ‘alternate’ sexual behaviour which is not considered as so-called ‘natural’ and ‘normal’ gendered behaviour and role.

To cater to the needs and rights of homosexuals, this paper is suggesting some implications for general and educational policies, schools and teachers. Education should be made accessible to all students irrespective of their sexual orientation. All policies, school curriculums, school environment and teachers’ training should be inclusive which should deal with sexual minorities’ issues and their dignity of life. School should adopt some inclusive strategies for homosexuals like:

1. School as a safe space,
2. Teacher and other school staff should be supportive, sensitive and give positive response,
3. In-service and pre-service teacher training on issues and problems of ‘alternate’ sexual orientation and gender identities,
4. Curriculum should be made unbiased thereby representing societal diversity,
5. Giving emphasis to the human rights approach (rights of homosexuals should be considered) and
6. Critical pedagogy which give voice and space to queer identity through formulation of critical discourse in school and society at large.

There is great need to respect and legitimize homosexual identity within schools and curriculum activities (implicit and explicit). Inclusive education means education should reach out to all types of learners and identify their problems in accessing education. Special attention and provisions must also be provided for queer students like grievance cell and committees in schools and provisions of scholarships. School should be a safe place where learners feel comfortable with their sexual identity, where self-expression is promoted and mutual respect and dignity is established. This kind of environment of the schools will help in promoting self-esteem, self-confidence and high academic performance for all students, irrespective of sexual orientations and gendered identity.

There is no doubt that the teachers come from the same society where same ‘hetero-patriarchal norms’ are prevalent; but it is important to note that teachers can play a positive role in providing the safe and inclusive environment and promote critical engagements in classrooms and also in society. Teachers spend most of the time with students and thus they can be role models with whom students from LGBTQ community can share their feelings and problems. For this, proper training is required in teacher training institutes. Teachers and other school staff should be trained; they should have knowledge and skills to handle this issue. Ideally, it should be included in pre-service and in-service teacher education. The curriculum should have a humanist and egalitarian approach. Unfortunately, the present existing curriculum does not have any representation of sexual minorities. So, there is a need for including humanized examples of people belonging to the LGBTQ community.

The terms sexuality and gender are not easy to understand. Sex education is not just about reproduction, body organs and puberty but it also talks about gender identity, gender role, family, love, intimacy, relationships, social roles and eroticism which form one’s sexual orientation and gender and it must have existence in school’s hidden and explicit curricula. Students should be able to discuss in a healthy manner about love, relationships, sex, gender, friendship, diversity, personal rights, respect for others and oneself. To make students aware and sensitive about these issues and to make their perspective broader and diverse, it is important for teachers to organize such activities where all get chance to work together. It will give them chance to cooperate with each other and understand each other’s perspectives. This will help them to look at things beyond male and female perspectives. Teachers should appreciate children when they cross gender specific boundaries. Tasks assigned to children should be gender neutral. At home, parents should provide such environment where children can freely discuss their opinions about sexual orientations, love, relationships and sexuality.

It’s a need to adopt a critical pedagogy of sexual and gender in schools which gives acknowledgment to all sexual orientations and gendered identities and treat

respectfully with queer community in ‘mainstream’ schools and society. This critical pedagogical framework should have space to have critical discourse on pre-existed social heterosexual norms, non-normative gender and sexuality in schools which will ultimately bring changes in our society to achieve the purpose of an egalitarian and social democratic society that is promised by our Constitution.

## **Conclusion**

Queers are being discriminated and segregated in society and school. Social institutions which discriminate and isolate them affect them adversely. It leads to physical and psychological ill-health force them to leave the native place, early dropout, poor academic performance, sexual harassment and discrimination in wages and unjust termination.

Finally, it can be concluded that the dominance of the ‘hetero-patriarchal’ culture in the society including schools leaves no space for homosexuals to live a dignified life which deny their Right to education to some extent. Even their own parents do not understand their feelings and force them to leave their ‘deviant’ sexual identity and adopt a fake heterosexual identity. Moreover, school curriculum, peers and teachers reject the subject of alternative sexuality. Teachers should be made aware of this sensitive issue and contents of the curriculum should be made gender neutral. There is an urgent need to look into the whole concept of marriage and love which is highly heterosexual in nature and it is time to redefine the whole concept. The school environment should be made safe and secure for the sexual minorities where they can study without any fear, harassment and discrimination. Legal acceptance is appreciable but it is not enough. The mindset of society needs to change for a better understanding of the lives of sexual minorities. Thus, education being the agent of social change can play a vital role to include alternative sexual minorities into ‘mainstream’ society.

## **End Notes**

1. A sexual minority group is one whose sexual identity, orientation or practices differ from the majority of the surrounding society. The term was used as analogous to ethnic minority. The term refers primarily to lesbians and gays, bisexuals and transgender people who are often grouped together under the rubric LGBT (Singh et al., 2012).
2. Naz Foundation Vs Government of NCT Delhi, 2009. In the High Court of Delhi at New Delhi WP(C) No.7455/2001.
3. Suresh Kumar Koushal and another Vs NAZ Foundation and other. Supreme Court of India 2013: Civil Appeal No. 10972 of 2013.
4. Queer is an umbrella term for sexual minorities that are not heterosexual, hetero-normative, or gender-binary (Singh et al., 2012).
5. [https://timesofindia.indiatimes.com/realtme/sc\\_decriminalises\\_section\\_377\\_read\\_full\\_judgement.pdf](https://timesofindia.indiatimes.com/realtme/sc_decriminalises_section_377_read_full_judgement.pdf). (Retrieved on september13,2018)
6. Unnatural offences-Whoever voluntarily has carnal inter-course against the order of nature with any man, woman or animal, shall be punished with imprisonment for life or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine (Source: <https://indiankanoon.org/doc/1836974/>).
7. ‘The ‘straight and the hetero-sexual’ sexual relations is considered as ideal type which also itself conceal and revealed sanction around legitimate and illegitimate, prohibit and sanction, monogamous, polygamous and other forms of relationships. All Hero-sexual relationships are not equally accepted and legitimised by society and law, it is intensified with the intersection of power, patriarchy, age, caste, class religion etc. But present chapter is only focusing on the sexual minorities’ relationships and experiences.
8. Sexual orientation- A person’s capacity for profound emotional and sexual attraction to, and intimate and sexual relations with, individuals of a different gender or the same gender or more than one gender.<sup>2</sup> For example, gay men experience sexual attraction to and the capacity for an intimate relationship primarily with other men. Lesbian women experience sexual attraction and the capacity for an intimate relationship primarily with other women. Bisexual individuals are attracted to both men and women (UNESCO, 2012).
9. Nations where homosexuality is legalised - Greece, Hungary, Iceland, Indonesia, Iraq, Ireland, Israel, Italy, Austria, Brazil (no Sodomy law for military person), Bulgaria, Czech Republic, Denmark (homosexuals equivalent to heterosexuals), Finland, France, Germany, Japan, Netherland, New Zealand,

- Norway, Paraguay, Peru, Poland, South Africa, South Africa, South Korea, Spain, Sweden, Switzerland, Thailand and so on (Prasar,2010).
10. The idea of mainstream is itself problematic which gives connotation of hegemonic and normative culture; also needs to look critically.
  11. Fear, rejection, or aversion, often in the form of stigmatising attitudes or discriminatory behaviour, towards homosexuals and/or homosexuality (UNESCO, 2012).
  12. Only 74 countries including India are having laws against same-sex intimacy till April 12, 2018 (Source: <https://76crimes.com/76-countries-where-homosexuality-is-illegal/>).
  13. MSM- Male have sex with male.
  14. Hijras are born as biological males who reject their ‘masculine’ identity and identify either as women, or not men, or in between man and woman or as neither man nor woman (Singh et al., 2012).
  15. Lesbian, Gay, Bisexual, Transsexual, Queer, Intersex and Asexual.

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## **Social, Economic and Educational Problems of Transgender Persons in India**

**Dr. Rajalakshmi Das, Dr. Bimal Charan Swain, Mrs. Suchismita Das**

### **Abstract**

Transgender communities have been excluded from effectively participating in social and cultural life, economy and politics and decision making processes. The lack of education and access to job opportunities pushes a substantially large number of transgender persons with alternate sexualities into prostitution, which makes them vulnerable to contracting HIV and other Sexually Transmitted Diseases. The transgender people are emerging as a group at high risk of HIV transmission in India. The literacy level of transgender people is 56.07% as per 2011 Census. Due to low literacy rate, proportion of the working group is below 45% as a main worker whereas; other transgender people are engaged in prostitution as a means of survivals. Some occupations of *Hijras* include: collecting alms in streets, trains, railway check gate and receiving payments for newborn babies. Many times they face social and physical abuse which many lead to some physiological and disorder problem. Sometimes transgender people face physical and verbal abuse, forced sex, extortion of money and materials, and arrests on false allegations. Denied the full rights, they endure shaming and assault, exclusion from the rights and privileges of marriage and parenthood. Some of the most common human rights violations reported by transgender people include: extra judicial executions, torture and other cruel, inhuman and degrading treatment, arbitrary detention, threats and extortion. Research studies have been conducted on various dimensions in order to understand and explain the problems faced by Transgender persons. In order to provide equality to Transgender persons, efforts have been made by NGOs and State Governments so as to empower and give equal rights to them.

**Keywords:** Social problems, Economic Problems, Educational Problems, Health Related Problems, Transgender persons.

## **Introduction**

In contemporary usage, ‘transgender’ has become an umbrella term used to describe a wide range of identities and experiences, including but not limited to: pre-operative, post-operative and non-operative transsexual people (who strongly identify with the gender opposite to their Biological Sex); male and female ‘cross-dressers’ (sometimes referred to as ‘transvestites’, drag queens or drag kings’); and men and women regardless of sexual “orientation”, whose appearance or characteristics are perceived to be gender atypical. A male-to-female transgender person is referred to as ‘transgender woman’ and a female-to-male transgender person, as ‘transgender man’ (UNDP, India, 2010).

The term ‘transgender people’ is generally used to describe those who transgress social gender norms. Transgender is often used as an umbrella term to signify individuals who defy rigid, binary gender constructions and who express or present a breaking and/or blurring of culturally prevalent stereotypical gender roles. Transgender people may live full-or part-time in the gender role ‘opposite’ to their biological sex (UNDP, India, 2010).

In India transgender people are known as ‘*Hijras*’, ‘*Kinnars*’, ‘*Eunuchs*’, ‘*Shiv Shaktis*’, ‘*Jogappas*’, ‘*Sakhi*’, ‘*Jogattas*’, ‘*Ardhis*’ etc. They fall under the LGBT group (Lesbian, gay, bisexual and transgender). They are known as ‘*Kathoey*’ in Thailand and ‘*Waria*’ in Indonesia.

## **The Supreme Court Judgment on Transgender Persons Rights**

The Supreme Court of India stated “Recognition of Transgender or third gender is not a social or medical issue but a human rights issue”. The Supreme Court of India has issued certain directions to the central and state government regarding transgender persons as follows:

1. Hijras, Eunuchs should be treated as a third gender for the purpose of safeguarding their fundamental rights;
2. Recognize the person’s need to identify his own gender;
3. Providing reservations in public education and employment as Socially and Educationally Backward class of citizens;
4. Making special provisions regarding HIV Sero-surveillians and for transgender persons and provide appropriate health facilities;
5. Tackle their problems such as fear, gender dysphoria, shame, depression, suicidal tendencies, etc;
6. Measures should be taken to provide health care to transgender people in hospitals such as making separate wards and also provide them separate public toilets;
7. Frame social welfare schemes for their all round development; and
8. To create public awareness so that the transgender persons feel that they are part of the society and are not to be treated as untouchables.

## **Present Status of Transgender Persons in India**

According to 2011 Census, the total population of transgender persons in India was 4,87,803 lakh. Maximum concentration of transgender persons are found in Uttar Pradesh (28 per cent) followed by Andhra Pradesh (9%), Maharashtra and Bihar (8%), Madhya Pradesh and West Bengal (6%), Tamilnadu and Karnataka (4%) Rajasthan (3%) and Punjab (2%) (2011 Census). Odisha is considered as one of the states with a higher transgender population as 5.75% of transgender households of rural India and 1.5% of the urban transgender population in the country. Their literacy level is 46% as per 2011 Census. Due to their low literacy level, they are not able to get good jobs and are engaged in begging, dancing and prostitution. They are often considered as one of the Marginalized group in India. They are entitled to avail benefits under “Other Backward Class” (OBC) category. A total of 23,019 transgender persons had registered themselves under the “Other Category” to cast their vote as per the report of the Election Commission of India. Due to their low literacy level, the proportion of the working group is below 45 per cent as a main worker.

## **Problems Faced by Transgender Persons**

Transgender persons face multiple forms of oppression. Some of the problems faced by transgender persons are given below.

### **Social Problems of Transgender Persons**

Transgender persons are excluded from effectively participating in social and cultural life and decision making processes. Most of the families do not accept a transgender child. Because of social non-acceptance, the transgender child is forced to leave home. From police also, they face physical and sexual abuse, forced sex, extortion of money and arrests on false allegations. The study conducted on transgender persons in 2007 revealed different forms of social exploitation in the past one year such as forced sex (46%), verbal abuse (56%), physical abuse (44%), blackmail for money (31%); and threat to life (24%). Transgender papers face barriers when accessing public or private health services.

*Hijras*/Transgender people face a variety of social security issues. They do not get support from their families. Due to lack of livelihood options, transgender people continue sex work. They find it difficult to get their identity proof and income certificate. Most of the *Hijras* are not aware of benefits of insurance schemes. Types of discrimination reported by *Hijras*/TG communities in the health care settings include: deliberate use of male pronouns in addressing *Hijras*; registering them as “males” and admitting them in male wards; humiliations faced in having to stand in the male queue; verbal harassment by the hospital staff and co-patients; and lack of health care providers who are sensitive to and trained on providing treatment/

care to transgender people and even denial of medical services. Discrimination could be due to transgender status, sex work status or HIV status or a combination of these (UNDP, India, 2010).

Transgender persons face discrimination in housing, health, employment, education and official dealings. Due to social exclusion and physical abuse, they suffer from emotional distress and maintain poor quality of life. They find it difficult to get them married. The study conducted by Poguri, Sarkar and Nambi (2016) in a hospital in south India on transgender people revealed that all the participants reported childhood sexual abuse and 73% had attempted suicide in the past. Substance use disorder was reported in 87% of participants, most common being tobacco followed by alcohol and cannabis. Their social quality of life was lower.

Babbar (2016) in his study on socio-legal exploitation of third gender in India found that 24% of the respondents reported of transphobia even in the judicial system whereby they were subjected to taunts and aggression, when they filed a complaint. Transgender women found it difficult to claim their share of property of their parents. The study conducted by Veena and Sivakami (2011) on 120 transgender persons in Coimbatore city revealed that most of the transgender persons left the family after they recognized themselves as transgender persons. Thirty three per cent came out of their family as they could live their life happier, 20% were not accepted by their family, 15% left home as they were the cause of hindrance in the marriage of brothers and sisters, 18% of them were ill treated and 10% felt embarrassed and left home. The study also revealed that 16 of them had the habit of smoking, 45 of them had the chewing habits, 26 were pan parag users, seventeen chewed gutkha daily and six chewed betel leaves with tobacco. Furthermore, 54 respondents were drinking alcohol, 16 drank beers and four per cent drank wine daily.

Chettiar (2015) in her study reported that 40% of transgender persons in Mumbai were suffering from one or the other kind of illnesses. They were suffering from low/high blood pressure, diabetics, wound, HIV positive, knee pain, complain of surgical complications, cold, flue, typhoid, malaria, skin allergy, stomach pain, allergic asthma, acidity, piles, herpes and STI.

The study also revealed that a great majority of the *Hijras* (87.5%) faced problem in police stations (50.87%), railway police (26.31%), of traffic policeman (8.77%). A study on 60,000 transgender persons across seventeen states in India by National Institute of Epidemiology revealed that the biggest perpetrators of violence against transgender persons were police and law enforcing authorities.

### **Economic Problem of Transgender Persons**

Employability is low among the transgender community and majority of them resort to beginning, extortion, entertainment and sex work. They sometimes earn

money in lieu of their blessings to the new born male child. Due to low literacy status and low level of skills, the transgender persons are involved in sex work.

