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## **Obstacles and Challenges in Transgender Employment**

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### **Abstract**

To explore obstacles and challenges in transgender employment, a qualitative study based on content analysis was used to identify the causes of transgender unemployment, sample was based on 32 documents searched through internet and library. Special focus on discrimination and transgender employment were highlights of the study. Internet was searched for available contents for analysis. The research exposed three basic categories acting as obstacles in transgender employability. The divisions identified were Social, Individual and Legislation that are actually hampering transgender employability. This study will act as basis for future research in the field of transgender employability. Discrimination is a violation of basic human rights, it may affect the emotions, and the feelings of an individual. Transgender are as equal as other human being in any society. Challenges identified must be addressed for the employment of ignorant class.

**Keywords:** Transgender; Eunuch Discrimination; Obstacles; Deprives

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## 1. Introduction

The changing composition of the workforce is evident in almost every economy of the world (Mathis & Jackson, 2003). Many of the organizations witnessed increased diversity at the workplace. This changing composite resulted in several issues at individual, group and organizational level. One among these is the issue of discrimination. In simple words discrimination is the recognition of differences among item or people (Mathis & Jackson, 2003).

However, the real life implication of discrimination is not as simple as stated. With increasing complexities, societies are provided with laws that govern their rights of employment (Mello, 2005). Laws developed by the Federal Government that regulated Employment laws in an organization made it critical strategic issues to be addressed. Discrimination is a reciprocate of equal employment opportunity that guarantees diversity in organization (Mathis & Jackson,

2003). "Diversity recognizes differences among people, if managed properly, increases efficiency and effectiveness in organization (Armstrong, 2009). Employment laws ranges from employment opportunities, gender, and age discrimination, disabilities, immigration, religion to sexual orientation acts (Armstrong, 2009; Mathis & Jackson, 2003; Mello, 2005). Besides laws, equity rests on a liberal and individualistic vision of society and organization" (Ely, Foldy, Scully, 2003). Societies at large have their own biases, and these are reflected in the actions of individuals. Organizations have incurred significant costs for violating illicit employees' related discrimination (Mathis & Jackson, 2003).

"The idea of social structure and social processes are gendered: it has slowly emerged in diverse areas of feminist discourse" (Lober & Farrell, 1991). Discrimination regarding pay, rights, age, pregnancy, disabilities, origin, advancement opportunities, and sexual orientation are reported in organizations (Mello, 2005). Initially, organizations were asexual, but changing economic conditions and societal roles pushed females into the workforce, resulting conflicts of structure and gender (Lober & Farrell, 1991). Gradually, the concept

of gender, and gender identity went through stages of change and finally bounced back as the "sexual orientation".

## **2. Literature Review**

The debates on "gay rights" in a number of states and communities resulted in local laws against discrimination based on sexual orientation and lifestyle. Being human, eunuchs, and homosexuals may be treated as equal as heterosexual in terms of rights. But, unfortunately "at federal level no law of similar nature in US have been passed" (Mathis & Jackson, 2003).

Similarly, societies of South Asian origin like Pakistan and India have conservative approach for gays and lesbian, while they treat transgender or the eunuch differently. Eunuchs named as "Khawaja S'ara", "Hijra", and "Khusra" were an active part of these societies for long. Even they played important roles as guards, messenger, cook, an entertainer, singer, dancer, and mentors in the Mughal dynasty. But, the decline of the royal regime was also a decline for eunuchs. Straight from the royal courts into the streets, this was a dismay that affected their economic and social standing. They were discriminated and compelled to live a deprived life (Ravaging the Vulnerable, 2003). A report on the livelihood of Indian eunuchs mentions some ways of their earning, such that prayers of well-being and dances on weddings, births, the inauguration of businesses and some other family parties (Narrain, 2003). Their presences were considered as good luck charm, while people fear from the curses of unappeased eunuchs.

Development of residential societies with high securities and boundaries restricted their uninvited invasions to the events mentioned before. Eunuch, exposed to these situations opted for other sources of income like beggary and prostitution (Narrain, 2003). While, provincial officials appointed them for tax collection in India (Dancing eunuchs taxing red-faced shopkeepers, 2006).

The job mentioned above were categorized as odd jobs and do not result in social prestige and economic stability. These worse circumstances proved to be a limit and finally they (eunuchs) established organizations for their rights. The objectives of the organization was to improve the quality of life and to fight discrimination (Roller, 1999). Eunuchs, want employment and recognition as part of the living world. The first case launched and won by transgender against the government of Pakistan was for reissuance of 5 rupee currency note after a

sudden ban on it. The writ petition had an argument citing severe losses due to ban on currency. As earlier, people use to shower dancing eunuchs with the currency in parties and publics.

