

Higher Education of Transgenders in India: Opportunities and Challenges

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Abstract: Education is essential for the growth and development of any democratic country. India is a Democratic country. According to Article 14 and 15 Indian Constitution is to provide equal opportunity to every citizen to grow and attain their potential, irrespective of caste, religion or gender. Now-a-days, Transgenders will study in schools, colleges and universities with all facility approving their admission under the category of "disadvantaged group" defined by the Right to Education Act 2009. The Transgender community is a part of the social order and they have an equal right in everything that is available to all others in the world. Transgenders are eligible for twenty five percent reservation under the economically weaker section disadvantaged students category for admission in schools, colleges and universities. They are socially and economically backward. Transgender will be allowed admission in schools, colleges and universities and given employment on the basis that they belonged to the Transgenders. The Supreme Court said they will be given educational and employment Opportunities to Transgenders. The Transgenders community faces several challenges and discrimination and therefore has fewer opportunities as compared to others. They are hardly educated as they are nor accepted by the society and therefore do not receive proper schooling. Even if they are admitted to an educational institute, they face harassment and are bullied every day and are asked to leave the school and colleges or they drop out on their own. It is because of this that they take up begging and sex work.

Keywords: higher education

1. Introduction

Transgenders have a long history of suffering from neglect and trauma across the world. Their existence can be traced back to 19th century B.C. India has more than 4000 years of recorded history of transgender. The reign of the Mughal monarchs from 1526 to 1857 was a golden time for the eunuchs as they were key advisor. After 1870 British era laws such as the criminal Tribes Act and the dramatic performance Act restricted the activities of the members of the transgender community and removed their basic right. Gender is a human social system of differentiation by sex for roles, behaviors, characteristics, appearances, and identities. Third gender is a broad term used to describe those whose gender, gender identity, or gender expression is in some sense different from, their assigned birth sex. Transgender may include those who identify as being transsexual, crossdressers, androgynous, bi-gender, no-gender or multi-gender, and a growing number of people who do not identify as belonging to any gender category at all. For some

third gender individuals, the discomfort with social gender role is accompanied by a profound sense of mismatch of the physical body to their internal bodily experience. This body dysphoria causes significant distress, negatively impacts daily functioning and well-being, and requires medical services in order to realign the body with the self.

Transgenders were counted for the first time in 2011 census after the government decided on their inclusion in the population count as a separate category. Until 2011 population census had only two categories of gender male and female and there was no choice of third gender. But in 2014 Supreme court of india recognized transgender as third gender. The primary and secondary gender men and women looking forward in all aspects especially in education, but there is differentiated with transgender community .They also tries to move with them and grabs to get the basic and advanced knowledge through higher education. Universal Declaration of Human right states that "Everyone has the right to education. Education shall be free at least in the elementary and fundamental stages. Elementary education and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis merit"

Maximum number of eunuchs were found in Uttar Pradesh state of india among 35 states and territories with 13000 Bihar comes second with 9,987 and west Bengal rank with 9,868 numbers. The education level on an average is 27% of them completed primary education, middle school 10% higher secondary 10% high school 27% UG and PG course 26%. One notable finding of the census is the low literacy rate in the transgender community, at 46% in comparison to 74% literacy in the overall population . Low literacy rate of eunuchs were low due to harassment and discrimination.

2. Review of literature

- Dahms, (2008). The overall commitment of critical theory is to illuminate how exactly concrete socio-historical conditions shape and influence social life. Critical theory presents as an appropriate theoretical framework for this specific study as it aims to illuminate the external societal structures, institutions, and binaries that influence the experiences of transgender students within a higher education

setting.