Most employers sometimes deny giving employment to qualified transgender persons. Most of them are not covered under any life or health insurance schemes due to lack of Knowledge, inability to pay their premiums and non-availability of identity cards/Aadhaar Cards, etc. The study conducted by Dhall and Boyce (2015) revealed that the *Hijras* in Odisha were involved in sex work and small trades available to them. The study also revealed that transmen of Manipur were engaged in running small businesses such as poultry farms, rice mills and grocery shops. Many of the trans women and/or feminine-identified MSM, preferred running beauty parlours or involved in acting. In both Manipur and Odisha, a small number of MSM and trans women were also engaged with NGOs and CBOs as outreach staff in HIV focused programmes. In all these cases they faced economic hardship. Some of the transgender persons are now working as LIC agents.

The study conducted by Chettiar (2015) on transgender persons in Mumbai revealed that the average income of *Hijra* respondents was Rs.7209.92. The two outliers were Rs.30,000 and Rs.2,00,000 respectively, as average monthly income. The former was engaged in sex work and the later by dancing in bars and occasional sex work with elite personalities. In majority of the cases the transgender persons live in a life of hardship due to low income.

### **Educational Problems of Transgender Persons**

Transgender persons are subjected to many social adversities. They face discrimination in education sector also. As per 2011 Census, their literacy level was 46 per cent. Most of the transgender are uneducated or undereducated. Their dropout rate is very high in primary and secondary stage. They do not want to continue schooling due to discrimination, low socio-economic status and negative attitude of parents. The transgender children are sometimes unable to access equal opportunities in educational institutions. Sometimes the transgender children who continue schooling face discrimination, physical abuse and harassment by the classmates. Veena and Sivakami (2011) in their study found that the transgender children were avoided by their classmates and teachers and hence they hesitated to go to school after they recognized abnormal changes in them. Due to discrimination they sometimes prefer education through distance mode.

A study conducted by Chettiar (2015) on transgender persons in Mumbai revealed that 19% were illiterate, a huge majority of them were literate and some were also highly educated professionals the highest being a *Hijra* pursuing Ph.D. A study conducted by Human Rights Law Network in Bhubaneswar (2015) revealed that out of 7 transgender persons interviewed 4 had passed Class X, one Bachelor of Social Welfare and another Master Degree in Social Welfare with MBA. Out of

7 transgender persons, three were begging, two were sex workers and two were performing social work. Veena and Sivakami (2011) in their study on transgender persons revealed that 56% of them had only primary or middle school education and 18% had higher secondary education. About 25% of them obtained their degrees through distance mode and only one among the selected transgender was illiterate. Due to low literacy level the transgender persons are not able to get Govt. jobs and prefer to beg, dance and involve in sex work.

Chandra (2017) in his paper on “transgender children’s education and their reengagement in society” discusses different educational issues of transgender children. The issues are:

1. Is there adequate learning environment regarding the education of transgender children?
2. Are teachers adequately sensitized to deal with transgender children?
3. Is there any need of content based on pedagogic modification before putting transgender children in the common classes?
4. Is the mindset of our society, positive to accept transgender children?

The other problems faced by transgender persons are poor mental health, oppressed by people in power, human trafficking, excluded from decision making, drug use, unemployment, poor living conditions, etc.

### **Initiatives Taken by Government of India and Different State Governments for the Upliftment of Transgender Persons**

The Ministry of External Affairs of Government of India recognized transgender persons as a separate identity in 2005. In 2009, the Election Commission of India recognized transgender persons and allowed them to register as the “Other” category to indicate their sex in ballot forms. IGNOU allowed the transgender persons for enrolment giving a column “Other” category in admission forms in 2012. The Kochi Metro Rail Corporation has recruited staff from the transgender community. The Central Government introduced and cleared the Transgender Persons (Protection of Rights), Bill 2016, which will pave the way for the community to be declared as the third gender.

Centre for Law and Policy Research (CLPR), a partner of the Friedrich Naumann Foundation has developed India’s first course on transgender rights and the first lecture was held at the Prestigious National Law School of India University, Bangalore in late August, 2017. CLPR has recently started a Legal Aid Clinic for transgender persons in Bangalore. It is held on a weekly basis every Wednesday (John, 2017).

Government of Tamil Nadu has created a Transgender Welfare Board which allows transgender persons access to existing government schemes in housing, education and employment and implements welfare schemes exclusively for

transgender persons. Delhi has started pension schemes for transgender persons. Karnataka had the plan to setup special wards for the transgender persons in government hospitals.

Government of Odisha has chalked out a dedicated policy for transgender people which seek to protect rights of the gender non-conforming child. It says action will be taken against parents who desert such children while support will be provided to those parents who take care of specific needs of the transgender child.

Government of Odisha is the first state which has announced welfare measures for the third gender. The Draft Odisha Transgender Policy 2017 proposes that the Government will develop capacity of Anganwadi workers and staff of frontline Child service providers so that they are responsive to the needs of transgender children.

An initiative offering jobs to a handful of members of Kerala's *Hijra* community aims to tackle prejudice and bring transgender persons into the mainstream of society. There is a proposal to set up residential school for transgender persons in Kochi. Kerala is the first state to formulate a policy in 2015 for transgender people. Kerala has set up a transgender justice board to deal with their complaints. There are separate washrooms for transgender persons in all government buildings.

Government of Maharashtra is the first state in India to set up a cultural institute dedicated to the transgender community and the second state to set up a welfare board. Government of Andhra Pradesh has ordered the Minority Welfare Department to consider '*Hijras*' as a minority and develop welfare scheme for them.

## **What is the Way Forward?**

The following steps need to be taken to solve the problems of transgender persons in India:

1. There is need of large scale sensitization regarding the needs and problems of transgender persons. This must start from family.
2. Social Welfare Schemes need to be opened up for deserving transgender persons and create specific welfare schemes to their basic needs such as food, clothing, shelter and employment.
3. Social Organizations and government should take steps to help the transgender persons in getting Voter Identity Card, Aadhaar Card, PAN Card, Ration Card, ATM Card and Passport etc.
4. Steps may be taken by Government to include demographic data of the transgender population in Census data.
5. Pension scheme may be started by Government for the transgender persons who are above 60 years.
6. Parents must provide proper love and care to their transgender children like normal children.

7. Proper love and care should be given to students by classmates and teachers in educational institutions so that the transgender children continue schooling.
8. The application forms in government and private sectors should have three options for gender namely Man/Woman/Transgender.
9. There is need of establishment of anti discrimination cell for the transgender children in educational institutions.
10. There is need of special coaching for transgender children for competitive examinations.
11. Transgender people need understanding and support of the government, general public, parents, family members and health care professionals.
12. Transgender children should be allowed to take admissions in educational institutions and given employment as per their gender category.
13. Vocational education programme may be started by government in secondary school and higher secondary level to meet the needs of transgender persons.
14. Research needs to be conducted on different aspects of the problems of transgender persons.
15. Disciplinary actions need to be taken by police who commit violence against transgender people.
16. The benefits of Life Insurance Policies and Health Insurance Policies may be informed to transgender persons by social organizations.
17. Health care specialists, community members and policy makers should come to front to solve the problems of transgender persons. They need to educate transgender persons relating to personal hygiene and HIV awareness. Condoms should be supplied free of cost to transgender persons to protect them from HIV infections and other Sexually Transmitted Infections.

## **Conclusion**

Due to low population and gender variants transgender persons face discrimination and abuse from all sectors. Due to their gender variants people are not willing to employ them. Many times, they face social and physical abuse which may lead to some physiological and psychological problems. Even from police they face physical and verbal abuse, and extortion of money and materials. They also face barriers when accessing public or private health care facilities. They do not find a pleasurable environment in educational institutions. They do not get support from the family members. Lack of livelihood options is the main reason why transgender people continue sex work or begging. Quality education, provision of livelihood options for transgender persons and positive attitude of people towards transgender population can solve these problems.

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# **Challenges and Problems of Transgender Persons in Higher Education**

**Dr. G. Anbalagan**

## **Abstract**

Higher Education needs to expand more inclusiveness in order to provide quality education to all and also to satisfy the educational needs of all kinds of peoples in the society. Transgender are deprived of higher education due to several social issues, we need to diversify our education system to a larger extent with the advancement of technologies in order to reach the unreached sections. The knowledge driven human capital alone survive in the competency of skills that are required for the changing workforce in the globally competent job markets. The universities and college must focus to build up several innovations in curriculum, teaching and learning modules. The fear of insecurity and detachment from the family life causes imbalance to the life of transgender. The facilities for transgender in educational institutions need to be improvised with adequate counselling and guidance for their educational empowerment.

**Keywords:** Transgender, Higher Education, Human Capital, Skill Development and Sustainability.

## **Introduction**

Impact of Information and Communication Technologies (ICT) has triggered the higher education in many extent in India and further the global trends with increasing population has been the major phenomenon for the advancement in higher education system. Transgender in the society are increasing in the recent decades due to various genetic traits. Inclusiveness in education can be well achieved by providing quality education to all irrespective of the caste, creed and race in the society. India is the major socio-economic hub in the Asiatic region with world's second largest population next to China, taking several cognizant steps to provide inclusive higher education to all with the help of technological advancement in the recent years in order to compete with the world class higher

educational institutions since over these years the best educational minds produced by the Indian IITs and IISc have attracted the leading corporate in the developed countries. Many best minds and trained resources are moving to the highly developed foreign countries for the sake of quality facilities and higher income resources. After the landmark judgement of the Apex Court of India during the August 2014, the government has created the status of 'third gender' for the *hijras* and transgender in the country. Even though the transgender stereotypically exists both in male and female gender of the society since long decades, many prefers feminism to express their physical appearance and attitudes with the society. Further, the identity issues arise when the transgender attain the age of puberty or later as during the days of school education they normally do not find any difficulties for their educational rights. Once the person is facing identity issue as transgender at the teenage, they are either forcefully leaving the families or try to accommodate them with such gender groups in the society. The emotional feelings of the transgender are high due to gender discriminations, instability with families, lack of physique and risk of sexual intercourse etc. Though the higher educational institutions have access to elicit gender discriminations by extending facilities to both the genders with infrastructures, due to very less number of transgender enrolment in higher education, separate provisions in educational institutions are lacking in the country. Due to the strenuous efforts of the governments, non-governmental organisations and other human rights activists, only a few transgender persons enrolling in the higher education system of the country. The lack of research studies on transgender issues, socio-economic factors and cultural issues are the major barriers for non implementation of effective policies for engagement of transgender in the higher education. The University Grants Commission (UGC) has taken some cognizance steps for the increasing enrolment of transgender in higher educational institutions in the recent years. However, many positive steps need to be taken for the engagement of transgender in higher education in order to build inclusive sustainable societies of future.

### **Transgender Students**

Life of transgender in the society is actually a battle for their earnings and improved livelihood due to many social factors as many employers are not ready to engage such persons due to various reasons. Many transgender in the society are forcefully attracted towards sexual benefits and sexual trafficking of transgender is the severe problem. Indian continent has wide range of transgender person identities and they are called Aravanis, *Hijras*, Kothis, Shiv Sakthis and Jogappas etc. based on the regions. It is of general belief that the lord Shiva and goddess Shakthi have shown the world that both male and female are the sole mix of a single body and hence these transgender in society are even worshipped in

certain societies. Many transgender students experiences isolation and rejection from their families and friends (Pusch 2005) and hence they prefer to live with similar genders as groups. Due to gender transition, the transgender students and employees face several difficulty experiences. Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) students are more visible in the colleges in particular due to their physical appearance and activity roles. In many developed countries, the governments have recognised gay sex, homosexual and lesbian; they normally do not discriminated much. But in India, sexual orientation and gender identity crisis are key issues even many transgender are not aware of their fundamental rights due to their non participation in the education. India has gross potential to compete the world economy through its vast natural resources, productivity and the human capital. The government is aiming for skill development in the futuristic perspective in the evolving technological and other areas to stand as major human resource power in the world by the year 2025. Though the country is fast moving towards inclusiveness in higher education, the transgender community is one of the disadvantaged, marginalised and vulnerable in the nation and lagging behind the human development indices including the education (Rajesh and Naved 2013). The digital India movement of the Government of India aiming to increase the Gross Enrolment Ratio (GER) by overcoming the barriers and increasing avenues in the cyber space with the mobile broadband internet in particular to penetrate in the rural/remote places of the country.

Education to all and Inclusiveness in Higher Education are the prime motto of the government in the wake of fast changing world and increased urbanisation. Addressing the skill gap and identifying skill requirements through innovations and new developments are raising trend and hence, the National Skill Development Mission focusing to train the youth to boost the entrepreneurs and employability at larger scales. The transgender if provided amplified avenues in the skill development sector, they may excel the opportunities through the vocational skills. Both formal and non-formal system of higher education can encourage several innovative strategies to increase the enrolment of transgender in higher education system with infrastructure facilities. Indira Gandhi National Open University (IGNOU) is one of the leading Open University in the world which was established way back in 1985 through the Parliamentary Act to promote Open and Distance Learning (ODL) in the country in order to scale-up the lifelong learning opportunities especially to the adults. Now due to technological change and modernisation in education, many students after the age of 18 years prefer to join with Open Universities as the curriculum is flexible, modular and skill based to cover the employment besides due to family and other economic conditions such students opt to work and learn principle once after completion of 10+2 schooling system. IGNOU as a pioneering

leader in the field of open and distance education has exercised several strategies since its inception in the country to reach the unreached sections of the society. As a leader of the ODL system and exploring avenues to the diverse sections of the society for their engagement in higher education, IGNOU offers free education to the transgender community from the year 2017 which has been boon to such peoples for their educational empowerment with the flexible and convenient mode of higher education.

As per the data of Census 2011 in India, the transgender constitutes about 4.9 lakh in the nation and further they have low literacy levels due to various issues, only 46% is the literate against the 74% literacy of general population. Even the spirit of the Indian Constitution provides equal opportunities and rights to every citizen of India; the third gender recognition status exists very recently in the country due to enormous efforts taken by the activists for their rights. Now the higher educational institutions have the third gender column in every admission applications to provide rights to transgender in the educational institutions as per the directives of the University Grants Commission (UGC). Further, the UGC has taken excellent strides to sort out the pitfalls in the higher education by extending opportunities to the transgender and the provisions like separate toilets, facilities are made in certain educational institutions.

As the government have taken some positive stance towards welfare of the transgender in the society like documentation of data through census, ID cards, inclusion in the activities of politics, housing facilities, reforms in the police actions and legal measures to safeguard the rights of the transgender and to prevent the atrocities on them by prevention of human rights violations.

## **Problems of Transgender in Higher Education**

The Transgender Person (Protection of Rights) Bill, 2016 defines that a transgender means a person who is either wholly not female or wholly not male or a combination of both male and female and whose gender does not match with the normal male or female and having intersexual variations. The behaviours of the transgender have separate identity and falls outside the purview of the stereotypical gender norms (Source: [www.socialjustice.nic.in](http://www.socialjustice.nic.in)). Even many educational institutions provides avenues for the engagement of the transgender to acquire higher educational goals through equal participation and emphasising empowerment through education, many transgender are not ready to enroll with such institutions due to poverty, cost affordability for education, social fears and pressures etc. It is notably exists that many transgender persons in the educational institutions drops out their education and they need to mingle with their respective gender stereotype for social engagements. Despite very affirmative steps of the governments in extending reservation, rights to education, inclusive policies,

prevention of sexual harassments etc. in higher educational institutions, majority of the disparities are remain substantial with regard to transgender.

In most occasions, the female or male genders are not ready to accept their presence in the respective groups due to identity crisis and the psychological behaviour. Teachers' apathy over the transgender can increase their potential engagement in the higher education at certain levels but orienting the faculties needs strategic exercises. Continual gender discrimination, sexual discourse, society decimation, violence and harassments, poverty, lack of physical capacity and inability are the crucial factors in minimising the engagement of transgender in higher educational activities. Engaging qualified transgender as academia in the premier educational institutions can vitally attract their enrolment as teachers encouragement may certainly work for their better participation in educational activities. On the other hand the Non-Governmental organisations working for the wellbeing of the transgender shall take proactive roles in convincing them to participate in higher educational activities towards the futuristic employment and entrepreneurial activities. Massive awareness activities at rural levels especially among the village peoples need to be practiced by the NGOs on the equal rights and potential of the transgender education so as to actively transform the educational engagements of transgender. Creating awareness among the transgender families about the importance of higher education and the livelihood improvement of affected persons are so important even the social media platforms can be well utilised for such promotional measure to reach the larger sections of the society. Transgender persons need pre-admission counselling in the higher educational institutions in order to increase the enrolments as most transgender are not aware of the importance of higher education for their livelihood improvement with employability in the country. Inclusive education can become reality in the higher educational institutions through increase of accessible building facilities, gender safety, prevention of sexual harassments, mentoring the young minds with motivational talks on inclusiveness, eliciting gender discriminations, reservation in admission and faculty empathy on disadvantaged students.