Other, nationwide campaigns launched were for voting rights and representative ministry as it happened in India. This all origins from the bold step taken forward by Dr. Muhammad Aslam Khaki (a specialist in Islamic Law) that finally resulted in some legislation covering eunuchs. In the summers of 2009, a group of eunuchs were abused, humiliated, raped, and was tortured number of times in the city of Taxila by police officials (Baig, 2012). Chief Justice, Supreme Court of Pakistan, Iftikhar M. Chaudry, directed the Government of Pakistan for the eunuch's census. The step was necessary for providing voting rights, national identity card, inheritance authority, education, and employment. Reuters stated that, 300,000 eunuchs were living in different regions of Pakistan.

Almost for 6 decades, eunuchs were living in isolations, and deprived of their basic rights of education, health and employment. Gurus-leader of the eunuch house, were the only shelter for this ignorant sect of the society". Disowned by families, mocked and ridiculed by others made their employment difficult in the society (Baig, 2012). Being aware of employment limitations, Chief Justice, Supreme Court of Pakistan, recommended eunuch employability in Civil services jobs;" a transgender applicant's secondary school certificate will be deemed as non-transgender applicant's bachelor's degree (ibid.).

These ruling were easy to declare but hard to implement, however Government of Pakistan arranged for eunuch's employment through job with National Database Registration Authority (NDRA) (Majeed, 2010). The appointment of eunuchs in all the provinces including Azad Jammu and Kashmir was planned in the actions. But, only 10 eunuchs got them registered and no one applied for the jobs advertised against vacancies in NADRA from Baluchistan. Most of the eunuchs registered themselves as men; they were not willing to declare their controversial identity, as they found it humiliating (Bloach, 2011). Awareness, regarding acceptance and rehabilitation of eunuchs was required as apprehended:

The challenges of eliminating Stereotypes from the minds of common Pakistanis, providing equal opportunities to everyone in all professions and in all spheres of life, is much easier said than done...as there still remains a long list of problems that cannot be resolved by legislation; problems like stigma. (Baig. 2012)

“The discussion concerning discrimination let author investigate obstacles and challenges in transgender employment. Through this inquiry author will try to identify obstructions and possible remedies in order to highlight the issue”.

### **3. Methodology**

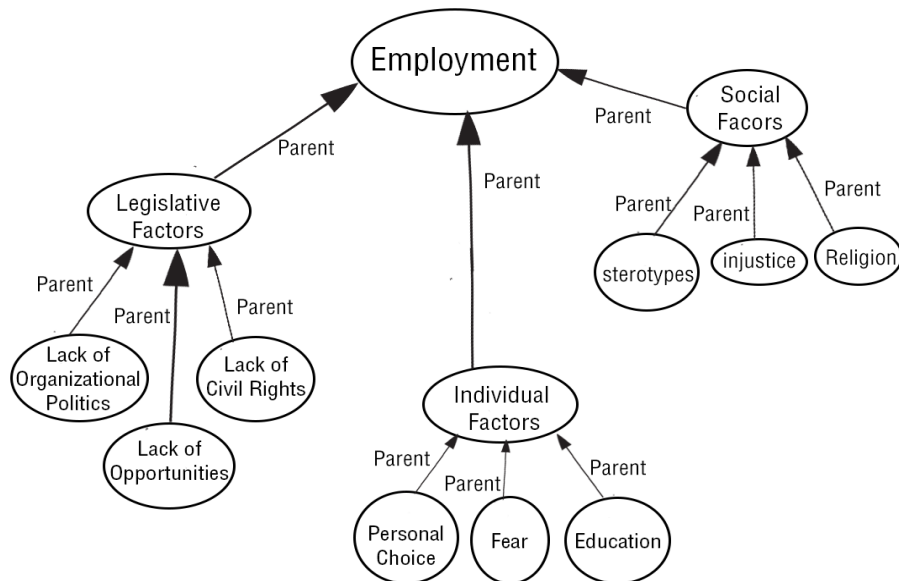
In order to achieve the set objective qualitative approach is applied, as qualitative research is of more relevance to the study of social relations. The change in context, forced research scientist to make use of inductive strategies for the study of everyday experience, and practices (Flick, 2009). Based on qualitative approach the research technique applied for information analysis was qualitative content analysis. Content analysis is a classical procedure of analyzing textual material without any concern with source or media (Bauer & Gaskell, 2000) the procedure model of content analysis and techniques for its application were developed by (Marying, 1983; Flick, 2009). The material analyzed for the study was obtained through rigorous internet and library search. Keywords like discrimination, transgender employment, eunuchs, eunuch employment, and issues of employment were used to retrieve information from online research and social repositories. Total 32 documents were selected on the basis of relevance to the area of inquiry.

The time span of these documents ranges from 1999 to 2013. These were further categorized as journal article, news articles, blog posts, research reports, policy reports; Institutional reports books and web publications. These documents were searched for reasons for unemployment, causes of unemployment, obstacles to employment, factor effecting unemployment, challenges in employment, restrictions, and forces behind unemployment especially in context of transgender or eunuchs. The information was then transformed to N-vivo Software for thematic findings and results. Through this analysis three models were formed and then interpreted. Based on these findings, discussion was developed and further study was concluded. Responses were presented for an insight into the obstacles and challenges for transgender employment.

