

Support for Measures to Address the Marginalization of the Third Gender in Bangladesh

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Abstract The third gender, or *hijra* community, is the representative transgender community in Bangladesh that faces discrimination and marginalization due to social stigma and broad discrimination in many social areas. This paper presents the status of the third gender or *hijra* in Bangladesh, benchmarks international policy approaches regional standards for third gender policy in South Asia and presents ongoing and proposed Bangladeshi initiatives. This study conducted structured interviews of a purposive sample of 50 people from groups likely to participate in politics and help from public opinion to investigate attitudes towards third gender or *hijra* and current policy measures and options proposed by government and transgender advocates and based on the measures found internationally. It was found that improvements in transgender rights internationally have most often taken the form of recognition, followed by legal equality, then antidiscrimination, and finally, various welfare measures ranging from quotas to various benefits, including income support. Welfare measures are much less common. Most interviewees supported most of the measures implemented or proposed in Bangladesh, with the broadest human rights, antidiscrimination, education, inclusion, equality, and recognition measures receiving the most substantial support. In contrast, the weakest support went to measures that involved increased administrative burdens and costs, while a few interviewees were hostile toward most measures. Conclusions are then drawn for policy and further study.

Keywords third gender · hijra · transgender rights · discrimination · civil rights · comparative policy

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Introduction

Hijra is a term used in South Asian culture in Bangladesh, Pakistan, and India to refer to people with male physical traits but with a female gender identity. *Hijra* is a term of Hindustani origin used (with variations in pronunciation and spelling) across South Asia to refer to people categorized in Anglo-American culture as eunuchs, intersex, gender fluid, or transgender. This term is also used interchangeably with the third gender. In contrast to contemporary concepts, *hijra* is a concept that has a long history in connection with ancient religious and cultural traditions. The practice has existed under both Hindu and Islamic rule and during British colonialism.

Hijra or third-gender people do not express their gender like their sex is assigned at birth or have intersex characteristics that do not fit into the female/male binary. Both family and society often reject them. They are frequently deprived of education, jobs, and healthcare. They cannot even participate meaningfully in many regular development and economic activities and may face violence when they do.

The Bangladeshi government officially recognized *hijra* as the “third gender” in November 2013 to refer to people whose gender identity does not match their physical condition (Human Rights Watch, 2016). This paper aims to determine the status of *hijra* in Bangladeshi society. This study examines popular attitudes towards *hijra*, what accommodations they require for full participation in society based on international standards, and support for government action to accomplish these goals, particularly what possible policies and laws can integrate *hijra* into the mainstream of society. Specifically, the paper presents the status of the *hijra* in Bangladesh, benchmarks policy approaches taken internationally, regional standards for third gender policy, and ongoing and proposed Bangladeshi initiatives, and investigates Bangladeshi attitudes towards *hijra* and the policy options, concluding policy and further study.

The Third Gender

Hijra is a term commonly used in South Asia that refers to a transgender person born male but adopting female gender roles and mostly appearing in female attire (Harvard Divinity School, 2018). The term is used interchangeably with the English-language term “third gender.” The number of *hijra* is unclear, as they are not surveyed or recorded on any official register or census, so there are no official statistics or quantitative information about *hijra* in Bangladesh. A 2013 Ministry of Social Welfare survey found about 10,000 *hijra* in Bangladesh (Khan, 2022). One independent estimate is that there are half a million *hijra* in Bangladesh (Anam, 2015). However, the latest report conducted by the Bangladesh Bureau of Statistics, the country’s first digital census, “Population and Housing Census 2022,” tallied 12,629, with the highest number in the Dhaka division (4,577) and the least (840) in Sylhet Division of Bangladesh (The Business Standard, 2022). It is out of a population of 163 million. Even if the highest estimates are accurate, the third gender makes up a tiny part of the population in Bangladesh.

Although the *hijra* community makes up a small part of the total population of Bangladesh, this community has been widely recognized as an oppressed group from the colonial period to the present (Department of Social Services, 2023). As the lack of reliable data indicates, *hijra* is a neglected community in Bangladesh, and negative attitudes toward them are common among

people, leaving them isolated from the mainstream of society and with few prospects (Islam, 2016). The announcement of recognition by the government in 2013 promised that “third-gender persons were to be equal citizens with full protection of all fundamental rights” (Gulati & Anand, 2023, p. 7).

