



# TRANSGENDER'S EDUCATION IN INDIA: STATUS AND CHALLENGES

**Dr. Richa Mehta**

*Associate Professor*

*Department of Education*

*Lady Irwin College, Delhi University*

**Muskan Sharma**

*Department of Education*

*Lady Irwin College, Delhi University*

## Abstract

Being transgender is not just a medical transition. It's discovering who you are, living your life authentically, loving yourself & spreading that love towards other people and accepting one another no matter their difference. The 21st century has seen human rights preserved and assured for most human beings, except for the transgender community. Their rights have become a significant challenge at the turn of the millennium, due to the need for the recognition, promotion and protection of these rights. The present research paper deals with the challenges, problems, Transgender face in India taking into account of the demographic profile of the transgender community. This study focusses specifically on the educational and employment status of the transgender community in order to identify the aspects of life in which they face discrimination. In addition, certain actions are taken for improving the educational status of the community by analysing the legal and policy safeguards in place for better employment conditions and access to equitable education. Additionally, it addresses how transgender people are excluded from society and how law and order is working to encourage them to become socially included.

Keywords: Transgender, Challenges, Discrimination, Gender

## Introduction

**“IT'S NOT ABOUT BEING A NEW PERSON, BUT BECOMING THE PERSON YOU WERE ALREADY MEANT TO BE”**

Individuals who are transgender are born with male or female anatomy, but they experience themselves differently than they do physically. In addition to their cryptic gentile heritage, they are sexually neutral.

Transgressing social norms is something they do. It is evident from these individuals that they adhere to an uncompromising binary gender constitution. Their gender role is rampant and hackneyed culturally. Gender identity, gender expression, and assigned sex are out of sync with each other. These characteristics are the reason transgender persons tend to be grouped under 'gurus. It is most common for them to be abandoned by their families. Many of them live in communes and are confined to commune slums on the outskirts of society because they have no permanent home. A humiliation is imposed on them in public. In addition, they experience more embarrassment from the police than any other group within society.

Despite the strong social structure within these communes, they maintain a strong sense of community. The system of Gurus and chelas is followed by them. The relationship between them has continued through generations that is characterized by love and nurturing. New or young Hijara living in these communes who are shunned by their families also benefit from social security and safety. Hinjaras<sup>1</sup>, enuchs<sup>2</sup>, chakkas, transsexuals, Aravanis, Kothis<sup>3</sup>, jogappas<sup>4</sup> are the different names we call them across India.

It is important to recognize that transgender people are human beings. The right to live as a human being was still denied to them in India until a very recent time. In and of itself, this constitutes a grave violation of Human Rights. Despite being ostracized from society and denied many civil rights and privileges that we Indians enjoy, they have endured a lot over the years. In addition to not being part of public social and cultural events, they are neglected by their families and society as a whole. As a result, there was no chance for them to enrol in colleges and universities at a higher level since the schools wouldn't give them admission. Once the reality was introduced, those who attended lower-level schools were shunned off. The number of transgender students who are able to attain higher education is very low, around 1% - 2%. Transgender individuals have traditionally been restricted from accessing education, health care, public spaces, livelihoods, passports, driving licenses, and ration cards. As there was no option for third gender when applying for a bank account, they had to tick either male or female. Transgender people make up about half a million of the population of India, according to the 2011 census.

### Transgender in India

There has never been an official recognition of third gender in Census of the India. A survey of transgenders was conducted in 2011 with information about their employment, literacy, and ethnicity. As per 2011 census the total population of transgender in India is around 4.88 Lakh. In the primary data released by the Census Department, Transgender has been grouped under "Males". In order to serve educational purposes, separate data for transgenders has been curved out.

| # | State                         | Transgenders | Child (0-6) | SC     | ST     | Literacy |
|---|-------------------------------|--------------|-------------|--------|--------|----------|
| - | India                         | 487,803      | 54,854      | 78,811 | 33,293 | 56.07%   |
| 1 | <a href="#">Uttar Pradesh</a> | 137,465      | 18,734      | 26,404 | 639    | 55.80%   |

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|----|-----------------------------------|--------------|-------------|--------|--------|----------|
| -  | India                             | 487,803      | 54,854      | 78,811 | 33,293 | 56.07%   |
| 2  | <a href="#">Andhra Pradesh</a>    | 43,769       | 4,082       | 6,226  | 3,225  | 53.33%   |
| 3  | <a href="#">Maharashtra</a>       | 40,891       | 4,101       | 4,691  | 3,529  | 67.57%   |
| 4  | <a href="#">Bihar</a>             | 40,827       | 5,971       | 6,295  | 506    | 44.35%   |
| 5  | <a href="#">West Bengal</a>       | 30,349       | 2,376       | 6,474  | 1,474  | 58.83%   |
| 6  | <a href="#">Madhya Pradesh</a>    | 29,597       | 3,409       | 4,361  | 5,260  | 53.01%   |
| 7  | <a href="#">Tamil Nadu</a>        | 22,364       | 1,289       | 4,203  | 180    | 57.78%   |
| 8  | <a href="#">Orissa</a>            | 20,332       | 2,125       | 3,236  | 4,553  | 54.35%   |
| 9  | <a href="#">Karnataka</a>         | 20,266       | 1,771       | 3,275  | 1,324  | 58.82%   |
| 10 | <a href="#">Rajasthan</a>         | 16,517       | 2,012       | 2,961  | 1,805  | 48.34%   |
| 11 | <a href="#">Jharkhand</a>         | 13,463       | 1,593       | 1,499  | 3,735  | 47.58%   |
| 12 | <a href="#">Gujarat</a>           | 11,544       | 1,028       | 664    | 1,238  | 62.82%   |
| 13 | <a href="#">Assam</a>             | 11,374       | 1,348       | 774    | 1,223  | 53.69%   |
| 14 | <a href="#">Punjab</a>            | 10,243       | 813         | 3,055  | 0      | 59.75%   |
| 15 | <a href="#">Haryana</a>           | 8,422        | 1,107       | 1,456  | 0      | 62.11%   |
| 16 | <a href="#">Chhattisgarh</a>      | 6,591        | 706         | 742    | 1,963  | 51.35%   |
| 17 | <a href="#">Uttarakhand</a>       | 4,555        | 512         | 731    | 95     | 62.65%   |
| 18 | <a href="#">Delhi</a>             | 4,213        | 311         | 490    | 0      | 62.99%   |
| 19 | <a href="#">Jammu and Kashmir</a> | 4,137        | 487         | 207    | 385    | 49.29%   |
| 20 | <a href="#">Kerala</a>            | 3,902        | 295         | 337    | 51     | 84.61%   |