The students of the higher educational institutions are much aware of the facts and issues in the society through the social media and mobile based communications but most are not much worried on the social imbalances. In order to build the sustainable future of the society, youth can play several proactive roles for the well being of the society by taking part in the awareness camps, street plays, NSS, NCC and community based social activities on safeguarding the environment, maintaining gender justice, removal of social discriminations, making inclusiveness in the educational institutions etc.

Many educational institutions even provides campus safety for students, still many parts of rural colleges lack with facilities and access to transportation which

is a growing concern for the transgender persons as they do fear about the gender discrimination, violations and harassments in the college campuses. Healthcare facilities are lacking in higher educational institutions and the transgender need to be provided access to healthcares. Also separate provision for toilets and rest rooms in the colleges can facilitate their active participation. The quantity and quality of a student's involvement on college campus also has a positive effect on the student's learning and development (Astin, 1984). More active events promoting inclusiveness in the college campuses can increasingly have positive impact among the student community about the engagement of transgender and their equal participation in the society.

Need based survey on the effective utilisation of transgender in the vocational skills can be conducted periodically to identify the avenues for their distinctive participation in order to introduce such need based skill development programmes in the curriculum. The gender studies have been promoted by the UGC even with creation of separate departments at every university in the country to promote inclusive policies and to conduct extensive research to elicit gender discriminations. Transgender students if provided opportunities for such research on gender studies, it will properly address the key issues and to evolve proper inclusive policies in the future. Extending scholarship facilities for poor transgender in the higher education is more vital for their active engagement as many aspiring students are dropping the education due to cost affordability.

Identifying curriculum to address the social transformation of transgender persons including their skill empowerment through education is vital as the higher educational institutions need to play proactive role in extending opportunities to the scholars for research studies in such areas towards betterment of the country. Sexual trafficking of transgender is the serious menace which needs effective curbing through strict implementation of laws and regulations.

## **Open and Distance Education to Transgender**

The Universities in India are established for creation, preservation and dissemination of knowledge and such long-established key functions of a university are covered through the core activities of teaching, learning, assessment or evaluation, establishing knowledge resources, increasing infrastructures and making education as an agent of change in the management of educational environment (Takwale, 2003). The curriculums developed by the traditional universities have produced quality human capital for the sustenance of the country so far even the knowledge and research have instigated several developments in the science and technologies, engineering, medical and other areas of development. The youths are shaped as good citizens in the higher educational institutions by imparting qualities, values and cultural knowledge to live peacefully during many

decades of higher education. Open and Distance Learning (ODL) has ample potential to cover up the masses due to its flexibility, scalability, accessibility, inclusiveness and affordability. The curriculum imparted through the open and distance learning in the country has proved the knowledge transformation and increased lifelong learning potential. Many school dropouts in the country due to various issues and problems of self and family have attained their educational goals through the non-formal channel of higher education. Self Learning Materials (SLM), Academic counselling, Teleconferencing, Media Lessons and Internet are the powerful resources to boost open and distance learning to the extent of anywhere learning and supports at doorstep of learners. Since the Distance Education system entirely depends on the use of faculties and resources from conventional mode universities and colleges, the quality of delivery is same standard as to that of the regular institutional educational practices. The teaching and learning strategies in the distance education is quite different from the conventional system in order to make the educational delivery as self directed learning model. The hosting institutions of distance education severely depends on the use of internet, satellite based educational lessons delivery, teleconferencing, web conferencing, interactive sessions in online, audio-video multimedia lessons, educational radio programmes, television based relay of educational lessons to reach out the learners and to encourage them for continuous involvement in the learning process. The world famous UK Open University in England has exercised several measures to popularise the open and distance learning through innovative teaching and learning strategies.

Now with the advancement of internet based communication channel and access to online contents including audio-video and other multimedia based educational materials, it becomes easier to extend all the student support services with ICT mediated technologies. Today the learners have wide variety of choices of curricular programmes to choose according to their need and also the skill development opportunities are increased manifold. Many women entrepreneurs are using the open and distance learning avenues for their knowledge improvement and scaling towards higher educational goals. In India, the Indira Gandhi National Open University (IGNOU) and 14 State Open Universities in different states offers distance education programmes to the millions of peoples besides several dual mode universities are offering distance education for the educational aspirations of the peoples. Though many offers distance education programmes, only few universities are maintaining quality parameters and standards in the higher education domain. The lack of transparency in the educational practices, inefficient administration, absence of quality parameters are setting sub-standard to the distance education in the country. After taking over of the Distance Education Bureau (DEB) by the University Grants Commission (UGC) from IGNOU, several policy initiatives

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and quality improvement strategies were set up and after implementation of UGC (Open and Distance Learning) Regulations, 2017 many dual mode universities were asked to apply for recognition to offer distance mode programmes in order to maintain transparency and quality.

Since the Distance Education has the potential to cover inclusiveness in higher education, the disadvantaged sections of the society like physically challenged, minorities, transgender and other such categories of peoples can easily accomplish their educational goals through distance education towards employability as well skill competence in the workplaces. Many working adults find it quite accommodative with the distance education programmes for their continuous lifelong learning activities and knowledge improvement in diverse disciplines of subjects. In view of considering fee affordability of the transgender and their social status in the country, Indira Gandhi National Open University (IGNOU) as leading distance education provider of the nation has made complete fee exemption to the transgender community to boost their higher educational endeavours. By following the similar strategy of IGNOU, the state open universities and other dual mode universities can unveil the opportunities in the higher education to the transgender so that they can overcome regional and language barriers in higher education as medium of education is one of the crucial issue for them. The only lacunae in the open and distance education system for transgender in India is they cannot pursue the professional degree programmes and even the National Institute of Open School (NIOS) similar to that of IGNOU for school level education through distance mode provides enough programmes in several areas up to the secondary and senior secondary stage with improved skill coverage. Such educational system caters the need of deprived communities like transgender to the extent of their empowerment with improved livelihood status.

### **Inclusive Higher Education in the Digital Spaces**

The Government of India with a broader vision has introduced Massive Open Online Courses (MOOCs) through SWAYAM and NPTEL portal to increase the literacy and also to engage the lifelong learning through digital spaces. Now with the regulatory powers of the UGC, credit mobility also made possible for pursuing MOOCs to conventional higher education system.

SWAYAM stands for Study Web of Active Learning for Young aspiring Minds which are the mission mode innovative initiative of the Ministry of Human Resources Development (MHRD), Government of India to promote online learning in India. It acts as a pioneering instrument for self actualisation providing widened opportunities for lifelong learning in the digital space where the learner can choose hundreds of courses of own choice and most of the Universities/College in the country offers virtually free education with the available best teachers also credit

mobility can be availed for inter-alia by the college students. SWAYAM offers a unique educational opportunity to expand the horizons of knowledge in the age of digitalisation and expansion of smart mobile based internet users in the country. Hence, SWAYAM can be the aspiring model for the transgender to pursue higher educational programmes according their own with accessibility over anywhere and anytime. The Universities in India are striving hard to introduce innovative curriculum and skill competence online programmes through MOOCs by taking the futuristic developments of the nation. The demand for the skills competence is always increasing progressively due to technological advancements and increasing customer friendly approaches in almost all sectors of productivity. Even the digital trends has certainly overwhelming in the recent years and the online marketing of products and services are attracting the population since the country has good potential of smart mobile based internet users.

The 32 SWAYAM PRABHA TV Channels are continuously promoting digital lessons on air for the benefit of human populations and with the continuous involvement of University Grants Commission (UGC), National Council for Education Research and Training (NCERT), National Council for Teacher Education (NCTE), All India Council for Technical Education (AICTE) and National Institute of Open Schooling (NIOS) etc. The National Digital Library of India developed by the Indian Institute of Technology, Kharagpur under the aegis of Ministry of Human Resources Development (MHRD), Government of India, provides ample number of opportunities to read the e-books, e-contents and research article in its portal to the students' community. There are more than 1.5 crores of digital contents are now made accessible to the students community in the digital library which serves as a largest web repository in the country with the hyper linking of almost all digital repositories of eminent educational institutions of the nation.

The blended learning is most common in the higher education across the globe due to diverse technological avenues and developments which is cost effective to reach the diverse kind of masses. The pedagogical evolution in the form of digital contents as available in the cyberspace with supportive audio-video lessons promotes inclusive digital learning to promote knowledge transformation across the society. The educational institutions are thinking towards transformational change in the existing practice like instead of investing huge expenses on infrastructure developments, tries alternative models focusing virtual teaching and learning activities to cope with the demands. The emergence of Open Educational Resources (OER) across the globe provides access to the digital contents in order to promote scholarly communications and innovative avenues/areas of research. Open Educational Resources curtails the cost of expenditure towards purchase of educational contents and facilitate the access through internet.

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## **Strategies to Increase Transgender Enrolment in Higher Education**

Higher Educational Institutions need to practice several exercise for the increase of transgender enrolment and also to introduce quality curricular programmes for their pursuit towards sustainable future. Inclusiveness in higher education is mere documentary evidence, in case of very less participation of the disadvantaged groups in the society. The following measures can certainly enhance the equal participation of transgender in the higher educational institutions:

1. Corporate Social Responsibility (CSR) for building infrastructures to facilitate equal gender participation like separate toilets for girls, transgender and rest rooms in the institutions.
2. Pre-admission counselling cells or Guidance Centres in every educational institution with the involvement of expertise faculty to motivate the transgender and other deprived communities to take part in higher education for their knowledge improvement and educational empowerment towards employability.
3. Prevention of sexual harassment and gender discrimination in the educational institutions as per the directives of the UGC and enforcing the committees to strict monitoring in this regard.
4. Scholarship and hostel facilities to the transgender in higher educational institutions can improvise their participation as many of them due to poverty and cost affordability not prefer to join in higher education.
5. Campus Security is more vital and the facilities like CCTVs in educational institutions can minimise the risk of discriminations and atrocities on transgender
6. Increased promotional measures to enroll the transgender in the distance education programmes and also expanding opportunities to facilitate their participation in the MOOCs for skill empowerment.
7. Widening the avenues for educational access in distance education such as establishing special study centres for transgender in the prominent regions where such population predominantly exists.
8. Placement Cells at the educational institutions to trap their potential and skill in the industries, local NGOs, Corporate and other placement sectors to gear up employment opportunities.
9. Inclusive policies in the quality parameters of the higher education in order to enhance the equal participation of transgender in the higher education system.
10. Motivational sessions with the involvement of experts on personality, guidance, skills and gender issues at educational institutions for at least once in a semester/year to windup their fears and insecurities. Even the

psychologists can be well engaged to offer personal counselling and guidance to the affected persons.

11. Identification of talents, incubation and nurturing skills among transgender by taking the lead role models in the society.
12. Healthcare facilities in the educational institutions to regularly check up their health and the local community health doctors can be engaged in this regard.
13. Social engagements of transgender and promotion of their cultural and sports talents by conducting suitable events at the institutional level.
14. Legal guidance cells in the educational institutions or in the nearby local courts to extend the legal rights for transgender students.

## **Conclusion**

The transgender is the deprived community in higher educational system due to diverse reasons and the absence of policies left their presence very particularly. Though many transgender wishes to pursue their higher education, lack of motivation, guidance and poverty prevents their presence in the educational engagements. The regular classroom engagements need more inclusiveness and strategies to elicit the barriers of deprived sections in order to promote equality and gender justice in higher education system. The transgender are lacking behind the motivation from their family or from their coherent groups as the improper guidance leads to unemployability of such persons in the society. Due to unemployment, neglect from family and social pressures, the transgender are more prone to trafficking and sexual intercourse. Hence, many are forced to engage in the prostitution and other sexual business. Every life on earth has value as per the naturalistic principle as nature always predominant in giving equal opportunities to all forms of life on earth. The transgender rights activists, human rights activists and other social transforming hands with the tie up of Non-Governmental Organisations shall protect the rights and interest of the transgender in the right perspectives to their engagement with the society through a peaceful livelihood. Education of course serves as a powerful tool to any human being for their knowledge, application and improvement in the society in many ways. Educational engagement of transgender in particular is the key issue for many governments as it requires careful implementation and governance of rules and regulations to protect their rights. Research areas need to be diversified on the lifestyles, skill potential and employability of transgender in the society to find innovative solutions and implementation of policy practices in the futuristic perspectives since the moderation has drastic imbalances in the society and increased consumption of pollutants in various forms at day to day life alters the human health conditions thereby the risk of genetic disorders are common in the nation. Careful intervention is required at every stage to smoothly engage the

transgender in educational domain for their continuous performance. The mindset of the employers also need drastic change according to the developmental scenario at global level, to engage the transgender at any level to showcase their talents and potential for improved capacity building activities so that the imbalances can slowly naive off in the future. Increase in literacy rate among transgender at certain level, automatically brings the remaining population in the mainstream for the higher educational aspirations and employability in order to attain improved healthy lifestyles in the society.

Any transformation in the society needs careful strategies and effective policy planning and implementation practices, likewise the transgender mainstreaming through higher education may need several proactive exercises and measures in the ambit of educational institutions at the country to accommodate the talents and to increase the equality besides caste, creed, race and gender.

Open and Distance Learning (ODL) and Online Learning models are considered effective to suit to the educational needs of transgender in the society in many ways and only the proper guidance and participation is required for engaging them and also skill training to transgender can help to combat their poverty and increase their employability in several emerging sectors like retailing, housekeeping, small scale entrepreneurship and security services etc. The educationally empowered transgender can be identified in the society and they may acts as role models to guide the teenage level transgender in the society.

Computer literacy training and skilling in the software industries can be the viable option to promote white collar jobs to transgender in the society as many prefers to such type of jobs in the changing developments. The agricultural sectors promotes several small scale entrepreneurs through value addition of agricultural products and the governments are extending multiple skilling areas for the development of agricultural growth including the extension and development areas in the rural areas of the nation. The rural transgender can acquire skill competence through the skill sector training centres and vocational training centres as available in local institutions for their extensive participation in the employability at such sectors and also can contribute their potential to the growth of the nation in many ways. The National Institute of Open Schooling (NIOS) has developed several skill training projects to suit to the diverse disadvantaged peoples in the country to empower their talents and engagements in the employment sectors in a wider level through innovative self learning models according to the present need of the society. Teacher training is one of the key area where the transgender can actively participate so as to engage in the teaching activities at the schools so that the inclusiveness can be promoted among kids through strategic inculcation of curriculum and its values for the dynamic society.

The schools have much scope to engage the transgender teachers in a larger extent so that inclusiveness and its transition values can start from the childhood level among students. The teachers of the higher educational institutions need to be oriented the importance of engagement of transgender through a session at every refresher course or faculty training course so that the mindset of the faculties at the educational institutions transform equality among the students. They may extend all guidance and supportive measures to the protective interest and well being of the transgender students through continuous motivation and encouragements. The Internal Quality Assurance Cells (IQAC) of every institution must address the compliance of innovative strategies to eliminate the gender discriminations and promotion of equal justice among the students. Hence, the engagement of transgender in higher education system vitally progress in much better way thus eliminating the barriers and inequality consequences in the nation. Orienting the parents to support the transgender for their educational attainment through proactive measures and enabling their presence without any deprived can address the societal challenges and the transgender with the love and affection of family members evolve as successors in the society.

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# **Mitigating the Problems of Transgenders with Reference to Their Constitutional Rights and Teacher Education**

**Dr. P. B. Beulahbel Bency**

## **Abstract**

In order to provide a safe, inclusive and welcoming learning environment for all students, it is important to discuss transgender and gender non-conforming identity and issues in schools and classrooms. Familiarizing teachers with and teaching about transgender issues may be challenging initially. Prepare yourself by learning about transgender identity and issues. Familiar with the terminology and read background information about transgender people. It is important on two levels: to build understanding and empathy among all the students about transgender characteristics and issues and to help transgender and gender non-conforming students feel more relaxing in school and develop positive self-esteem. Helping all students to be more knowledgeable, understanding and empathic serves all of us in creating safe, welcoming and more humanitarian schools and communities. Create gender inclusive schools and classrooms which support and welcome all children along this range and do not overemphasize the gender binary. It is a long way to help all students feel included, comfortable and safe. These practices and attitudes are beneficial to all children, some of whom may be gender non-conforming or transgender and those who aren't but do not fit carefully into gender norms. Accepting and respecting transgender and gender non-conforming students is a significant part of being an ally. However, when delving into the topic of transgender identity and issues, it is important to be perceptive to the students who are gender non-conforming and/or transgender. Responding to student's questions, teaching direct lessons and integrates transgender people and perspectives into other parts of your curriculum are also important steps.