However, despite officially recognizing *hijra* as the third gender, they lack acceptance in the larger society (Rajeeb, 2023). *Hijra* still experiences discrimination, lacking even fundamental rights, so “the major problem in the whole process is that they are socially excluded from society. They are excluded from participating in social, cultural, and economic life.” (Hotchandani, 2017:76).

Furthermore, *Hijra* are discriminated against in almost every sector of Bangladeshi society. Many studies reveal that the *hijra* community is socially and psychologically separate from the mainstream, living on the fringes of Bangladeshi society, marginalized in social, political, and economic life, and stigmatized (Al-Mamun *et al.*, 2022).

Hijra has few opportunities to pursue education and access medical and other basic services. Most *hijra* are officially unemployed and experience inordinately high levels of homelessness and poverty. The police harass *hijra*, and the public often shares the hatred. It creates a double bind as *hijra* are reluctant to report crimes committed against them lest they suffer further at the hands of unsympathetic police. It is mainly a problem as many *hijras* are involved in crimes for part or their entire livelihood.

Whatever support that they can access mainly comes from participating in informal and or illegal work, including “criminal activities done by the transgender people (*hijras*) in Bangladesh such as mass disturbances, disorganized behavior, pressuring people to give them money, sexual crimes, breaking of drug laws, gambling, terrorism, and torture to subordinates as well” (Sema, 2019:50). Many *hijras* are involved in petty extortion. Some sing and dance at weddings or childbirth ceremonies as a part of their traditional Badhai culture. Some beg, and some are involved in the sex trade (Hossain, 2017). Open employment discrimination limits the ability to generate income from formal employment (Majumder *et al.*, 2020).

Violence against *hijra*, especially *hijra* sex workers, is often brutal and occurs in public spaces, police stations, prisons, and homes. Most *hijra* have no education, not even primary education. Illiteracy is common because of a lack of education due to limited opportunity. *Hijra* faces overt discrimination in health, housing, education, employment, immigration, the law, and any bureaucracy that cannot place them into a male or female gender category. Much of this discrimination stems from the official non-recognition of *hijra* as a legal status (Gulati and Anand, 2023). They also lose their rights to family property as Bangladesh has no law regarding their inheritance rights.

The COVID-19 pandemic provides a case study of how these elements intersect to harm *hijra* in practice (Sifat, 2020). Their workplaces are mainly in public or private spaces that put them at greater risk, such as on the streets, public transportation, people’s homes, and social events. Many *hijras* showed an interest in getting vaccinated as the number of infections rose in their communities. However, they were frustrated in their attempts to get vaccinated as they faced added barriers beyond fear of vaccination or ignorance about how to register. The main barriers included the lack of a birth certificate and or a national identity card on top of the lack of any transgender option among the 25 categories on the access application, so they could not effectively register on the app. When they did catch the infection and fell ill, they were harassed

over whether they would be taken to the male or female ward for treatment. In the stressful pandemic that caused widespread problems among the general population, *hijra* was more at risk, had less access to preventive measures, and had less access to treatment, with more difficulties on the way.

This contrasts with the situation in India, where a Supreme Court ruling in 2014 recognized the third gender. Justice K.S. Radhakrishnan said, “Recognition of a third gender is not a social or medical issue but a human rights issue” (BBC, 2014). It is not only the medical or social issues; instead, they are being faced with unemployment, lack of educational facilities, and homelessness as well, which lead to being often pushed to the periphery as a social outcaste and many may end up begging and dancing, despite giving the notification by the Indian government of the Rules and Regulations to the Transgender Persons (Protection of Rights) Act. Previously, “in 1994, third gender persons got the voting right, but the task of issuing them voter identity cards got caught up in the male or female question.” (Pinki *et al*, 2020:127). In 2015, a *hijra* was appointed a college principal in India (Dasgupta, 2015). Calcutta University has a separate column for third-gender people in the admission application form (PTI News, 2019).

Recent Indian developments do not stem from a stronger base of tolerance. Violence towards the third-gender community is so common that it is normalized throughout South Asia. The third-gender victims experience violence and receive hardly any assistance due to law enforcement agencies’ legal loopholes and reluctance (Kabir & Ahsan, 2021).