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| 21 | <a href="#">Himachal Pradesh</a>            | 2,051        | 154         | 433    | 118    | 62.10%   |
| 22 | <a href="#">Manipur</a>                     | 1,343        | 177         | 40     | 378    | 67.50%   |
| 23 | <a href="#">Tripura</a>                     | 833          | 66          | 172    | 181    | 71.19%   |
| 24 | <a href="#">Meghalaya</a>                   | 627          | 134         | 3      | 540    | 57.40%   |
| 25 | <a href="#">Arunachal Pradesh</a>           | 495          | 64          | 0      | 311    | 52.20%   |
| 26 | <a href="#">Goa</a>                         | 398          | 34          | 9      | 33     | 73.90%   |
| 27 | <a href="#">Nagaland</a>                    | 398          | 63          | 0      | 335    | 70.75%   |
| 28 | <a href="#">Puducherry</a>                  | 252          | 16          | 40     | 0      | 60.59%   |
| 29 | <a href="#">Mizoram</a>                     | 166          | 26          | 1      | 146    | 87.14%   |
| 30 | <a href="#">Chandigarh</a>                  | 142          | 16          | 22     | 0      | 72.22%   |
| 31 | <a href="#">Sikkim</a>                      | 126          | 14          | 9      | 37     | 65.18%   |
| 32 | <a href="#">Daman and Diu</a>               | 59           | 10          | 1      | 2      | 75.51%   |
| 33 | <a href="#">Andaman and Nicobar Islands</a> | 47           | 5           | 0      | 3      | 73.81%   |
| 34 | <a href="#">Dadra and Nagar Haveli</a>      | 43           | 5           | 0      | 22     | 73.68%   |
| 35 | <a href="#">Lakshadweep</a>                 | 2            | 0           | 0      | 2      | 50.00%   |

Source: Registrar General of India, Census of India, 2011

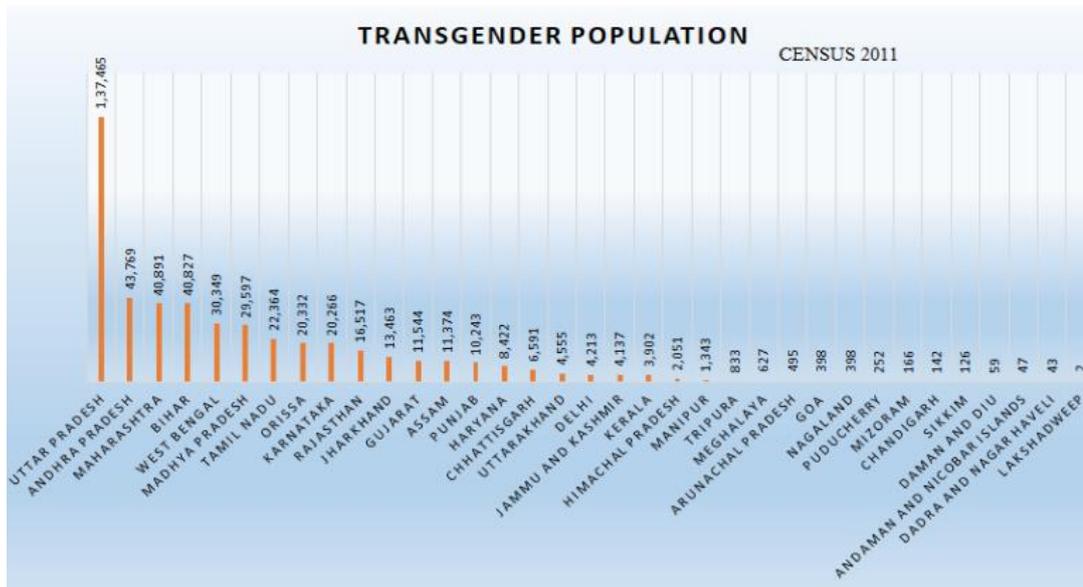


Fig : 1 According to Census 2011, it was found that the overall population of transgender is 4,87,803 and the state-wise distribution of transgender in India is shown in the figure, with UP having most of the transgender population 1,37,465 and Lakshadweep having only 2 transgenders.

