

THE PROBLEMS FACED BY TRANSGENDER

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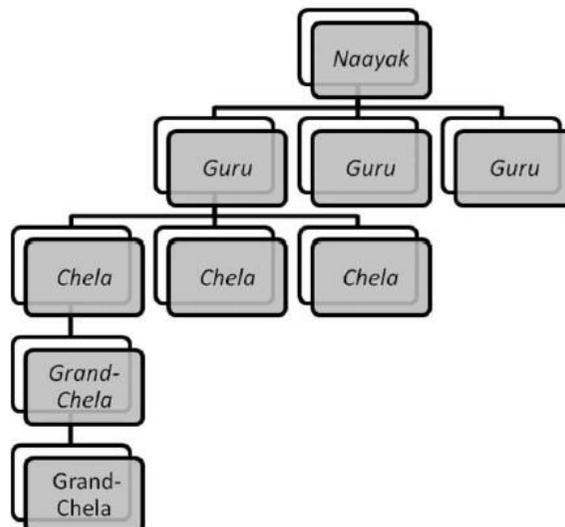
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ABSTRACT: Transgender is an umbrella term that is used to describe individuals whose gender self-identification or expression transgresses established gender norms. Transgender individuals are peopling whose self-identification as male, female, both, or neither (gender identity) does not match their assigned gender (identification by others as male or female based on natal sex). The phenomenon of transgender is uncommon, but as more media attention is directed toward the subject, more adolescents and young adults are “coming out” at an earlier age. Finding comprehensive medical and mental health services is extremely difficult for these youth, who are at risk for multiple psychosocial problems including family and peer rejection, harassment, trauma, abuse, inadequate housing, legal problems, lack of financial support, and educational problems. Transgender is also a part of the society and they have equal right to everything in the world that is available to all other persons. The presence of such transgender is not new, but their presence is there from the time immemorial as could be seen from several scripts, probably because the nature requires such a class to maintain the equilibrium. The most important aspect we have to think is the discrimination. The discrimination based on their class and gender makes the transgender community one of the most disempowered group in Indian Society.

Introduction

“Sex is what you are born with, gender is what you recognize and sexuality is what you discover.” Kimmel quotes sociologists Candace West and Don Zimmerman about their argument that “gender was less a component of identity – fixed, static- that we take with us into our interactions, but rather the product of those interactions.” Emphasizing the social construct of gender they argued that “a person’s gender is not simply an aspect of what one is, but more fundamentally, it is something that one does, and does recurrently, in interaction with others.”



This is the hierarchical system of Hijras. Transgender is often used as an umbrella term to signify individuals who defy rigid, binary gender constructions and who expresses or present a breaking and blurring of culturally prevalent stereotypically gender roles. It includes pre-operative, post-operative and non- operative transsexual people who strongly identify with gender opposite to their biological sex (UNDP India Report, 2010). There are a number of social justice issues that are common to transgender people everywhere in the world.

The Biblical View of Transgender

The Biblical insight on transgenderism appearing as, wishing to be considered as, or having undergone surgery to become a member of the opposite sex] and other sexual defects of the human body.

There are really two issues here:

- 1) Transgendered people
- 2) The inter sexed (new term) or hermaphrodites (older term).

The first is usually an emotional problem, not really a sexual one. The “transgendered” label reflects sexual identity confusion and not a true condition. God doesn’t create a person with the genitals of a male and the consciousness and heart of a female. In Genesis 1:26, the Bible says, “And God created man in His image, in His likeness; male and female He created them and it was very good.” Maleness and femaleness are God’s choice, determined at conception. But growing into one’s masculinity or femininity and embracing it can be thwarted by very early events that prevent children from having a clear sense of their gender.

Gender identity is a developmental issue, and it starts at birth. All the many, many layers of affirmation and validation of one’s personhood that contribute to self-understanding (of which gender is a part) start getting laid down the moment one is born, and they go on hour by hour, day by day, for years in childhood. No wonder so many people think they were born gay, lesbian, or transgendered! They can’t remember all the way back to birth when the messages they received about which they were, had yet to be delivered. In addition, some people perceive the messages of parents and family differently than what was intended, and those perceptions are their reality. The Biblical view is that God’s intent for every male is to grow into masculinity, and for every female to grow into femininity. When that doesn’t happen, the culture has come up with new labels to describe something new and different: transgendered, transsexual.

