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# Gender Dysphoria: A Disguised Victimisation

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#### **ABSTRACT**

Transgender people have experienced significant advances in societal acceptance despite experiencing continued stigma and discrimination. Gender Dysphoria is the condition of feeling one's emotional and psychological identity as male or female to be opposite to one's biological sex. Gender dysphoria had always led the trans genders to the brim of social isolation which leads to serious aftermath consequences like truancy, fleeing, bullying, and various abuses, which even lead to suicides, and ends up intimidating their basic life sustenance. This affects the individual's self- esteem. The basic family support which is the thriving force for transgender is often deprived from them.

The term transgender is often understood as hijras or transgender women. But this definition leaves out the identities like trans men who are yet to find recognition. Historically hijras have been visible and self- organized. But the Trans men are barely visible. There has always been the stereotype about the trans men while comparing to the trans women. The trans women on their defense were able to obtain rights however trans men were neglected as the society does not stand to accept the trans men but trans women. The peer group pressure, ostracism and prejudice had always deprived their basic livelihood rights however there is a veil covered on them with legislation back up.

The paper studies and scrutinizes the shortcomings faced by the transgender in establishing their life sustenance rights in general and societal seclusion of trans men in particular.

Keywords: Gender dysphoria, Transmen, Hijras, Male and Female.

## I. Introduction

Sex is what you are born with, gender is what you recognize and sexuality is what you discover." – A. Chettiar<sup>2</sup>

Transgender people are individuals of any age or sex whose appearance, personal characteristics, or behaviors differ from stereotypes, they differ in identity of about how men and women are supposed to be. transgender has become an 'umbrella' term that is used to

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<sup>&</sup>lt;sup>2</sup> Anitha Chettiar, "Problems Faced by Hijras (Male to Female Transgenders) in Mumbai with Reference to Their Health and Harassment by the Police" 5 (IJSSH, Mumbai.)

describe a wide range of identities and experiences, including but not limited to transsexual people; male and female cross-dressers (sometimes referred to as 'transvestites,' 'drag queens' or 'drag kings'); inter-sexed individuals; and men and women, regardless of sexual orientation, whose appearance or characteristics are perceived to be gender a typical. In its broadest sense, transgender encompasses anyone whose identity or behavior falls outside of stereotypical gender norms. That includes people who do not self-identify as transgender, but who are perceived as such by others and thus are subject to the same social oppressions and physical violence as those who actually identify with any of these categories. Other current synonyms for transgender include 'gender variant,' 'gender different,' and 'gender non-conforming.' Gender diversity is deeply rooted in India.<sup>3</sup> Transgender are also part and parcel of social order and have equal right in everything that-is available to all over in the world. Based on the class and gender the members of the transgender community are discriminated that make them one of the most disempowered groups in Indian Society. The roots of Transgender in India dates back to thirteen and fourteen centuries during Mughals period they enjoyed influential position and been considered as one of the important figure in the society but after British step in India,<sup>4</sup> their position got altered and are been considered as "a breach of public decency." This led to exclusion from the society or a group and then became a subject of everyday abuse and discrimination even after the collapse of British rule in India.

Transgender community includes Hijras, Eunuchs, Kothis, Aravanis, Jogappas, Shiv-Shakthis etc., who have been a part of Indian society for centuries. They are one of the most neglected and marginalized section of Indian society, facing neglect from family as well as government. In spite of all constitutional guarantees, the transgender community is denied even their basic rights, which include Freedom of Expression, Right against Violence, Right to Personal Liberty, Dignity, Right to Education and Empowerment, Right to discrimination and exploitation. In contemporary usage, the transgender community lives a life of exclusion – socially, culturally, economically and politically.

This paper focuses to summarize the various issues faced by transgenders by using the sociocultural aspects and social exclusion framework. The present paper discusses about Gender dysphoria which leads to stress, anxiety, and depression scrutinizing the shortcomings faced by transgender in establishing their life sustenance in general and social seclusion of trans men in particular.