## Third Gender Population of India

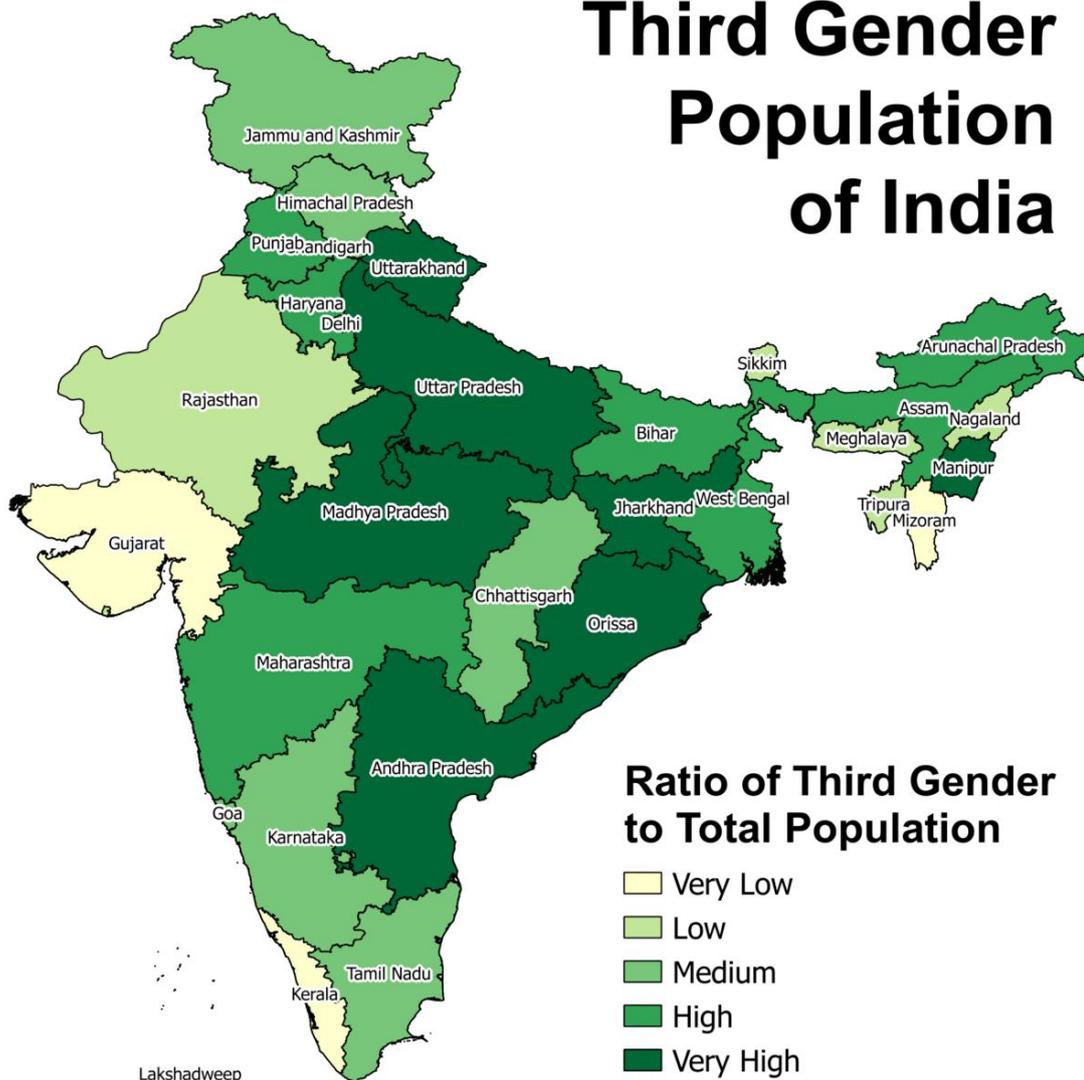
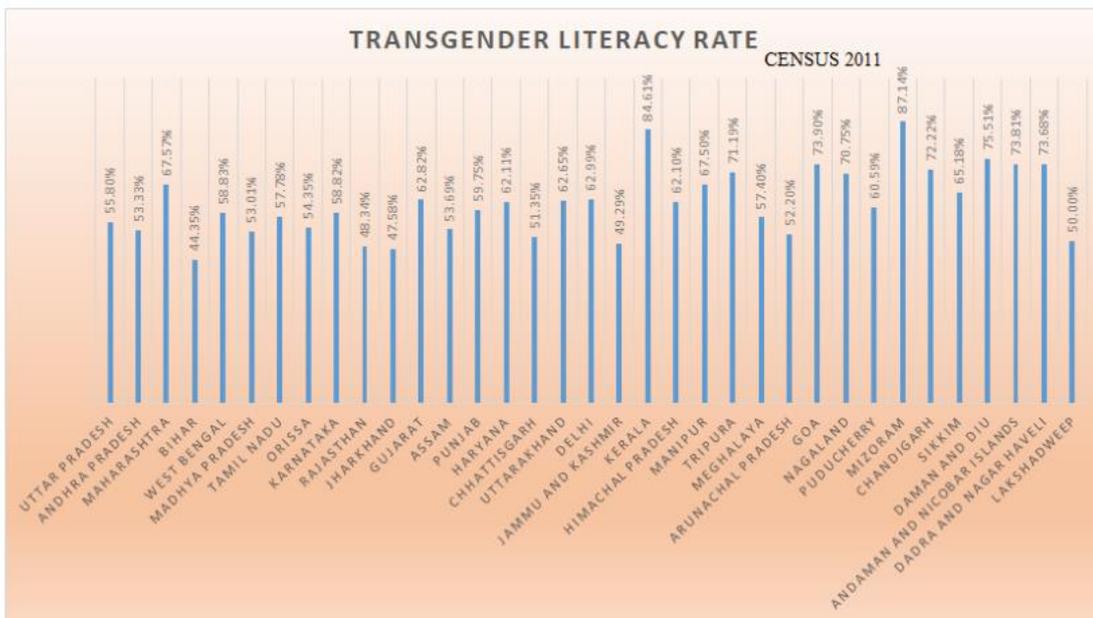


Fig 2: Ratio of third gender population compared to total population

In the above map, the 2011 census also signified that the ratio of third gender population to total population was higher in Andhra Pradesh, Orissa, Madhya Pradesh, Jharkhand, Uttar Pradesh, Uttarakhand, 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. Alternatively, these states may have communities which allow for open self-identification as third gender, and better livelihoods for third gender persons through work opportunities or less stigma.



