



INTERNATIONAL JOURNAL OF CREATIVE RESEARCH THOUGHTS (IJCRT)

An International Open Access, Peer-reviewed, Refereed Journal

Transgender: A Review Analysis

Kirti Rajput¹, Dr. Amit Chikara²

¹Research Scholar, Department of Sociology, Bareilly College(MJPRU), Bareilly

²Assistant Professor, Department of Sociology, Bareilly College(MJPRU), Bareilly

The third gender is not yet treated as a “true” gender — it is currently treated as a separate category

ABSTRACT- Gender and sex are the two sides of a coin where sex is a biological term and gender is a social constructed term. When gender and sex intersect, a new term ‘third gender’ often regarded as transgender emerges. Transgender people are those whose gender differs from the sex assigned at birth. Their gender non-conformity marks them as the marginalized individuals of our society, due to which they face the discrimination, abuse, harassment etc. The historical Indian education laid the significance of transgender from the ages. This study is a qualitative and exploratory in nature, which tries to layout the major problems i.e. education, unemployment and health services followed by the analysis of the existing work in these domains. This study uses the demographic representation of the transgender people across the country.

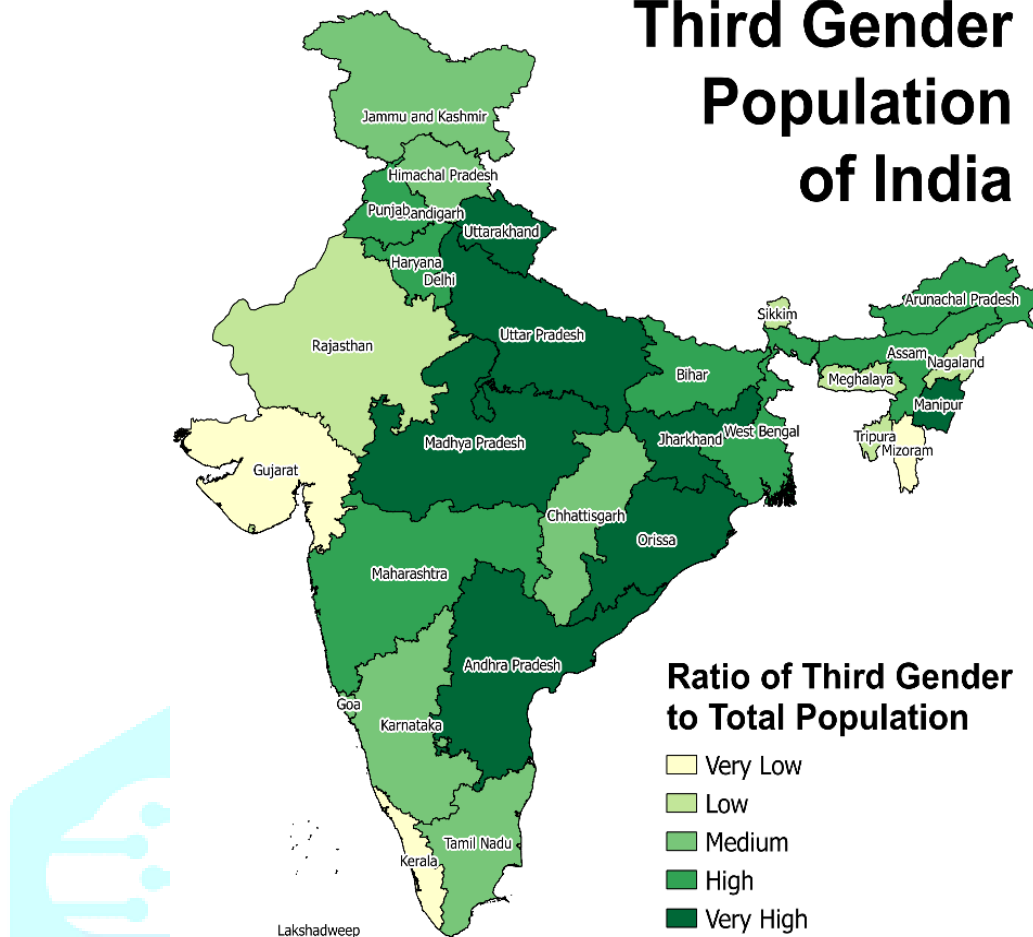
Keywords: gender, sex, marginalized, non-conformity, demographic.