Literature Review

Socially marginalized groups, such as people identifying as third gender, present an administrative burden from the point of view of the state and policy even in basic areas of recognition, like national identification cards, let alone in areas of accommodation and integration (Nisar, 2018; Pandey *et al.*, 2022). This results in social exclusion and treatment ranging from discrimination to denying fundamental rights and pervasive violence (Hotchandani, 2017:76; Kabir & Ahsan, 2021; Gulati and Anand, 2023:7).

Discrimination, exclusion, and victimization in multiple areas have suggested a comprehensive approach to addressing social and medical issues, unemployment, lack of educational facilities, and homelessness instead of piecemeal efforts to address problems by area. As a result, the Indian Supreme Court argued for recognition of third gender recognition as a human rights issue (BBC, 2014), and others argued for the application of international and human rights law over incremental local standards (Divan *et al.*, 2016; Scolaro, 2020; Gulat & Anand, 2021; Reid *et al.*, 2022).

Even so, the policy is enacted locally and threaded intricately through power relations from macro to micro levels (Bailey, 2013), requiring legislation making it illegal to discriminate against transgender people (WHO, 2013). However, limited efforts to address transgender discrimination have progressed (McCann & Brown, 2017). Failure to enact fundamental legislation that guarantees coverage of all areas leaves many areas where inequality and unequal treatment endure (Reisner *et al.*, 2015; Scolaro, 2020). Even broad legislation protecting political rights is not enough to guarantee even fundamental political human rights, as experience has shown that a guarantee of economic rights of sexual and gender minorities is also necessary to support

even broad-based social and political rights (Reid et al., 2022).

Another strategy for policy and legislation is gender democratization, which involves accounting for the multiple diverse voices comprising the third-gender community, including those who do not embrace non-binary identifications and those who desire a more stable gender identity (Cumming-Potvin and Martino, 2018). It is not exclusive and may connect with the general implementation of fundamental human rights and more specific legislation while supporting bottom-up community and mutual aid efforts. This may also involve efforts within specific areas, such as human resources in the private sector, to redefine practices away from traditional and masculine norms in favor of broader concepts of inclusion (Bierema & Callahan, 2014)

Specific policy approaches may be top-down and leadership-centered, like President Truman's desegregation of the US military (Coppola, 2021) or the voluntary implementation of non-discrimination policies, including gender identity in 300 US companies already in the early 21st Century (Heller, 2006). An advantage of this approach is that it leads to broader efforts in other spheres through benchmarking and acculturation (Moskos & Butler, 1996). On the other hand, bottom-up approaches allow transgender individuals to manage their affairs, such as through US courts that have increasingly allowed employees to bring lawsuits for gender identity employment discrimination under general provisions of civil rights and gender rights law and are consistent with gender democratization (Heller, 2006).

Policy Approaches

International Policy Approaches

In order to determine the policies and trends regarding the policies and strategies for transgender and third-gender people, a comparative study was made of countries that have made well-publicized recent progress on transgender rights. These include Argentina, Australia, Brazil, South Korea, Portugal, and the US. The South Asian countries of India, Nepal, and Pakistan were also included as close to Bangladesh.

Measures gathered for the nations generally fall into four categories: recognition, legal equality, affirmative action, and anti-discrimination law. Transgender recognition was based on official government recognition of a third or non-binary gender. Recognition was listed as partial when it was not present in all areas or all levels or where changes to the preferred gender were permitted but remained in a gender binary. Legal equality was judged based on provisions guaranteeing overall equality. Partial equality was judged where there were some measures, but there was overall incomplete coverage. Where a court or the constitution granted equality, this is specified. Anti-discrimination law was judged by the presence or absence of comprehensive law prohibiting discrimination. It was judged as partial where it was non-binding, lacking general coverage, or only present in some jurisdictions. Table 1 shows the results and the explanations by country follow. Welfare was not general in any country, reflecting public sector quotas and/or measures such as pensions, housing, healthcare, etc., whether in some levels of government or limited to some states.

Table 1 A Comparison of Transgender Rights in Select Countries

Nation	Recognition	Legal Equality	Anti-Discrimination Law	Welfare
Argentina	Yes	Partial	No	1% Public Quota
Australia	Yes	Partial	Yes	No
Bangladesh	Yes	No	No	Some
Brazil	Partial	No	No	No
India	Yes	Yes-Court	Partial	Some States
South Korea	Partial	Partial	Partial	No
Nepal	Yes	Yes-Constitution	Partial	No
Pakistan	Yes	Yes-Court	Yes	Some/Public Quota
Portugal	Partial	Partial	Partial	No
USA	Partial	Partial	Partial	No

Argentina

Argentina has provided recognition for transgender people and approved policies and laws for transgender people. Affirmative action reserves 1% of Argentina's public sector jobs for transgender people (Valente, 2021). There is no anti-discrimination law, and transgender people only have equality in some areas.