Source: Registrar General of India, Census of India, 2011

Fig 3 : This figure depicts the Literacy rate of transgender according to the census 2011, Bihar and Jharkhand having least literacy rates 44.3% and 47.58% respectively and it was found that Mizoram has the highest literacy rate of 87.1%.

## Third Gender Population of India

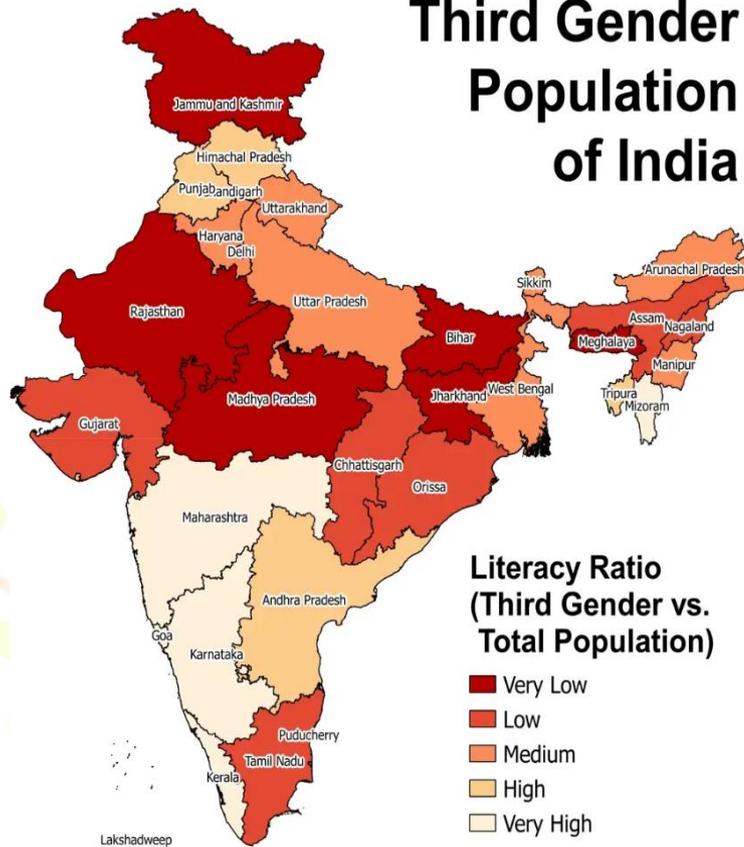


Fig 4: Comparison of the literacy rate of third gender persons to literacy rate of total population

This map 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.