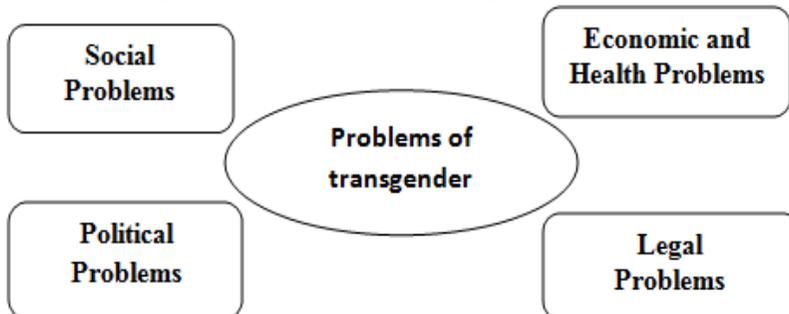
God isn’t affected by these new labels nor does He have to honor them: He sees the people behind the labels as His precious, broken children. It’s only recently that the culture has tried to suggest that “a woman in a man’s body” and vice versa is a variation of what is normal and right. The biology of sex alone tells us that homosexuality (under which these other categories of emotional/sexual dysfunction should be put) is not normal. The Bible tells us (Gen 1:26) that God’s intent is heterosexuality, with definite boundaries between men and women in both appearance and behavior. The fact that some individuals are born with evidence of mutations in their sex-determining genes doesn’t change their value in God’s eyes any more than someone born with the mutation that causes cystic fibrosis or sickle-cell anemia.

Transgender identification terms

Country	Terms used
India	Hijras
South India	Jogappa
Southern Iraq	Mustergil
Burma	Acault
Oman	Xanith
Thailand	Kathoey
Phillipines	Bayot
Malaysia	Mak-Nyahs

PROBLEMS OF TRANSGENDER IN SOCIETY

Problems faced by transgender can be explained using social exclusion frame work.



Social Problems

Family members often do not support transgender. A variety of problems that include verbal and physical abuse, isolation and rejection, denial of family property are faced by transgender in family. Society often stigmatizes and discriminates transgender based on their sexuality or gender identity. Social stigma includes being looked down upon, labeling and negative/generalized attitude towards such as sex work or sex solicitors.

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 out caste and many may land up begging and dance. This is by all means human trafficking. They even engage themselves as sex workers for survival. There is need for social acceptance of transgender group. For instances, there is no space available for them, say in hospital wards. The authorities do not admit them in women's ward because women do not feel comfortable or free in their presence and in men's ward they face sexual abuse. Besides there are no separate toilet facilities for transgender people.

Economic and Health problems

Most of the transgender people are school dropouts. Similarly, gays and bisexuals especially after voluntary or involuntary disclosure of their sexuality face a lot of stigma and discrimination in schools. Lack of adequate education and lack of employment opportunities, they are forced into sex work and begging. While some transgender manage to sustain their job in spite of stigma and discrimination in workplace, most of them resign their jobs without tolerating stigma and discrimination. A variety of multiple-level factors such as lack of adequate education, lack of employment opportunities, and lack of familial support put the male-born sexual minorities at risk of contracting HIV. Similarly, sexual and reproductive health needs are often not adequately addressed. In particular, most transgender person does not get adequate state's support (except TamilNadu) for sex transition surgeries such as hormone administration, emasculation, and breast augmentation surgery. This explored the impact of discrimination and stigma on health care access for rural and urban transgender individuals. The research was conducted using with self-identified transgender individuals in the society.

Four major themes emerged in these discussions:

1. Transgender individuals feel that health care providers' attitudes and behavior towards them belie a lack of personal respect and believe that their health care is compromised as a result;
2. Transition health care is impeded by physicians and health insurance companies who do not recognize gender transition as medically necessary;
3. Anti-trans discrimination in both rural and urban communities leads Tran's individuals to expect similar treatment from health care providers;
4. Participants prioritized the need to increase the number of health care professionals who are well educated on transgender health concerns, and the importance of advocacy and social support in facilitating health care access. This study concluded that medical education and other professional health care training must be improved to address health care needs of transgender individuals. Health research is lacking in key areas of transgender health, including the implementation of a medical curriculum that successfully incorporates transgender health care, and inadequate funding opportunities for transgender health research.

Political Problems

Sexual minorities do not assume significant role in any state's position or political parties although there are many sexual minorities with adequate political and governance knowledge and interest. Although transgender contested local body election with social responsibility, they were not adequately recognized by public. Despite discrimination and marginalization, a transgender person is emerging as successful personalities, thereby proving their potential. There are instances of transgender persons occupying positions of political power. For example – Shapnam Mousi became Member of Parliament from Sahogpur in Madhya Pradesh in 2000, Kamla Jaan was elected as Mayor of Ketni in the same year. These odd instances have not significantly empowered the large community. Such people cannot do things which others do such as to find mainstream job, to vote, etc. 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 their sexual category of their choice.

