



A study on the “Socioeconomic status of transgenders in India: with special reference to Bihar”

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Abstract : *This research examines the current status of the transgender community after the Transgender Persons (Protection of Rights) Bill, 2014 and the Supreme court order decriminalising Section 377 of the Indian Penal Code (IPC). The research revolves around the social as well as economic conditions of the transgender community in present times.*

The study explores how the transgender community constantly work hard to become a part of the society. It looks at the kind of social pressure and harassment that they have to

go through as well as the struggle they have to go through for their livelihood. A research was conducted in order to find out if the situation is any better for them. The research was conducted by using a survey.

Findings revealed that the transgenders have still not got the same human rights as the general public even after various Acts and amendments that have been passed in the previous years, the things have certainly not changed drastically though there can be seen some changes in the past few years. On the other hand, the transgender community itself has not been completely able to move forward from its old ways. They are divided amongst themselves due to the impact of education, as some are flourishing and earning success each day while others still struggle for their basic livelihood.

Keywords: *Transgender; Economic Growth; Social welfare; Education; Livelihood; Taboo.*

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Introduction :

“Nature chooses transgender; individual doesn't choose this.” — **Mercedes Roehl**

Transgender denotes or relates to persons whose sense of personal identity and gender doesn't correspond with their birth sex.

The existence of transgender (Hijra) community is as old as the existence of human beings. Sadly, they have lived a life of a non entity in our society though there has been some mention in the Indian society. They did exist and have been given some significant character in some of the most important texts of Hinduism, including the *Mahabharata* and the *Ramayan.*, ***They were even trusted enough to be the gatekeepers of harems during the Mughal era. Yet they could not become the part of our main stream society. They held an important place politically and religiously for a long period of time. It all came crashing down with the dawn of colonization in India.*** The British authorities sought to eradicate and criminalize the **transgender** community through various laws and even after Independence the mindset stayed. While the **transgender** community is revered by society at large and celebrated in religious and spiritual ceremonies, they became victims of abuse and discrimination. Violence and hate crimes against the community were common, as was housing and other discrimination. But ever since the Supreme Court of India officially declared them as the third gender of India and directed the central and state governments to give full legal recognition to them, things have changed for the transgender community. Today, the transgender not only enjoys voting rights, educational privileges, housing privileges but they also live their life in the open, safely.

Rationale of the study :

The topic of the study was chosen on the basis of the social status of transgenders in India and the amount of discrimination and harassment they had to undergo from every corner of society. This nature of the harassment includes verbal, physical and sexual harassment which can result into serious impact on the mental health as well. In a democratic country like India transgenders have no access to the social and political rights. They are not the part of any welfare scheme. Human rights are the basic rights and freedom which are guaranteed to a human being by virtue of his/her being a human which can neither be created nor abrogated by any government. It includes the right to life, liberty, equality, dignity and freedom of thought and expression. The right to choose one's gender identity is an essential part to lead a life with dignity which again falls under the ambit of our constitution (Article 21). Determining the right to personal freedom and self-determination, the apex court observed that "the gender

to which a person belongs is to be determined by the person concerned." The court has given the people of India the right to gender identity. Despite such laws in the Constitution of India, the other sex (transgender) continues to be ostracized.

India has achieved growth and development since globalization. It has improved on the grounds of human development indices such as levels of literacy, education and health. There are indications, however, that not all disadvantaged groups have shared equally the benefits of the growth process. Among these, the transgender community, one of the marginalized and vulnerable communities in the country, is lagging behind on human development indices.

The life of transgender people is a daily battle as there is no acceptance anywhere and they are ostracized from society and also ridiculed. They face high levels of stigma in almost every sphere of their life such as health, schools/colleges, employment, social schemes and entitlement.

They face severe discrimination, stigma and systemic inequality.

Objective :

The research study aims to achieve the following objective:

- **Status of transgender in the educational system :** Transgender is a new Gender in Indian Constitution. This new sex emerges with a major population. No formal education for transgender is common in Indian context. Deprived from the love of family, transgenders are secluded from society. As a result they often discontinue their education and risk their future career opportunities. A close analysis of various reports and discussion with community and stakeholders suggest that transgenders are most uneducated or undereducated, become reluctant to continue schooling. The average qualification is secondary (Matriculation) or senior secondary level. The enrolment is significantly low and dropout rate at the primary and secondary level is still very high. Even if they are enrolled in an educational institute, they face harassment and are bullied every day and are asked to leave the school or they drop out on their own. As an outcome they take up

begging and sex work. It is mandatory for the government to provide inclusive education for transgender students and proper sex education to them.