# Third Gender Population of India

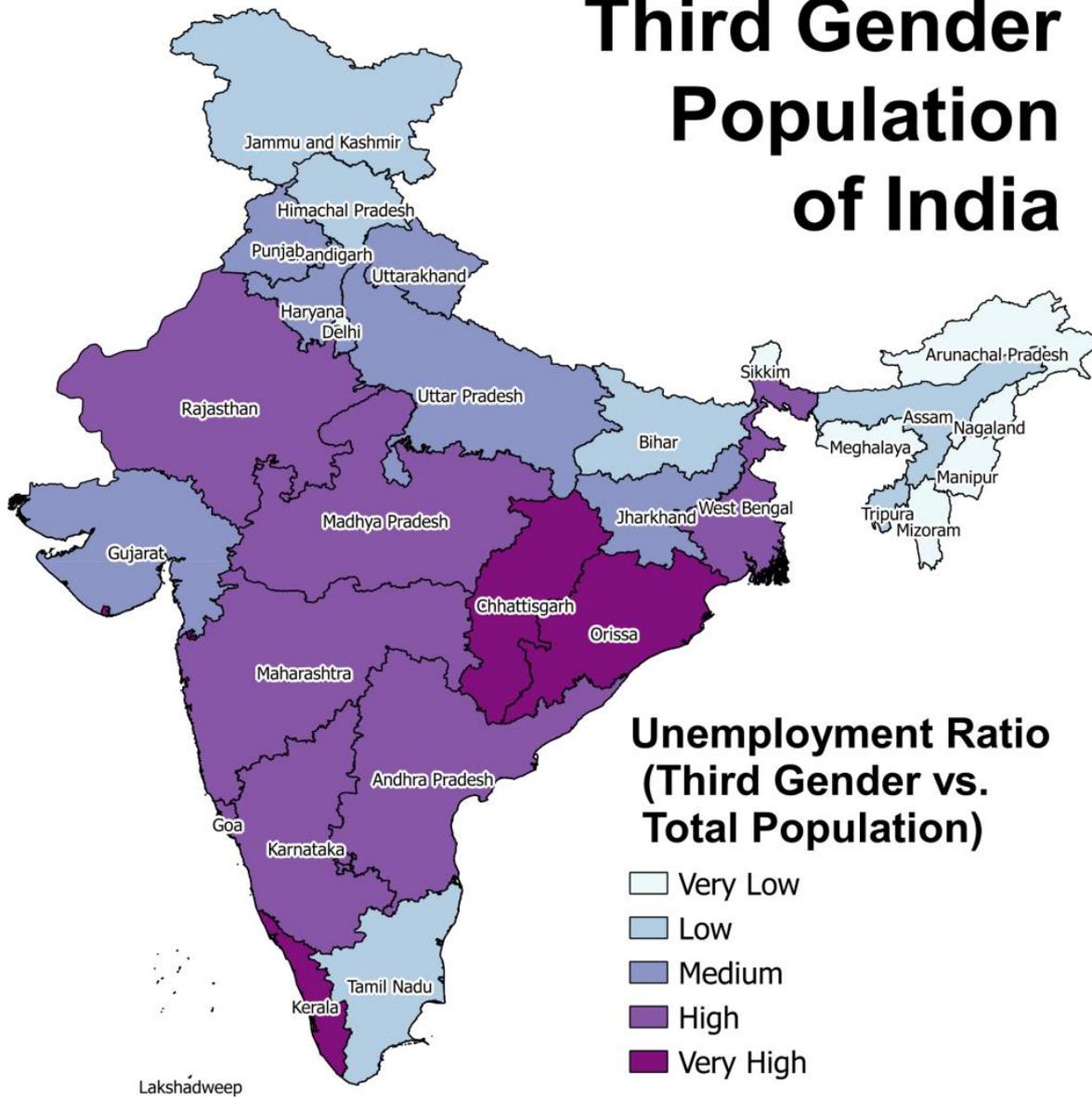


Fig :5 Comparison of the unemployment rate of third gender individuals to the unemployment rate of total population.

Unemployment trends for third gender individuals are also very interesting. Comparing the percentage of non-working persons in both third gender and total populations, we see 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.

Third gender persons in urban areas of Madhya Pradesh, Chhattisgarh, Jharkhand, West Bengal, Assam, and Nagaland are 23–25% more literate than those in rural areas.

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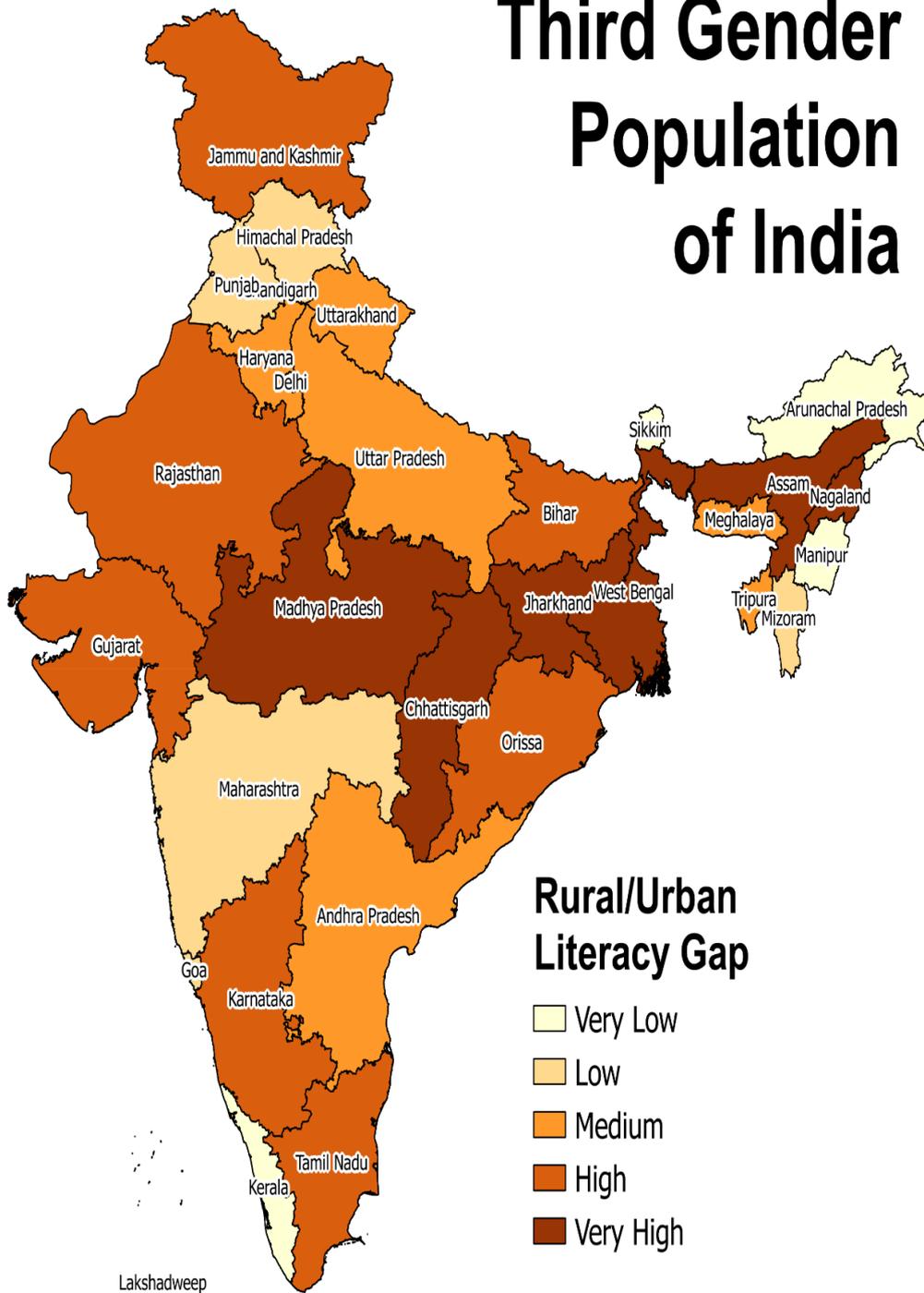