<sup>&</sup>lt;sup>3</sup> American Psychological Association Washington, DC 20002

<sup>&</sup>lt;sup>4</sup> K. Delliswararao and C. Hangsing, Gender dysphoria and its effects (2018) 70-89 (Int. J. Soc. Sc. Manage. Vol. 5)

#### II. GENDER DYSPHORIA

Transgenders often face transphobic harassment. Many transgender experienced Gender dysphoria , According to Diagnostic and Statistical Manual of Mental disorders (DSM 5) is defined Gender dysphoria (GD) as a "marked incongruence between their experienced or expressed gender and the one they were assigned at birth." It was previously termed "gender identity disorder. People with gender dysphoria often desire to live in accordance with their gender identity and may dress and use mannerisms associated with the gender with which they identify in order to achieve this goal. The level of distress experienced by someone with gender dysphoria is significant, and individuals do much better if they are in supportive environments, allowed to express their gender in the way that's most comfortable to them, and are given knowledge that, if necessary, treatments exist to reduce the sense of incongruence they feel.

Gender dysphoria is the medical diagnosis for someone who experiences this distress. Not all transgender people have gender dysphoria. On its own, being transgender is not considered a medical condition. Many transgender people do not experience serious anxiety or stress associated with the difference between their gender identity and their gender of birth, and so may not have gender dysphoria.

Gender dysphoria can often be relieved by expressing one's gender in a way that the person is comfortable with. That can include dressing and grooming in a way that reflects who one knows they are, using a different name or pronoun, and, for some, taking medical steps to physically change their body. All major medical organizations in the United States recognize that living according to one's gender identity is an effective, safe and medically necessary treatment for many people who have gender dysphoria.

It's important to remember that while being transgender is not in itself an illness, many transgender people need to deal with physical and mental health problems because of widespread discrimination and stigma. Many transgender people live in a society that tells them that their deeply held identity is wrong or deviant. Some transgender people have lost their families, their jobs, their homes, and their support, and some experience harassment and even violence. Transgender children may experience rejection or even emotional or physical abuse at home, at school, or in their communities. These kinds of experiences can be challenging for anyone, and for some people, it can lead to anxiety disorders, depression, and other mental health conditions. But these conditions are not *caused* by having a transgender identity: they're a result of the intolerance many transgender people have to deal with. Many transgender people – especially transgender people who are accepted and valued in their communities – are able to

live healthy and fulfilling lives.

The Indian journal of endocrinology and metabolism<sup>5</sup> did research on gender dysphoria in eastern India. A retrospective and a cross sectional study was done at endocrine center in Kolkata in Eastern India during 2010-2015 and 73 subjects of gender dysphoria were included in the study, their clinical, biochemical profile, personality characteristics (cross-dressing), and family support were investigated.

#### (A) Male to Female (MTF)

Male to female (MTF) individuals are the ones born in a male body but identify themselves as female. In the research done by Indian journal of endocrinology and metabolism, a majority (75.34%) of Gender Dysphoria subjects were MTF.

Gender Dysphoric people are just like anybody else, born in a perfectly healthy male/female body but their sex and gender doesn't match. It is often said sex is a matter of the body, while gender occurs in the mind.

#### III. CASE STUDY ON GENDER DYSPHORIA

24-year-old, an assigned female at birth, presented with a history of strong desire to be a male right from her childhood. She would prefer to dress like a boy, playing often the stereotyped "boyish" games along with other boys. Her behavior was encouraged by her father as he did not have any male children. As she grew up, she started to get attracted toward women and used to consider her orientation as heterosexual with them. She used to constantly feel that she was trapped in the wrong body. She strongly believed that she had feelings and reactions just like the other men and was feeling helpless as she was not able to lead a normal life like them. In her early twenties, she fell in love with a woman and started to have a live-in relationship with her. She considers it as a heterosexual relationship and reportedly identified herself as the male partner of the couple. However, of late, the other lady started to get attracted toward men which the patient could not tolerate. She started to develop symptoms such as irritability, worthlessness, hopelessness, suicidal ideas, and suicidal attempts. She expresses the desire to get operated so as to become a man. She feels that her life is not worth living as she is not a female but has to be trapped in a female body.