Australia

Transgender people are now protected from discrimination by law under the Sex Discrimination Act, implemented in 2013, making it unlawful to discriminate based on gender identity (Pullos Lawyers, 2022). Australian passports now have three gender options-male, female and indeterminate-to remove discrimination against transgender and intersex people (The Guardian, 2011).

Bangladesh

Bangladesh recognized the third gender in 2013, and there have been a variety of welfare policies to aid the third gender community. However, implementation must be more balanced, particularly at the district level. Most efforts have come through the Third Gender Quality of Life Improvement Plan. Details of the plan are presented below as part of South Asian responses.

Brazil

The Supreme Court ruled that the government can no longer require transgender people who want their name and gender on identification documents changed to undergo medical procedures or subject their decisions to judicial review. No broad anti-discrimination law exists, and gender identification on government documents is limited to two genders.

India

India's Supreme Court recognized the third gender in 2014. The courts have ordered legal

equality, and all legal documents must contain a third gender option, though transgender individuals must produce a medical certificate to document their status. The national government has made efforts to count the transgender population accurately. There have been state-level efforts to outlaw discrimination and provide housing, welfare benefits, pensions, free healthcare, and even forms of affirmative action in school entry.

South Korea

There has been an increase in awareness, public campaigns, and levels of acceptance as the status of transgender people has been slowly progressing in recent years (Kim et al., 2019; Han, 2022). There is recognition of transgender people, though documents are still limited to two genders. Though transgender people can change their gender identification in public documents with a court determination, they must be age 19, be unmarried, childless, and have parental approval. However, some courts have allowed it. There are no broad anti-discrimination laws or regulations, though the Human Rights Commission interprets gender identity as covered under sexual orientation protections. However, the guidelines lack enforcement and are non-binding (Na et al., 2014; Kuhn, 2022; Oh et al., 2022).

Nepal

The 2015 Constitution included only gender-neutral language and included the right to have one's preferred gender identity on national identification. On that basis, the Supreme Court directed that all official documents must have a non-binary option, including passports. The Constitution also includes specific equality protections for people based on gender identity consistent with the principle of inclusion. Some anti-discrimination legislation has been passed, though the coverage is limited.

Pakistan

Like India, the Supreme Court ruled on recognizing and protecting third-gender people, not known as *hijra*, as the term is derogatory in Urdu. Additional court rulings granted further rights and protections, including pension and inheritance rights and federal government employment quotas. A major comprehensive equality and anti-discrimination law provides very broad protections, including four gender identification options for official registration. There is also a non-binary option for passports.

Portugal

Portugal, like Brazil, allows for an individual to change their gender on official documents but does not allow for any non-binary options (OECD, 2020). On the other hand, Portugal has passed laws promoting legal equality and outlawing discrimination (Guilbert, 2018). Subsequent administrative actions have encouraged educational institutes to recognize gender in line with an individual's identity and have been promoting regulations to protect transgender and intersex children in schools.

United States of America

The US has extended employment and some other protections against sex discrimination to cover transgender people, and the US has a non-binary option on passports. However, most identification is issued, and most governing law is passed and enforced at the state level (Ryu, 2010). Conservative politicians have prioritized passing anti-transgender legislation; several states have passed such measures, while some liberal states have passed more protections.

Third Gender Development Policies in South Asian Countries

India, Nepal, and Pakistan have made significant strides in recognizing and promoting the rights of third-gender communities. Development strategies in these countries include legal recognition and protection from discrimination, access to education and employment opportunities, and healthcare services that meet their specific needs and participate fully in society. For example, the Supreme Court in India recognized the third gender as a legal category in 2014, which enabled third-gender individuals to access government services and participate in civic life. Bangladesh, Nepal, and Pakistan have done the same. All four nations share a history of traditional third-gender practices that the British looked down on and later suppressed.