INTRODUCTION- Gender is the most prominent characteristic of human beings that is socially constructed. The contemporary term “transgender” arose in mid 1990s, from the community of different gender people. Transgender refers to a person whose identity clashes with the person’s sex assigned at birth. Transgender are commonly known and called with the different name depending upon the states of India such as Hijras, Kinnars, Aravani, Kothi, etc. In our ancient time and Mughal era trans people played their significant role. But with the growing time, trans people faced many challenges and problems which has been a matter of worry in every aspect whether it is social, cultural, political, economic etc. Finding ‘Gender equality’ is the main struggle of trans people.

Census 2011 states that, “total population of transgender is around 4.88 Lakh most of whom came from the northern state of UTTAR PRADESH”. According to the Times of India, “Over 66% of the population identified as third gender lived in rural areas, very close to the 69% of the overall population that lives in villages. The census data also revealed the low literacy level in the community, just 46%, compared to 74% literacy in the general population”.

The 2011 census tells us that **the ratio of third gender population to total population is higher in Andhra Pradesh, Madhya Pradesh, Uttar Pradesh, Uttarakhand, Jharkhand, Orissa and Manipur**. Gujarat and Kerala seem to have the lowest ratios. This may be simply an artifact of population i.e. since states like Uttar Pradesh and Andhra Pradesh are already more populated than others, the number of third gender individuals may seem higher by comparison (Aishwarya Venkat; 2016).

Third Gender Population of India



Ratio of third gender population compared to total population

Source: Counting the Third Gender: Lessons from 2011 for an Inclusive 2021 Indian Census by Aishwarya Venkat

Transgender people existed in every society national and culture since ancient times but their community and legal rights of their community have gained attention only in the modern world. In spite the large number of their population, their rights are not protected and they face discrimination in every area. Non-recognition of the transgender as a human being as well as third gender, denies them the right of equality before the law and equal protection of law mentioned and guaranteed under the Article 14 of the Indian constitution and struggle for the rights guaranteed to them under Article 21 of the Indian constitution.

A significant step was taken on 15 April 2014 by the Supreme Court of India, passing a judgement on granting legal and constitutional recognition to trans community/transgender as the “third gender”. One of the major step towards the transgender community was taken in ‘**THE NALSA JUDGEMENT**’ of the Supreme Court, the third gender was recognized and named under the other backward classes (OBCs) for the very first time. The court has directed the government to treat transgender equally as the other gender (male/female) as a socially and educationally backward class, reserving their quotes in educational institutions and public services. They have been granted all the rights under the law such as right to marry each other, divorce etc. **Dr. Khushboo R. Hotchandani (2017)**, in her paper, talked about the social exclusion and inclusion of transgender community. Four fundamental rights are given to transgender individuals Article 14 (Equality before Law and Equal Protection of All), Article 15 (Prohibition on discrimination on Race, Caste, Religion, Sex, Place of Birth), Article 19 and Article 21 (Right to Life & Personal Liberty). She mentioned “Right of Transgender Person Bill, 2014” which deals with the legal rights given to transgender. But due to their un-acceptance in our society, we do not see their participation neither in educational institutions nor in welfare programs. Irrespective of the sex, need for education, health, employment, housing etc. is same for all but access to these services for transgender seems to be limited in the present scenario. But for the growth and development of our society it is important to draw attention towards the need of every segment and work together for the human development.

Transgender are being deprived of many of the right and privileges which other citizens of our country enjoying. They still lag in the field of education, employment, healthcare services, voting, their personal freedom, marriage,

legal protection etc. violation and denial of equal protection of law resulted as the violence, harassment and sexual assault in their homes, public places, sometime by the police in the jail itself and so on. Transgender, due to poor healthcare services faces extreme death rate. This study tries to shift the attention towards the need of education, health, employment, housing, equal protection of law of the transgender community for the better growth and development of our society as well as our nation, India. It is now very significant to protect transgender people from violence and discrimination so that they can live happily and independently as the recognized citizens of our nation.

Transgender population is very high in Uttar Pradesh (28.18%). “Around 20 lakh transgender live across the state, with minimal means of education and survival”, according to the Indian Express. In this way, it is must to provide them access of education, healthcare services, public services etc.

According to the Times of India, *“Over 66% of the population identified as third gender lived in rural areas, very close to the 69% of the overall population that lives in villages. The census data also revealed the low literacy level in the community, just 46%, compared to 74% literacy in the general population”*.