Some transgenders are on working in responsible positions, like Manabí Bandyopadhyay working as the principal in a government college in West Bengal and Amruta Alpesh Soni as the advocacy officer for the states of Punjab, Haryana and Chhattisgarh for the National AIDS Control.

- **Status of transgender in society :** The problems faced by the transgender people in India include: These people are shunned by family and society alike; they have restricted access to education, health services and public spaces; till recently, they were excluded from effectively participating in social and cultural life; politics and decision-making processes have been out of their reach; transgenders have difficulty in exercising their basic civil rights; reports of harassment, violence, denial of services and unfair treatment against transgenders have come to light; sexual act between two people of the same sex is criminalised, and is punishable by incarceration.
- **Legal rights of the transgender in community :** Since 2014, transgender people in India have been allowed to change their gender without sex reassignment surgery and have a constitutional right to register themselves under a third gender.
On 6 September 2018, the Supreme Court issued its verdict. The court unanimously ruled that Section 377, IPC is unconstitutional as it infringed on the fundamental rights of autonomy, intimacy and identity, thus legalising homosexuality in India.
- **Status of transgender in the state of Bihar :** There have been new job opportunities arising in Bihar for the third gender parties, as there have been lots of rape threats and assault in Bihar for the working women, the third gender can have job at the security desk.

While the educated section of the transgender community has the opportunity to choose the right as the Bihar government is providing them a little aid, the uneducated section still suffers in the state of Bihar. As they are segregated by the society, they still choose to do the same traditional means of earning their livelihood like prostitution, begging and dancing at private celebrations.

Hypothesis :

The hypothesis of the study concerns the basic assumptions or beliefs upon which the entire study is based which would be verified by the study. The hypothesis of our research is as follows:

- **The transgender community has become part of society :** After all these years of agony, pain and struggle, the transgender community has finally come outside of the darkness and has finally been accepted as a part of our society.
- **Transgender community is slowly moving to the field of education :** The transgender community has two divisions, there is the unanimous decision of the transgender to choose the path they want to choose, and now-a-days the beginning of the acceptance in the society has got them to be in the educated section of the transgender community.
- **The government provides no help to the transgender community :** Transgenders who do not belong to the educated section have majorly been affected as there are no help provided by the government and they are forced to do prostitution, begging and other such professions which are not generally accepted by the society.
- **The perception of general public toward the transgender community is still the same:** Though the country is on the path of development, there still exists the mob mentality situation which does not accept the transgender as the general people. And they

are still abused by the public, they still face problems and hence they prefer the path leading away from society.

Scope of the Study

The study is exploratory in nature and seeks to compare the various opinions of the members of society from the grassroots to the top. Further, it is aimed at finding out the position that the transgenders hold in our society socially as well economically.

The study was conducted in Patna. The people who participated in the survey are mostly the residents of Bihar and of various age and professional groups. Primary data was collected from 50 transgenders, both educated and uneducated and 200 other individuals.

Limitations :

The study was conducted only on selected indicators which were significant to the topic. The population of the experimental group is small and might not represent the majority of the individuals living in society. The people who were part of the survey were mostly from the educated sector of society, yet the idea of taking opinion of individuals from different parts of society was not neglected. Also, there is a large population of transgender in the state of Bihar. But the study focussed on two sections, educated and uneducated in the City of Patna.

Since the questionnaire was designed to measure the opinions of various individuals mostly through social media and direct interaction, it might not provide enough evidence of every individual's perspective. Various transgenders who were associated with the research preferred to keep their identity hidden while sharing personal and confidential information. Yet most of them were supportive and open-hearted. The study took a new turn with the Section 377, IPC being decriminalised by the Supreme Court. The duration in which the project was completed was limited.