Access to education and employment opportunities is crucial for the economic empowerment of third-gender individuals. As a result, South Asian countries have taken various measures to address this issue, such as reserving seats in educational institutions and creating job quotas for third-gender individuals. Nepal, India, and Pakistan have established clinics that provide specialized health services for third-gender individuals. In addition to these strategies, the government in India has launched campaigns to sensitize the public to the rights and needs of the third gender. It has established programs to support their social and economic integration. Legal recognition, access to education and employment opportunities, healthcare services, and awareness-raising campaigns are all important strategies for promoting the well-being of third-gender individuals in the region.

Bangladesh's Third Gender Quality of Life Improvement Plan

The Government of Bangladesh initiated an expanding quality of life improvement plan to preserve the basic rights of the third gender community and ensure social justice by bringing them into the mainstream of society through social security programs starting from the 2012-13 fiscal year as the Livelihood Improvement Program of Third Gender (*Hijra*) Community. It was expanded to 21 districts in the 2013-14 fiscal year. A basic income third gender allowance, education stipend, and training programs have been implemented in all 64 districts from FY 2015-16 (Ministry of Social Welfare, 2013). The number of beneficiaries has been increasing every year. The goals of the program have been identifying and issuing identity cards to transgender persons; providing education scholarships to educate and develop third-gender students; empowering third-gender youth through training and engagement in income-generating activities; providing social security and socio-economic development for the elderly third-gender population; enhancing the status of transgender persons in family and society; empowering

transgender people through financial assistance; and achieving the various goals included in the short, medium and long-term plans adopted by the government for the welfare and social security of the third gender community.

The Government of Bangladesh has taken further initiatives to create opportunities for a normal life based on equal rights and equality in society. Integration programs provide basic skill training, formal counseling, basic awareness training, and refresher training through the City Social Service Office under the Department of Social Services. Trainees are provided with financial assistance after the training. The training modules cover vocational subjects like haircutting, beauty styling, driving, computers, sewing, handicrafts, and other skills and trades based on local demand. In addition, the Information Communications Technology Department has provided information technology training (Department of Social Services, 2023).

Bangladeshi Attitudes towards Third Gender and Policy Measures

Structured interviews were conducted to determine the level of support for general international standards for providing transgender rights in general and specific Government of Bangladesh initiatives and proposals. An intensive field survey was conducted in Bogura District and Dhaka, Bangladesh, from November 4-8, 2022. An effort was made to identify educated people, including students, businesspeople, physicians, government employees, and NGO staff, as representatives of influential, politically active, and engaged people whose support is important for successful policy implementation. There were 50 participants recorded for this research. It took much work to recruit women as interviewees due to women's reluctance to discuss a sensitive topic with a male researcher, so only six of the participants were women. Likewise, it was difficult to find people identifying as third gender willing to talk, so only two *hijras* participated. Most (22 male and four female) were aged 20-30, followed by people 31-40 (17 male and two female), and 41-50 (three male and two third gender). Most (24) were employed professionally in the private sector, in small business (4), in government service (3), and the rest worked for NGOs, were students, or unemployed. The third gender people had less than a high school education; one male was only educated to a high school level, and the rest had graduated from some higher education level.

The interviews were conducted in Bangla. Interviewees were asked questions based on their opinion of 17 pre-determined statements from a structured interview guide. The questions were categorized as relating to attitude towards basic human rights (1), inclusion (2-3), recognition (4-5), equality (6-8), various types of welfare (9-15), and antidiscrimination measures (16-17) (see Table 2). In addition to recording the response, the interviewer interpreted their response using a five-point Likert-style scale and asked the interviewer to confirm this assessment to help establish and maintain rapport while also validating that what they were sharing was what the researcher was hearing (Thorne, 2016). This also helped when the interviewer transcribed and translated comments into English (Mikovits, 2022).