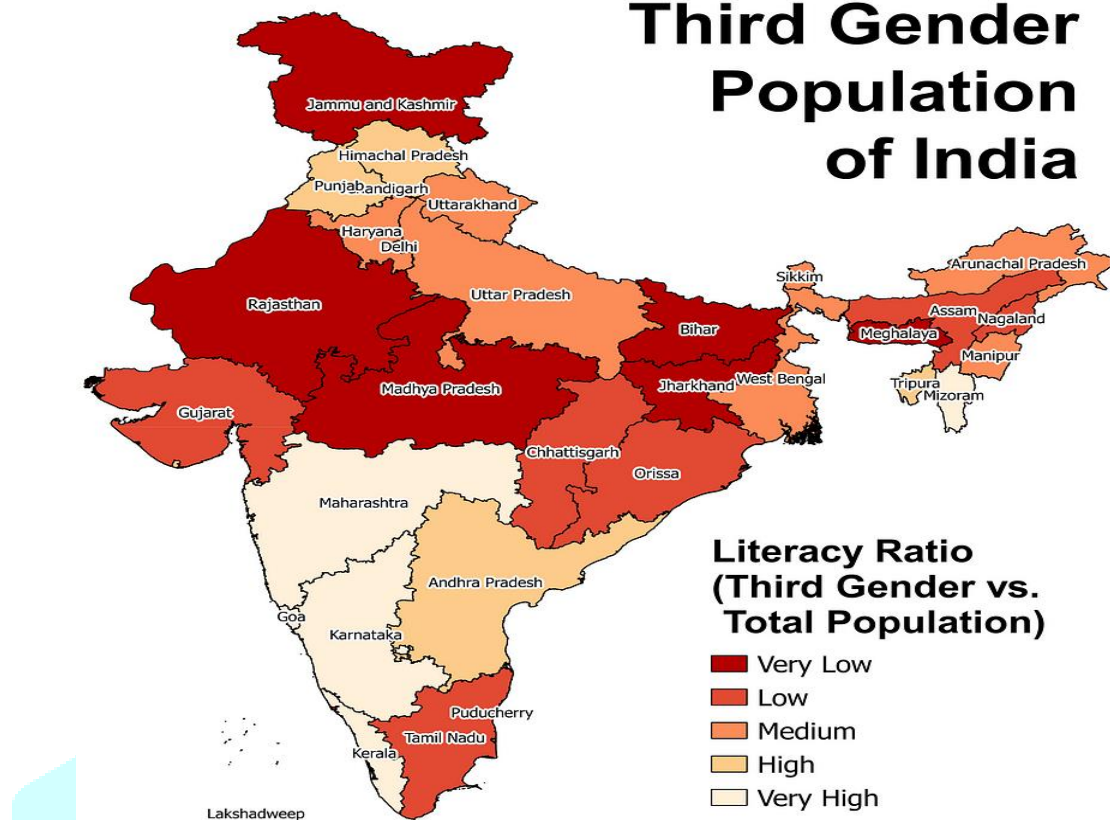
Akansha Mishra (2016), in her work talk about the gender rights and gender equality. Her study illustrates the “NALSA JUDGEMENT: where transgender were recognized as the backward classes by the Supreme Court of India”. She also added that “the Supreme Court should mention how the reservations would be allocated to the trans people”.

HG Virupaksha, Dalibolina Muralidhas, Jayashree Ramkrishan (2016), focused on the suicide rate and suicide tendencies among the trans community in comparison to the overall population. Their study stated the data that, “the suicide attempt rate among transgender persons range from 32% to 50% across the countries”. Bullying, violence, social alienation etc. are some of the push factors behind suicide.

False conceptions lead to the accusation to transgender individuals. Non-acceptance by the society and family itself, limits the education of a trans person. Their maximum qualification is up to matriculation only. Enrollment of transgender individuals seems to be very low in higher education. With the joint effort, they tried to draw-the attention towards the need to education among transgender community (**VS Shinu Asmy and Dr. P. Nagaraj; 2015**). Higher education is the major base of study. According to study, “Kerala became the first state in India to introduce a comprehensive transgender policy”. It also highlights that bullying, using disrespectful names for them should be avoided in the academic area as it may harm their dignity and affect their academics (**Pallav Das; 2019**).

The map below shows that third gender individuals in Rajasthan, Madhya Pradesh, Jammu and Kashmir, Bihar, Jharkhand, and Meghalaya are, on average, significantly less literate than the rest of the states. Of these states, Madhya Pradesh and Jharkhand also have a higher ratio of third gender individuals. Combined with lower literacy rates, third gender individuals in these states may face further difficulties related to occupations and livelihoods. Third gender persons in Kerala, Karnataka, Goa, Maharashtra, and Mizoram have literacy rates at par with, or exceeding, their state average. It would be interesting to examine which local and state policies lead to higher literacy rates for third gender persons in Western coastal states (**Aishwarya Venkat; 2016**).