**Keywords:** Transgender, Transsexual, Gender Queer, Gender Nonconforming, Female-to-Male, Male-to-Female and Gender-Variant.

## Introduction

Education is essential for the development of any democratic country. India is a democratic country. The spirit of the Indian Constitution is to provide equal opportunity to every citizen to grow and achieve their potential, irrespective of caste, religion or gender. Everyone has a gender identity. In India there are three gender; male, female and transgender. Transgender is a general term applied to a variety of individuals, behaviours and groups who be likely to diverge from the normative gender roles. The term transgender itself is the symbolic representation of crossing boundaries, and it has been derived from two different languages; the Latin word ‘Trans’ and the English word ‘gender’. There are preconceived notions that *Hijras* are “neither male nor female”. *Hijras* are mostly people who are born with male physiology; assume feminine gender identity, women’s clothing and other feminine gender role. Social exclusion not only generates tension, violence and disruption but also perpetuates inequality and deficiency in society. Overcoming ‘exclusion’ constitutes the most elementary pre-requisite for the building of a democratic society.

## Who is a Transgender?

A person whose self-identified gender does not correspond to the gender assigned to them at birth. Their gender identity may not conform to conservative binary notions of male and female, but rather as a third gender. The term transgender is not analytic of sexual orientation, hormonal makeup, physical anatomy, or how one is perceived in daily life (<http://www.transstudent.org/definitions>). A person, who does not identify with the gender assigned to them at birth. Transgender include trans-men & trans-women (whether or not they have undergone sex relocation surgery or hormonal treatment or laser therapy, etc.), gender queers, and a number of socio cultural identities, such as Kinnars, *Hijras*, Aravanis, Jogtas, etc. It is high time that society considers critically the problems faced by transgender such as fear, shame, social discrimination, and social stigma. Almost all social institutions have a role to play in serving the transgender community to be part of the mainstream through various measures. The education system has a seminal role not only in empowering them by providing a congenial atmosphere for continuing their education, but also in sensitizing the society that the persons belonging to the Transgender community need our care and consideration. Transgender are marginalised not only in society but in their homes and families on account of their gender. “Families ostracise their children when they know they belong to a third gender. Transgender have to encounter verbal abuse, psychological and sometimes physical violence too in their homes first and later in society. In schools, students and teachers treat them differently and children are forced to or give up studies”.

Most transgender migrate to other cities in search of jobs and end up as sex workers. “With no education and job skills, they are forced to beg”.

## **Transgender Terminology in India**

Indian society is deeply stratified along the axes of class, religion, language, education, which cross with sexuality to create deeper oppressions (Chettiar, 2015). Transgender individuals in India are broadly called *Hijras*, Kinnars, and Aravanies in different parts of the country.

**Hijra:** Biological male who throw-outs their ‘masculine’ identity to identify either as woman, or “not-man”, or “in-between man and woman”, or “neither man nor woman”. They have a longstanding tradition/culture in Indian society and have strong social ties formalized through a ritual called “reet” (becoming a member of *Hijra* community). There are area variations inthe use of terms referred to *Hijras*. For example Kinnars in Delhi and Aravanis in Tamil Nadu.

**Eunuch:** A person who is born male but castrated or emasculated. The term Eunuch is normally used interchangeably with the term *Hijra* in India, however many transgender persons believe the term ‘eunuch’ to be derogatory. This was confirmed by the group in Bhubaneswar, who did not care for this term.

**Kinnar:** Regional variation of *Hijra* used in Delhi/the North and other parts of India such as Maharashtra.

**Aravani:** Regional variation of *Hijra* used in Tamil Nadu. Some Aravani activists want the public and media to use the term ‘Thirunangi’ to refer to Aravanis.

**Kothi:** Biological male who shows varying degrees of ‘femininity.’ Some proportion of *Hijras* may also recognize themselves as ‘Kothis,’ but not all Kothis identify themselves as transgender or *Hijras*.

**Shiv-Shakthi:** Males who are possessed by or mainly close to a goddess and who have feminine gender expression, typically located in Andhra Pradesh.

**Jogtas/Jogappas:** Jogtas or Jopgappas are those persons who are dedicated to and serve as a servant of Goddess Renukha Devi (Yellamma) whose temples are present in Maharashtra and Karnataka. ‘Jogi *Hijras*’ is used to describe male-to-female transgender persons who are devotees/servants of Goddess Renukha Devi. This differs from ‘Jogtas’ who are usually heterosexuals and who may or may not dress in woman’s attire when they worship the Goddess.

**Guru/Chela:** While some transgender Indians willingly leave home to join transgender communities, many of them are abandoned by their families, who are not tolerant of their child’s transgender status. It is for this reason that they form their own close knit family-like units, led by a ‘guru,’ - an older leader that acts as a mentor to their younger disciples or ‘chela.’ It is often the case in these communities that the guru takes payment from her chela, in exchange for providing her with her

material subsistence. This has led to concerns that some chela may be at risk of exploitation by their gurus.

## Problems Faced by Transgender

The Transgender community is a part of the communal order and they have an equal right in everything that is available to all others in the world (Asmy & Nagraj, 2015). The main problems that are being faced by the transgender community are of discrimination, unemployment, lack of educational facilities, homelessness, and lack of medical facilities: like HIV care and hygiene, depression, hormone pill abuse, tobacco and alcohol abuse, penectomy, and problems related to marriage and acceptance. In 1994, transgender persons got the voting right but the task of issuing them voter identity cards got caught up in the male or female question. Several of them were denied cards with sexual category of their choice. The other fields where this community feels neglected are inheritance of property or adoption of a child. They are often pushed to the periphery as a social outcaste and many may end up begging and dancing. This is by all means human trafficking. Sometimes running out of all options to feed themselves, they even engage themselves as sex workers for survival.

Transgender have very limited employment opportunities. Transgender have no access to bathrooms/toilets and public spaces. The lack of access to bathrooms and public spaces access is illustrative of discrimination faced by transgender in availing each facilities and amenities. They face similar problems in prisons, hospitals and schools. Most families do not accept if their male child starts behaving in ways that are considered feminine or inappropriate to the expected gender role. Consequently, family members may threaten, scold or even attack their son/sibling from behaving or dressing-up like a girl or woman. Some parents may absolute disown and evict their own child for crossing the prescribed gender norms of the society and for not fulfilling the roles expected from a male child. Parents may provide some reasons for doing so: bringing disgrace and shame to the family; diminished chances of their child getting married to a woman in the future and thus end of their generation (if they have only one male child); and perceived inability on the part of their child to take care of the family. Thus, later transgender women may find it difficult even to claim their share of the property or inherit what would be lawfully theirs.

Sometimes, the child or teenager may decide to run away from the family not able to tolerate the discrimination or not wanting to bring shame to one's family. Some of them may eventually find their way to *Hijra* communities. This means many *Hijras* are not educated or uneducated and consequently find it difficult to get jobs. Moreover, it is hard to find people who employ *Hijras/TG* people. Some members of the society ridicule gender-variant people for being 'different' and

they may even be hostile. Even from police, they face physical and verbal abuse, forced sex, extortion of money and materials; and arrests on false allegations. Absence of protection from police means ruffians find *Hijras/TG* people as easy target for extorting money and as sexual objects. A 2007 study documented that in the past one year, the percentage of those MSM and *Hijras* who reported: forced sex is 46%; physical abuse is 44%; verbal abuse is 56%; blackmail for money is 31%; and threat to life is 24%. *Hijras* face discrimination even in the healthcare setting. Types of discrimination reported by *Hijras/TG* communities in the healthcare settings include: deliberate use of male pronouns in addressing *Hijras*; registering them as ‘males’ and admitting them in male wards; humiliation faced in having to stand in the male queue; verbal harassment by the hospital staff and copatients; and lack of healthcare providers who are responsive to and trained on providing treatment/care to transgender people and even denial of medical services. Discrimination could be due to transgender status, sex work status or HIV status or a combination of these.

Social welfare departments provide a variety of social welfare schemes for socially and economically disadvantaged groups. However, so far, no specific schemes are available for *Hijras* apart from some rare cases of providing land for Aravanis in Tamil Nadu. Recently, the state government of Andhra Pradesh has well-organized the Minority Welfare Department to consider ‘*Hijras*’ as a minority and expand welfare schemes for them. Stringent and cumbersome procedures and requirement of address proof, identity proof, and income certificate hinders even the worthy people from making use of available schemes. In addition, most *Hijras/TG* communities do not know much about social welfare schemes available for them. Only the Department of Social Welfare in the state of Tamil Nadu has recently established ‘Aravanigal/Transgender Women Welfare Board’ to address the social welfare issues of Aravanis/*Hijras*. No other state has simulated this initiative so far.

## **Constitutional Rights of Transgender People**

By virtue of the fact that a transgender person is a human being, all constitutional rights guaranteed by the Constitution must necessarily flow to a transgender person. These comprise equality before law, freedom of speech and expression and the right to constitutional remedies. The Indian Constitution guarantees fundamental rights to every Indian citizen, irrespective of race, place of birth, religion, caste or gender. All human-beings are born free and equal in dignity and rights, meaning that they have the right to the universal enjoyment of human rights, right of self-determination -the right to freely determine their political status and freely pursue their economic, social and cultural development (Article, 1). Right to equality and non-discrimination (Article2 & 7), Right to Life

(Article 3 & 16), Right to freedom from torture and cruel, inhuman or humiliating treatment or punishment & Part III of the Constitution, identifies a ‘person’ or ‘citizen’ as a rights-holder without reference to sex or gender (Article 5), Right to undertake work that the individual freely chooses or accepts (Article 6), Right to social security & Right to undertake work that the individual freely chooses or accepts (Article 9), an adequate standard of living, including adequate housing and access to food(Article 11), Right to freedom of opinion and expression, right to recognition before the law and equality of protection before the law(Article 6, 7 & 16). Preamble to the Constitution mandates Justice - social, economic, and political equality of status. Thus the first and foremost right that they are deserving of is the right to equality under (Article 14). Article 15 speaks about the prohibition of discrimination on the ground of religion, race, caste, sex or place of birth. Right to education& prohibits discrimination on the ground of sex in public employment and also imposes a duty on the State to ensure that all citizens are treated equally in such matters (Article 16), Right to privacy (Article 17). Article 19(1) (a) states that all citizens shall have the right to freedom of speech and expression. This includes a person’s right to expression of their self-identified gender. Subject to restrictions in Article 19(2), the right to freedom of speech and expression means that the person is free to dress and project their outward personal appearance in the way that they choose. Expression and presentation of one’s gender-identity therefore must be protected under Article 19(1)(a). Article 21 ensures right to privacy and personal dignity to all the citizens. Article 23 prohibits trafficking in human beings as beggars and other similar forms of forced labour and any contravention of these provisions shall be an offence punishable in accordance with law.

The Constitution provides for the fundamental right to equality, and tolerates no discrimination on the grounds of sex, caste, creed or religion. The Constitution also guarantees political rights and other benefits to every citizen. But the third community (Transgender) continues to be not accepted. The Constitution affirms equality in all spheres but the moot question is whether it is being applied. As per the Constitution most of the protections under the Fundamental Rights Chapter are available to all persons with some rights being restricted to only citizens. Beyond this categorization the Constitution makes no further difference among rights holders. But official identity papers provide civil personhood. Among the instruments by which the Indian state defines civil personhood, sexual (gender) identity is a crucial and unavoidable category. Identification on the basis of sex within male and female is a vital component of civil identity as required by-the Indian state. The Indian state’s policy of recognizing only two sexes and refusing to recognize *hijras* as women, or as a third sex (if a *hijra* wants it), has deprived them at a stroke of several rights that Indian citizens take for granted. These rights

comprise the right to vote, the right to own property, the right to marry, the right to claim a formal identity through a passport and a ration card, a driver's license, the right to education, employment, health so on. Such deprivation secludes *hijras* from the very fabric of Indian civil society. The Yogyakarta Principles address a broad range of human rights principles and their application to issues of sexual orientation and gender identity. The Principles seek to provide a consistent understanding of the comprehensive command of international human rights law and its application to issues of sexual orientation and gender identity, in order to promote and protect all human rights for all persons on the basis of equality and without discrimination. ([http://www.yogyakartaprinciples.org/principles\\_en.htm](http://www.yogyakartaprinciples.org/principles_en.htm))

## **Role of Teacher**

Education & skills opportunity plays pivotal role in enhancing jobs and economic opportunities for an individual (Kumar, 2016). When you become an ally of transgender people, your actions will help change the culture, making society a better, safer place for transgender people - and for all people (trans or not) who do not conform to conventional gender expectations (<http://www.glaad.org/transgender/allies>). "Teachers and Educators influence the gender roles of their students thus impacting their educational outcomes. Transgender do not have the skills, in some cases the education, the capital or even the confidence to start to pursue these goals. When considering Education for All which aimed to eliminate gender disparities in primary and secondary education by 2005 and now aims to attain gender equality by 2015, it should be realized that teachers are a critical power for meeting the goal" (Guidelines for Inclusion: Ensuring access to education for all 2005 UNESCO retrieved on October 15, 2009).

## **What can be done?**

1. Explain different concepts with clarity and give examples from the children's lived realities.
2. Use teaching aids as readily as possible to clarify an issues - Use thoughts of eminent thinkers on gender sensitivity.
3. Make your education dialogical - Use project methods.
4. Encourage team work -Use quiz, debates and other techniques for better participation and understanding.
5. Give opportunities to children for voicing their opinions- Discuss their doubts and difficulties.
6. Address social issues through theatre, folk songs and drama.

So teachers would bring the focus on the government and propose initiatives that can bring about a change with government-backed sensitivity programs. If provisions are made in the law for using stringent methods against those who

ill-treat Transgender, many families and society will learn to respect and treat Transgender differently than they do now. Also teachers work for a society where men, women, and TGs have equal rights to access development opportunities, resources, and benefits; the right to live with dignity and enjoy a life free from all forms of violence; the right to freedom of expression in all matters that affects them; and Right to equal voice and participation in key development decisions that shape their lives, communities, and the state.

### **Point to Ponder**

Education is the need to ensure transgender persons can make choices about their education and be given an education of a high enough level to allow them to access meaningful employment. Gender concerns in education need to be addressed seriously in the background of globalization, liberalization and explosion in the field of information technology. These changes have impacted the lives and conditions of people from all sections of society. In the context of gender, women and girls carry on to occupy a secondary status in society, despite their participation in different capacities in all sectors of the economy. Further, they face the force of physical and emotional violence and their bodies get co modified in print and audio-visual media. Also, demographic indicators, like the phenomena of declining sex ratio, gender disparities at secondary and senior secondary stages of education, has made gender an important area of concern for policy makers, educationists, planners and all members of the civil society.

“Seldom, our society realizes or cares to realize the trauma; agony and pain which the members of Transgender community neither undergo, nor be grateful for the innate feelings of the members of the Transgender community, especially of those whose mind and body disown their biological sex. Our society often ridicules and abuses the Transgender community and in public places like railway stations, bus stands, schools, workplaces, malls, theatres, hospitals, they are sidelined and treated as untouchables, forgetting the fact that the moral failure lies in the society’s reluctance to contain or embrace different gender identities and expressions, a mindset which we have to change.” (Judgement of the Hon’ble Supreme Court of India on 15<sup>th</sup> April, 2014)

The Transgender in India have been one of the marginalized sections of society. Transgender people perceive that they have been excluded from effectively participating in social and cultural life, economy, politics and decision-making processes. A primary reason of the exclusion is perceived to be the lack of credit of the gender status of *hijras* and other transgender people. As a consequence transgender people face extreme discrimination in every field of life like health, education, civilization, employment and social acceptability. Often deprived of information and medical support, they fall prey to AIDS and other fatal diseases.

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The transgender community has been treated, until recently, as a legal non-entity in violation of Article 14, 15, 16 and 21 of the Constitution of India and has been deprived of Fundamental Rights. Of late, in order to bring the transgender people to the main stream of development and to provide them social recognition, the state of India has taken certain positive measures. The Supreme Court of India, in a landmark judgement on 15<sup>th</sup> April, 2014, has recognized the Transgender as the “third gender”. The apex court asked the central government to treat Transgender as socially and economically backward community, entitled to reservations in educational and professional fields. The apex body also directed the central and state governments to devise social welfare schemes for third gender community and run a public awareness campaign to erase social stigma. The recent years have witnessed the establishment of Transgender Welfare Boards in West Bengal and some other states.

