

# Transgenders in India: A Fight for Right to Life

*Gumpul Rana*

## Abstract

Transgender people, right from the 'coming-out' phase till death, are subjected to various forms of discrimination and violence. Even after the Indian Government's recognition of 'transgender' as the third gender (different from men and women), the situation hasn't significantly changed. The present article explores the homophobic stereotypical attitudes, the role of media, and other factors that aggravate the problems faced by the transgender people, and their endeavoring struggle for existence and their fight for the 'Right to Life' with dignity. Over the years, the success stories of many transgender personalities, who could rise against the storm to fit-in with the mainstream society highlight the immediate need of introducing various sensitization programs. In addition, legal provisions, socio-political inclusion and acceptance of transgender people in different institutions of the society would result in a society built on egalitarian values.

**Keywords:** Discrimination, gender identity, homophobia, LGBT, right to life, sexual minority, transgender.

## Introduction

"One morning, Jolly wakes up to the enchanting rays of the bright sunlight that pierces through the windows of her room to disperse vibrant energy all around and to glorify her morning with a blissful welcome. Lazily gazing around the room and stepping sluggishly on the ground, she gets up to get dressed. Selecting the best saree and applying some beauty touch-up to make her feel and look more adorable, she steps out of the house, carrying a heart-melting smile. As she strolls on the road, waiting for a cab or an auto, she observes that all the people around her are constantly staring at her and are even passing derogatory comments to her. Some are even avoiding eye-contact with her as if she is no less than a haram swine. Ignoring these, Jolly calls a taxi and before she could utter anything, the driver immediately asks her- "Nani, Khandagiri re chadiasibiki?" (Sister, Should I drop you at Khandagiri). Reflecting a socially indoctrinated cheap mindset, the driver misidentifies her as a sex-worker going for her customers in Khandagiri. Offended she did feel, but she is quite used to this kind of misperception. Engulfing the disrespect and awful reactions, Jolly instructs the cab driver to take her to the dance school where she wishes to make her first step in fulfilling her childhood dream of becoming a trained dancer. Having reached there, Jolly enthusiastically fills up the admission form but stops at the 'gender' category as the form requires her to 'tick' on either the 'male' or the 'female' option. She conveys her confusion to the person on-chair, but to her utter dismay, the person yells at her with the clear message on his face- "There is no place for creatures like you." With all these nasty experiences of being turned down and rejected by almost all the institutions of the state, Jolly returns home disheartened, forlorn and wishes to vent out all her frustrations to her parents. But then she realizes that it was her parents who had thrown



her out of the house when she was only 12 years old. They had disowned her - disowned, as she was different - different from others; weird, queer - a bundle of embarrassment for the family.

A logical and humane analysis of this single day of Jolly's life would compel one to think and question the inhuman and unjust stereotypes prevailing in the society. Jolly is not an exception but is one of the million 'transgenders' who face such discrimination and rejection every single day for their whole lives. At this stage of human civilization, when the space technologies aim to search for alien life, many lives already on earth are disdainfully clustered and left alone in the filthy crowded slums inevitably consigned to die. Now, the basic questions that arise are - Are transgender people not human beings? If yes, then why are they deprived of the basic human rights? Is trans-identity 'unnatural' and 'against the law of nature'? If yes, then who has postulated the laws of nature? Are transgender people a waste for the society? If no, then why are they dragged to prostitution and beggary? Somewhere deep down one's heart a regretful voice echoes that it is only we, the self-assumed denizen of divine infallibility strutting on a fallen world, who have categorized life into a unilateral and closed hierarchical strata - attributing high value and respect to the lives in the higher strata; and arrogantly maligning the lives in the lower strata with indignity and shameful reactions.

