Educational Status of Transgenders in India: Suggestions and Recommendations

Shivangi Trivedi
Research Scholar
Department of Social Work
University of Lucknow
trivedishivangi22@gmail.com

Amit Rawat
Research Scholar
Department of Social Work
University of Lucknow
amitkedar1990@gmail.com

Prof. Anoop Kumar Bhartiya
Professor
Department of Social Work
University of Lucknow
bhartiya.ak@gmail.com

Abstract

Transgender is an umbrella term which has originated in the west for the people whose gender identity, behaviour and expression is not synonymous with those projected with their sexes given at birth. (National Centre for Transgender Equality,2009,p.1). India has ancient roots of Transgender. Transgenders consist of communities like Hijras, eunuchs,Kothis,Aravanis, Shiv Shakti, Jogappa etc. The Hijra community has a history of more than four thousand years. There was an incident in the Ramayana when Lord Rama Ji was going for exile for 14 years, he asked all the men and women to return back to the city. But Hijras did not go back and stayed with Him. He gave them the power to give blessings to people on special occasions. Jain Texts also talk about psychological sex (Chatterjee S,2018).

Precolonial, Colonial and Neocolonial Perspectives related to Transgenders

W. Mignolo in 2022 has said that though colonialism has collapsed, power related colonialism is still predominant in the ideological panorama and cultural realities. The main aim of decolonial theorists is to revive the precolonial ideology that has been lost lately (W.D. Mignolo,2012; Quijano,2007). Decoloniality exposes how the current scenario of modernity tries to erase the intersectional identities. And most importantly, it does not reject the advancements made by modernization. It restores the indigenous people, persons of color, lives, culture and knowledge of people who were colonised, and also challenges the hetero cis normativity, hierarchy of gender and privileges related to racism (W.D. Mignolo, 2012). When colonial power started to dominate in India in the 18th century, there was a massive change in the condition of the Indian people. The first European colonial people who belonged to the Middle East were surprised by the presence of the third gender and they failed to comprehend the massive amount of respect they got in the royal courts. The third gender people were also accorded the titles of supervisors, custodians of the harems and royal teachers while some of them attained stronger political position in the court (Hinchy,2014). The Britishers took away the political status of the Hijra community thinking that they could

not be governed and they were repulsive. According to the ceremonial perspective, the Hijra, Kothis and Advani have played and still continue to play a crucial role in Indian culture, they are/ were invited to give their blessings to the newly wed people, newly born babies and birthday parties(Loh,2018). When the Britishers arrived in India in the 18th century, they degraded the political status of the Hijra people and they started criminalizing them under the Criminal Tribes Act,1871 (Hinchy,2014; Zaharin and Pallotta Chiarolli, 2022). Though they survived in the British colonial system, the Hijra, Kothis and Aravanis are still considered as the outsiders in the mainstream section of the society (Chatterjee,2008; Habin, 2021). Alturi in 2022 has said that these aspects mostly happen when Hijra do not adhere to the traditional roles and status and try to imbibe the outlook of a transgender which is a secular term originated in the west. There is one example of *Shaubi Mausam*, who worked towards mainstreaming Hijras and advocated to see them beyond the realm of religious aspect and sex workers. He also got elected to the political office (Harvey, 2008). The narrative regarding Hijras being sex workers shows only one side (Alturi,2012), they have to face violence, are forcibly removed from public gatherings, and face the brutality of police though they have been given rights by the state (Reddy, 2005, Namiar,2013).

Stereotypes faced by the transgender women

Transgender women in India have to face prejudice from their friends, they are rejected from their families, they face harassment at the workplace, are denied proper healthcare, housing and educational facilities (Ganju and Saggurti, 2019; Jaddidi and Sharma,2021; Kosenko, 2013, NHRC,2017). Thompson in 2013 has said due to persistent stereotypes in the mobilization of community, a section of Kothis or feminine men who took part in Avahan programmes shared their negative perspective regarding their own sexualities in several aspects of the social system. A research study which was performed by Chkrapani in 2022 demonstrated that due to persistent involvement in sex work, risky transition of gender, rejections by families, hetero cis gender marriage issue, they showed symptoms of depression. According to Budania in 2012 and Meyer in 2010, transgender women had to face dysphoria of gender, dropout from schools, marriages which are forcibly done, dearth of employment options, sexual exploitation. Though Transgender Persons Bill was passed in 2014, it was not in consultation with the transgender women (Anuvinda,2016). It does not pay heed to the issues like marriage, inheritance, adoption. Though some positive changes have been made like NALSA,i.e., National Legal Services Authority, there are still some stiff questions which are not answered. There was other study done by Virupaksha (2016) and Loh (2018),