She was admitted in view of her suicidal ideas and attempts. At admission, she was vitally stable with no contributory physical findings. Mental status examination revealed depressed and irritable mood, depressive ideas with worthlessness, hopelessness, and helplessness, over-

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<sup>&</sup>lt;sup>5</sup> https://ncbi.nih.gov.in last visited on Feb, 2024.

valued ideas about her sexual identity that she was indeed, a guy, suicidal ideas with high intentionality and well-considered plans, impaired attention and concentration with impaired personal and social judgment, and Grade 1 insight. She stayed in the hospital for about days and was started with selective serotonin reuptake inhibitors (SSRIs).

Psychometric evaluation revealed elevated scores on "depression," "anxiety," "paranoid ideation," and "schizophrenia" subscales of the multidimensional personality questionnaire. Findings on SCT also supported the presence of "depressive cognitions" and "gender identity issues." Her interpersonal adjustment is disturbed because of she views others with skepticism and she is guarded with people.

Findings on Rorschach support the presence of "paranoid ideation," she is experiencing high magnitude of tension and "anxiety," she has "depressive mood" and "psychotic features."

Supportive psychotherapy was done to reduce depressive ideas, and grief work psychotherapy was done to tackle with her feelings of loss of spouse and separation from the partner.. Her depressive cognitions and suicidal ideations decreased and her socio-occupational functioning improved with the treatment. Further symptoms of gender dysphoria are not tackled.. However, upon inquiry, she reports unhappiness about her assigned sex. She is not in any sexual relationship after the discharge.

#### IV. TRANSPHOBIA

encompasses of negative attitudes, feelings actions It means a range toward transgender or transsexual people, or toward transsexuality. Transphobia can include fear, aversion, hatred, violence, anger, or discomfort felt or expressed towards people who do not conform to society's gender expectation. It is often expressed alongside homophobic views and hence is often considered an aspect of homophobia. Transgender individuals are at increased risk for experiencing aggression and violence throughout their life when compared to cis (non-transgender) individuals. Even more so when it comes to sexual violence. Aggression and violence against transgender people is perpetrated intentionally through physical violence or bodily harm, sexual violence or assault, and verbal or emotional abuse. Aggression and violence also include victimization, bullying, harassment, and multiple forms of stigma such as discrimination. Abuse against transgender people can come from many different sources including family, friends, partners, neighbors, co-workers, acquaintances, strangers, and the police. These forms of aggression and violence enacted against transgender people can occur at each developmental stage in life. More so, that one, or multiple kinds of abuse are likely to take place throughout a transgender person's life.

As homophobia and transphobia are correlated, many trans people experience homophobia and heterosexism; this is due to people who associate trans people's gender identity with homosexuality, or because trans people may also have a sexual orientation that is non-heterosexual. Attacking someone on the basis of a perception of their gender identity rather than a perception of their sexual orientation is known as "trans bashing", analogous to "gay bashing".

#### (A) Transgender Man:

Transgender men are mostly invisible and are not the part of Hijra or any other transgender groups generally. They are not organized as the transgender women are. Even if they are part of the LGBTQ umbrella.

The term *trans man* is used as a short form for either identity (transsexual man and transgender man). This commonly referred to as female-to-male (FTM or F2M). *Transgender man* is an umbrella term that may include anybody who was assigned female at birth (AFAB), but identifies as male. For instance, some androgynous, bigender, and genderqueer people might identify as transgender Because *transgender* is an umbrella term, it can be imprecise and does not always describe specific identities and experiences. *Transmasculine* is a general, broader term for individuals who were AFAB but identify closer to the masculine (or male) side of the gender spectrum.

The term transsexual originated in the medical and psychological communities. However, unlike the term transgender, transsexual is not an umbrella term, and many transgender people do not identify as such. Transsexual is a term for AFAB and assigned male at birth (AMAB) people alike who feel their sex organs do not reflect their gender and have chosen to change some aspect of their body; it is an older term, with GLAAD stating that it is "still preferred by some people who have permanently changed – or seek to change – their bodies through medical interventions (including but not limited to hormones and/or surgeries)." The transgender community sometimes uses the term *passing* to describe a transgender person's ability to appear as the gender they identify with. The opposite meaning is conveyed by the terms "to be read" or "to be clocked", and means not passing.

