

Living on the edge: Exclusion of Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) population in Nepal

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Background

Most of us are institutionalized to consider “male and female” as the two possible sexes and “heterosexuality” as the only possible sexuality that a person can have. Consequently, lesbian, gay, bisexual, transgender and intersex (LGBTI) persons, who do not fit precisely into the socially constructed categories of sex and gender are bound to suffer various manifestations of social exclusion in both individual and institutional level (Takács, et. al.2008).

In Nepal, with the new democratic polity and pluralistic pretensions, the claim of LGBTI persons has emerged as an expression of what was dormant in the earlier ruling. This has to do largely with changes in socio-political environment of the country of late. The Supreme Court of Nepal on December 21, 2007 declared that all discriminatory laws against LGBTI persons must be repealed by the government and provision be made by the concerned authority for recognition of the human person as not only male or female but also as third gender in terms of citizenship rights based on government documents.

However, despite all the achievements, LGBTI persons are compelled to face marginalization and discrimination and there remains sufficient room for improvements in their lives. There is in fact, much textual evidence that LGBTI persons have been discriminated in the socio-legal sphere even after the historic decision of the court. For example, LGBTI persons are still denied citizenship, passport, their real and exact identity is not recognized and is rejected from accessing usual socio-cultural affairs, daily ritualistic activities and public services.

Therefore, despite of all the achievements progress remains tenuous and LGBTI persons are often stigmatized for revealing identity and are barred from various life enhancing opportunities. Thus, they are socially, politically and economically backward and their access to available life opportunity is very limited. Thus, this paper has made an effort to explore a) their social relationship (individual and institutional

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level), b) their access over formal education and employment, and c) the repercussion of exclusion and discrimination on LGBTI persons

Research Methodology

Qualitative methods were employed to collect, analyze and interpret the data. The snowball approach was applied to select participants. In-depth interview, direct observation, case study and documentary evidences were employed to collect data.

Eighteen in-depth interviews were conducted with individuals, who identify as lesbians, gays, bisexuals and transgender persons. Interview protocol was devised to ensure consistency and trustworthiness of findings.

Major participants were those LGBTI persons, who have revealed identity either in media or amongst colleagues in the Blue Diamond Society (BDS). However, emphasis was laid on avoiding any organizational involvement and biasness on participant's response. Participants were treated more as individuals rather than employees / associates of BDS.

This paper addresses issues associated to LGBTI persons, although in part cites evidence that exclusively focuses on lesbians, gays and transgender population. As the LGBTI population may apply a variety of identity labels or no identity labels (Meyer and Wilson, 2009), it was difficult to get hold of people belonging to a single category.

Findings

Understanding of "self" and the "society:" For LGBTI persons, "coming out" is always a daunting process as they position themselves in line with common perception of heterosexuality held by the society. In the beginning, for most of the participants, "self" was reflective of society; but eventually, when they started feeling different than heterosexuals, it was difficult to accept their "self" which contradicted the dominant heterosexual structure. According to Hogg this is the process of depersonalization i.e. shifting the perception of self from being unique toward the perception of self as a member of a social category. In this respect the "Me" becomes a "We" (Thoits & Virshup as cited in Stets and Burke, 1997) i.e. an individual sees herself/ himself as the embodiment of the in-group prototype rather than as a unique individual. Stryker's (as cited in Stets and Burke, 1997) work also highlights that identities exist

within and reflect social structure. Therefore, for majority of the participants identity initially was constrained by social structure.

According to Higgins (1989) self-discrepancy theory, negative emotion results from a discrepancy between one's actual state and one's ideal state. In this respect, those people who are partially open are compelled to have two different statuses, which do not meet at any point. Their inability to live according to their actual state indeed has resulted into negative emotions. The findings indicate that the psychological distress experienced by LGBTI persons were strongly associated with presumed heterosexuality, homophobia, prejudice and victimization.

Family and issues of LGBTI: The study findings suggest that, individuals who decide to "come out of the closet" have to accept uneven ride ahead in terms of discrimination and exclusion from the family and society at large. For most of the participants, coming out meant being the targets of verbal abuse, discrimination and humiliation.

Often, social structure in the society like ours (Nepalese) supersedes individual's interest. Most of the participants opined that because of the societal pressure, parents are reluctant to accept reality of their respective children.

There seemed to be a generational difference in perspectives and attitudes towards LGBTI issues as siblings of the participants were more lenient on the issue of LGBTI than their parents. Therefore, responses from siblings reveal a more accommodating attitude to the prevailing hegemony than their parents.

State and issues of LGBTI: It is evident that Nepal government has made substantial strides towards ensuring equality for LGBTI persons in recent years. Further, the Supreme Court's decision has been materialized in other sectors as well. For instance, in February 2008 Everest Bank Ltd. produced application forms that included the third option of "Others" under the gender category (Yun, 2008). Further, the new three-year National Human Rights Work plan 2011-2014 included sexual and gender minorities' rights program endorsed and published by prime minister's office and ministerial council of Nepal government's. Additionally, in

2011 survey, Central Bureau of Statistics decided to give official recognition to transgender persons (AFP, 2011).