From 2011 onwards, transgenders were counted in the census of India after the Indian government included them under a separate category of population. Until 2011, there were only two categories of population, male and female. In 2014, the supreme court acknowledged transgender as third gender (Das P, 2019).

Today's government has started focusing on how to empower transgenders through hiring them for government jobs, giving them ration cards,monthly pension plans and health care facilities. The “Leave No One Behind” approach of Indian government through ensuring dignified life to them including LGBT (lesbians, gays,bisexual, transgender and intersex) people. Two sustainable development goals also talk in this regard (Shivprasad M, KB Praveen, 2024).

Recent Educational Status of Transgenders in India

Though education is a fundamental right that every person possesses, no matter whatever caste,creed, religion, gender he or she belongs to. We are so much involved in bifurcating everyone according to their gender that we fail to assess their true selves. In accordance with the Universal Declaration of Human Rights (NK Vats,2017), “everyone has the right to education”. Uttar Pradesh has the highest number of eunuchs’ population spanning around 13000. West Bengal comes further with 9,868, then comes Bihar

with 9,987. The 2011 census says that there are almost 4.88 lakh transgender people living in India (www. census2011.co.in).

Satyashri Sharmila emerged as the first transgender woman in India who enrolled as a lawyer in TN bar council. K Prtihika Yashni became the first transgender sub inspector in Tamil Nadu. Manabi Bandopadhyay emerged as the first transgender college principal at Krishagad Women's College situated in District Nadia, West Bengal. Amruta Alpesh Soni was appointed as an advocacy officer for HLFPPT for three states and a UT. Joyita Mondal who is a social worker hailing from West Bengal, became the first transgender judge at Lok Adalat. Joyita told in an interview with Womensnews in 2017,

"I didn't tell my family that I was unable to take the verbal bullying by other boys in my school. I just told my mother I had got a job in Dinajpur, a neighbouring district in the state, and wanted to go there. I told her that I would come back in two months if things didn't work out, and she consented"

Opportunities for Education of Transgenders in India

- **Rights guaranteed to them by Constitution:** The Indian constitution has given Right to Equality (Article 14), Prohibition of Discrimination (Article 15), Right to Dignity and Privacy (Article 21).
- **Transgender policies:** Kerala was the first state in the country to have a transgender policy. The Transgender Persons (Protection of Rights) Act, 2019 also gives rights to transgenders. Transgender Persons (Protection of Rights) Rules, 2020 was also launched for the welfare of transgenders.
- **Free Education:** In Maharashtra, public universities and associated colleges provide free education to Transgenders. Dr. Babasaheb Ambedkar Open University from Gujarat is giving free financial assistance for transgender students, in collaboration with the state government. The Ministry of Social Justice & Empowerment gives scholarships via National Portal for Transgender Persons for students in ninth standard and above, which covers the post-matriculation and post-secondary stages up to post-graduation.

Theoretical Framework of Study

The main theoretical linkages related to this study are described as follows :

Theory of Intersectionality

This term, coined by Kimberle Crenshaw, denotes that social and cultural identities are linked with each other and they are not isolated. For transgenders, it extends beyond one identity and explains how gender identity is correlated with other forms of life. A transgender of color, doesn't only face racism and transphobia, but also faces a distinct discrimination which is known as transmisogynoir.

Theory of Social Constructionism

The theory of social constructionism says that gender is not only biological but it is also socially constructed which is determined by social interactions, cultural nuances. The theory of social constructionism rejects the essentialist viewpoint of gender which gives an expanded interpretation to gender. This theory advocates the idea of gender as a constant phenomenon of 'becoming' rather than 'being'.