Fig 6 : Gap/difference between literacy rates of third gender persons in rural and urban areas

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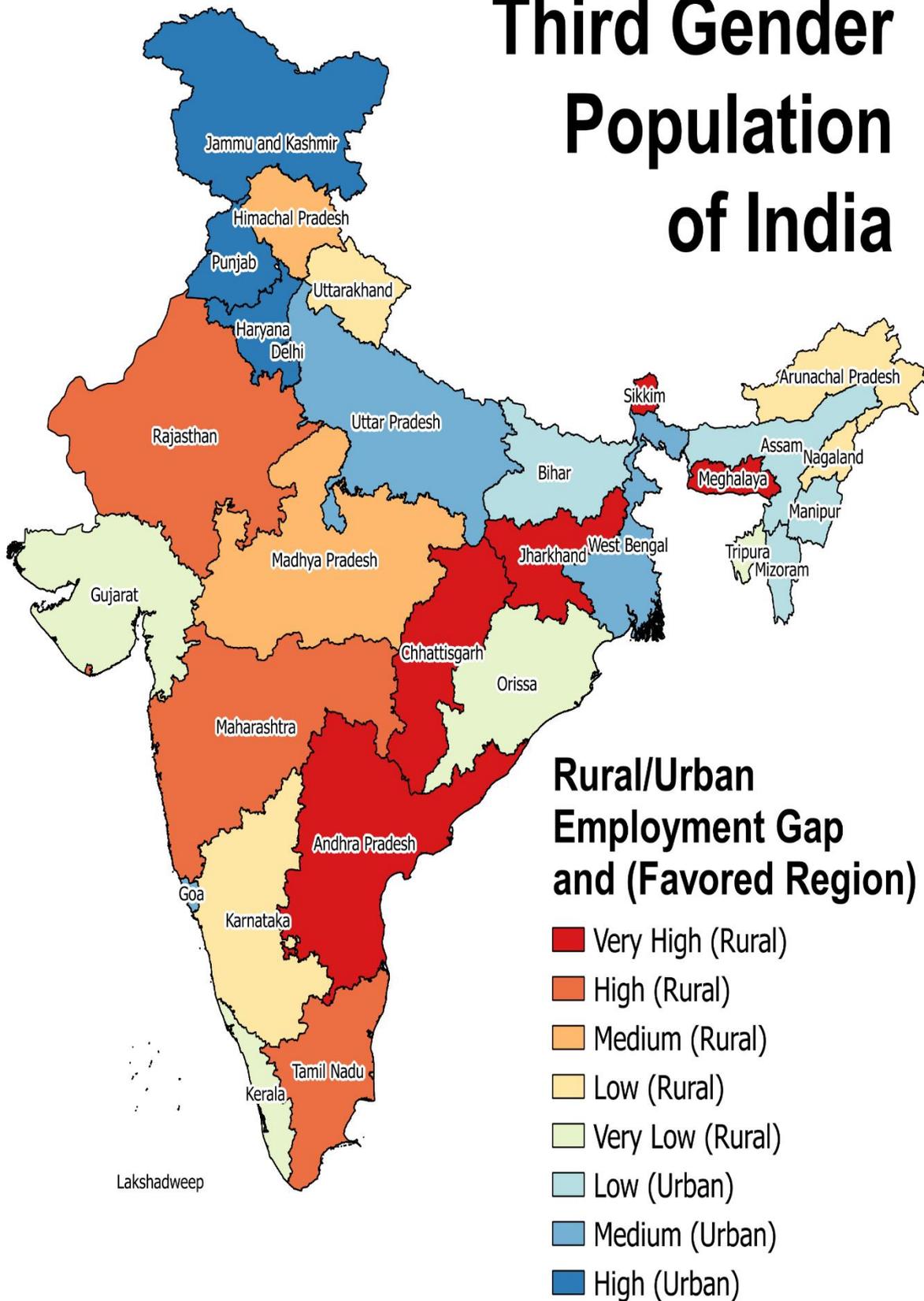
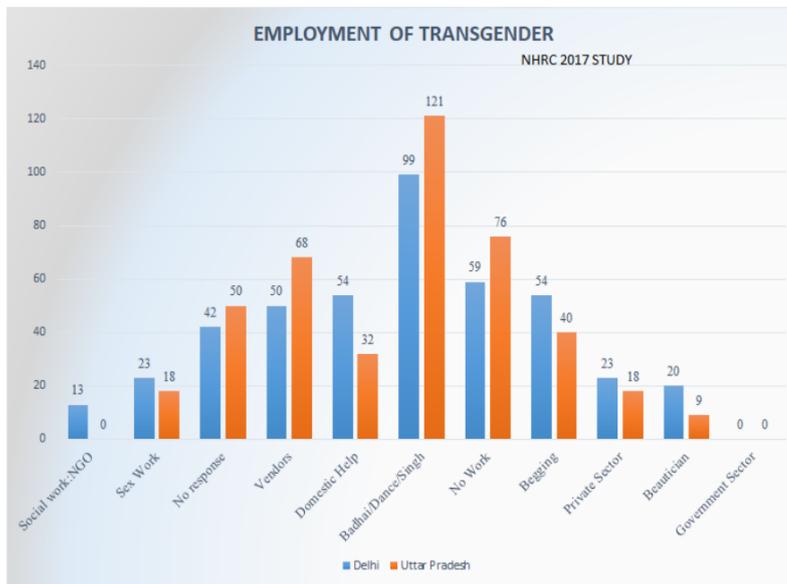


Fig : 7

Gap/difference between employment rates of third gender persons in rural and urban areas



Source: Registrar General of India, Census of India, 2011

Fig : 8 This figure shows the type of work done and the number of transgenders doing that work by the survey conducted by NHRC in the states of Delhi and UP. In both states, most transgenders were involved in Badhai/Dancing/Singing.