Transgender people are individuals of any age or sex whose appearance, personal characteristics, or behaviours differ from stereotypes about how men and women are ‘supposed’ to be. Transgender people have existed in every culture, race, and class since the story of human life has been recorded. The contemporary term ‘transgender’ arose in the mid 1990s from the grassroots community of gender-different people. In contemporary usage, transgender has become an ‘umbrella’ term that is used to describe a broad range of identities and experiences, including but not limited to transsexual people; male and female cross-dressers (sometimes referred to as ‘transvestites,’ ‘drag queens’ or ‘drag kings’); intersexed individuals; and men and women, regardless of sexual orientation, whose appearance or characteristics are perceived to be gender atypical. In its broadest sense, transgender encompasses anyone whose identity or behaviour falls outside of stereotypical gender norms. That includes people who do not self-identify as transgender, but who are professed as such by others and thus are subject to the same social oppressions and physical violence as those who actually identify with any of these categories. Other current synonyms for transgender include gender variant, gender different, and gender non-conforming. In India there are a crowd of socio-cultural groups of transgender people like *hijras/kinnars*, and other transgender identities like- Shiv-Shaktis, Jogtas, Jogappas, Aradhis, Sakhi, etc. However, these socio-cultural groups are not the only transgender people, but there may be those who do not fit in to any of the groups but are transgender persons individually.

## **Conclusion**

The terms third gender or third sex are used to describe individuals who are neither male nor female and form a certain different section or gender in a society that promotes three or more genders to co-exist. The recognition of the third gender is not the only problem but the prospect from each gender of the society also poses

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difficulties. The biological differences between men and women have always been used as a justification to assign different societal roles and characteristic traits to each of the sexes which tend to restrict and constrain their performance. A boy from his childhood is encouraged to imbibe qualities such as courage, loyalty, strength and other necessary physically demanding attributes while a girl is expected to be modest, subdued and often physically less able in terms of stamina and power as in contrast to her male counterparts. This system is referred to as the concept of gender role and identity in the field of sociology. So this brings us to think if gender is a biological, cultural or bio-cultural idea. The state of being neither male nor female may be understood in relation to the individual's biological sex, gender role, gender identity, or sexual orientation. In a more evolved and accepting society, men and women are expected not be judged on the basis their physical attributes but in a new age society people whose opinions do not agree with those of the majority shall not be judged for thinking or being dissimilar or at least so is the hope. Such a society will redefine the concept of gender, widening its boundaries, and introducing three main categories of male, female and androgynous or the third gender.

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# Miscellaneous



# **Demography Pattern of Transgender People in India**

**Habib Subhan, Rubia Biswas, Hassan Momin**

## **Abstract**

Transgender are generally known as third genders, people who exceed social gender norms, neither male nor female. India has an age old history of transgender people who are known in different names in different regions, such as *Hijra*, Aravani, Transvestites, Drag Queens, Drag Kings, Jogra or Jagappas, Shiv Shaktis etc. Considerable amount of researches have been carried out from historical, sociological, cultural and legal perspectives. But the inadequacy of any amount of quantifiable analysis of transgender people in a rigid sexual and cultural milieu remained as an open ended question. The census of India before Census 2011 mainly considered the heterosexual and thereby excluded people with different sexual orientations. Census 2011 made a comprehensive study for the first time to categorize different sexual orientations. Consequently, transgender category came up with a quantifiable details of transgender people in India. This paper discusses the demographic status and exclusions of transgender people at different levels in India. According to 2011 census data, about 487,803 transgender live in India out of which 66% in rural India. The 2011 census also includes the child (0-6 years) population, literacy rate, SCs and STs Populations of third genders. The multiple dimensions duly taken up by the census 2011 opens a new direction for the policy makers and various stakeholders like NGOs to come up with policies and measures to deal with the problems of transgender people such as unlawful penalties, harassment, health problems, educational problem, unemployment, and deprivation of human rights etc.

**Keywords:** Transgender, Demography, Census of India, Third Gender

## **Introduction**

Demography is the study of a population based on factors such as age, race and sex among others. Governments, corporations and non-government organizations use demographics to learn more about a population's characteristics for different

purposes. The demographic pattern of an area reflects the population growth and the level of development in order to better manage resources of an area. The growth, distribution, density and migration of population in a place over a period of time indicate the economic status of the place. Within this demographic pattern, data pertaining to the transgender people can play a vital role for the inclusive development of people irrespective of gender. Unfortunately, this remained outside the domain of Census of India till 2011. In fact, census 2011 for the first time recognized the third gender as important as the main stream male and female gender. Census (2011) yielded the first official count of transgender people. The data of Transgender has been counted inside “Males” in the primary data released by Census Department. The census reveals that the total transgender population is around 4.88 Lakh in the country. The common variables that are gathered in demographic research include age, sex, income level, race, employment, location, home ownership and level of education. However, a detailed analysis has been made here on the basis of the 2011 census about the transgender people i.e. caste, 0-6 age population, and Literacy rate. These details are presented below state-wise in the form of a table:

**Table 1: Demographic Profile of Transgender People**

S. No	India/State/ Union Territory#	Total Transgen- der	(0-6) Age		S.C.		S.T.		Literacy (%)
			Total	%	Total	%	Total	%	
1	India	4,87,803	54,854	11.25	78,811	16.16	33,293	6.83	56.07
2	A & N Islands#	47	5	10.64	-	0.00	3	6.38	73.81
3	Andhra Pradesh	43,769	4,082	9.33	6,226	14.22	3,225	7.37	53.33
4	Arunachal Pradesh	495	64	12.93	-	0.00	311	62.83	52.2
5	Assam	11,374	1,348	11.85	774	6.80	1,223	10.75	53.69
6	Bihar	40,827	5,971	14.63	6,295	15.42	506	1.24	44.35
7	Chandigarh#	142	16	11.27	22	15.49	-	0.00	72.22
8	Chhattisgarh	6,591	706	10.71	742	11.26	1,963	29.78	51.35
9	Dadra & Nagar Haveli#	43	5	11.63	-	0.00	22	51.16	73.68
10	Daman & Diu#	59	10	16.95	1	1.69	2	3.39	75.51
11	Goa	398	34	8.54	9	2.26	33	8.29	73.9
12	Gujarat	11,544	1,028	8.91	664	5.75	1,238	10.72	62.82
13	Haryana	8,422	1,107	13.14	1,456	17.29	-	0.00	62.11

14	Himachal Pradesh	2,051	154	7.51	433	21.11	118	5.75	62.1
15	Jammu & Kashmir	4,137	487	11.77	207	5.00	385	9.31	49.29
16	Jharkhand	13,463	1,593	11.83	1,499	11.13	3,735	27.74	47.58
17	Karnataka	20,266	1,771	8.74	3,275	16.16	1,324	6.53	58.82
18	Kerala	3,902	295	7.56	337	8.64	51	1.31	84.61
19	Lakshadweep#	2	-	0.00	-	0.00	2	100	50
20	Madhya Pradesh	29,597	3,409	11.52	4,361	14.73	5,260	17.77	53.01
21	Maharashtra	40,891	4,101	10.03	4,691	11.47	3,529	8.63	67.57
22	Manipur	1,343	177	13.18	40	2.98	378	28.15	67.5
23	Meghalaya	627	134	21.37	3	0.48	540	86.12	57.4
24	Mizoram	166	26	15.66	1	0.60	146	87.95	87.14
25	Nagaland	398	63	15.83	-	0.00	335	84.17	70.75
26	NCT of Delhi#	4,213	311	7.38	490	11.63	-	0.00	62.99
27	Odisha	20,332	2,125	10.45	3,236	15.92	4,553	22.39	54.35
28	Puducherry#	252	16	6.35	40	15.87	-	0.00	60.59
29	Punjab	10,243	813	7.94	3,055	29.83	-	0.00	59.75
30	Rajasthan	16,517	2,012	12.18	2,961	17.93	1,805	10.93	48.34
31	Sikkim	126	14	11.11	9	7.14	37	29.37	65.18
32	Tamil Nadu	22,364	1,289	5.76	4,203	18.79	180	0.80	57.78
33	Tripura	833	66	7.92	172	20.65	181	21.73	71.19
34	Uttar Pradesh	1,37,465	18,734	13.63	26,404	19.21	639	0.46	55.8
35	Uttarakhand	4,555	512	11.24	731	16.05	95	2.09	62.65
36	West Bengal	30,349	2,376	7.83	6,474	21.33	1,474	4.86	58.83

(Source: Census of India 2011)

## Concentration of Transgender Population

The above table shows the different demographic features of transgender people. Out of India's total population 0.040% are transgender. Almost all the states and union territories share certain percentage of transgender population. However, among all the states, Uttar Pradesh has the maximum number of transgender population i.e. 137465 followed by Andhra Pradesh with 43,769 members and Maharashtra with 40,891 members of the third gender. The state of Sikkim remains with the lowest concentration of transgender population i.e. only 126 people. But in terms of percentage, the highest population is recorded in Uttar Pradesh (0.069%) and lowest in Kerala (0.012%). Similarly, considering the case of union territories, it is found that the highest number of transgender people is found in the National

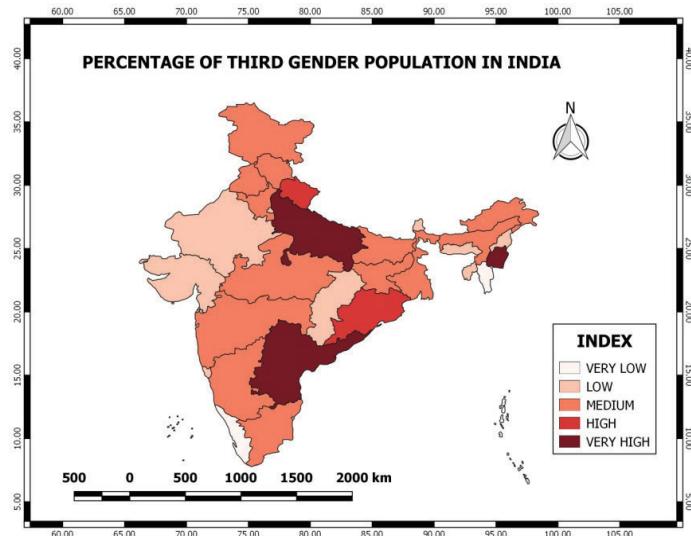
Capital of India, Delhi with 4,213 members and the lowest in Lakshadweep with only 2 members. However, percentage wise their positions remain the same:

**Table 2: Total Transgender in the Different States of India**

S. No	India/State/Union Territory#	Total Population	Transgender	% of Transgender	Rank
1	India	12105,69,573	4,87,803	0.040	-
2	A & N Islands#	3,80,581	47	0.012	33
3	Andhra Pradesh	845,80,777	43,769	0.052	2
4	Arunachal Pradesh	13,83,727	495	0.036	25
5	Assam	312,05,576	11,374	0.036	13
6	Bihar	1040,99,452	40,827	0.039	4
7	Chandigarh#	10,55,450	142	0.013	30
8	Chhattisgarh	255,45,198	6,591	0.026	16
9	Dadra & Nagar Haveli#	3,43,709	43	0.013	34
10	Daman & Diu#	2,43,247	59	0.024	32
11	Goa	14,58,545	398	0.027	26
12	Gujarat	604,39,692	11,544	0.019	12
13	Haryana	253,51,462	8,422	0.033	15
14	Himachal Pradesh	68,64,602	2,051	0.030	21
15	Jammu & Kashmir	125,41,302	4,137	0.033	19
16	Jharkhand	329,88,134	13,463	0.041	11
17	Karnataka	610,95,297	20,266	0.033	9
18	Kerala	334,06,061	3,902	0.012	20
19	Lakshadweep#	64,473	2	0.003	35
20	Madhya Pradesh	726,26,809	29,597	0.041	6
21	Maharashtra	1123,74,333	40,891	0.036	3
22	Manipur	25,70,390	1,343	0.052	22
23	Meghalaya	29,66,889	627	0.021	24
24	Mizoram	10,97,206	166	0.015	29
25	Nagaland	19,78,502	398	0.020	27
26	NCT of Delhi#	167,87,941	4,213	0.025	18
27	Odisha	419,74,218	20,332	0.048	8
28	Puducherry#	12,47,953	252	0.020	28
29	Punjab	277,43,338	10,243	0.037	14
30	Rajasthan	685,48,437	16,517	0.024	10
31	Sikkim	6,10,577	126	0.021	31

32	Tamil Nadu	721,47,030	22,364	0.031	7
33	Tripura	36,73,917	833	0.023	23
34	Uttar Pradesh	1998,12,341	1,37,465	0.069	1
35	Uttarakhand	100,86,292	4,555	0.045	17
36	West Bengal	912,76,115	30,349	0.033	5

*(Source: Census of India 2011)*



### Scheduled Caste & Scheduled Tribe Population

In India the Scheduled Caste (S.C.) and Scheduled Tribe (S.T.) population are 201,378,086 and 104,281,034 respectively (2011). Out of this total number, 78,811 and 33,293 constitute the total third gender Scheduled Caste and Scheduled Tribe population in the country. In other words, Scheduled Caste forms 0.039% and Scheduled Tribes 0.032% of the total transgender population of India. Table-3, as produced below, establishes the fact that the highest number of Scheduled Caste population is recorded in the state of Uttar Pradesh with 26404 number of people (0.064%) and the lowest in the state of Mizoram with the only one person. In case of Union Territory, the highest number of S.C. Population is recorded in Delhi with 490 number of people and the lowest in Daman & Diu with only one person. What is noteworthy is the fact that there are some states and union territories i.e. Arunachal Pradesh, Nagaland, Andaman & Nicobar Islands, Dadra & Nagar Haveli and Lakshadweep where Scheduled Caste population is not found. In these states and Union Territories of India not only Transgender but also the Scheduled Caste population is not present as per the census 2011. On the other hand the highest

number of Scheduled Tribe population is recorded in the state of Madhya Pradesh with 5260 number of people (0.034%) but in terms of percentage, Uttar Pradesh stands with the highest percentage of population i.e. 0.056% of total population. Similarly, the lowest population of Scheduled Tribes is recorded in the state Goa with 33 number of people (0.013%) but in terms of percentage, Kerala records the lowest population with 0.011% of total population. In case of Union Territory, the highest number of S.T. Population is recorded in Dadra & Nagar Haveli with the number of 22 populations and the lowest number of S.C. Population is recorded in Daman & Diu and Lakshadweep with only two people. In Lakshadweep, there are only two transgender and they are S.C. people. As in the case of Arunachal Pradesh, Nagaland, Andaman & Nicobar Islands, Dadra & Nagar Haveli and Lakshadweep where Scheduled Caste population is absent, there are also some states and union territories where Scheduled Tribes population is also not found i.e. Haryana, Punjab, Chandigarh, Delhi and Puducherry.