Statement of Problem

Transgenders are not treated respectfully by their families and society. They don't get access to educational facilities, health care facilities and public gatherings. They also do not get enough representation in social

and cultural dynamics of society. They are not part of the decision making process. There are often instances of sexual harassment,biased treatement.

Objectives of the Study

- To study the challenges faced by transgenders
- To study the educational status of transgenders in India
- To study the opportunities related to empowerment of transgenders
- To give suggestions and recommendations for way forward

Research Methodology

This study includes secondary data collected from journals, reports of government, books, articles.

Challenges regarding Education of Transgenders in India

The nomenclature of the third gender given to transgenders in India is a problem. It places transgenders on the lowest status. It gives them a legal acknowledgement but it does not preserve them from the adversities that they have to face.

- **Inclusion in Educational Institutes:** It is a big challenge to make transgenders feel included. It is a big task to give them equal opportunity to get educated because there is the problem of inclusivity with the male and female students.
- **Disgraceful words :** When a transgender person identifies him or her as a specific gender, it becomes pertinent for the people to treat them respectfully. Transgender people face a major problem when disrespectful slang is used for them.
- **No resting room :** There is no rest room for transgender people. They can be posed to uncomfortable situations if they use the rest room not allocated for them (Das P, 2019).
- **Teacher's sensitivity:** In every educational institution, teachers and students both play a vital role in the successful attainment of educational aims. Students who are identified as transgenders should be treated with the same humanistic attitude. Teachers may get trained regarding how to provide effective education to transgenders.
- **Changes which are content oriented and pedagogically efficient:** Transgender students have the same mental and emotional growth as compared to a normal child. But it should be decided whether it is crucial to give peculiar study materials to transgender students (NK Vats, 2017).
- **Mindset related to cultural nuances, academic fraternity and business community regarding rehabilitation of transgender students:** The rehabilitation aspect of transgender, development of personality linked with the social and cultural traits of transgender students are overlooked by the society. Young transgender students have to face massive societal stereotypes. As a consequence of this, they are unable to overcome the obstacles they deal with. The academic fraternity must go forward with an encouraging attitude and various spheres of life regarding education and rehabilitation of transgender students (JB Messman, 2017).
- **Social Strain and Psychological Distress:** Transgenders in India face psychological distress, violence and stereotypes. Some Indian studies have portrayed that transgender individuals face social strain due to social transphobia and an unwanted fear of not being able to adjust with the norms of society (Sullivan, 2006). Studies have also portrayed that transgenders also face psychological distress, fear related to losing relationships, disclosure of identity (Chakrapani,2010; Satpathy,2018). These kinds of oppressive circumstances show social inequity in the context of economic insecurity, housing fear, lack of employment opportunities and poor lives(Ganju & Saggurti,2017). Some studies have shown a higher recurrence of mental health issues among

transgender women and they are more prone to substance abuse in comparison to the general public (Bund,2023: Chakrapani,2010; Goyal,2014; Shivkumar & Yadiyurshetty,2014; Virupaksha,2016; Virupaksha & Muralidhar,2018).

- **Gender Dysphoria:** Some research deciphers that many transgender people face massive challenges when it comes to their gender identities and expression of gender (Chakrapani, 2010). It has also been shown in few studies that transgenders have also consulted with psychiatrist and got diagnosed with dysphoria related to gender a tussle between sex and gender which is a crucial need for hormonal therapy and gender surgery in our country(Ahuja & Bhattacharya, 2001; Gupta & Murarka,2009).
- **Drop out from school due to Gender:** Transgenders accepted that they had to face issues of school drop out due to their gender. In schools, teachers beat them and classmates abuse them with sexual abuse (Singh V, Bajpai A, 2022). According to data given by NHRC, 52% of transgenders are being harassed by their classmates and 15% are being harassed by their teachers. Consequently,they have to quit their studies. Sometimes this also becomes the reason of suicide attempt. There are no separate bathrooms for them in schools due to which they have to face exploitation. There is no representation for them in school textbooks (Sharma & Pandey,2017).
- **No awareness regarding laws, policies and schemes of the government regarding transgender:** There is no awareness among the transgenders about the schemes and policies by the government to uplift them. The Transgender Awareness Bill came in the Lok Sabha on 22nd of July,2016. But there were so many shortcomings in the Bill (Singh V, Bajpai A, 2022).