Third Gender Population of India

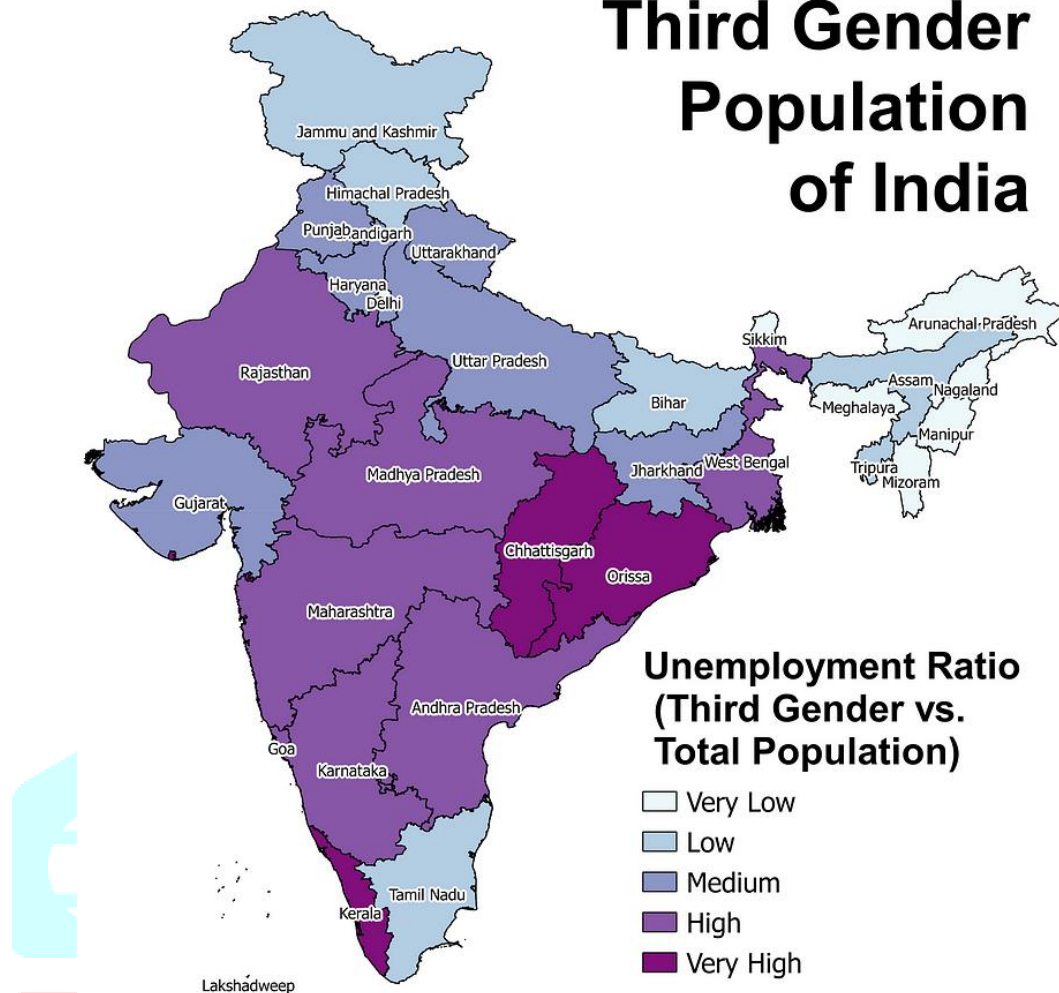


Comparison of the literacy rate of third gender persons to literacy rate of total population

Source: Counting the Third Gender: Lessons from 2011 for an Inclusive 2021 Indian Census by Aishwarya Venkat

K. Kelliswararao and C. Hangsing (2018), details about the social identity, occupation and the economic conditions of transgender. Their paper mentions, “only the department of social welfare in the state of Tamil Nadu has recently established Aravanis /transgender Women Welfare Board to address social welfare issues of transgender”. Unemployment trends for third gender individuals are also very compelling. Comparing the percentage of non-working persons in both third gender and total populations, it shows that **third gender individuals in 28 of 36 states and Union Territories face unemployment rates higher than the total population. Of these states, third gender unemployment is highest in the states of Kerala, Orissa, and Chhattisgarh.** Many states in the northeast have very low unemployment ratios between the two communities— which is largely driven by high unemployment rates in these states overall. Combined with low education and high unemployment, third gender persons in states like Orissa and Chhattisgarh may face further challenges (**Aishwarya Venkat; 2016**). 41% of all employed third gender persons in India report their occupation as “Other” in the 2011 census. The map below shows the illustrations for the same.