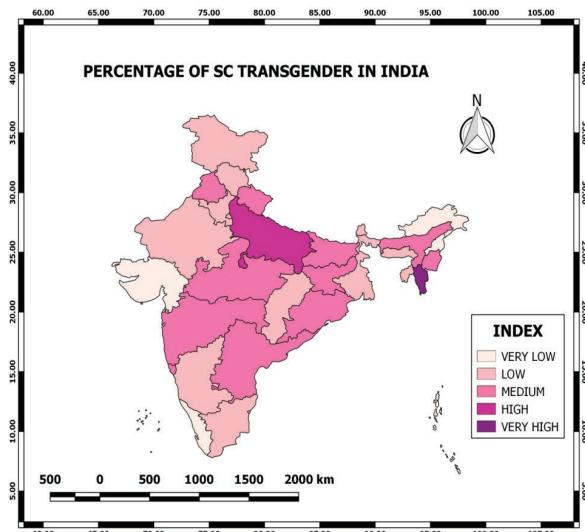
**Table 3: Total & Percentage of S.C. & S.T. Transgender in the different States of India**

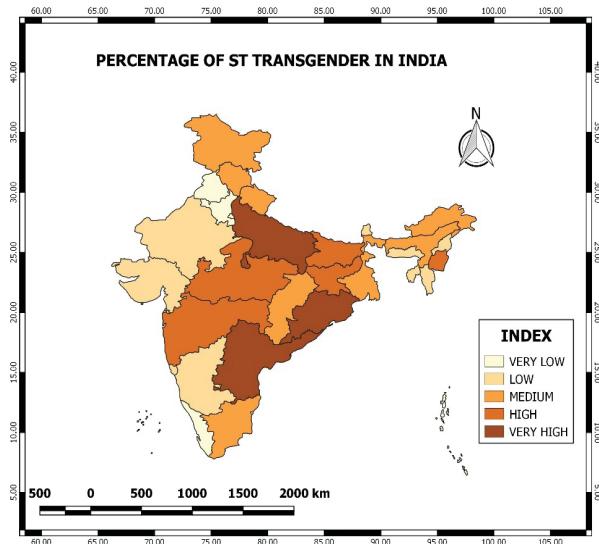
S. No	India/State/Union Territory#	Total (S.C.)	Transgender (S.C.)		Total (S.T.)	Transgender (S.T.)	
			Total	%		Total	%
1	India	20,13,78,086	78,811	0.039	1042,81,034	33,293	0.032
2	A & N Islands#	-	-	0.000	28,530	3	0.011
3	Andhra Pradesh	138,78,078	6,226	0.045	59,18,073	3,225	0.054
4	Arunachal Pradesh	-	-	0.000	9,51,821	311	0.033
5	Assam	22,31,321	774	0.035	38,84,371	1,223	0.031
6	Bihar	165,67,325	6,295	0.038	13,36,573	506	0.038
7	Chandigarh#	1,99,086	22	0.011	-	-	0.000
8	Chhattisgarh	32,74,269	742	0.023	78,22,902	1,963	0.025
9	Dadra & Nagar Haveli#	6,186	-	0.000	1,78,564	22	0.012
10	Daman & Diu#	6,124	1	0.016	15,363	2	0.013
11	Goa	25,449	9	0.035	1,49,275	33	0.022
12	Gujarat	40,74,447	664	0.016	89,17,174	1,238	0.014
13	Haryana	51,13,615	1,456	0.028	-	-	0.000
14	Himachal Pradesh	17,29,252	433	0.025	3,92,126	118	0.030
15	Jammu & Kashmir	9,24,991	207	0.022	14,93,299	385	0.026
16	Jharkhand	39,85,644	1,499	0.038	86,45,042	3,735	0.043
17	Karnataka	104,74,992	3,275	0.031	42,48,987	1,324	0.031

## Demography Pattern of Transgender People in India

18	Kerala	30,39,573	337	0.011	4,84,839	51	0.011
19	Lakshadweep#	-	-	0.000	61,120	2	0.003
20	Madhya Pradesh	113,42,320	4,361	0.038	153,16,784	5,260	0.034
21	Maharashtra	132,75,898	4,691	0.035	105,10,213	3,529	0.034
22	Manipur	97,042	40	0.041	9,02,740	378	0.042
23	Meghalaya	17,355	3	0.017	25,55,861	540	0.021
24	Mizoram	1,218	1	0.082	10,36,115	146	0.014
25	Nagaland	-	-	0.000	17,10,973	335	0.020
26	NCT of Delhi#	28,12,309	490	0.017	-	-	0.000
27	Odisha	71,88,463	3,236	0.045	95,90,756	4,553	0.047
28	Puducherry#	1,96,325	40	0.020	-	-	0.000
29	Punjab	88,60,179	3,055	0.034	-	-	0.000
30	Rajasthan	122,21,593	2,961	0.024	92,38,534	1,805	0.020
31	Sikkim	28,275	9	0.032	2,06,360	37	0.018
32	Tamil Nadu	144,38,445	4,203	0.029	7,94,697	180	0.023
33	Tripura	6,54,918	172	0.026	11,66,813	181	0.016
34	Uttar Pradesh	413,57,608	26,404	0.064	11,34,273	639	0.056
35	Uttarakhand	18,92,516	731	0.039	2,91,903	95	0.033
36	West Bengal	214,63,270	6,474	0.030	52,96,953	1,474	0.028

*(Source: Census of India 2011)*





## 0-6 Age Population

Seven years below child population is visible in almost all the states and union territories except Lakshadweep. According to 2011 census in India, total 0-6 age child population is 164478150, out of which transgender child is 54854 respectively. Of the overall child population in India, 0.033% of population is transgender child group. And out of total transgender population 11.25% is transgender child group. Among all the Indian States & Union Territories, Uttar Pradesh records the highest number of child population with the 18734 people (0.061%) whereas the lowest population is recorded in the state of Sikkim with just 14 people. But the lowest percentage of population is found in the state of Kerala (0.008%). In case of Union Territory, the highest number of child population is recorded in Delhi with 311 persons and the lowest in Andaman & Nicobar Islands, Dadra & Nagar Haveli with only 5 persons respectively. Lakshadweep is the only union territory where 0-6 age transgender population is not found on record (Table 4):

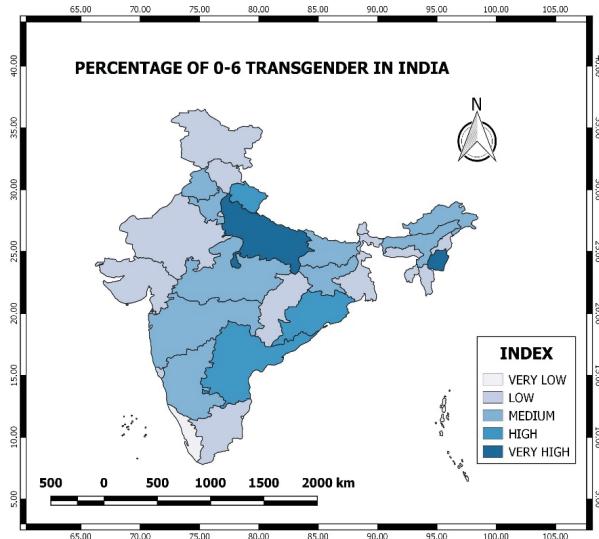
**Table 4: Total & Percentage of (0-6) Age Transgender in the different States of India**

S. No	India/State/Union Territory#	(0-6) Age Population		% of (0-6) Age Transgender
		Total	Transgender	
1	India	1644,78,150	54,854	0.033
2	A & N Islands#	40,878	5	0.012

*Demography Pattern of Transgender People in India*

3	Andhra Pradesh	91,42,802	4,082	0.045
4	Arunachal Pradesh	2,12,188	64	0.030
5	Assam	46,38,130	1,348	0.029
6	Bihar	191,33,964	5,971	0.031
7	Chandigarh#	1,19,434	16	0.013
8	Chhattisgarh	36,61,689	706	0.019
9	Dadra & Nagar Haveli#	50,895	5	0.010
10	Daman & Diu#	26,934	10	0.037
11	Goa	1,44,611	34	0.024
12	Gujarat	77,77,262	1,028	0.013
13	Haryana	33,80,721	1,107	0.033
14	Himachal Pradesh	7,77,898	154	0.020
15	Jammu & Kashmir	20,18,905	487	0.024
16	Jharkhand	53,89,495	1,593	0.030
17	Karnataka	71,61,033	1,771	0.025
18	Kerala	34,72,955	295	0.008
19	Lakshadweep#	7,255	-	0.000
20	Madhya Pradesh	108,09,395	3,409	0.032
21	Maharashtra	133,26,517	4,101	0.031
22	Manipur	3,38,254	177	0.052
23	Meghalaya	5,68,536	134	0.024
24	Mizoram	1,68,531	26	0.015
25	Nagaland	2,91,071	63	0.022
26	NCT of Delhi#	20,12,454	311	0.015
27	Odisha	52,73,194	2,125	0.040
28	Puducherry#	1,32,858	16	0.012
29	Punjab	30,76,219	813	0.026
30	Rajasthan	106,49,504	2,012	0.019
31	Sikkim	64,111	14	0.022
32	Tamil Nadu	74,23,832	1,289	0.017
33	Tripura	4,58,014	66	0.014
34	Uttar Pradesh	307,91,331	18,734	0.061
35	Uttarakhand	13,55,814	512	0.038
36	West Bengal	105,81,466	2,376	0.022

(Source: Census of India 2011)



## Literacy Rate

The literacy rate of transgender population poses a great question to us. Over a period of negligence and denial of equal opportunities, the literacy rate among the transgender population is significantly low. Till 2011 no significant initiative was taken to quantify the total enrolment of transgender people in the formal school education and therefore, education was more individual centric without much participation of state machinery or family promotion. Amidst all sorts of social indignations and bitter treatment, a considerable number of transgender people have achieved literacy. Census 2011 records the average national literacy rate of transgender population as 56.07%. But at the same time what is astonishing is the number of drop outs. Most of them do not complete their formal education because of lack of opportunities, discrimination and violence of various sorts. Anjali Gopalan of the Naz Foundation, an Indian HIV/AIDS awareness organization, suggested that “I am not surprised that the literacy rate is so low because it is not uncommon at all for people of transgender to drop out of school because of the harassment and discrimination they face”. However, there are also people who overcome all the odds and avail good career prospects. Furthermore, what requires more attention is the fact that the census clearly points out to the grave situation of low literacy rate in the transgender community i.e. 56% in comparison to 74% overall literacy rate in the country. Out of 35 Indian states and Union Territories, more than 20 have crossed the national average literacy rate (56.07%) and rest of them pose a serious question to our idea of inclusive growth. The highest literacy

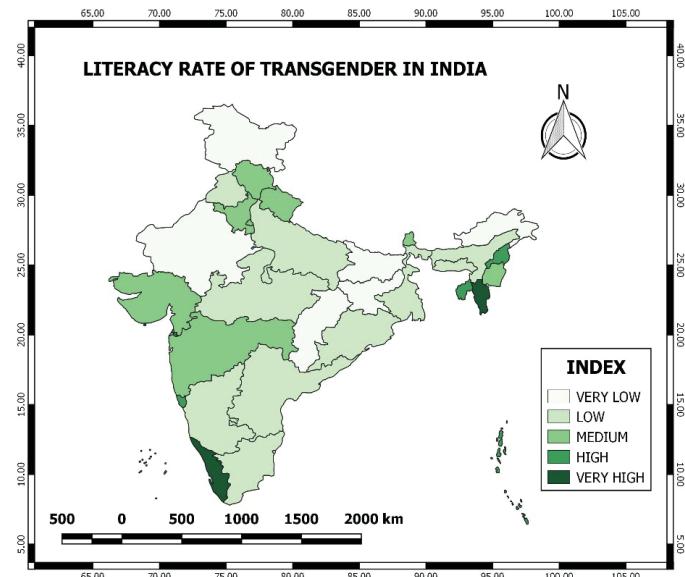
rate is recorded in the state Mizoram (87.14%) and the lowest literacy rate is found in the state Bihar (44.35%). In case of Union Territory, the highest literacy rate is recorded in Daman & Diu (75.51%) and the lowest literacy rate is found in Lakshadweep (50.00%).

**Table 5: Percentage of Literacy Rate of Transgender in the different States of India**

S. No	India/State/Union Territory#	% of Literacy Rate	
		Total	Transgender
1	India	74.04	56.07
2	A & N Islands#	86.63	73.81
3	Andhra Pradesh	67.02	53.33
4	Arunachal Pradesh	65.39	52.2
5	Assam	72.19	53.69
6	Bihar	61.80	44.35
7	Chandigarh#	86.05	72.22
8	Chhattisgarh	70.28	51.35
9	Dadra & Nagar Haveli#	76.24	73.68
10	Daman & Diu#	87.10	75.51
11	Goa	88.70	73.9
12	Gujarat	78.03	62.82
13	Haryana	75.55	62.11
14	Himachal Pradesh	82.80	62.1
15	Jammu & Kashmir	67.16	49.29
16	Jharkhand	66.41	47.58
17	Karnataka	75.37	58.82
18	Kerala	94.00	84.61
19	Lakshadweep#	91.85	50
20	Madhya Pradesh	69.32	53.01
21	Maharashtra	82.34	67.57
22	Manipur	79.22	67.5
23	Meghalaya	74.43	57.4
24	Mizoram	91.33	87.14
25	Nagaland	79.56	70.75
26	NCT of Delhi#	86.21	62.99
27	Odisha	72.87	54.35
28	Puducherry#	85.85	60.59

29	Punjab	75.84	59.75
30	Rajasthan	66.11	48.34
31	Sikkim	81.42	65.18
32	Tamil Nadu	80.09	57.78
33	Tripura	87.22	71.19
34	Uttar Pradesh	67.68	55.8
35	Uttarakhand	78.82	62.65
36	West Bengal	76.26	58.83

(Source: Census of India 2011)



## Transgender within Recent Legal Ambit and its Implications

Numerous incidents of violence and violation both by civil society and state for having different sexual orientations have drawn the attention of human rights activists and judiciary and therefore, the issues of transgender people are revisited from time to time, ranging from recognition of the existence of people of such sexual orientation to providing legal protection of rights of equal citizenship. Within the broader ambit of gender debate, the matter of transgender (including section 377 of Indian Penal Code) was contextualized as per Article 14, 15, and 21 of Indian Constitution. The famous NALSA case regarding Third Gender established that transgender people equally enjoy social, economic, cultural and political rights because any violation based on different sexual orientation would

violate the fundamentals of freedom and human rights. Furthermore, court also held that the ‘recognition of one gender lies at the heart of the fundamental right to dignity. Legal recognition of gender identity is therefore, part of right to dignity and freedom guaranteed under our constitution (Sagar, Tanya 2018).

The implications of this verdict have brought many changes at various levels. Many states i.e. Tamil Nadu, Bihar, Kerala, Tripura, Karnataka, West Bengal etc. created three gender based category i.e. Male, Female & Transgender/Third Gender. Therefore, many state governments’ policy of gender inclusiveness opened a new ray of hope of transgender people as many of the welfare measures are equally extended to these people without any discrimination based on gender. Transgender Persons Bill (2016), which aims at empowering the transgender people in matter of equal opportunity and rights and in defining one’s own rights to self-perceived identity, is a step ahead in this direction. The bill drew many criticism and suggestions and therefore, it was re-introduced in the parliament in December 15, 2017 and a final take on this bill is yet to come. However, even though legal system recognizes the rights of the transgender people, the question of social and cultural acceptance of these people remains a complex one. There is simultaneously a need to reorient our social and cultural milieu so as to bring the third gender on par with the heterosexual people.

## **Recommendations and Conclusion**

The Census 2011 is indeed a constructive sign towards inclusion of the excluded. Furthermore, even though it is noticeable that the transgender people are part of the national mission of eradication of illiteracy, their participation in higher education is quite worrisome. It is also quite difficult to ascertain the participation of transgender people in higher education and employment. And therefore, lack of proper education is one of the biggest barriers for transgender people which also make it difficult to find a source of livelihood. At the same time, question remains to what extent census 2011 can pave the way for constructive engagement (sociological, psychological, economic, cultural and political) with problems being faced by the transgender community in the form of discrimination, unemployment, lack of educational facilities, homelessness, depression, hormone pill abuse, tobacco and alcohol abuse, appendectomy, inheritance of property or adoption of a child, problems related to marriage and lack of medical facilities: like HIV care and hygiene, etc. In 1994, transgender persons got the voting right, but the male or female question borne out of their identity card still creates problem (no option for their gender), so several of them were denied. Therefore, the demographic pattern of transgender population as recorded for the first time in Census 2011 can be a platform to assess the progress of transgender population in various socio-economic activities and Census 2021 must come up with some more aspects on

transgender population. Some of the important aspects which can be addressed in the Census 2021 are:

1. Since transgender itself is an umbrella term which includes ‘transgender with male sexual orientation’ and ‘transgender with female sexual orientation’, a secondary method can also be adopted to further quantify their representation for constructive engagements in mainstream policy formulation and implementation.
2. Since the matter of open self-identification and disclosure as Third Gender is still a taboo and many transgender people prefer not to open up about their actual gender, the census 2021 must ensure that such people without any psychological or societal pressure voluntarily make self-declaration of their gender.
3. Census 2021 must also include a method to record the growth rate of transgender people. Apart from Census on India, NITI Aayog which also monitors the growth rate can also be instrumental in this process.
4. It should also look into the working status (i.e. main, marginal and non-workers) while ascertaining the labour and livelihood of transgender population as is done in the case of the male and female gender.
5. Since migration pattern of transgender population is a regular phenomenon, Census 2021 should also focus on knowing the mother tongue of this population and
6. Religious composition of transgender population.