- Kosciw, (2010). Chickering's (1969 & 1993) research pinpoints college as a critical time in students' identity development. Recognizing this stage in identity development, colleges provide a number of support services to aid students through this developmental period.
- The American Psychological Association (2010) defines sex as assigned at birth, a reference to one's biological status as either male or female, and as associated primarily with physical attributes such as chromosomes, hormone prevalence, and external and internal anatomy. Gender refers to the socially constructed roles, behaviors, activities, and attributes that a given society considers appropriate for males and females.
- Gagne, Tewksbury, and McGaughy (1997) explored the social pressures that influence transgender identity formation through exploration of the coming-out experiences for transgender individuals. The empirical extension of this study (1998) explored the social context in which transgender individuals resist the normative expectations of sex and gender. The purpose of this study was to examine the ways in which transgender people challenge the assumption of the two-gender binary and the association between gender and sex.
- Troop (2011) interviewed both students and staff in response to the creation of a policy on transgender students. This policy, ratified by the Board of Trustees, states that any degree-seeking students that initiate female to male sex reassignment surgery will not be permitted to continue their education at the institution. The university's policy defines the initiation of a sex reassignment surgery to include taking male hormones, legally changing to a male name, or undergoing any surgical procedure related to the male identity.

3. Statement of problems

- They are shunned by family and society alike. They have restricted access to education, health services and public spaces.
- Recently, they were excluded from effectively participating in social and cultural life
- Politics and decision-making processes have been out of their reach.
- They do not have their fundamental right.
- Reports of harassment, violence, denial of services, and unfair treatment against transgender persons have come to light.

4. Objective of study

The Objectives of the study are as follows:

- To study the Obstacles faced by Transgenders.
- To study the role of Government to made provision for Transgenders
- To study the status of Transgenders Education in India
- To study the Opportunities and challenges for Transgenders education in india

A. Transgender faced obstacles

Transgenders has to face many problems because earlier they were not having separate acceptable existence in the society. Problems are:

- *Educational problem:* Transgender community faces discrimination in every walk of their life. They experience isolation and abuse and are not allowed to share common grounds with classmates, thus they quit education and thereby limit career opportunities. The average qualification of a transgender is secondary or senior secondary level. The enrolment is low and dropout rate is high.
- *Social Problem:* Sexuality or gender identity makes a victim of stigmatization and exclusion by the society. The denial starts from home. The Problem is verbal and physical abuse and denial of family property.
- *Economic and Health Problem:* Due to inadequate education and lack of employment opportunities in transgender community members, they are forced into sex work and begging. While some transgender people manage to sustain their jobs in spite of stigma and discrimination in workplace most of them give resignation due to unbearable circumstances in workplace.

B. Role of government to made provision for transgender community

In India there are a host of socio – cultural groups of transgender people like hijras/ kinnars, and other transgender identities like – shiv-shaktis, jogtas, jogappas, Aradhis, Sakhi, etc. However, these socio-cultural groups are not the only transgender people, but there may be those who do not belong to any of the groups but are transgender persons individually. Constitutional rights of transgender people Preamble to the Constitution mandates Justice - social, economic, and political equality of status.

Thus the first and foremost right that they are deserving of is the right to equality under Article 14. Article 15 speaks about the prohibition of discrimination on the ground of religion, race, caste, sex or place of birth. Article 21 ensures right to privacy and personal dignity to all the citizens. Article 23 prohibits trafficking in human beings as beggars and other similar forms of forced labor and any contravention of these provisions shall be an offence punishable in accordance with law. The Constitution provides for the fundamental right to equality, and

Table 1
States and literacy

States	Transgender	Child(0-6)	Literacy
Uttar Pradesh	137,465	18,734	55.80%
Andhra Pradesh	43,769	4,048	53.33%
Maharashtra	40,891	4,101	67.57%
Bihar	40,827	5,971	44.35%
West Bengal	30,349	2,376	58.83%
Madhya Pradesh	29,597	3,409	53.01%
Tamil Nadu	22,364	1,289	57.78%
Orissa	20,332	2,125	54.35%
Karnataka	20,266	1,771	58.82%
Rajasthan	16,517	2,012	48.34%
Jharkhand	13,463	1,593	47.58%
Gujarat	11,544	1,028	62.82%
Assam	11,374	1,348	53.69%
Punjab	10,243	813	59.75%
Haryana	8,422	1,107	62.11%
Chhatisgarh	6,591	706	51.35%
Uttarakhand	4,555	512	62.65%
Delhi	4,213	311	62.99%
Jammu Kashmir	4,137	487	49.29%
Kerela	3,902	295	84.61%
Himachal Pradesh	2,051	154	62.10%
Manipur	1,343	177	67.50%
Tripura	833	66	71.19%
Meghalaya	627	134	57.40%
Arunachal Pradesh	495	64	52.20%
Goa	398	34	73.90%
Nagaland	398	63	70.75%
Puducherry	252	16	60.59%
Mizoram	166	26	87.14%
Chandigarh	142	16	72.22%
Sikkim	126	14	65.18%
Daman and Diu	59	10	75.51%
Andaman & Nicobar Islands	47	5	73.81%
Dadra and Nagar Haveli	43	5	73.68%
Lakshadweep	2	0	50.00%
Total	487,803	54,854	56.07%