Theme of the Study :

"Invisibility is a dangerous and painful condition... when those who have power to name and to socially construct reality choose to not see you or hear you... when someone with the authority of a teacher, say , describes the world and you are not in, there is a moment of psychic disequilibrium, as if you looked into a

mirror and saw nothing yet you know you exist and others like you , that this is a game with mirrors." -

Adrienne Rich

Transgender is an umbrella term used for people who transgress their gender. The transgender population in India is a closed group with a religious-cultural and rich historical background. The term 'hijra' is derived from the Urdu word meaning 'impotent ones'. Within the Indian context the term 'hijra' is used for people who identify themselves as 'neither man nor woman', 'kinnar' (a Sanskrit term) or 'third gender'. They are also known as eunuchs, transvestites, hermaphrodites, androgynies, transexuals, and gynemimetics and are also referred to as intersexed, emasculated, impotent, transgendered, castrated, effeminate or sexually anomalous or dysfunctional in Indian society. Transgender are born biological male or intersex (in some cases) and join the hijra community at some point in their life and (may or may not) live with the transgender community as transgender for the whole life. On the other hand the transwomen are born men who connect more to the other gender.

Methodology :

Tools of Data collection : The data was collected from both primary and secondary sources.

Primary sources : The primary data was collected from the educated class of transgender community as well as the non- educated class of that community by the interview method. Questions in the interview were mostly associated with the life and struggles of the transgender community. The primary source also included the interview of the general public, the questionnaire prepared for the general public both educated and non- educated masses consisted of 10 basic questions related to the perceptions they have for the transgender community and whether the government is providing them adequate amount of help.

Secondary source : Secondary source included the interview of the published materials such as books, documents, journals, research reports / registers and websites related to the transgender.

Area of study: A survey was conducted at Patna urban and suburban areas, with data collected from members of the transgender community, professionals and residents of the city as well as young minds from educational institutions.

- **Sample size and sampling method:** A sample was collected from various units of the society as well as professionals and youth in general.
- **Tools and techniques for data collection:**
 - Questionnaire.
 - Responses were compiled to derive the required information.
- **Methods of data analysis**
We compiled the total research work on the basis of two basic tools of MS-Office which are, MS-Word and MS-Excel. Subsequently, we modified the content of our research in the form of research paper by making PowerPoint Presentation using MS-PowerPoint.

Data Analysis Interpretation:

The questionnaire consisted of 10 close questions to meet the objective of the study; the questions revolve around the topic of

"The Socioeconomic status of transgender in India with special reference to Bihar".

There were a total of 250 people of all ages and genders who participated in the survey.

The graphical representation of each of the items is given below:

1. Do you think the transgender community should also get civil rights such as marriage, divorce and adoption in the near future?

Yes	No
233	17
93.2%	6.8%



Diagram 1. About 93.2% believe that the transgender community should get civil rights such as marriage, divorce and adoption.

2. Are you aware of the 2014 "the Right of Transgender Person Bill" Act?

Yes	No
156	94
62.4%	37.6%

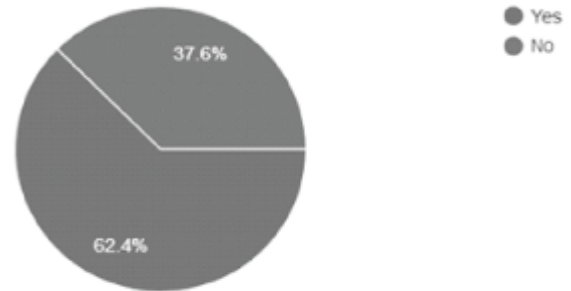


Diagram 2. About 62.4% people are only aware of the 2014 "Right of Transgender Person Bill"

3. Do you think the government is doing enough for the economic growth of transgender in India?

Yes	No
198	52
79.2%	20.8%

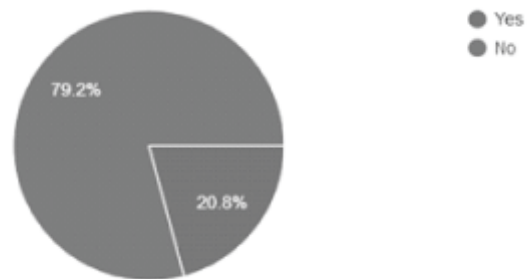


Diagram 3. 79.2% think that the government is not doing enough for the economic growth of transgenders in India