Table 2 Structured Interview Questions

No.	Question	Category
1	I believe third gender people are human beings and have human rights that need to be protected.	Human Rights
2	I think the government should ensure third gender participation in various events in society and in the important functions of the state.	Inclusion
3	I think there must be a certain number of seats allocated for <i>hijra</i> in the national parliament so that they can present their demands directly.	Inclusion
4	I think third gender people should have special ID card in addition to the National ID card so they can get services and identify themselves easily.	Recognition
5	I think all public and private application forms such as job applications should have multiple gender identity options including Male, Female, Third Gender, and Other.	Recognition
6	I think every place of public accommodation should have a restroom for third gender people.	Equality
7	I think the government should allow third gender people to buy and sell real estate under their own name.	Equality
8	I believe the government should ensure the third gender people the right to a share in the inheritance from their parents.	Equality
9	I think government should have a rehabilitation plan for third gender people.	Welfare
10	I think the government should give a basic monthly income to third gender people.	Welfare
11	I think the government should build special schools for third gender people.	Welfare
12	I think both academic and technical education should be free for third gender people.	Welfare
13	I think government should have a scholarship fund for third gender people to go abroad for higher education.	Welfare
14	I believe a quota system giving hiring priority to <i>hijra</i> should be maintained both for government and non-government jobs.	Welfare
15	I think third gender people should have free treatment in government hospitals.	Welfare
16	I think the government should take measures to protect third gender people from discrimination in society.	Antidiscrimination
17	I think there should be specific laws with provision for punishment if transgender people are harassed, bullied, or deprived of their rights in any situation because of their gender identity.	Antidiscrimination

General Responses

The interviewees almost universally shared the sentiment that the third gender (*hijra*) community is alienated from the mainstream of Bangladeshi society, reiterating that this is a sensitive topic. The main reasons are negative attitudes towards them and their way of life. Interviewees often noted that many families throw them out of the house because of different behaviors associated with their identity. It was common to note that they do not have much input or participation in the decision-making process, even in their family, where they are usually deprived of inheritance and access to family property.

The two third-gender people interviewed strongly supported all measures to address their condition. However, they appeared primarily interested in having someone listen to their complaints.

They lived in a crowded and dilapidated alley in Bogura where they said around 25-30 *hijra* live. The older one, “Haider,” was considered a Guru by other *hijra*. They had a good life in a remote village before being isolated from their family, so “I could not even study due to neglect from childhood.”

“Haider complained” about their condition:

“Our life is cursed and all we have been getting is hatred and insults. No one sees us well. No one can see us because we take money, take food. But no one tries to understand our pain. We can’t go anywhere better... So, what do we do? ... Besides, we have been dancing and singing as our original profession, so if we leave this, we will not be able to survive.”

Human Rights

It was the area of most agreement. Except for the small number of people openly hostile towards the third gender, most interviewees strongly supported basic human rights. In the words of one interviewee, “Third-gender people are also human beings.” This comprehensive support argues for addressing transgender issues in Bangladesh from a human rights perspective (Divan et al., 2016; Scolaro, 2020; Gulat & Anand, 2021; Reid et al., 2022).

Inclusion

There was a general agreement for inclusion, unlike the strong agreement for human rights. However, there was a split between the questions in that ensuring participation in society and functions of the state was the third most supported proposition following human rights. Typical of this view was the sentiment, “I think third-gender people are the same as other citizens.” However, the idea was the third least supported of the 17 propositions, amounting to a feeble level of support overall. Perhaps the idea of a top-down transfer of power directly to the third gender community was controversial, in the same way as Truman’s forced integration (Coppola, 2021), which was not popular, even though it was ultimately effective. Maybe it was not seen as facilitating the sort of gender democratization evidenced by the more typical quote about the sameness of third-gender people as citizens noted above, suggesting a preference for less coercive measures that promote dialog and acceptance through contact and familiarity (Cumming-Potvin and Martino, 2018).

Recognition

Third-gender interviewee “Haider” said, “Everyone says that we have the status of the third gender in this society, but it does not work. I am old but do not get an old age allowance, so where do I get recognition?”

There was general support for the propositions supporting recognition at a similar level as the inclusion propositions. Again, though, there was less support for the methods of the separate ID card, which was a benefit that some supported. Some did not, with the explanation either way, that “The ID card will be used anywhere to take advantage of programs and benefits like a

digital card for all purposes.” It was still much more popular than designated parliamentary seats, though some saw it as an administrative burden (Nisar, 2018).

On the other hand, there was much stronger support for mandating forms that allow everyone to record their gender identity accurately on all forms, public and private. One interviewee expressed a common theme: “Only awareness is required to establish their rights. Only establishing rules, all citizens may be protected in the nation.” Again, this optimistic formulation is consistent with gender democratization and redefinition, and there was a general theme of support for measures that would signal a cultural shift that individuals could use to take advantage of opportunities or negotiate a better status (Bierema and Callahan, 2014; Cumming-Potvin and Martino, 2018).