tolerates no 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 (transgenders) continues to be ostracized. The Constitution affirms equality in all spheres but the moot question is whether it is being applied. But official identity papers provide civil personhood. Among the instruments by which the Indian state defines civil personhood, sexual (gender) identity is a crucial and unavoidable category. Identification on the basis of sex within male and female is a crucial component of civil identity as required by the Indian state. The Indian state's policy of recognizing only two sexes and refusing to recognize hijras as women, or as a third sex (if a hijra wants it), has deprived them at a stroke of several rights that Indian citizens take for granted. These rights include the right to vote, the right to own property, the right to marry, the right to claim a formal identity through a passport and a ration card, a driver's license, the right to education, employment, health so on. Such deprivation secludes hijras from the very fabric of Indian civil society.

C. Status of transgender education in India

Every child has right to learn in a harmless and accepting environment. Encouraging transgender children give them the parallel opportunity that all children need. Every adult must perform as a protective agent dedicated to the safety and happiness of the young one. The appearance of transgender personality or any other form of gender extensive behaviour is healthy, suitable and typical phase of human development. Gender extensive children should never be asked to confirm their gender identity or to compel them to identify with male or female sex. Likewise teachers and administrators need to participate in regular professional expansion and train to create a climate that avoids gender labelling and affirms the gender of all children. Parent and caregivers must similarly continue to expand their understanding of the shifting concerns facing children as they get older. As transgender people require more attention parents, mentors and healthcare suppliers are learning about the significance of supporting transgender youth. Teachers and administrators are also contributing to support these children, recognizing that every child holds an opportunities to succeed in their schooling. Gender based harassment and violence may be common in schools and it will affect all the students, not just those who are transgenders. Teachers having a transgender student in their class it can inclusive the learning atmosphere to prevent the need for such involvements. When students are harassed by the gender their learning process often takes a backward step on worrying about which restroom they may use safely. Students those who are facing harassment are not able to succeed academically.