### Rural/Urban Gaps

The rural/urban gap is starker for third gender persons than for the total population. As seen from the map of rural/urban literacy gap, there is a range of disparity in literacy across rural and urban areas of each state. Third gender persons in Kerala, Sikkim, Arunachal Pradesh, and Manipur are at least as literate as the rest of the population. However, rural and urban literacy is very disparate in Madhya Pradesh, Chhattisgarh, Jharkhand, West Bengal, Assam, and Nagaland. Urban areas in these states are 23–25% more literate than rural areas, indicating a severe gap between people and the educational institutions that serve them.

Evaluating employment in rural and urban areas also shows a severe gap. Third gender persons consistently report higher employment rates in rural areas than in urban areas in most states. In Andhra Pradesh, Chhattisgarh, Jharkhand, Meghalaya, and Sikkim, rural areas trump urban areas for jobs by over 16%. In northern states like Jammu and Kashmir, Punjab, and Haryana, the alternate is true. Since these states have highly populated urban areas, it is easier to find a job in the city, and the gap stands at about 3–7%. In the Union Territories of Delhi and Chandigarh, this rural/urban gap jumps to 26% and 38% respectively, predictably in favor of urban areas. Despite this concentration, most of the third gender population of India reports higher employment in rural areas, as shown by the prevalence of red-orange states. Comparing both maps, notice that Chhattisgarh and Jharkhand report large gaps in both literacy and employment between rural and urban areas.

## Status of Transgender Students in Schools Part of Our Current Education System

### Problems faced by the transgender community:

#### The Vicious Cycle of being a Transgender

It is true that the situation has changed after the Supreme Court's verdict in 2014, but the attitude of Indian society toward transgenders has not changed much since then. There has been a vicious cycle of being a transgender which is defined as below:

#### Low level of poverty

By begging (for example, singing in trains and buses, collecting money, begging at traffic signals, forcing people to bless them at public places in Delhi and collecting money), they scrape out a living, as well as doing humdrum jobs and occasionally engaging in sexual activity. Since they come from low-level backgrounds, they are susceptible to harassment by the police.

#### Less education

Up until recently, they had no right to an education. Therefore, they were unable to obtain government or private jobs since they lacked an education.

#### Discrimination and ignorance

As a result of class discrimination as well as gender discrimination, transgender people in India are among the most disenfranchised groups. As a result, they do menial jobs for a living as they are threatened with losing their livelihoods.

#### Lack of Medical Facility

They are more frequently subject to health risks and setbacks as a result of a lack of shelter, education, and medical facilities. As a result of their lack of access to medical services in both public and private health care systems, most resort to quack remedies for immediate relief. In these conditions, transgender people become susceptible to many contagious diseases due to a lack of hygiene and knowledge.

#### Carrier of various contagious diseases such as HIV

Drugged and contagious diseases, such as HIV AIDS, make them most vulnerable to living in poor hygienic conditions and trading themselves for sex work.

#### Alcohol and drug use

There are numerous reports of transgender people taking alcohol and other drugs, including ganja, hashish, brown sugar, cocaine, etc. This is mainly due to the fact that they want to forget the dangers they face in the course of daily life. Sexually transmitted diseases and risky sexual behaviour are associated with the consumption of such drugs. They sometimes inject drugs into their veins with syringes due to a lack of money.

#### Harassment and extortion

As they lack secure homes and spend most of their time in open areas, they become much more susceptible to being extorted and sexually targeted.

## Unemployment

The transgender community is plagued by unemployment. The employers are not much interested in giving jobs to the transgender. Transgender employees are not highly sought after by employers. It is possible to take them as exceptions, though. As a result, they have limited employment opportunities, and resort to sex jobs or begging to make ends meet. Recently, LIC began recruiting transgender individuals as their agents, which is an unprecedented move. Also, there are lack of social welfare schemes for transgender.

## CHALLENGES FACED BY THE COMMUNITY

The transgender community/communities (referred to as TGC hereafter) have faced numerous challenges and hardships that impede their social, cultural and economic advancement. These communities also have very low levels of education, which emancipates them from all social ills.

It is imperative that individuals have the opportunity to acquire skills and education that will enhance their employment and economic opportunities. Because TGCs are not well supported by their families and schools, they are at risk of losing further career opportunities.

There are various challenges faced by the transgender community in distinct fields which has been explained as below:

1. **Discrimination:** Transgender people are primarily discriminated against because of their gender identity. Discrimination persists in the areas of education, employment, entertainment, and justice.
2. **Disrespect:** Every aspect of their lives is disrespected, except for a few exceptions such as when babies are born and they are blessed or newlyweds are blessed.
3. **Inclusion in School/ college and University:** There is a big challenge involved with including transgender students in school and college. Due to the problem of inclusion of males and females of the same gender, providing equal opportunities to transgender students is so challenging.
4. **Downtrodden:** Many of these people are mistreated or oppressed by those in power. Transgender people are prone to battling for social justice due to their identity.
5. **Use of disrespectful names and pronouns:** Transgender youth should be respected by using the name chosen and the pronouns appropriate to the gender they identify with (irrespective of biological sex). Being deliberately disrespectful by persisting in using a prior name and other pronouns is a serious offense. As long as good faith progress is made in using the proper name and pronouns, transgender youth can understand and sympathize with some confusion.
6. **Lack of access to appropriate restroom facilities:** Public restrooms are often inaccessible to transgender people. Assaults may occur if the restroom that conforms to their gender identity is not available to them or if they are forced to use one that does.