Equality

The three propositions related to equality had even more support than inclusion or recognition. The effort to designate separate public restrooms for third-gender people had significantly less support, perhaps due to the added cost and perception of it as a special accommodation for a tiny minority, whereas guaranteeing equality under the law concerning real estate and inheritance was among the most popular propositions out of the 17. Many people went out of their way to express strong support for equality: “In my opinion, third gender people should be treated equally,” “They will be given equal opportunity like all genders,” “I think they should be given equal rights as the mainstream population in all sectors,” and “I strongly believe third gender people should have equal rights to live in society as general people.” This strong support for legal equality, if not for all measures to make it a reality, supports the need for broad fundamental equality legislation (Reisner et al., 2015).

Welfare

Of the major categories, welfare included the most propositions and the lowest level of support, perhaps because they often involve real costs and tradeoffs, like designated legislative representation, separate ID cards, and separate restrooms. “Haider” pointed out, “Even if you want to live a normal life, you must face many obstacles. None of us want to pay rent, no job. I took great pains to make this shelter for my disciples. I live here with those who do not belong anywhere. Also, when we go out, people say different things, talk about our clothes, and hurt our weaknesses. We are trying to live like ourselves with great difficulty even after hearing these things.” Specific measures are needed to address these situations, which must have gone unaddressed because they involve real costs.

The most weakly supported were a monthly basic income allowance, quotas for employment, and free healthcare. Income and healthcare cost money and confer a special benefit not received by general citizens, while quotas are often controversial, as is the case with US affirmative action (Heller, 2006). In line with this sentiment, one interviewee said, “Giving extra facilities instead of creating a positive approach among general people towards this community might not be fruitful.” This almost explicitly expresses support for working for cultural changes over special accommodations and things that generate costs (Bierema and Callahan, 2014; Cumming-

Potvin and Martino, 2018). Another expressed even more opposition to welfare benefits: “If everything will be free, then they will forcefully expand their community.”

On the other hand, free education was one of the most popular measures, perhaps because it facilitated bottom-up and mutual aid actions that third-gender people could take themselves. It is a path third gender interviewee “Moyna” echoed, “I could not study due to neglect and deprivation... from the hardships of his life, this life is full of hardships, and there is no happiness here. I wanted to do many things in life but could not. I want the education path for third gender (Hijra) to be smooth.”

Likewise, “Haider” was also interested in their education: “If everything is provided for us, including education, health, we will not lead a life like this. There is nothing but curses in this life.”

There was support for welfare provision overall, just not strong support. One young private employee expressed a common (but not ubiquitous) sentiment “I agree with these proposals.” Another similarly situated young man suggested, “We should take the best care of them.”

Anti-discrimination

“Haider” said, “I live in this city of Bogura, but I cannot go to big shopping malls in my city. We are forbidden to go there. Can’t we even go there? What can we ask for?... [But] ...no, it is not allowed to go there.”

The answer to “Haider’s” question from most interviewees was in line with “[Third gender people] need security and freedom in all sectors.” Support for the antidiscrimination propositions was second only to human rights, with protection from discrimination frequently strong and almost as strong as support for human rights. In contrast, anti-harassment law and punishment were supported but not strongly. This again argues for the passage of broad measures even if the enforcement is less popular (Divan et al., 2016; Scolaro, 2020; Gulat & Anand, 2021; Reid et al., 2022).

On the other hand, there was some opposition, including the sentiment that third-gender people should be empowered to take care of themselves: “Better to create a particular security service company and train them for security assurance. It will create new job opportunities and reduce public harassment on different modes of transportation, especially buses and trains.”

Skepticism to Hostility

As indicated above, most propositions received support ranging from strong (guaranteeing human rights) to weak. Even with such a small determinative sample, support was not universal, and many expressed neutral or negative attitudes ranging from skepticism of the identity and intent of the third gender to more hostile towards the community. The former attitude was expressed by one interviewee who was concerned about third-gender people taking advantage of anything given to them and seemed to assume that much of the problem is not authentic: “I believe that our government should examine properly who are real *hijra* or not.” The latter sentiment was expressed by an interviewee who saw the third gender as more of a source of problems than as people at risk: “*Hijra* is not a vulnerable community in Bangladesh. They are

a much stronger community.”

The expression of “Haider,” which may as well have been in response, was: “If so much has been done for us, then why so many obstacles? Why aren’t we like ten anymore?... no husband, no children, no family, I am living very hard. We dance and sing for joy at the birth of another’s child. Nurture the children of others. Can anyone erase my suffering?”