4. Do you think the education system of our nation has made the transgender community its part?

Yes	No	Yes, But there is more to be done
33	90	127
13.2%	36%	50.8%

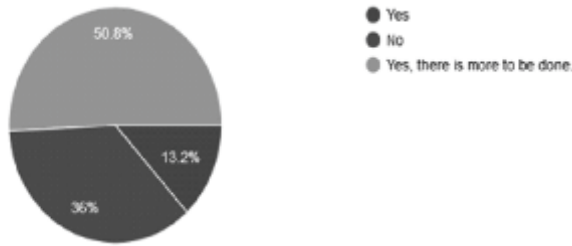


Diagram 4. About 50.8% people think that there is more to be done for the transgender community in the education system, whereas 36% still think that they are not yet a part of the education system

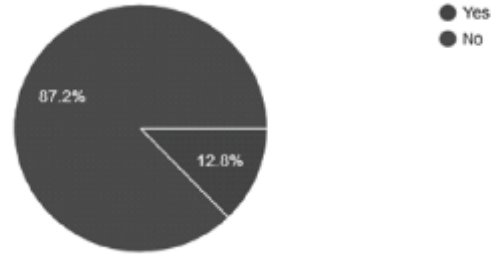


Diagram 6. About 87.2% people think that the state of Bihar has not done enough in order to accept the transgender community

5. Are you aware of all the inspiring achievements of transgenders such as Lakshmi Narayan Tripathi [Trans right activist], Mona Veronice Campbell [A plus size transgender model], Joyita Mandal [Judge of lokAdalat] and Aryan Pasha [Delhi based transman lawyer] in their respective fields of the society?

Yes	No	Some of them
67	39	144
26.8%	15.6%	57.6%

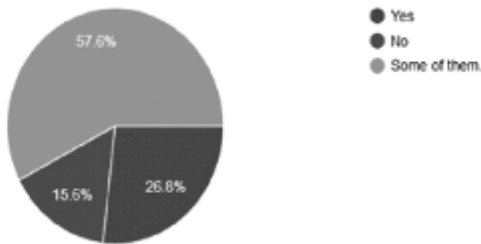


Diagram 5. About 57.6% people are only aware of some of these well accomplished transgenders in India

6. With reference to the state of Bihar, do you think the state has done enough in order to accept the community?

Yes	No
32	218
12.8%	87.2%

7. Do you think the government of Bihar is doing its best to uplift the transgender community economically?

Yes	No
40	210
16%	84%

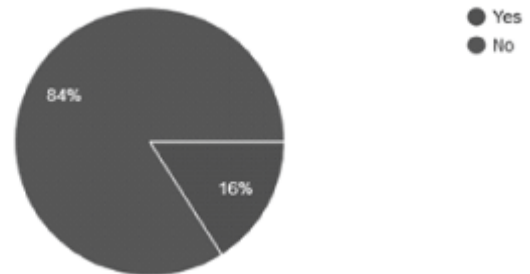


Diagram 7. About 84% believe that the Government of Bihar is unable to do its best in order to uplift the transgender community economically

8. Are you/ will you be comfortable in the company of a transgender person?

Yes	No
193	57
77.2%	22.8%

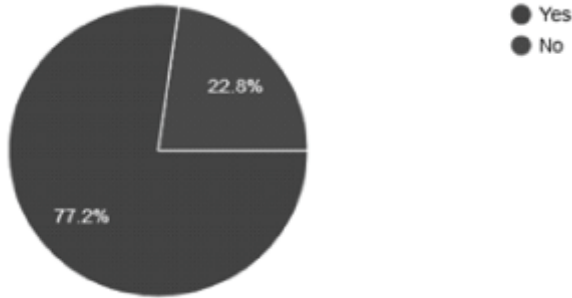


Diagram 8. 77.2% people believe that they are comfortable in the company of a transgender person

9. Are you aware of all the rights the transgender community holds as the "Third gender of India"?

Yes	No
143	107
57.2%	42.8%

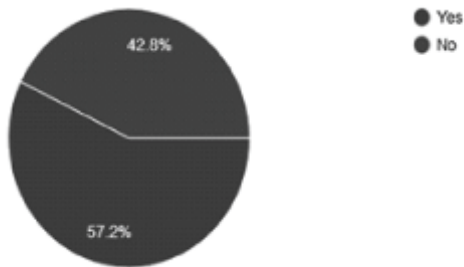


Diagram 9. Only 57.2% people are aware of all the rights the transgender community holds as the "Third gender of India".