The availability of locker rooms that are gender-congruent is often not a concern for transgender people.

Dress codes may create problems for transgender people wherever they are enforced.

7. **Child Nabbing:** Those born with the transgender feature are always sought out by this community. They attempt to nab the child from their parents as soon as they are made aware of it.
8. **Lack of ideal personality:** There is often a feeling of loneliness among transgender youth. Transgender people are rarely employed in youth programs; few libraries provide information about biological sex and gender as well as gender identity.
9. **Confidentiality:** Families with unsupportive gender identities or expressions may threaten or evict transgender youth if they reveal their identity or expression.
10. **Prostitution:** A community, friend, or relative forces them to take up the profession of prostitution. There have been instances in which their parents are involved as well.
11. **Forced to leave parental home:** Society pressures and forces them to leave the parental home when they are identified as not being able to fit into the society and class they belong to.
12. **Unwanted attention:** A transgender person is often subjected to unwanted attention in public. In addition to insulting, punishing, abusing or cursing the victim, they try to create a scene and create a disturbance.
13. **Rejection of entry:** Among other things, they are denied entry into religious places, p hotels, restaurants, theatres, parks, etc.
14. **Rape, verbal and physical abuse:** There are many things Transgender people have to deal with out of which is rape and verbal physical abuse. There is a high probability of them being raped, followed by physical abuse and verbal abuse.
15. **Lack of educational facilities:** For the most part, the Indian education system is not geared to meet the needs of trans persons. It is not permitted for them to attend schools or colleges, just like normal people.
16. **STI and HIVAIDS problems:** As the name implies, MSM“ stands for Men who have sex with Men. Therefore, transgender people are likely to be infected with STIs and HIV AIDS. In addition, most transgender people fall into the lower socioeconomic classes and have very low literacy levels. A health care system that provides improper care is sought.
17. **Human trafficking:** The transgender community is the most neglected, which explains why they are frequently victims of human trafficking.
  - **Social Exclusion:** They are socially excluded from society, which poses the greatest problem throughout the whole process. In addition to being excluded from economic, cultural, and social activities, they are also socially excluded. To put it simply, their participation in the following activities are not allowed:
    - Opportunities for employment, livelihood, and the economy
    - Socially and culturally excluded
    - Insufficient protection against violence
    - Inaccessible education, health care, and personal care
    - A limited number of public spaces are accessible
    - A limited number of opportunities for collectivization
    - Citizenship rights

- Decisions are excluded from their consideration
- Lack of social security

## **Current Status of Transgender Education:**

The Indian Constitution recognizes the Third Gender as a new sex. A major population emerges with this new sex. Due to their social and cultural isolation, they are unable to access education, health care, and public places, which further complicates their lives, undermines their constitutional right to equal protection under the law.

In the Indian context, there is no formal education for transgender people. As a result, transgender people are deprived of a family and school environment, and they now face the risk of stopping their education and sacrificing their future careers. According to a close analysis of reports and discussions with stakeholders, transgender people are the least educated or undereducated and reluctant to continue their education.

The most common educational qualification is secondary (Matric) or senior secondary education. In primary and secondary education, there is still a very high dropout rate and a low enrolment rate. It is difficult for them to get an education because they are neither accepted by society nor educated, so they don't receive a proper education. It is not uncommon for them to face harassment and bullying every day in educational institutes and to be asked to leave the school or to drop out on their own. As a result, they turn to begging and sex work. Inclusion of transgender students in education and adult education is a mandatory requirement for the government.

### **Solutions required for potential development of Transgender Community –**

A robust legal mechanism is needed to protect the interests of transgenders and its community. It is imperative that every person has an equal chance to receive education and to earn a living. Educating children about how trans people are just people like everyone else is the first step to bringing about change in society.

It is critical to transform workplaces to be more transgender-inclusive with initiatives such as equal opportunity hiring, providing bathrooms for the third gender, preventing misconduct and harassment, and providing medical insurance and policies for transgender employees.

### **Urgent Need to implement 2014, Supreme Court ruling in letter and spirit**

The social stigma still persists despite the supreme court ruling being out for one year now. Despite the historic nature of this ruling, the implementation of the decision is still far from complete. Community

members continue to suffer harassment and marginalization. As a result of social prejudice, transgender people still face discrimination. While transgender people have been classified as backward and will be entitled to all education and employment benefits, in order for the benefits to reach the transgender community, it is essential that the government and private agencies implement the order.

### **Need for better Health Care facilities:**

It is no surprise that transgender people are susceptible to a variety of diseases due to their unhygienic conditions. Due to their long-standing denial of public and private health services, many of them turn to quacks and thus suffer prolonged illnesses. It is now up to doctors, health care professionals, policy makers, and community service providers to take the lead. As well as teaching transgender community members about personal hygiene, there are a number of other health issues that need to be addressed.

### **Need for Education:**

Every human being is entitled to education. There has been a long history of denying education to transgender people. Now that the Supreme Court has ruled in favour of transgenders, it's a new dawn for the community. Our goal should be to educate and enlighten the transgender about the benefits that education can provide. It is imperative that the agencies advocate for transgender people to get involved in education. There is a need for schools and colleges to be more accessible to the community. It is imperative that the teaching community takes special note of Transgender education and helps them to succeed in the classroom.

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