Conclusion

The third gender community, the representative transgender community in Bangladesh, has advanced since formal recognition was announced a decade ago. Bangladesh’s official efforts appear to be well within the international trends of many nations formally recognizing transgender identity or allowing official change of gender, fewer nations passing legal equality, fewer still passing comprehensive anti-discrimination measures, and some have moved on to provide welfare measures. Bangladesh has made the most progress in the recognition and provision of welfare, which has been ongoing for a decade and gradually increasing coverage. Controversy over the number of *hijras* may conceal larger numbers of people eligible for benefits that are not being received as the state has not officially identified them.

The third-gender community continues to face numerous challenges, including social stigma, discrimination, and violence (Hotchandi, 2017; Kabir & Ahsan, 2021; Gulati & Anand, 2023). At the same time, this study indicates that progress is being made, in line with McCann and Brown’s (2017) finding that even limited efforts can make progress. There was at least some support for all the current measures being considered by policymakers or third-gender advocates. Almost all interviewees in this study strongly supported human rights measures, and there was overall support for most other propositions, with the least supported proposals receiving at least weak support overall. The third gender (*hijra*) community has a rich cultural heritage in Bangladesh, and their unique identity could be celebrated instead of marginalized.

Resistance to measures was often connected to administrative costs and burdens, as per Nisar (2018) and Pandey et al. (2022), or where measures were top-down and imposed disruptions as described by Coppola (2021) in the case of US civil rights history. There appeared to be the strongest support for broad human rights and equality-based measures that would support the spreading of influence from broad legislation to more specific measures (Bailey, 2013) in line with approaches described or advocated by much of the literature covered here (Reisner et al., 2015; Divan et al., 2016; Gulat & Anand, 2021; Reid et al., 2022). There also seems to be support for measures that would provoke or accommodate democratic dialog about redefining gender and gender roles (Bierema and Callahan, 2014; Cumming-Potvin and Martino, 2018) and/or that might support more third-gender empowerment and mutual aid (Heller, 2006). Both top-down or bottom-up measures may lead to progress in other areas through acculturation and benchmarking (Moskos & Butler, 1996) and there is some evidence of that sort of spread of approaches through South Asia.

Both from the international experience and the receptivity of the interviewees, it seems that efforts to improve the status and conditions of transgender populations, whether in Bangladesh or elsewhere, best start from broad efforts to establish a human rights approach. From there, recognition, inclusion, equality, and anti-discrimination efforts should follow. South Korea has

also followed this process in gradually expanding recognition, equality, and anti-discrimination. However, it has not completed any such measures to full coverage yet and has not enacted any welfare measures.

More concrete, costly, or burdensome measures to provide welfare or structural equality do not need to last. However, they should be enacted in ways that follow acceptance of other measures or in ways that are insulated from public backlash, with implementation supported by public campaigns stressing their importance in terms of fundamental human rights and equality while avoiding the perceptual of measures being special rights or privileges that are not in line with equal treatment. Some of the most popular practical measures empower transgender individuals to improve their condition. Gender democratization that involves conversations about the redefinition of the understanding of gender apart from state action helps provide a voice to transgender people as part of a discussion on equal rights that supports and legitimates any state action.

This study has some significant limitations. Only a few nations making progress on transgender rights were purposively covered to provide a range of more positive exemplars for Bangladesh. Future studies should strive for more comprehensive coverage to consider a greater range of measures and lack of measures for a more accurate appraisal of the current policy state.

This study was limited as a qualitative study lacking quantitative data, and future studies would benefit from larger samples and statistical analysis. The sample was purposive and small. Although there were no indications from the women in this study, it is highly possible that a broader number of women would not match the level of support found in this study. The sample in this study also skewed young and well-educated, and it is possible that older and less-educated people in Bangladesh would be less supportive of the measures and proposals explored in this study. An immediate task should be to find access to a broader representative sample for quantitative analysis.

In the end, the third gender (*hijra*) community is an important part of the cultural fabric of Bangladesh, and their acceptance is crucial for the country's overall development, as is true for transgender communities elsewhere. Promoting their rights and well-being can create a more inclusive society where everyone is valued and respected. Continued efforts can build a society where diversity is celebrated, and everyone can live with dignity and equality.

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