Legal Problems

- Sec. 377 that criminalizes adult consensual homosexual relationship in private
- Human and civil rights violation (especially for transgender)
- Lack of recognition for marriage

To generate awareness of the transgender is viewed and understood as a culture, community and a movement. Under the Federal Law, discrimination or harassment directed at transgender or gender transformed students may violate the equal protection clause of the Constitution.

PROBLEMS FACED BY TRANSGENDER IN WORK PLACE

- Verbal abuse
- Physical abuse
- Sexual abuse
- Lack of adequate knowledge about sexual minorities
- Lack of freedom to expression
- Not providing importance to ideas, experience, and expertise of sexual minorities
- Lack of meaningful involvement of communities
- Stress, depression, and other mental health issues

There is a pressing need to look into the deprivation of civic amenities on the basis of gender and make efforts for the following provisions:

1. Right to get a passport, ration card, voters identity card, pan card, bank accounts, debit and credit card facilities, make a will and inherit property needs to be available to all regardless of change in gender/sex identities.
2. Right to travel legally in ladies compartments in trains, use seats meant for ladies in other public transports and access to use of ladies toilets and bathing rooms.
3. Right to marry a person irrespective of sexual preferences, seek adoption (even as single parent), donor, insemination, or surrogacy through accessing official reproductive technology sites as a "couple" needs to be made available.
4. Right to Divorce and alimony in cases of violence, abuse, fraud etc.
5. All government and non government applications forms for whatever purposes, to have three options for gender, namely Man/Woman/Transgender.
6. Census Data to cover the hijra population and their demographic indicators.
7. Issuance of identity card for hijras to distinguish them from fake hijras.
8. Initiating adequate pension amount for hijras who are above 60 years.
9. Right to Housing: Hijras look forward to free/subsidized housing policies.
10. Initiating coverage of hijras from the lower economic status for employment guarantee schemes and minimum wages Act.
11. Disbursing Interest free loans for hijras skilled in business entrepreneurship with minimum or no formalities.
12. Educational Institutions need to identify students with hijra/transgender orientation and make space for acceptance and discourage any kinds of abuse.
13. Provision of free legal aid. Make recommendation to the law ministry to recognize the rights of the Hijras to marry, adopt and be protected by other laws as just for women.
14. The Indian Medical Council (IMC) and Indian Council for Medical Research (ICMR) need to respond to the issue of transgenderism and transsexualism. Necessary codes and guidelines need to be formulated regarding Sex Reassignment Surgery (SRS) and other procedures that hijras usually seek, namely mammoplasty (breast implants), facial hair removal, scalp hair growth, hormonal supplements and changing of voice.
15. Similarly IMC needs to issue guidelines to ensure that discrimination in medical treatment of hijras, which would include refusal to treat a person on the basis of their gender identity, is treated as professional misconduct.

CONCLUSION

India must repeal current discriminatory laws and enact equal opportunity legislation on the basis of gender and sexuality. In order for there to be meaningful change, formal legislation must be passed, and with the help of the human rights activists and unions, the legislation could very well happen. Invisibility of statutory laws makes TG's susceptible to gender violence and other human rights abuses. By creating and recognizing transgender rights, India has the capacity to battle its current HIV/AIDS epidemic in a meaningful way, give real effect to the human rights of sexual minorities, and serve as a model for other nations to recognize gender-based rights. In order to accomplish these goals, however, India must repeal current discriminatory laws and enact equal opportunity legislation on the basis of gender and sexuality. It

is further expected that not only the government but also the social activists and general public must come forward to honour and support the third genders for their decent and peaceful living

Some of the key problems which need consideration and appropriate action are access to essential services, education, health and resources. These problems can be well addressed by implementing some progressive measures such as

- To sensitize the society with regard to their identity.
- Support of civil society organization to advocate for their cause and efforts like advocate for land/shelter, creation of separate public toilets, hospital wards, recognition of their right to vote as citizens, reservation of seats in elections, etc.
- Support of Media – both print and electronic, to highlight their status and plight rather than portraying them in poor light.
- Extend financial support for Community Based Organizations run by transgender communities.
- Avoiding of verbal abuses against the transgender in Cinemas and Television Serial.

References

1. Sen, Human Rights of Minority and Women's, (Transgender Human Rights), Delhi: Isha Books, 2005, vol. 2
2. [http:// www. Sover.net/~Sharing/gender.html](http://www.Sover.net/~Sharing/gender.html)
3. <http://www.the-sisterhood.net/trans-eastern/index.html>
4. [http:// allies.tamu.edu/Did%20xou%20know/transgender.htm](http://allies.tamu.edu/Did%20xou%20know/transgender.htm)