

Transgender: A Marginalized and Alienated Community

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Introduction

Gender is a multifaceted, construct, a complex phenomenon viewed differently in different societies. The most important impact that gender created in the society is the assigning or segregating the work load among the two dominant group the male and female. The relatively smaller group in population, the transgender is facing inequality and condemnation by this patriarchal society. Living as a transgender someone who identifies with a gender different than one assigned at birth is an experience filled with stress, strain and tensions. Transgender persons who are largely marginalized from the mainstream society because of the social stigma related to the gender identity. It negatively affects their mental wellbeing. The social exclusion results the different types of discriminations towards this minority group.

The God's own country, Kerala is the first state to introduce a transgender policy in 2015. The State has passed the Transgender Bill in an attempt to bring them to the mainstream of social life. However, discrimination, exclusion, suppression and oppression against transgender persons still continue from all walks of life. Transgender suffer from the lack of continuity in their identity, lack of self esteem, over emphasized and unwanted distinctiveness and injustice at every turn. This study intended to expose sufferings, discrimination and marginalization of transgender and try to explain every day issues of transgender through the sociology of third gender.

Gender equality refers to people receiving equal opportunities to realize their full human potential according to their wish, irrespective of gender. This includes equality in opportunities to take part in social, economic, cultural and political developments and benefiting equally from the results. It can also refer to the equality in protection of human rights. People are not aware about the gender issues especially transgender problems in the present society. Our constitution is guaranteeing fundamental rights for all human beings. But we are creating variety of boundaries for the transgender.

Methodology

The objective of the study is to identify the major problems confronted by the transgender. Research design of the study is descriptive in nature. Transgender people who are living in Kerala formed the Universe of the study. Fifty Samples are taken from the Thrissur district in Kerala. Snowball sampling method was used to collect the data. For this study, both primary and secondary sources of data are used. Primary data collected through interview schedule. Secondary data were collected from books, journals and internet.

Discussion and Results

In the modern complex society transgender confronted a lot of problems. Discrimination, disrespect, inequality, rejection, unwanted attention are the major difficulties of their life. They have restricted access to education, health services, and public spaces. They are denied from the political, religious and recreational involvements with the public. The Constitution provides for the fundamental right to equality, and not allowed any 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 continues to be oppressed. The analysis reveals the present conditions of the transgender in our society.

The study shows that 94% of the respondents are not satisfied with their present condition. Transgender faces avoidance in all spheres of life. People living together in a community make up a society, and anything connected to that group can be described as societal. Societal pressures are expectations that influence the entire community, especially the existing social stigmas effect negatively to the transgender. So they are not gratifying by the present condition. The analysis indicates nobody is happy with the attitude of society towards them. All of them are opined that the societal attitude is not favorable to them. It means society is not giving any consideration to the transgender. The study shows in Kerala people are more conservative in nature. Society have very negative attitude to these persons. It creates the adjustment problems in the life of transgender The study clearly reveals that a great majority of the respondents openly said that people are more conservative and they have a negative attitude towards them. This situation creates discrimination and a lot of adjustment problems in the everyday life of Transgender.

In Kerala the transgender faces extreme type of avoidance from their fellow beings. This is mainly due to the conventional culture of gender binaries. A well proportion (90%) of the

respondents in this study feel that the society is not considering them and always avoiding them.. This avoidance and negligence always pull them back from public spaces. Actually transgender are very talkative, enthusiastic and friendly in nature. But the people are not ready to communicate with them. The exclusion from the social interactions leads transgender people into several distresses, tribulation, deprivation which further limits their opportunities. It also denies their visibility in all major domains of society.

The study reveals that a little more than half (54%) of the respondents often face negative experiences from the society. The society considered the transgender as a social deviant who have certain psychological problems. There no acceptance from the family and their community. At present our society is not successful in providing the facilities for the transgender to get their livelihood requirements. Not only providing the opportunities but also blaming for their mistakes.

Equality is a fundamental human right. It guarantees in our constitution. The right of equality before law and equal protection of law is guaranteed under Article 14 and 21 of the Constitution. The right to chose one's gender identity is an essential part to lead a life with dignity which again falls under the ambit of Article 21. The Court has given the people of India the right to gender identity. Further, they cannot be discriminated against on the ground of gender as it is violation of Articles 14, 15, 16 and 21. But transgender people are discriminated in our society in all walks of life. In public places like bus stands, railway stations, theatres, temples, educational institutions, offices, malls, beaches, playgrounds, even within the public toilets they are offended and insulted. The society considers transgender are not normal as the other members of the society. One of the largest reasons that transgender face inequality and feel inferior is due to the lack of public understanding of transgender people. This cause low self respect, self esteem self confidence and self acceptance within them.

Table-1: Feelings of Respondents

Feelings of respondents	Number of respondents		Total
	Yes	No	
Self respect	12(24%)	38(76%)	50(100%)
Self esteem	10(20%)	40(80%)	50(100%)
Self confidence	18(36%)	32(64%)	50(100%)
Self acceptance	13(26%)	37(74 %)	50(100%)

On respondents feelings about themselves shows that only one fourth (24%) have self respect, while about three fourths do not have any self respect. About one fifth only have self esteem, while a great majority does not have any self esteem. A little more than one third feels self confidence. While others (64%) do not have self confidence. A little more than one fifth only accepted themselves. Self respect helps to fulfill our potential, develop healthy relationships. If we truly respect ourselves, then we can accept ourselves as well as others. The present study shows they have low level of self respect, self confidence and self esteem. Healthy self esteem originates in the environment found in the family, school, peer group, work place, and community. For healthy self esteem individuals need to receive nurturing from the people in their environment. Self control is the ability to regulate one’s emotions, thoughts, and behavior. The ability to control ourselves helps to boost our feeling of self esteem. Here the transgender persons are very poor in the self respect, self esteem, self confidence, self acceptance, and self control. Our society has a vital role in these personality traits. They feels the society is under valuating and under estimated them. This attitude of transgender itself acts as a barrier to uplift their life.