Third Gender Population of India



Comparison of the unemployment rate of third gender individuals to the unemployment rate of total population

Source: *Counting the Third Gender: Lessons from 2011 for an Inclusive 2021 Indian Census* by Aishwarya Venkat

Apurva Kumar Pandya and Alex Redcay (2010), in their study, critically examined the health needs, hurdles in accessing health care services and facilities. Poor health, both mental and physical health is evident among the transgender individuals due to lack in treatment protocols, poor health care giving behaviors etc. Their study recommended to investigate and research to address these sorts of problems.

Dr. Rajni Sharma and Dr. Purnendu Mishra (2015), in their work, stated the health issues and concerns faced by transgender individuals. As per their data, “globally, it is estimated that 19% of transgender women are living with HIV”. Their work made the realization to implement the Supreme Court direction and provide the better health services at public as well as private health care units.

Conclusion- Following literature has discussed different-different issues related to transgender. Further research is prioritized to strengthen the community and make them participate actively for the betterment and inclusion in mainstream of the society. Despite the oppressive conditions, transgender individuals displayed resilience and resistance. They formed underground networks and communities to preserve their cultural practices, provide mutual support, and maintain their unique identities. The authors of the Indian Constitution envisioned that India would support a society devoid of prejudice against caste, religion, color, sex and region. Every citizen of India is supposed to have equal access to opportunities and rights. But as far as transgender people are concerned, this does not seem to be a reality. Transgender people are the marginalised individuals in society. So, they require empowerment in power schooling, health care, and most significantly financial security. There are many reasons behind them for not being able to do this, however, transgenders are getting more attention from mainstream society.

Better education to the transgender related to their gender conformation can be the most significant step towards their inclusion in the society. The [accompanying introduction to the 2011 Third Gender table](#) indicates: “In Census 2011, three Codes were provided for recording gender i.e. Male-1, Female-2 and Other-3. In case the respondent wished to record neither ‘1’ nor ‘2’ the enumerator was instructed to record sex as ‘Other’ and give code ‘3’. Thus, category of ‘Other’ would not only include transgender but also any person who desired to record

sex under the category of 'Other'. It is also possible that transgenders might have returned themselves either male or female depending on their choice". If they are well aware of the gender conformity, they could response in a much better way.

References-

- <http://indianexpress.com>
- <http://Indiencensus2011>
- Asmy, Vs Shinu : Nagaraj, Dr. P. (2015), Preliminary Problems Faced in Educating the Third Gender Community. Asia pacific Journals of Research, Volume 1, issue XXVII, May 2015, Page 20-24.
- Virupaksha, HG; Muralidhar, Dalibolina: Ramakrishna, Jayashree (2016), Suicide and Suicidal Behaviour Among Transgender Person. Indian Journal of Psychological Medicine, 38(6), 2016, Page 505-509.
- Mishra, Akansha (2016), Third Gender Rights: The Battle for Equality, Christ University Law Journal, 5(2), 2016, Page 9-21
- Hotchandani, Dr. Khushboo R. (2017), Problems of Transgender in India: A Study from Social Exclusion to Social Inclusion, International Research Journal of Human Resources and Social Sciences, Volume 4, Issue 4, April 2017, Page 73.
- Delliswararao, K.: Hansing C. (2018), Socio- Cultural Exclusion and Inclusion of Transgender in India. International Journal of Social Sciences and Management, Volume 5, Issue 1, 2018, Page 10-17.
- Sharma, Akhand (2018), Identify Crisis for Transgender in India: A Case study from Madhya Pradesh. Quest-The Journal of UGC-HRDC Nainital, Volume 12, Issue 2, May August 2018, Page 157-167.
- Das, Pallav (2019), Higher Education of Transgender in India: Opportunities and Challenges, International Journal of Research in Engineering, Science and Management, Volume 2, Issue 2, February 2019, Page 371-375.
- Sharma, Dr. Rajni : Mishra, Dr. Purnendu (2020), Transgender: Health and Right, European Journal of Pharmaceutical and Medical Research, 7(4), 2020, 570-579
- Pandya, Apurva Kumar: Redcay, Alex (2020), Access to Health Services: Barriers Faced by Transgender Population in India. Journal of Gay and Lesbian Mental Health, Volume 25, Issue 2, December 2020, Page 132-154.
- <https://medium.com/@ashvenkat/counting-the-third-gender-aafe7e858e07>