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# **Transgender Persons in Indian Society- A Research Perspective**

**Dr. Bimal Charan Swain**

## **Abstract**

Transgender people are people who have a gender identity or gender expression that differ from their assigned sex. Different terminologies are used in India for the transgender people such as *Hijra*, Eunuch, Kinnar, Aravani, Kothi, Shiv-shakti, Guru/chela, Jogtas/Jogapass etc. The problems faced by transgender people are relating to discrimination, homelessness, unemployment, marriage, prejudice, health related issues, living conditions, alcohol and drug use, harassment by police, lack of education, poor mental health and inheritance of property. Most of the transgender people are uneducated or under educated. Many times they face social and physical abuse which may lead to some physiological and disorder problem. They are mostly excluded from all privileges which may lead to bias and injustice to them. They are sometimes thrown from their own family. *Hijras* face discrimination in health care settings and a variety of social and security issues. Lack of livelihood options is a key reason for a significant proportion of transgender people to choose or continue to be in sex work with its associated HIV and health related risks. Studies conducted by researchers highlight these issues in detail.

## **Contemporary Scenario of Transgender Persons in India**

The Union Cabinet cleared the Transgender Persons (Protection of Rights) Bill, 2016, which will pave the way for the community to be declared as third gender with an option to identify themselves as male, female or transgender. Government of Odisha has chalked out a policy for transgender community which seeks to protect rights of the gender non-confirming child. Government of Odisha is the first state in India to announce welfare programmes for the third gender. Kerala is the first state to formulate transgender policy in 2015. Maharashtra is the second state in India to set up a Welfare Board. Effective system should be established for recording and reporting act of violence against transgender persons.

The paper also highlights different steps which need to be taken for improving the status of transgender persons in Indian society.

**Keywords:** Transgender, Problems of Transgender, Indian Society.

## **Introduction**

Transgender is an umbrella term, coined in the US, used to include people whose lifestyles appear to conflict with the gender norms of society. It includes many types of people and lifestyles. In the use of the broad term, a transgender person crosses the conventional boundaries of gender; in clothing, in presenting themselves; even as far as having multiple surgical procedures to be fully bodily reassigned in their preferred gender role (Stephen whittle et al. as reported by Atheequee and Nisananthi, 2016).

According to World Health Organization “Transgender is an umbrella term for people whose gender identity and expression does not confirm to the norms and expectations- traditionally associated with the sex assigned to them at birth; it includes people who are transsexual, transgender or otherwise considered gender nonconforming. Transgender people may self-identify as transgender, female, male, trans woman or trans man, trans-sexual, or by a variety of indigenous terms used in specific cultures, such as *Hijra* (India), *Kathoey* (Thailand), *Waria* (Indonesia), or one of many other transgender identities. They may express their gender in a variety of masculine, feminine and or androgynous ways”.

In India, Transgender people include *Hijras/Kinnars*, Eunuchs, Shiv Shaktis, Jogappas, Sakhi, Jogata, Ardhis etc. Transgender fall under the LGBT group (Lesbian, gay, bisexual and transgender). *Hijras* are known as Kinnars in Delhi, “Aravanis” and “Jhirunangi” in Tamilnadu.

## **Historical Back-Ground of Transgender Persons in India**

Third gender people played an important role in Indian culture. They find mention in Ramayana and Mahabharata. In Mahabharata, “Shikhandi” was a transgender person. Ancient Indian Scriptures such as the Vedas and Kamasutra categorize them as individuals belonging to the third nature. Transgender persons (Khawaja Sara in Islam) played prominent role in medieval India during the Mughal period. In 18<sup>th</sup> century the Criminal Tribes Act of 1871 categorized the entire transgender community as “Criminals” who were addicted to committing crimes. In 1952, the then Prime Minister of India, Pandit Jawaharlal Nehru repealed the Criminal Tribes Act, 1871 calling it “a bolt on the law book of free India”.

“A watershed moment in the history of transgender rights in India was in July 2009. The Delhi High Court in Naz Foundation vs. Government of Delhi decriminalized homosexuality allowing consensual sex between two homosexual

as long as they were above the legal age of 18 years. The court stated that section 377 of the Indian Penal Code was violated of Article 14 (Right to Equality), Article 15 (Prohibition of Discrimination) and Article 21 (Protection of Life and Personnel Liberty). The judges in the right constitutional spirit stated that “the criminal law cannot be held captive by the popular misconceptions of who the lesbian, gay, bisexual, transgender (LGBT) are (John, 2017). The judgment was appealed against in the Supreme Court in 2013 the Suresh Koushal vs. Naz Foundation case.

The Ministry of External Affairs recognized transgender as a separate identity in 2005. Transgender persons were provided with a choice of identifying themselves as eunuchs ('E' Category) while applying for passport. In 2015, the pass port authority transitioned from the +ve, 'E' category to the transgender persons. The Election Commission of India recognized transgender and allowed then to resister as the 'Other Category' to indicate their sex in 2009 ballots forms. The Hon'ble Supreme Court of India, in a Seminal Judgment of National Legal Services Authority (NALSA) vs. Union of India in 2014 declared transgender persons have the right to decide their self- identified gender and the state/Central Government need to legally recognize the gender of their choice-male, female or as third gender.

One of the most outstanding work on Transgender is by Nanda Serena (1990) i.e. “Neither Man nor Woman: The *Hijras* of India” Published by Wards worth Publishing Company, California. Ready (2005) has also done an intensive work on “With Respect to Sex: Negotiating *Hijras* Identity in the South which has been published by Chicago Press. Tissy (2013) has also done a nice work entitled “Monograph on Clan Culture of *Hijras*: An Exploration to Gender Identity and Status of *Hijras*: Inside and Outside Ghranas” Published by Christ University, Bangalore.

### **Contemporary Scenario of Transgender Persons in India**

According to 2011 Census, the total population of transgender persons in India was 4,87,803 lakh out of which 54,854 were below 6 years. Maximum Concentration of transgender are found in U.P.(28%), followed by Andhra Pradesh (9%) Maharashtra & Bihar (8%) Madhya Pradesh and West Bengal (6%), Tamil Nadu, Karnataka and Odisha (4%), Rajasthan (3%) and Punjab (2%) (Census, 2011).

The most prominent of the transgender communities are known as Kothi (represent themselves as male), *Hijras* (Biological males but reject masculine identity), Aravanis (woman wrapped in male body), Jogappa (serve as servants of goddess Renuka Devi), Shiv-Shaktis (males but have feminine gender expressions (Hotchandini, 2017). According to 2011 Census their literacy rate is 46%. Due to low literacy rate the proportion of working group is below 45% as a main worker where as others are engaged in prostitution, begging, dancing etc.

They are often considered as one of the marginalized group in India. All “transgender/third gender” are entitled to avail the benefits under the “Other Backward Class (OBC) category irrespective of their community back-ground. The data of the election commission reported that 23,019 persons had registered themselves under the ‘Other’s Category). The Allahabad High Court has ruled that they are entitled to the status of head of a household which will allow them to avail food security benefit through ration card.

The Supreme Court’s Landmark Judgment 2014 recognized transgender as the third gender. In 2016 a private member bill was placed in the House of Parliament for giving legal recognition to the rights and status of transgender community. The Twelve Five Year Plan (2012-2017) proposed empowerment of the Third Gender by providing them education, housing access to health care services, employment, skill development and financial assistance.

Due to low literacy rate the transgender persons are not able to get good jobs. They are engaged in prostitution, begging, dancing etc. Employability is low amongst transgender community. Globally the transgender community is 49 times more likely to be living with Human Immune Deficiency Virus (HIV) than adults in the general population. NACO estimates that in India, HIV prevalence is 7.5% amongst the transgender community. High Risk behaviour such as alcohol and substance abuse amongst the group increases HIV risk for the community.

### **Prominent Transgender Persons in India**

Laxmi Narayan Tripathy is a *Hijra* Guru, famous dancer, dance instructor and spokes person of the kinnar community and belongs to Uttar Pradesh. She is the first transgender person to represent Asia Pacific in the United Nations and became the President of the NGO DAI Welfare Society in 2002. Another notable transgender person is Shabnam Mausi Bano who was elected in public service as the first transgender person. She was elected to the Madhya Pradesh state legislative assembly from 1998 to 2003. She speaks 12 languages and from a reputed Brahmin Family. Under her inspiration, in 2003 *Hijras* established their own political party called “Jeethi Jetai Politics”. Some of the noble transgender and queer people are: A. Revathi, Kalki Subramanian, Rose Venkatesan, K. Prithika Yasini, Meera Parida, Karpaga, Lucky, Barathi, Sridevi, Padmini Prakash, Lakshmi etc. Madhu bai Kinnar is the first transgender mayor in Chhatishgarh. Manobi Bandopadhyaya is the first Principal and Associate Professor in West Bengal.

### **Problems Faced by Transgender Persons in Indian Society**

The problems faced by transgender persons in Indian Society are described below:

- 1. Exclusion from family and society:** Most families and society do not accept if their male children starts behaving in ways which are considered feminine or inappropriate to the expected gender role. Family members

threaten, scold or even assault their son/sibling behaving like a girl/woman. Because of harassment, the Transgender child is forced to leave home and parents and join the *Hijra* Community.

2. **Health Problem:** Most of the times the transgender persons suffer from one or other kind of diseases. Transgender persons face problems when accessing public or private health services. They have barriers in HIV testing, Sexual health services and antiretroviral treatment. According to UNDP, India Report (2010)" Types of discrimination reported by *Hijras*/ TG communities in health care settings include: deliberate use of male pronouns in addressing *Hijras*; registering them as males and admitting them in male wards; humiliation faced in having to stand in the male queue; verbal harassment by the hospital staff and co-patient, and lack of health care providers who are sensitive to and trained on providing treatment/care to transgender people and even denial of medical services. Discrimination could be due to transgender status, sex wok status or HIV status or a combination of these." Veena and Sridevi (2011) in their study reported that 15% of transgender persons were under weight, 63 per cent normal, 20% over weight and 12% obese. They suffer from high or low blood pressure, diabetes, allergies, malaria, knee pain, stomach pain, asthma, acidity, piles and STI.
3. **Living Conditions:** The transgender community lives a life of exclusion-socially, culturally, politically and economically. Housing is often denied to transgender people. They are denied a home apartment to live in and sometimes become homeless. Due to inaccessibility of housing, non-allotment of houses in government schemes, inability to rent property or purchase property, they face different kinds of problems.
4. **Unemployment:** Employment issues are of deep concern to transgender and gender non-conforming people. They are hardly given employment in government sectors or private firms. The employers are not much interested in giving jobs to transgender persons. Due to lack of employment, they resort to sex work or begging or extortion. Employability is low among the transgender persons.
5. **Harassment:** The transgender persons are targeted as sexual objects. A study conducted in 2007 by UNDP indicates various types of harassment of transgender persons such as threat to life (24%), blackmail for money (31%), verbal abuse (56%), physical abuse (44%) and forced sex (46%). Sometimes they are not allowed to use public toilets.
6. **Alcohol and Drug Use:** Many Transgender persons take alcohol and other kinds of drugs such as brown sugar, ganja, hashish, cocaine etc. Most of them smoke bidi or cigarettes. High risk behavior such as alcohol

and substance abuse among the Transgender persons increases HIV risk for the community. Veena and Sridevi (2011) in their study reported that 16 transgender persons had the habit of smoking, 45 chewing habits, 26 panparag users, 17 chewed gutkha, 54 drinking alcohol, sixteen bear and 4 wine. They used alcohol to forget worries and enjoy sex life.

7. **Police Harassment:** Transgender persons face different forms of harassment from the police. They are sometimes arrested, harassed, and penalized, beaten up and sexually harassed by police. Some policemen warn them not to beg. Chettiar (2015) in her study reported that 87.5% of the *Hijras* experienced problems caused by the police whether policeman from respective police stations (50.87%), railway police (26.31%), or traffic policeman (8.77%).
8. **Lack of Education:** Transgender people are sometimes unable to access equal opportunities in educational institutions. Most of the Transgender learners are school dropouts. Their literacy level is low. Lack of adequate education force them to begging, dancing and sex work. Those who continue education report harassment, physical and sexual abuse by peers and classmates and bulling. Some of them sometimes continue study through distance mode.
9. **Suicides:** National Crimes Records Bureau (NCRB) reported 7 studies of transgender persons in 2015, 0.005% of the total suicides in India during that period.
10. **Poor Mental Health:** Most of the Transgender people face several issues such as fear, shame, and internalized transfobia, disclosure and coming out, adjusting, adopting, or not adapting to social pressure to conform; fear of relationships or loss of relationships; and self-imposed limitations on expression or aspirations. Some of the mental health issues of transgender persons include depression and suicidal tendencies, possibly secondary to social stigma, lack of societal support, HIV status and violence-related stress (UNDP, India, 2010).
11. **Lack of Knowledge of Social Welfare Schemes & Life and Health Insurance Schemes:** Most of the transgender persons do not know about social welfare schemes available for them. They also face problem of arranging address proof, income certificate identity card for different welfare schemes. Due to lack of knowledge, inability to pay premiums and not able to get enrolled in certain schemes, most of the *Hijras* are not under any life or health insurance schemes. The other problems faced by the transgender persons are: disrespect, oppressed by people in power, unwanted attention, rejected to enter religious and public places, rape, human trafficking, excluded from decision making, lack out social security etc.

## **Research on Problems of Transgender Persons in Indian Society**

Chakrapani, Ebener, Fernandes and Johnson (1999) conducted a study on sexual practices among *Hijras* in commercial sex work in Chennai, Tamilnadu: Implications in prevention and control of HIV. The study revealed that the health care professionals did not know anything about them and did not treat them like other patients. They were often addressed in a disrespectfully manner and the staff frequently used male pronouns which they found very offensive. When the transgender persons were reluctant to show their ano-rectal areas, they were subjected to abusive language from the examining physician or the assistant paramedical staff. Many of them were found to wear male or ambiguous dress when they were in the male ward.

The People's Union for Civil Liberties, Karnataka (2007) in its report on human rights violations against the transgender community shed light on the mainstream society's deep rooted fear of sexual and gender non-conformity, which manifests itself in the refusal of basic citizenship rights to these rights. The report documented the brutal stories of abuse and sexual violence against *hijras* and kothi sex workers on the basis of sites where the violence occurs as well as the context of the violence under the heads such as harassment by police in public places, harassment at home, abuse/harassment at police stations and rape in jails. The narratives indicate that police constantly degraded *Hijras* by asking them sexually implicit questions, touching their breasts, striping them and in some cases raping them.

UNDP, India (2010) conducted a study on transgender women in India: HIV, Human Rights and social exclusion. The purpose of the study was to summarize the various issues faced by *Hijras* and transgender women by using the social exclusion frame work, and highlight the relation between this exclusion and vulnerability to HIV and other health risks. The study reported that in a Mumbai STD clinic very high HIV seroprevalence of 68% and high syphilis prevails of 57% was found among *Hijras*. The study also states that *Hijras/TG* communities faced several sexual health issues including HIV. Some of the mental health issues reported in different community forums include depression and suicidal tendencies, possibly secondary to social stigma, lack of social support, HIV status, and violence-related stress. The transgender youths faced several issues such as: shame, fear and internalized transphobia, disclosure and coming out; adjusting, adapting, or not adapting to social pressure to confirm; fear of relationships or loss of relationships; and self-imposed limitations on expression or aspirations. Significant portion of *Hijras* consumed alcohol possibly to forget stress and depression that they faced in their daily lives. *Hijras* faced discrimination in health care settings. Transgender people faced barriers when accessing public or private health services. They faced barriers in accessing HIV testing, antiretroviral treatment and sexual health services.

The investigation by Veena and Sivakami (2011) aims at (i) studying the socio-economic status of the selected transgender people, (ii) unraveling the impact of social exclusion on their health; and (iii) to find out the lifestyle pattern of selected transgender people. The subjects of the study were selected by convenience sampling methods of research. The sample of the study consisted of 120 subjects from the age group of 20-70 years, from Coimbatore City, Tamilnadu. The investigators assessed the status of the selected transgender persons by adopting standardized procedure like anthropometric measurements, body mass index and waist hip ratio. Dietary survey was carried out to collect data on dietary history and dietary intake of the selected transgender people. The food consumption pattern of transgender persons at the time of survey was collected using 24 hours recall method, over three consecutive days. Biochemical parameters namely fasting and post prandial blood glucose level and the blood pressure were analyzed and found the persons at risk for life style diseases and were recorded.