Table-2: Types of Difficulties

Types of difficulties	Number of respondents		Total
	Yes	No	
Economic difficulties	46(92%)	4(8%)	50 (100%)
Lack of family support	39(78%)	11(22%)	50 (100%)
Difficulty with identity	38(76%)	12(24%)	50 (100%)
Avoidance based on transgender	45(90%)	5(10 %)	50 (100%)
Difficulties in social participation	48(96%)	2(4%)	50 (100%)
Difficulties in political participation	49(98%)	1(2%)	50 (100%)
Difficulties in religious functions	46(92%)	4(8%)	50 (100%)
Difficulties while using public facilities	48(96%)	2(4%)	50 (100%)
Difficulties in Education	47(94%)	3(6%)	50 (100%)

The table 2 on distribution of Respondents by their difficulties in various life situations shows that Except a few almost all suffer from various difficulties such as economic difficulties (92%), participation in social activities (96%), political participation (98%), religious participation

(92%) and feel avoidance (90%). A more than three fourths (78%) are not getting any support from family and feel homelessness. Another three fourths (76%) feel identity crisis

We have to experience all kinds of difficulties throughout our lives. Everyone has problems in life. For the most part, we are able to quickly solve them without much trouble. Problems become more difficult it is impossible to lead a happy life. Here the table shows different types of difficulties faced by the transgender. The major difficulties faced by the transgender are the economic problems, absence of family support, identity crisis, different types of avoidance, and difficulties in social, political and religious participation. The mentality of the society is not strong enough to support the transgender as to accept them in the mainstream of the society.

Transgender experience discrimination in their everyday life. The major one is they have very limited employment opportunities. This study shows that 96 % respondents are say that government is not giving opportunities to them.4 percentage of the minority respondents are says that the government giving opportunities to them. In real life situations in any of the areas government is not taking any actions to support them. But The Transgender Persons (Protection of Rights) Bill 2016 was introduced in Lok Sabha on August 2, 2016 highlights a transgender person must obtain a certificate of identity as proof of recognition of identity as a transgender person and to invoke rights under the bill. The bill prohibits discrimination against a transgender person in areas such as education, employment, and healthcare. It directs the central and state governments to provide welfare schemes in these areas.

The study shows that 92% of respondents are believe that the new generation accepts the third identity. Teens are more broadminded persons and they accepting all changes in the society. They oppose the entire conservative and traditional outlook and believe. The study also reveals the other problems that are being faced by the transgender community are unemployment, lack of educational facilities, homelessness, and lack of medical facilities, depression, social exclusion and problems related to marriage.

The rule of law is supreme and everyone is equal in the eyes of law in India. Yet, the transgender community is in a constant battle as they have to fight oppression, abuse and discrimination from every part of the society, whether it's their own family and friends or society at large. The life of transgender people is a daily battle as there is no acceptance anywhere and they are ostracized from the society and also ridiculed.

Implications of the study

Transgender are constantly targeted for abuse. They suffer cruel, inhuman and degrading treatment, including a constant threat of violence that amounts to torture, forced disappearances and sexual violence. The International Protection for the Human Rights of Transgender guarantees all people are entitled to enjoy the protection afforded by international human rights law. Transgender are no exception. The non-discrimination principle, recognized in the UN Charter, the Universal Declaration of Human Rights, and other basic human rights treaties, including the International Covenant on Civil and Political Rights, mandates that the rights recognized in these treaties are ensured to all individuals, without any distinctions based on race, color, sex, national origin, religion or political opinion or other status. The “other status” clause invites the recognition of new grounds upon which discrimination is prohibited, such as sexual orientation and gender identity. It is now well-recognized that discrimination based on sexual orientation and gender identity violates the non-discrimination principle. The obligation to “respect” the right to equality prohibits any discrimination to “ensure” that right requires states parties to protect individuals from discrimination. This study recognized, affecting basic aspects of ordinary life such as work or housing, individuals are to be protected from discrimination within the article of right to equality. The right to personal security also obliges States parties to take appropriate measures in response to death threats against persons in the public sphere, and more generally to protect individuals from foreseeable threats to life. Unfortunately, Kerala has failed in this obligation. The high number of murders and other violent attacks against transgender individuals is stark evidence of the very hostile and violent environment for the transgender population that persists in Kerala. By failing to take adequate measures to protect transgender individuals from such attacks, Kerala is violating its positive obligations with respect to the rights to life and personal security under different Articles.

Conclusion

In Kerala Transgender face discrimination within their own family units and schools, in employment and housing, within government settings, and under the justice and legal systems. The main problem in the society is that there is no proper awareness and understanding of the transgender community and many of them are not accepting even they are human beings. Support from family and society is very essential for their upliftment. The transgender are averse against the society when the basic respect is refused by the society and when they receive ill-treatment

from the society they expose their arrogant activities to safeguard themselves. Marginalization deprives the transgender from their maximum potential for prosperity and denies even in gender related opportunities. It is wrong to judge and discriminate the persons who are different from the stereotype, which is created by human beings. A radical change in the life of transgender people is possible only through powerful legislation. The transgender policy bill introduced by Kerala government shows light on transgender issues and further steps for the upliftment of transgender people. The urgency of the era is the inclusion strategies for overcoming discrimination, inequality and stigmatization.

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