Yet, there remains sufficient room for improvement in their lives. There persists unresolved tension. Regardless of Supreme Court's directive till date, only two female-to-male transgender persons have managed to get the citizenship certificate based on their gender identity. The study findings suggest that LGBTI community expresses a great deal of skepticism about the possibility of positive change, as many closeted still do not have favorable environment for disclosure.

It is apparent that despite of all the achievements the legal status of LGBTI population in Nepal is still ambiguous, with erratic official treatment across the country. However, all of the participants believed that if state initiates to take action against people making homophobic comments, then people in due course would stop discriminating and intimidating LGBTI persons. Hence, state / government is perceived as an influential institution that should have been more responsible in sensitizing LGBTI issues to general masses.

Formal education and issues of LGBTI: The School/College is a central component in virtually every adolescent's life. It is the primary social settings in which friends are made, social skills are learned and self-efficacy is developed (Morrow, 2004). Most of the participants shared their experience of feeling forlorn for not being able to express feelings and interests with peers in the school setting. The study findings further suggest that intense bullying and harassment LGBTI students experience in the school setting has led many to have declining academic performance, increased absenteeism and high school dropout rates.

It was also revealed that those participants, who identify at present as transgender persons have lower educational level than those participants who at present identify as lesbians, gays and bisexuals. For instance, lesbians, gays and bisexuals have managed to have better educational status because they do not need to disclose orientation while acquiring formal education. Moreover, they look like heterosexual male and female in physical appearance and hence do not have many problems in developing social circle amongst heterosexuals. Nevertheless, as mentioned earlier most of them have poor academic records.

However, those participants who identify at present, as transgender persons have not completed high school (School Leaving Certificate equivalent). It was very difficult for transgender students to give up internal feelings, interests and desires. To continue studies, they had to give up their identity and majority of them had given priority to their different gender identity than to their studies.

Dynamics of Employment Status: The findings also suggest that “coming out of the closet” not only means having limited access to educational opportunities but also means having limited access and control over employment opportunities. Participants opined that most of them remain closeted as they have fear of losing jobs due to discrimination and, in addition, they have no legal recourse when discrimination occurs. Further, the very limited range of professional opportunities available to LGBTI persons has compelled many to work as a sex worker.

Also, there are many reported cases of abandonment of LGBT persons from their respective workplaces after the identity was disclosed. For instance, despite having exemplary service records, two of the participants were abandoned from their respective workplaces after the identity was revealed. A lesbian, who was dismissed from the workplace after her identity was disclosed said, “Others (referring to heterosexual) would lose job if they would not work efficiently but we would lose job if we don’t hide our orientation, which has nothing to do with our skills and capability”. Likewise, a female-to-male transgender who was also abandoned from the work place said, “I didn’t lose my job because I was incompetent. Quite the contrary, I worked hard and did my job very well. However, I was fired when the officer discovered that I was a transgender”. Another participant noted, “Instead of being evaluated on the basis of skills and qualifications, LGBTI persons are judged on the basis of sexual orientation and gender identity and are often not hired”.

Conclusion

It is evident that LGBTI persons are excluded from different opportunities at the same time. The disadvantages faced by LGBTI persons are interconnected and not mutually exclusive. Belonging to the LGBTI community means having poor familial relation, limited social contact, less education and fear of being unemployed.

Specifically, the findings suggest that LGBTI persons do not have favorable environment to acquire education and employment of their interest. High school dropout rates, poor academics, many suicidal cases and thought of committing suicide makes it evident that people from the community are not privileged to acquire education of their interest.

The study also indicates that economic independency determines the happier and healthier life of LGBTI persons. But the fear of not getting job with a revealed identity has further exacerbated their condition and restricted many from coming out of the closet. Those LGBT persons who are financially assisting the family are leading life of content but those who are struggling to earn a living, have higher chance of getting involved in an illegitimate activity.

References

- Takács, Judith, Mocsonaki, Laszlo, and Tóth, Tamas P. 2008. *Social Exclusion of Lesbian, Gay, Bisexual and Transgender (LGBT) People in Hungary*. Institute of Sociology, Hungarian Academy of Sciences. Háttér Support Society for LGBT People in Hungary
- Meyer, I. H and Wilson, P A. (2009). *Sampling Lesbian, Gay, and Bisexual Populations*. Journal of Counseling Psychology 2009, Vol. 56, No.1, 23–31. American Psychological Association
- Stets, J.E and Burke, P. J. nd. *A Sociological Approach to Self and Identity*. Department of Sociology. Washington State University
- Higgins, E. T. (1989). *Self-discrepancy theory: What patterns to self-beliefs cause people to suffer?* In L. Berkowitz (Ed.), *Advances in experimental social psychology* (pp. 93-136). New York: Academic Press
- Yun, W (2008). *Not merely Queer*. WAVE. Retrieved from: <http://www.wavemag.com.np/issue/article2755.html>
- AFP. 2011. *Nepal Introduces transgender census category*. Retrieved from: <http://www.google.com/hostednews/afp/article>. Accessed on January 25, 2011
- Morrow, D.F.(2004). *Social Work practice with Gay, Lesbian, Bisexual, and Transgender Adolescents*. Families in society. The journal of Contemporary social services, 85, 91-99