Originally, the term *trans men* referred specifically to female-to-male transsexual people who underwent hormone replacement therapy (HRT) or sex reassignment surgery (SRS), or both. The definition of *transition* has broadened to include theories of psychological development or complementary methods of self-acceptance. Many of those who identify as transgender may

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<sup>&</sup>lt;sup>6</sup> Hudson's Guide: FTM Basics: Terminology", https://www.Ftmguide.org. last visited on Feb 10, 2024.

face gender dysphoria.

Transsexual and transgender men may seek medical interventions such as hormones and surgery to make their bodies as congruent as possible with their gender presentation. However, many transgender and transsexual men cannot afford or choose not to undergo surgery or hormone replacement therapy.

Many who have not undergone top surgery choose to bind their breasts. There are a few different methods of binding, including using sports bras and specially made binders (which can be vest-type, or wrap-around style). Tape or bandages, although often depicted in popular culture, should never be used for binding as they tighten with wear and compress the ribcage, and could result in injury.

Some trans men might also decide to pack, to create a phallic bulge in the crotch of clothing. However, this is not universal. Trans men who decide to pack may use anything from rolled up socks to specially made packers, which resemble a penis. Some packers are also created for trans men to be able to urinate through them (stand-to-pee, or STP, devices), or for sexual penetration or other sexual activity (known as "pack-and-play")

#### V. CASE STUDY ON TRANSMAN

#### Case Study 1:

The transgender man somehow hasn't made it to India's collective public imagination, and continues to remain an inscrutable figure in the LGBTI discourse. Siddhant More was formerly called sonal, 38 year-old a transman from Mumbai Born into a healthy female body, Siddhant started his transition from female-to-male in May 2012 He decided to tell his transition only after the changes were impossible to hide. Siddhant's friends initially thought that transgender meant 'hijra' – transwomen - because in the Indian context, transgender equals male-to-female transgender individuals, more specifically hijras. Transmen are an un heard of species, aliens at best. Trans people feel that they can never truly belong to the LGBTI umbrella. Gender identity and sexual orientation are completely different things. Still, the community should stand together. 'Whenever laws and bills are passed regarding transgender rights, transmen are almost never called to the discussion table. Not once, have I been called, nor am I aware of other transmen who've been invited to sit with policy-makers. It's as if the word 'transgender' in the Indian context is exclusively reserved to hijras and transgender women.

#### Case Study 2:

Aryan Pasha, Aryan's battles against the society and its stereotypes had begun early in his childhood. At the age of six, he decided to confront his father and stop wearing a girl's uniform to school. One of the most difficult times for Aryan Pasha was when puberty hit him. Menstruation was not something he wanted and dealing with it was agonizing and distressing. He didn't want it and yet it was happening to him. He was mocked and called Hijra" and threatened with rape. The emotional and psychological abuse battered him, Aryan Pasha decided to drop out and not take his Class 12 class board exams. At the age of 18, Aryan Pasha went through two transitional surgeries All his anger issues, suicidal tendencies and depression completely stopped. Suddenly he found himself, self love and mental peace. He then took his exams. Finally he was comfortable in his own skin. One's identity is a person's fundamental right and liberty. Being a transman does not make him different, an outcast, wrong or bad. He is human.

#### VI. PROBLEMS FACED BY TRANSGENDER

The main problems that are being faced by the transgender community are of discrimination, unemployment, Economic crisis, lack of educational facilities, homelessness, lack of medical facilities: like HIV care and hygiene, depression, hormone pill abuse, tobacco and alcohol abuse, penectomy, and problems related to marriage and adoption.

Though, the situation has changed after the honorable Supreme Court judgment in 2014, the perception of Indian society mindset and their behavior towards Transgender has not changed much. 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 sexual category of their choice.

Transgender have been omitted from effectively participating in social as well as cultural life, politics, economy and decision-making processes. A primary reason and consequence of the exclusion is due to the lack of ambiguity in legal recognition of the gender status of Hijras and other transgenders.