The study revealed that 56% of transgender persons had primary and middle school education and 18% had higher secondary education. About 25% of transgender persons obtained their degrees through distance education and one was illiterate, about 65% of them belonged to the low income group, 28% belonged to middle income group and eight per cent of them belonged to high income group. About 37% lived with their own family, 39% had problems with a particular member in the family and only 23% did not have any contact with the family members. They stayed alone or along with other transgender persons. Most of the transgender persons came out of their family after they recognized themselves as a transgender. About 33% come out of their family as they could not live their life freely, 20% were not accepted by their family, 15% left home as they were the cause of hindrance of the marriage of brothers and sisters, 18% of them were ill treated and only 10% felt embarrassed and left home. It was observed that Six per cent of the problems of transgender persons arose due to misunderstanding among themselves, four per cent due to jealousy and two per cent due to conflicts in the distribution of collected money. Regarding the exercise pattern of transgender persons, 17% had the habit of performing exercise. Among them 13% had the habit of walking daily whereas only three per cent of them performed yoga daily. About 16% had the habit of smoking. They were smoking cigarettes, beedi, chewing pan parag, gutkha, tobacco and drinking alcohol, beer and wine.

About 92% of the transgender persons were non-vegetarians. About 72% did not take snacks because they were emotionally disturbed. Among the selected subjects 15% were under weight, 63% normal and 20% over weight and 12% obese. The common diseases found among the selected sample were diabetes, overweight, obesity and hypertension. It was found that only four out of 120 subjects reported with HIV.

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A study entitled “Preliminary problems faced in educating the third gender community” was conducted by Asmy and Nagaraj (2015). The study highlights that the problems of the transgender community starts from home. They often felt aggression and denial from their family members including their parents. Transgender community faced discrimination and high level of stigma in almost every walk of their lives. Most employers deny employment for qualified and skilled transgender people. Buying or hiring an office space for the legal association is difficult for the Transgender people.

Chettiar (2015) conducted a comprehensive study as a part of her Ph.D. level research on problems faced by *Hijras* (Male to Female transgender) in Mumbai with reference to their health and harassment by the police. The objectives of the study were to show briefly the socio-economic status of the *Hijras* and to understand the problems faced by them with specific reference to their health problems and the harassment *Hijras* faced due to the police. An Explanatory-cum-Descriptive Method with a non-probability purposive sampling including the snowball technique was adopted, to collect data from sixty three *Hijras* having given their oral consent for the interview, in a span of two years from 2006 to 2008. Data were collected through a structured interview schedule and an open ended questionnaire and focus group discussion.

The study revealed that all the respondents claimed to be members of the *Hijra* cult/community. About 37% wished to identify themselves as females. No one considered oneself as a Man. About 95% respondents said that their biological sex at birth was male and correspondingly during childhood they were raised as boys. The age of respondents varied from 16 years to 70 years. The educational qualification of *Hijras* revealed that 19% were illiterate, a huge majority of them were literate and some were also highly educated professionals the highest being a *Hijra* who had completed M.Phil. and pursuing Ph.D. About 22% of the *Hijras* were employed in NGOs in locality. They were engaged in dancing, sex work, begging, employed in a project, business, giving tuitions and unemployed. The average income of the *Hijra* respondent was Rs.7209.02. The two outliers were Rs.30,000/- and Rs.2,00,000/- respectively as average monthly income. The former earned through sex work and the later by dancing in bars and occasional sex work with elite personalities including a well known politician.

Almost 40 per cent transgender persons said that they suffered from one or the other kind of illness, five of them said suffered from low/high blood pressure, four of them were diabetics, one of who suffered from a bad wound on the leg. Four *Hijras* said they were HIV positive and were under treatment. Two of the *Hijra* respondents had expired due to AIDS. Many *Hijras* did not like to go to Government Hospitals. About 87.5% stated that they had experienced problems caused by the police for sex and other activities.

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Human Rights Law Network, New Delhi (2015) conducted a study on “Issues Faced by Transgender Persons in Odisha”. The study was conducted in two main cities of Cuttack and Bhubaneswar. The study revealed that the primary occupation of the Transgender person was begging. Others were engaged in social work and sex work. They had no access to Government Housing Schemes. They faced problem in purchasing land. Separate genders neutral/third gender hospital wards or beds had not been provided in Government Hospitals. The group members avoided reporting incidence of discrimination to the police as they felt that police did not understand their problem. Attitude of the public was negative towards transgender persons and group members had been subjected to both verbal harassment and physical/sexual abuse. Access to contraception was difficult as the Government had stopped providing cheap condoms. Transgender persons had to pay for condoms themselves.

Atheeqee PP and Nishanthi (2016) conducted a sociological analysis of marginalization of transgender community. The objective of the study was to expose sufferings, discrimination and marginalization of transgender persons and to assess the support system of transgender through the sociology of transgender. Data were collected from secondary sources. The study revealed that the transgender people were unable to access equal educational opportunities because of harassment, discrimination and even violence. Most transgender persons were school dropouts. Large number of transgender persons turned to the underground economy for income, such as sex work or drug sales, in order to survive. They had inaccessibility of proper housing, lack of inclusion in government housing schemes, inability to purchase land and inability to rent property etc. Countless issues were associated with the gender identity of transgender community such as discrimination, persistence of stigma, lack of educational facilities, unemployment, lack of shelter, lack of medical facilities like HIV care hygiene, depression, hormone pill abuse, tobacco and alcohol abuse and problems relating to marriage, property, electoral rights, adoption, forced sex and begging.

Babbar (2016) conducted a study on the socio-legal exploitation of the third gender in India. This is a qualitative research and is based on primary and secondary sources. The study revealed that the transgender persons were denied the full rights and protections of citizenship, they endure shaming and assault; exclusion from the rights and privileges of marriage and parenthood; curbs on the rights of expression and association; the absence of sexual autonomy; demeaning stereotypical depiction in the media; harassment and disparagement in everyday life; and exclusion or marginalization in public spheres and deliberate bodies, all of which are injustices of recognition. Ninety four per cent of the respondents also reported of trans-phobia even in the injustice system whereby they were subjected to aggression, when they tried to file a complaint.

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A Pilot Study was undertaken by Poguri, Sarkar and Nambi (2016) to assess the emotional distress and quality of life among transgender persons in South India. The study was conducted to evaluate the symptoms of anxiety and depression and quality of life among transgender persons who were treated in a tertiary care hospital. The cross sectional Descriptive study was conducted at specialized clinic at a territory care teaching hospital in South India. The clinic for transgender persons in the hospital is multidisciplinary and caters to a range of health concern of the transgender population. The study was conducted among transgender people enrolled in the clinic between June 2014 and July 2014. Information was collected from the participants through a structured proforma. Data were gathered about the socio-demographic details and other pertinent matter. Anxiety and depression were assessed using Hospital Anxiety and Depression Scale (HADS) and General Health Questionnaire (GHQ). WHO Quality of Life Scale Brief (WHOQOL Brief) was used to assess quality of life of the participants enrolled in the study. The study was conducted among 15 participants recruited from the multispecialty clinic. All the participants in the study had transgendered from being male to being female.

The study revealed that only one of the participants was married and lived in a nuclear family, while all others were not married and lived in special homes/hostels. Occupation wise, 6 were in formal gainful employment (2 physiotherapist, 1 counselor, 1 social worker, 1 beautician and 1 priest) while 5 were sex workers and 4 resorted to begging. Gender dysphoria started a median of 11 years in the sample, the participants suffered for a median period of 8 years before disclosing into their family members. The participants left home at a medium age of 20 years. About (87%) of the participants underwent surgical or cosmetic changes at a median of 24 years. All the participants reported childhood sexual abuse and 73% of the sample attempted suicide in the past. Substance use disorder was reported in 87% of the participants; most common being tobacco followed by alcohol and cannabis. The quality of life varied across the groups. It was seen that physical and physiological quality of life was significantly related to the all distress scores. However, social and environmental quality of life domains did not show significant relationship with distress scores. Physical, Psychological and environmental quality of life was worse among those in formal gainful employment. All the participants had been rejected by their parents and peers which could be a source of social isolation and poor social supports. The participants had to often live in social housing group of transgender persons which were quite isolated from the regular community dwellings.

A study on “social exclusion of transgender in the Civil Society: A Case Study of the status of transgender in Kolkata” was undertaken by Sinha (2016). The objectives of the study were (i) to examine the historical evolution transgender

in society, (ii) to evaluate the problems faced by the transgender, (iii) to seek legal recognition of the transgender, (iv) to evaluate and access the potentiality of the “Rights of Transgender Persons Bill, 2014” towards the inclusion of the transgender into the developmental discourse in India, and (v) to show briefly the socio-economic status of the *hijras* and to understand the problems faced by them with specific reference to their health and the harassment they faced in their day to day living.

The study was conducted on two levels. The first was Doctrinal Research, which included the review of relevant literature such as the Constitution of India. Government documents, NGO reports, Transgender Rights Association, articles, journals, books, periodicals, case laws and legislations. The second level was the field work or empirical study. The Socio-economic status of the *Hijra* community of Kolkata was studied.

The study revealed that all the respondents claimed to be members of the *hijra* cult/community. About 36% of them identified themselves as females. About 95% respondents stated that their biological sex at birth was male and correspondingly they were raised as boys during childhood. Only 5% (3 out of 60), their sex at birth was that *hijra*, that is neither male or female, two among them said that in their childhood they were raised as girls and the third one stated to have been raised sometimes as a boy and at other times as a girl. The age of the respondents varied from 18 years to 75 years. Most of them (40%) were illiterate. Some attended High Schools (15%). A few went to college (5%).

Most of the transgender people were school dropouts. About 33% of the *hijra* were engaged in labour works, mostly as construction labourers under the local contractors. Some worked in NGOs run by the civil society, which mostly centered on empowerment of the communities, and some worked with a focus on HIV/AIDS. They were involved in begging, dancing and sex work. The study revealed that 42% were involved in begging, 13% dancing, 30% sex work, 12% employed in NGOs, and 3% unemployed.

Regarding their health condition, at least 40% stated that they suffered from one or other kind of illness. They suffered from high/low blood pressure, diabetes, allergies, knee pain, cold, flu, typhoid, malaria, stomach pain, allergic asthma, acidity, piles, STI etc. About 80.5% of *hijras* stated that they had experienced problems caused by the police. Some stated that they got jobs but were dismissed when employers learned of their sexual divergence. They suffered a great dearth of income.

Hotchandani (2017) focused in a study on problems of transgender persons in India from social exclusion to social inclusion. The study deals with the problems transgender persons faced in a developing country like India. It also covers how

the presence of transgender persons was excluded from the society and what the law and order was going to convert that social exclusion into social inclusion. The study highlights the problems faced by transgender persons. The major problem is that they were socially excluded from the society. They were excluded from participating in social, economic and cultural life. They are excluded from economy, employment and livelihood opportunities; they had limited access to public spaces and lack of social security. The study suggests that inclusive approach for transgender must be planned and adopted by the government and society. Schools and colleges need to play a supportive and encouraging role in providing education to transgender persons.

Chandra (2017) in his paper on “transgender children’s education and their reengagement in society” discusses different educational issues of transgender children. The issues are: (i) Is there adequate learning environment regarding the education of transgender children? (ii) Are teachers adequately sensitized to deal with transgender children? (iii) Is there any need of content based on pedagogic modification before putting transgender children in the common classes? (iv) Is the mindset of our society, positive to accept transgender children? He also suggests that to create adequate learning environment in schools/colleges, administrators and school management personnel should be sensitized regarding the educational rights of transgender children. He is of the opinion that sensitization of teachers can make the inclusion of transgender children success. Content and pedagogic modification could develop better understanding among teachers regarding transgender children. Mindset of academic fraternity and other people must be positive towards transgender children’s education and rehabilitation.

Parveen and Chandra (2017) carried out a study on attitude of trainees towards transgender persons. The sample of the study consisted of 100 student teachers of MPJ Rohilkhand University, Bareily, Uttar Pradesh. Data were collected through a self-made standardized attitude scale. The study was carried out through Descriptive method of research. The study revealed that there were significant differences among male and female student teachers regarding their attitude towards transgender persons. No significant difference was found among student teachers on their attitude towards transgender persons on the basis of locality/residence. Further, significant difference was found among student teachers on their attitude towards transgender persons on the basis of educational qualification.

Swain (2018) in his paper described the problems of transgender people are relating to discrimination, homelessness, unemployment, lack of educational facilities, marriage, alcohol abuse, inheritance of property and adoption of a child. They face the problem of toilets in public places. They find it difficult to get a house on rent or purchase a plot. They find it difficult to get benefit for Government

schemes due to requirement of Identity proof, address proof and Income certificate. Majority of the transgender people are not aware of the social welfare scheme available to them.

The other researchers who have conducted research on problems of transgender persons are Weir (2010), Singh (2018), Kar, Mishra and Satpathy (2018), Oomen (2016), Jayasudha (2017), Mahapatra (2016), Subbiah, Velusamy (2017) and Lyons (2015), Miller et al. (2017), Aneesh (2017). Wanta and Unger (2017) conducted a comprehensive study on transgender persons. They have reviewed literature on transgender persons on different heads in a comprehensive manner.

## **Educational Implications**

Multiple problems are faced by *Hijras*/TG, which necessitate a variety of solutions and actions. While some actions require immediate implementation such as introducing *Hijra*/TG- specific social welfare schemes, some actions need to be taken on a long-term basis changing the negative attitude of the general public and increasing accurate knowledge about *Hijra*/TG communities. The required changes need to be reflected in policies and laws; attitude of the government, general public and health care providers; health care systems and practice (UNDP, India, 2010). The following suggestions need to be taken into consideration to improve the status of *Hijras*/transgender persons in Indian society.

1. Attitude of parents, public and society towards transgender persons need to be changed. Transgender persons are human beings and need love and care of all the members of society for their development.
2. Establish HIV sentinel surveillance sites for *Hijras*/TG at specific locations; conduct operation research to design and fine-tune culturally-relevant package of HIV prevention and care interventions for *Hijras*/TG; provide financial support for the formation of CBOs run by *Hijras*/TG; and build the capacity of CBOs to implement effective programmes (UNDP, India, 2010).
3. Existing social welfare schemes need to be opened up for deserving transgender persons and create specific welfare schemes to address their basic needs like food, clothing shelter and employment.
4. While making policy for the transgender persons, leaders of transgender community need to be involved.
5. Steps may be taken by Government officials/NGOs to help the transgender persons in getting their Identity Cards, Aadhar Cards, Income Certificates, ATM Cards, etc. easily as these documents are essential for getting certain privileges in the society and solving certain legal issues.
6. Social organizations and NGOs may take steps to make the transgender persons aware of the availability of different social welfare schemes for

- them. Steps may be taken by Government and social welfare organizations to supply them condoms free of cost.
7. Transgender persons should be made aware of benefit of Life Insurance Policies and Health Insurance Policies as these are essential schemes for the benefit of Transgender persons.
  8. Government and society need to plan and adopt inclusive approach for transgender community.
  9. Disciplinary actions need to be taken by police who commit any kind of violence against transgender persons.
  10. Teachers and parents need to play a supportive and encouraging role in the education of transgender persons.
  11. Doctors, Health care specialists, community members and policy makers need to come in front to solve the health problems of transgender persons. They need to educate the transgender community about personal hygiene and various other health issues including HIV awareness.
  12. There is a need to spread larger awareness campaign in public for the acceptability of the transgender community. The general public need to understand the feeling and mental status of the Transgender Community.
  13. Media can play an important role to highlight the status and problems of transgender community.
  14. Community based organizations working for Transgender community may be provided adequate financial support by the government to meet the needs of the transgender persons.
  15. There is need of opening of anti-discrimination cell in educational institutions to monitor any form of discrimination against the students belonging to transgender community.
  16. Special coaching may be given by the State Government for competitive examinations of the transgender students.
  17. Special provisions may be made by the State Government to open schools for students belonging to transgender community.
  18. Scholarship, free text books and free hostel accommodation may be provided to students of transgender community.
  19. People need to be educated about gender identity.
  20. All government and non-government applications may have three option relating to gender such as Man/Woman/Transgender
  21. Steps may be taken by Government to provide pension to the *Hijras*/transgender persons who are above 60 years.
  22. Research studies need to be taken up on status and problems of transgender community.

## **Conclusion**

To conclude, transgender persons face many significant obstacles of prejudice, borne both of ignorance and malice. Many transgender people experience anxiety and distress due to harassment by the family and society in India. They experience a variety of different types of violence throughout their lives due to their gender identity. Transgender persons should not consider themselves as inferior persons. Proper education, rehabilitation of transgender persons and positive mindset of people can solve these problems.

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