### 3.1. Information Processing

The data was transcribed into software (N-Vivo-10) for content analysis. Different queries were run to analyze the pattern of data and results of the interviews. Word frequency, tree maps and graphs were extracted from the N-Vivo for the interpretation of results. Figure-1 represents the relation between transgender employment and obstacles to employment. The parent-child model drawn through analysis predicts three major categories that have further extensions like in case of Individual factors: personal choice, fear and education seems to have a predicting relation. Whereas, a query for word frequency was run for loaded documents, themes emerged from this query were represented in Figure-2. Words in bold with larger font size show more relevance to the unemployment than others. Details based on the two models were presented in next section.

**Figure 1.** Obstacles and Challenges in Transgender Employment.



#### **4. Empirical Results**

The results obtained through N-vivo help author infer obstacles and challenges in transgender Unemployment. According to the analysis reasons for unemployment could be categorized as reasons specific to the society, reasons specific to the individuals (Transgender), and reasons specific to legislation and governance. Each of these categories have further extensions in term of obstacles towards employment of Eunuchs in the economy.

##### *4.1. Societal Causes for unemployment*

The reason that has root cause originating from social behavior as a whole, were categorized as societal reasons for unemployment (Barclay & Scott, 2006). In hospitality of the Pakistan's society towards a minority was accused as the major cause of transgender unemployment. The behavior was dated back to the times of Military dictatorship lead by General Zia. The era was subjected as era of Islamization in Pakistan, fundamentalists were in charge: Any activity against sharih was strictly prohibited. Transgender, due to an association with singing, dancing, sex services were condemned and were restricted in their action. The agenda of the government endangered survival of eunuchs (Baig, 2012). Other societal reasons include gender disparities; these are embedded in the cultural values or norms of South Asian community. The communities have biases and stereotype embedded in their practices. These are based on gender differences and sexual orientation besides; the third gender even women were not given their basic rights in these societies (EOC, 2006). Due to inferior treatment of eunuch in society they were unable to employ themselves in respectable jobs. The issue could get resolved in case of eunuchs and minorities, if only social justice is provided. Treatment on equal basis could solve societal problems (Lober & Farrell, 1991).

**Figure 2.** Word Query for Obstacles and Challenges in Transgender Employment.





*4.2. Individual Causes for Unemployment*

The factors related to attitude, behavior and personal choices were grouped as individual causes for unemployment. The decision of employment is greatly affected by personal attributes and choices; same is the case for eunuchs (Hemphill & Haines, 1998). Firstly, transgender intention to earn a respectable livelihood matters a lot as some of the eunuchs prefer begging stealing, borrowing and prostitution (Roller, 1999). These were the ways to earn easy money without investing much hard work. Through these sources they can earn enough to carry their lives. Being sexually dead they do not have heirs and families, if got married or in a relation with some man, they try to keep it secret and thus are not liable for any domestic responsibilities.

On the other side, transgender were found to be rich enough to support their blood relations. Even their contribution towards their families is not enough to remove the stigma of being Eunuchs. Detached from the families with no gender identity and exposed to severe conditions of society the eunuchs were found with high stresses. In humane treatment effect their education, brought up, health and cognitive development that ultimately hamper their employment (McLynn & Garnett, 2001). Western societies with optimistic attitude for eunuchs were found with better opportunities of employment. Societal discrimination build fear among transgender and their confidence start depleting. With lower esteem they do not opt for employments other than their own areas. The situation reflects injustice by society as humiliation or harassments were common against transgender (Cadrain, 2004).

*4.3. Legislative and Governance Issues*

Legal issues pertaining transgender unemployment identified through analyses includes limited civil rights, opportunities for employment and advancement and lack of organizational policies. Transgender people were not issued any type of identity cards, this restrict their access to a variety of services and benefits for example medical facilities, bank accounts, zakat fund etc. With no legal identity employer feel hesitation in their employment (Tran's sexuality in the workplace-a guide for managers, 2006)

Due to confused gender identities their enrollment in schools were not possible. They do not possess any voting rights or political representation that can be their voice. Jobs advertised have requirements of a male or female candidate to be employed, transgender were not given chance to be the part of organizations. Their access to the courts were limited, legal justice was denied for appeal against discrimination. Because of lesser policies for the treatment of transgender at workplace managers were not able to deal with such issues leaving eunuchs hopeless.

## 5. Conclusion

The study conducted was based on the challenges and obstacles in transgender employment especially in the context of Pakistan. The major finding of this study were lacks in educational system that is the root cause of transgender unemployment and discrimination. The study explored challenges and their remedies in social, individual and governmental context for unemployed marginalized minority. Transgender were creation of Allah SWT they must be recognized, respected and provided with all the basic rights equal to other members of society. Being Islamic Republic of Pakistan equality as guided in Islamic principles must be applied and practiced for a better future

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