#### (A) Rejection from family members:

It is still an indispensable irony that the transgender group remain to be isolated from the family though they manage to get recognition from the government. When people are rejected by their loved ones, it can have serious emotional and social consequences Children's mental and physical health are affected when they feel that their family rejects their transgender identity. Transgender children who feel rejected by their family are more likely to attempt suicide, develop depression, use illegal drugs, and contract HIV and other sexually transmitted

diseases<sup>7</sup>. Most families do not accept if their male child starts behaving in ways that are considered feminine or inappropriate to the expected gender role. Consequently, family members may threaten, scold or even assault their son/sibling from behaving or dressing-up like a girl or woman. Some parents may outright disown and evict their own child for crossing the prescribed gender norms of the society. In a study conducted on the human rights of "transgenders" in India the National Human Rights Commission has stated that just 2% of trans people stay with parents "parents do not play a proactive role in the case of transgender children. Instead, they suffer verbal and corporal abuses at the hands of their parents, siblings and other family members". "Most of them keep their identities as transgender secret till it is impossible for them to hide it forever. Most parents considers their status as physical and mental defects it says, adding that transgenders also do not enjoy any legal right in property inheritance.<sup>8</sup>

#### (B) Occupation of transgender:

The term Occupation is often associated with social identity which reflects the position of an individual's in a society, Sometimes, the child or teenager may decide to run away from the family not able to tolerate the discrimination or not wanting to bring shame to one's family. Some of them may eventually find their way to Hijra communities. <sup>9</sup>Since they are not qualified to be employed most often end up in taking up begging in the streets and in the inter sections in the streets. While begging in the train they face sexual abuse and verbal abuse. There were cases of them being gang-raped and pushed from the trains.

This means many Hijras are not educated or uneducated and consequently find it difficult to get jobs being a transgender and Due to low literacy rates the proportion of working group is below 45 % as a main worker as whereas, other are engaged in prostitution as a means of survivals. which can be a great threat to disease like AIDS or HIV. Due to their gender variants people are not willing to employ them, which gave them a minimal chance to express their ideas and talents. As a result of this they are pushed to lead their life in poverty or end up taking refuge in beggary and sex work. National Human Rights Commission report stated that 96% of transgender people are forced to take low paying work or undignified work as their livelihood such as badhai, begging and sex work and they are exploited by clients and beaten up. 89% of transgenders don't get employment opportunities and above 23% are compelled to engage in sex work which has high health related risk. <sup>10</sup>

<sup>&</sup>lt;sup>7</sup> https://www.cincinnatichildrens.org/service last visited on Feb 6,2024.

<sup>&</sup>lt;sup>8</sup>http://timesofindia.indiatimes.com last visited on Feb 6,2024.

<sup>&</sup>lt;sup>9</sup> http://ai.eecs.umich.edu/people last visited on Feb 7, 2024.

<sup>&</sup>lt;sup>10</sup> Govt of India census 2011, https://www.gov.in last visited on Feb 11, 2024.

### Transgender persons and their status under existing laws:

Preamble to the Constitution of India mandates Justice - social, economic, and political, equality of status.

#### 1. Right to Equality

The Constitution provides every person an equal status before the law and an equal protection of laws within the territory of India. The word "any person" here means every individual, without any discrimination based on any of the category which includes, caste, creed, religion, sex, etc. A transgender in India is included within the words "any person" and is given equal status to that of every cis-gender in India.

In National Legal Service Authority v. Union of India, <sup>11</sup> the interpretation of the word person was widened and was held that Article 14 of the Indian Constitution does not restrict the word person" and its application only to male or female. Hijras/transgender persons who are neither male/female fall within the expression person" and, hence, entitled to legal protection of laws in all spheres.

Articles 15(2) and 16(4) has also been interpreted to provide social equality to these communities such as equality in public employment, it provides that the states shall have the power to make any special provision for the upliftment of these vulnerable minority who are now included within the category of socially and educationally backward classes<sup>12</sup>

Article 5 of the Indian Constitution and The Citizenship Act, 1955<sup>13</sup>

None of the conditions specified therein require a determinate sex or gender identity as a precondition of acquiring citizenship.