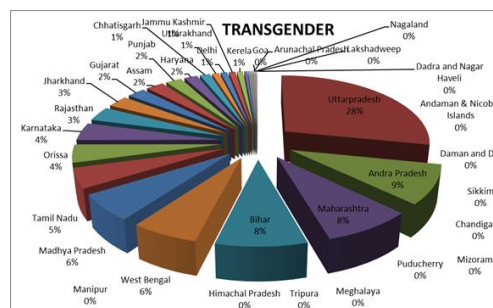


Fig. 1. Transgender

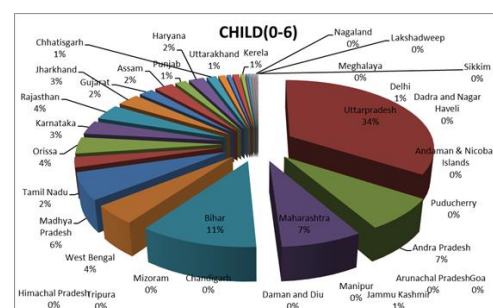


Fig. 2. Child

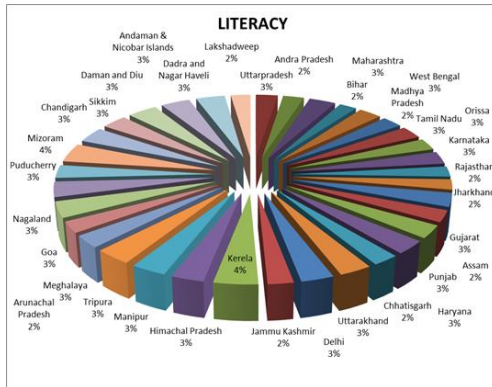


Fig. 3. Literacy

5. Opportunities and challenges for transgender education in India

Opportunities of Transgender Education in India

- **Constitutional rights of transgender people:** Indian state defines civil personhood, sexual (gender) identity is a crucial and unavoidable category. Identification on the basis of sex within male and female is a crucial component of civil identity as required by-the Indian state. The Indian state's policy of recognizing only two sexes and refusing to recognize hijras as women, or as a third sex (if a hijra wants it), has deprived them at a stroke of several rights that Indian citizens take for granted. These rights include the right to vote, the right to own property, the right to marry, the right to claim a formal identity through a passport and a ration card, a driver's license, the right to education, employment, health so on. Such deprivation secludes hijras from the very fabric of Indian civil society.
- **Transgender policy:** Kerela became the first state in India to introduce a comprehensive transgender policy. The policy intended to eradicate social stigma and discrimination faced by transgender persons.
- **Free College Education:** Universities in India have begun offering a free college education to transgender students. Manonmaniam Sundaranar University (MSU) in the Southern Indian state of Tamil Nadu waived tuition for transgender students at all ten of its campuses.
- **Transgender Welfare Board:** Tamil Nadu, in particular, has a broad welfare policy: Transgender people can access free housing and free gender confirmation surgery in government hospitals. It was also the first state to form a Transgender Welfare Board with representatives from the trans community.

6. Challenges of Transgender Education in India

Challenges of Transgender Education: The nomenclature "third gender" is a problem in itself: it treats sexuality as a ladder-like structure in which the lowest rung is occupied by the queer community. Although it provides them with legal

recognition, it does not alleviate them of their adjunct conditions as they continue to be a part of the marginalized section of society and are not considered equal to the rest of the Indian population.

- **Inclusion in School/ college and University:** Inclusion of transgender with school and college is a big challenge. It is so challenging to provide equal opportunity of education to transgender because there is a problem of inclusion with male and female gender students.
- **Use of disrespectful names and pronouns:** When a transgender youth identifies as a particular gender (irrespective of biological sex), it is respectful to the youth's human dignity to use the name chosen and the pronouns appropriate to that particular gender. To persevere intentionally in the use of a prior name and other pronouns is to be deliberately disrespectful. Transgender youth can understand and sympathize with some confusion, so long as there is continuous, good faith progress in using the proper name and pronouns.
- **Lack of access to appropriate rest room facilities:** Transgender people often lack safe access• to public restrooms. They may be assaulted if they use the restroom that conforms to their gender identity or forced to use a restroom that does not conform to their gender identity. Transgender people often have no safe access to locker room facilities that conform to their gender identity. Wherever dress codes are enforced, they may create problems for transgender youth. •
- **Lack of ideal personality:** Transgender youth often feel alone in the world. Few programs for• youth employ transgender people; few libraries offer information about biological sex and gender, gender identity, or being transgender.

A. Research methodology

The secondary data was collected mainly from journal, magazine, government report, books and published and unpublished article and journal.

7. Conclusion

The biggest lacuna in the system is that nobody knows the real definition of a transgender. Sensitisation will not help until people are ready to accept change and acceptance can come only through education." Each being in this Universe is indeed unique, and an integral part of Nature. It would thus be wrong to judge and discriminate people who may be different from the stereotype, which again is man-made. It is time that India realised that every individual in this country has equal rights and privileges, and follow the policy of "live and let live." Thus the first and the foremost right transgender are deserving of is the Right to Equality under Article 14. Article 15 speaks about the prohibition of discrimination on the ground of religion, caste, sex or place of birth. Article 21, ensures right to privacy

and personal dignity to all the citizens and article 21 (A) ensures education is a fundamental right to every Indian. The constitution provides for the fundamental rights to the equality and tolerates no discrimination on the grounds of sex, caste, creed or religion. The constitution also guarantees political rights and other benefits to every citizen. Despite such laws in the constitution of India, the other sex (transgender) continues to be ostracized. Transgender people faced discrimination and harassment at family, school and community forces them to move to the other places. The nature of the harassment includes verbal, physical and sexual abuse which has serious impact on the mental health as well. In a democratic country like India Transgender has no access to the social and political rights. They are not the part of any welfare scheme. Keeping in view the above findings it can be concluded that there is an immense need to intervene at individual, community and policy level to safeguard the rights of transgender.

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