## Transgender : How is it different from 'LGB'

Transgender is an umbrella term used to describe a person, whose 'Gender Identity' differs from the sex that was assigned by the doctor on his/her birth certificate or whose gender expression doesn't match the society's expectations with regard to the stereotypical

gender roles. Although transgender is used in the term 'LGBT' to refer to all the sexual-minority communities, there exists a fundamental difference between transgender and rest all gay, lesbian and bisexual communities. LGB people are differentiated and defined by their sexual orientation. On the other hand, transgender people are defined by their gender identity i.e. a person's internal and personal sense of being a man or a woman or someone outside of the gender binary. Being transgender isn't the result of one single thing or a matter of one's choice. It encompasses a complex amalgamation of biological, psychological and environmental factors. Transgender people can be straight, gay, lesbian, or bisexual. Most transgender people seek to bring their bodies more into alignment with their gender identity by using prescribed hormones or undergoing surgery. However, for most transgender people the process of transition i.e. the process of shifting from the gender assigned at birth to living the gender with which they identify is not simple. The dichotomy between the society's expectations and one's own realization of self-identity gives rise to several challenges as well as opportunities that could either make or mar the life of the person.

## Problems faced by a transgender for being a 'transgender'

The most significant hurdle that a transgender person faces is accepting/appreciating his/her own gender identity. In our society, almost every person is indoctrinated with some preconceived stereotypical notions, which regulate and differentiate the specific activities, roles, behaviors, and expectations of both men and women. Breaking and challenging these societal beliefs and expectations, and coming out from one's shell can be psychologically and emotionally challenging [1,2]. Many people, who realize their transgender identity, refuse to





accept or appreciate it because of their own negative stereotypes and feelings of transphobia that they have learned from the society [3]. It takes years of pain and struggles to develop a positive gender identity. For those who successfully identify themselves, the next struggle is - finding someone, whom they can trust and reveal their identity to. This 'Coming-Out' process can be a very freeing experience for a transgender person, but it too accompanies (in most cases) its own share of problems and difficulties such as rejection [4,5], gossip [6], harassment [7], physical violence [8], abuse, loss of job, discrimination and so on. According to one report in 2014, 57% of families of transgender people chose not to talk or spend time with them after the coming-out phase.

Despite Indian Government's recognition of 'Transgender' as the third gender (separate from men and women) and the passage of 'Rights of Transgender Person's Bill' by Rajya Sabha (on 24th April, 2015), deeply embedded homophobic and transphobic attitudes, often combined with a lack of adequate legal protection against discrimination on grounds of gender identity, exposes many transgender people to extreme forms of violation of their human rights. Transgender people often face multiple forms of marginalization such as racism, sexism, poverty and other related factors. Marginalization often starts within the family in the form of family rejection or lack of social support which leaves the transgender people with little control over their lives and resources available to them [9,10]. Unable to cope with this social exclusion, many transgender people commit suicide and end their lives [11,12]. According to a report of National Transgender Discrimination Survey 'Injustice at Every Turn', almost 50% of transgender people attempt suicide by the time they turn 20 years. Some hardy personalities who are able to overcome their suicidal ideations (and in most cases, are home less-after being rejected and dejected by the family) face the next set of discriminations - harassment

and bullying at schools and workplaces. The use of harsh tags and able to overcome their suicidal ideations (and in most cases, are homeless-after being rejected and dejected by the family) face the next set of discriminations - harassment and bullying at schools and workplaces. The use of harsh tags and labels at schools and social places against the transgender people further negatively affects their self-esteem and confidence [13]. A study by Rankin (2005) on LGBT students' experiences in campus highlights that out of 713 subjects, 11% had been physically assaulted, 36% had experienced harassment, 83% had heard derogatory comments, and 48% had been threatened.