10. Do you think the transgender community has left behind the social stigma it has faced in the past?

Yes	No
125	125
50%	50%

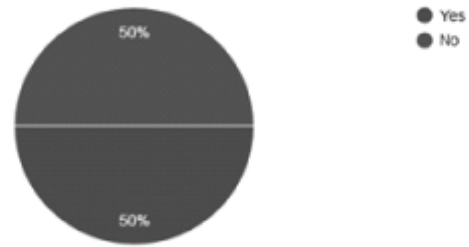


Diagram 10. There is an equal conflict of opinions about whether the transgender community has left behind the social stigma it has faced in the past

Findings :

According to the survey, the general population believes that there is more left to be done for the transgender community economically. The help provided by the government is not enough for the same, whereas the opinions regarding the transgender socially is yet mixed among the people. On one hand, they wish civil rights for them and on the other, they are hesitant towards them.

The transgender community in itself is divided internally about the socio-economic development of their community. There is one side of the community that is educated and is working in jobs and they think that they have ample help from the government in all possible ways. Yet even they believe social stigma is still present in the society and more is to be needed to be done. On the contrary, there is the other side of the transgender community that is generally indulged in giving badhai [blessings], begging, prostitution and they believe that the government and the society have never accepted them nor have they helped them economically ever. It was observed that just like every other part of society, education is the key to a better life no matter what your sexuality is.

Moreover, the situation in the state of Bihar is bad when it comes to the welfare of the transgender community. It can finally be concluded that changes have taken place for the transgender community yet there is a long journey of social and economic development for them to go on.

Recommendation :

The transgender community has existed among us ever since humanity. Yet they were never able to be

one among us. The society needs to leave behind the myth and taboos that have been carried forward for ages.

Transgenders should be able to feel natural and comfortable just as we ourselves should do around them. We need to accept each other.

The government should help the transgender community be part of our society by helping them economically through special privileges like quotas for education and jobs.

They should try to make them part of every aspect of our society. And it would impact the views of the general people as well. Giving admissions to transgender in colleges with other people will not only uplift the transgender community but also would give the youth an opportunity to broaden their minds.

The transgender community should also try to be brave enough and become part of the society by themselves rather than containing themselves in their community. They should also try to grab more opportunities that are at times provided to them, instead of sticking to their own methods of earnings. Education is something that is still rare and alien among the members of the transgender community, so they should try to get educated by all means.

Conclusion :

Transgender people had faced widespread ill-treatment from the different rungs of the society. In a historic judgement, the Supreme Court (SC) on 7th September, 2018 ruled that consensual "adult gay sex is not a crime" saying sexual orientation is natural and people have no control over it. This judgment heralds a new dawn for personal liberty and is a major victory for the LGBT (lesbian, gay, bisexual, transgender) community that has been fighting hard and persistently to legalise gay sex.

The Indian government took bold steps to recognize transgender as a separate gender for the first time in the country and named it as Third Gender. Finally it has recognized the rights of transgender people and is treating them as equal to other Indians. While this has helped them in terms of their identity, the Government authorities now need to implement the court directives aimed at mainstreaming the transgender community, ending discrimination against them, and addressing their social protection needs which have long been denied to them in securing their basic rights, including the right to vote, own property, marry, and claim a formal identity through a passport or other government identification. Lots have been done but there are still some miles to go as they have been unable to secure government welfare measures such as food subsidies, free education, assured employment, and free health facilities.

There are many ways society can work towards understanding transgender people such as respecting an individual's identity and self-label, not making assumptions, not dividing people into categories or singling others out and openly talking and asking questions about transgender issues. Because of the society ideas about the male and female gender roles, people usually have a very hard time understanding those who do not conform to the gender norms. This physical transformation is in indirect contrast to what society has always believed to be moral and ethical.

We must respect every individual and should not differentiate them on grounds of gender, caste, creed or any of them as we come under the same roof called "India".

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