Article 21 of the Indian Constitution

The transgender communities have a right to dignified life which is one of the most important aspects of Article 21 of the Constitution of India. Recognition of gender identity provides the recognition of their right to dignity and nonrecognition violates the same, they have full right to express and live their life without fear. Also, the right to reputation<sup>14</sup>

Art 21 not only speaks about Right to life and personal liberty by it emphasizes on quality life which the government has often failed to provide for this community. It is mostly seen that this community is highly discriminated. They are not provided access to education and most of them

<sup>&</sup>lt;sup>11</sup> National Legal Service Authority v. Union of India, AIR 2014 SC 1863 at 1890 para 54.

<sup>&</sup>lt;sup>12</sup> Poonam Verma, Sorrows of Transgenders, Judiciary and our Society – A Study, 52(3) (IBR, New Delhi).

<sup>&</sup>lt;sup>13</sup> The Citizenship Act, No. 57 of 195.

<sup>&</sup>lt;sup>14</sup> I.R. Coelho v. State of Tamil Nadu, A.I.R. 2007 S.C. 861

are uneducated leaving them jobless. Quality of life of this community are of lowest order leaving them helpless. When any atrocities are committed on them even the law and order of the country has failed to protect them

The Registration of Births and Deaths Act, 1969

The Act does not mention anything about sex" "gender" of a person to be registered in case of birth or death. The Act is gender neutral

However, <sup>15</sup> the transgender community is viewed with stigma, even though the Supreme Court awards them with legal status.

#### VII. STATUS OF GENDER DYSPHORIA AROUND THE WORLD

In Western countries, the adolescents visited the Gender identity centers regularly. The Cross-sex hormonal changes happened during 16 years of age and the surgical treatment is available for the legal adulthood. Transsexualism is a desire to live and be accepted as a member of a opposite sex and adopt their characters naturally.

The Dutch government<sup>16</sup> made the protocol which recommends the medical treatment for the children who is identified as gender dysphoria in their puberty stage. The Medical treatment is recommended from the age of 12 years for the adults.

The maximum number has changed their gender from men-female and female-men among the adults in the country of Netherlands. In Europe and North America, the people approached the identity service centers is drastically raised over the past ten years. The Survey of the most of the countries in the world reveals that the school children is in significant of gender dysphoria.

#### VIII. CONCLUSION

As a matter of right for transgender, nationwide awareness and acceptance campaign was launched as the first step in erasing the deeply-rooted social stigma and prejudices that this vulnerable group faces from other members of society. The campaign was managed by the newly-implemented government social welfare programs that had been created to support the third gender community, however the steps ended in vain.

The transgender community fail to acquire recognition from the family and society though they managed to acquire legal recognition from the government. The community is always covered with the veil of social stigmas and stereotypes which is becoming a detrimental factor for their

<sup>&</sup>lt;sup>15</sup> The Constitution of India, 1950

<sup>&</sup>lt;sup>16</sup> https://ncbi.nlm.nih.gov/pmc last visited on Feb 8,2024.

growth and exposure in their society.

Transgender community has always been under the veil of social stigmas and stereotypes. Given the inherent challenges faced by them right from their transitioning stage, transmen face more challenges comparatively to transwomen. The societal recognition and welfare programs and other aiding programs are higher benefitting to the transwomen and transmen still remain ostracized among the general community. The recognition and acceptance rate of transman is in minimal rate and they show more reluctance to expose themselves as transman because of their peer pressure and fearing public embarrassment.

Transgender require understanding and support of the government, health care Professionals, general public as well as their family members. We need to understand and accept that humans are diverse. People have the right to be what they are and what they want to be. Protection of their rights cannot be made at the cost of detrimental of their life sustenance.

Transgender community regardless of their trans nature be it trans male or trans female should be accepted in the society without any prejudice and hence psychological acceptance from the society is the need of the hour than the legal acceptance from the government.

As the famous quote says "Charity begins at home", It involves elimination of biased attitude of parents towards their children on the basis of gender and teaching their children about the gender equality also helps them know about the transgender community. Education of children should include psychological and biological aspects and not limited to academic aspects alone. Enrichment of the mindset of the people is highly necessary than amending the laws and if that enrichment is given at budding stage, then it will bloom with equality in the adult stage without any requirement of law enforcements.

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