Transphobic attitude or hostility towards transgender people is not just limited to educational institutions or workplaces, rather it transcends to almost every social sphere. Some of the social and religious ideologies, propagating strict conformity to social gender norms, help in transferring these negative beliefs from one generation to the next, which gets manifested in various daily life social situations in the form of transphobic jokes, violence, physical attacks, or bullying. Even hospitals and medical health care centers are insensitive to their needs and health care. As per the reports of a US survey, 26.7% of the respondents reported that they were refused health care because of their transgender identity. Transgender people who experience depression and other psychotic problems seldom visit mental hospitals or clinical psychologists for check-up [14]. As painful as it might be, they get accustomed to these kinds of negative feelings and thoughts as visiting a mental health professional might prove to be more disastrous and disheartening owing to the apathetic attitude of the professionals. The probability of acquiring sexually transmitted disease is higher for transgender people than all adults of reproductive age [15]. But due to lack of adequate trained professionals and doctors, coupled with the prevailing negative prejudices, many of these cases get unnoticed and uncared for.





As the torch bearer of the society, even the mass media doesn't leave any stone unturned in downgrading and diminishing the respect and dignity of the transgender people. The portrayal of transgender people, in most movies and television programmes, can be seen in two polarities - either they are the demonized ruthless antagonist, or are the comic elements with cheap, offensive (and disgusting) jokes aimed at them. In one survey by one US non-governmental media monitoring organization, GLAAD, on transgender-inclusive television episodes over the past ten years, it has been found that transgender characters were portrayed in a 'victim' role at least 40% of the time; and the most common profession transgender characters were depicted as having that of sex workers. This kind of negative airing and media representation (although intended as comedy and for fun) of transgender people can have at least two dangerous impacts. First, viewers could get the impression that it is normal to bully and mock transgender people which later gets reflected in their own behavior and attitude towards them. Second, the negative portrayal of this community overshadows the success and inspiring stories of many transgender persons who could be represented as role models for others in the society.

## Conclusion

Every person has the right to live a life with full dignity and respect. The constitution empowers all and strictly prohibits any action that denies someone of these rights. Discrimination and harassment of transgender people are nothing less than acts of untouchability. As the foremost duty of being humans, it is high time that all the people unite and stand against these transphobic cruelties. It is essential to understand, accept and respect the transgender people by thinking and acting beyond the homophobic prejudices. Sensitization programs can help in creating

awareness among people. Role models and local people can play a big role by participating in the campaigns against transphobic biases and by sharing their ideas or experience, which would encourage rest all to follow the positive ideals and get away with their stereotypes. Necessary facilities at public places like gender-neutral bathroom at shopping malls and restaurants would ensure more sensitivity towards the inclusion and acceptance of transgender people. Another vital strategy could be towards the inclusion of transgender people through their greater participation in politics and other decision-making bodies, which would naturally provide them the power and authority to fight for their cause and upliftment of all. Most significantly, effective legal protection against discrimination of transgender people must be implemented and enforced so that harassment and deprivation at hospitals, workplaces, and educational institutions would result in strict punishment for the offender.

Till date in many societies, any discussion on transgender or homosexuality is viewed as a taboo. The general naive idea one carries about transgender people is that they are the ones who beg and variously harangue and harass the passengers inside the trains or railway platforms, or that these are the people responsible for the unpardonable social evil of sex-work in the society. Yes, many transgender people do resort to begging or sex work. But before jumping on to any inference just by overlooking at the numbers, a deeper rational analysis on this problem would tempt us to rethink and reevaluate the root of all these as well as to reconsider the real forces or segments responsible for these. A transgender person who has been subjected to all kinds of rejection - right from the tender childhood years at home, was denied the basic needs for existence, was deprived of being trained with minimum education or work skills, and was forced to live in the filthy slums - could never be a chooser in life. The person is compelled to beg, or do any kind of work by which he/she could earn something.



Because at the end of the day, it is the unavoidable question of one's survival - the primary physiological needs of food and water, and the ultimate tryst to fight against society, against all forms of discrimination, against all kinds of inhumane activities targeted at his/ her identity. This is a fight only to live a life, simple yet respectful and with full dignity.

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