Empowerment of Transgenders

The term empowerment denotes strength and power from inside which helps in fighting social, cultural and political issues that a person faces. It exists both at individual and community level. It can also be referred to as expanding a person's freedom and will. Empowerment at institutional level is quite difficult because it needs specific rules and regulations. In collaboration with some NGOs,the state governments undertook several programmes for the empowerment of transgenders like SMILE, Sweekruti, PMDAKSHA, Garimagreh etc.

SMILE

The SMILE (Support for marginalised individuals for livelihood and enterprise) programme is the initiative of the Ministry of Social Justice and Empowerment for the rehabilitation and welfare of transgender people.

SWEEKRUTI

The Social Security and Empowerment of Disabilities Department of Odisha recognises that transgenders are a vital part of society and aspires to work for their rights and equal participation in the social system.

Garima Greh Yojana

This scheme is effective as it gives housing facilities for evicted or homeless transgenders. There are several other facilities like food, clothing,recreation,legal aid,technical help etc.

Reservation in Jobs

Karnataka is the first state to give transgender community 1% reservation in government jobs (Shivprasad M, Praveen K B, 2024).

Suggestions and Recommendations

- Teachers should provide skill and vocational training and career enhancement to transgenders in helping them to become independent.
- Transgenders should be provided with scholarships, books and hostel services. They should also be informed about the National Portal for Transgender Persons.
- There should be the establishment of an Anti Discrimination Cell and Complaint Authority for transgenders so that they can prevent themselves from harassment and exploitation.
- There should be special training sessions for teachers on how to deal with transgender people with utmost empathy and care.
- It is the need of hour to establish a National Commission for Transgender People which can talk about educational rights,social and economic upliftment and employment opportunities.
- There should be concrete census data for transgender people so that a proper understanding can be made in context of their educational status, demographic information etc.
- There should be proper representation of transgenders in curriculum textbooks so that there is no feeling of isolation in them.
- Transgenders have a talent for dance, folk songs etc. So this should be linked with the source of livelihood and employment opportunities should be provided in this regard to transgenders.
- Doctors and providers of health care services should also play their role regarding the health of transgenders. The Indian Medical Council and Indian Council of Medical Research should cater to problems related to transsexualism and transphobia. There should be necessary guidelines regarding surgery of sex reassignment, removal of facial hair, growth of scalp hair, biasedness in medicinal treatment. The Indian Medical Council should give rigid instructions that biasedness in the treatment of transgenders would come under professional misconduct. Mental and emotional health of transgenders should also be taken into cognizance. Psychiatrists from the Indian Government should be specifically appointed for transgenders.
- Professionals in Human Resource Management can guide people regarding the rights of transgenders.
- Reforms on institutional and policy level should be made that can enhance the outreach of transgender people and make them feel included.
- There should be helplines for transgender people which can serve as instant crisis management centres in their workplaces. And these helplines can also become an effective medium in reporting the issues related to transgender people to government authorities for immediate action.
- There should be a telephonic helpline for transgenders which can give details regarding employment options, jobs, schemes of government, financial aids etc.
- It should be ensured that transgenders have their AADHAR cards and all essential documents with them.
- NGOs and CSR organisations should come forward in the rehabilitation of transgenders.
- There should be more awareness sessions, seminars, workshops in educational institutions regarding upliftment of transgenders.

Conclusion

The main loophole in society is that no one is exactly able to decipher what transgender really means.The dearth of research on problems of transgender in the educational system is also an issue because transgenders participate in education at every level. Sensitizing people will really not help until people are not willing to change and that transformation can also be possible through educating people. It's a hard time for our country to start living the policy of ‘live and let live’ in practice. Teachers can contribute to the upliftment of the educational status of transgenders.Despite numerous constitutional rights for

transgenders, they still have to face exploitation and harassment. Keeping in mind the above mentioned suggestions and recommendations, interventions on individual, community and policy level should be done so that the rights of transgenders can be safeguarded.

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