Historical Trajectories and Discourses on Transgender and Sexual Diversities: A Systematic Review

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Abstract

Transgender has existed in every society, culture, country, class, and religion since ancient times. Being a minority community, they are being discriminated on various levels. Across constitutions, the Rights to Equality and protection have always been denied. Historically, there have been debates and counterarguments about the inclusion of gender and sexual identity within religious, political, or social structures. Though there have been studies on sexual minorities, there are very few studies that have looked at the trajectories and shifts that have happened concerning transgenders' identity, sexuality, and rights. Hence, it is essential to examine how debates and discussions on transgender and sexual diversities have unfolded over the years. This paper traces the evolution and discourse on transgender identities, sexuality, and rights, highlighting the historical, religious, political, and social structures. Using a qualitative Systematic Review approach in accordance with the PRISMA guidelines, this study reviews books, journals, historical documents, and other legal reports published from 1928 to 2023 with the following objectives: to trace the historical, religious, and mythological representations of transgender; to identify the various historical movements and rights towards the development of sexual diversity; and to examine the sociological aspects of the transgender community. The primary analysis indicates the debates and discussions; it shows a clear increase in concerns in developing nations, particularly India, about LGBTQ+ rights. However, persistent tension remains regarding sexual minority communities, primarily determined by patriarchy, religion, social structure, etc.

Keywords: ***Sexual Orientation, Gender Identity, Transgender Rights, Sexual Minorities, Systematic Review, LGBTQ+***

1. Introduction

In every society, humans coexist with natural and inevitable differences and variances, even in gender and sexuality. Since human evolution, there have been references to gender and sexual minorities in all civilisations. However, even in contemporary societies, people hesitate to discuss and openly accept the LGBTQ+ Community (Lesbian, Gay, Bisexual, Transgender, Queer). Since they belong to a sexual minority group, the majority ostracise them by fostering prejudices

against them. The notion of sex only, including male and female, is deep-rooted in every culture, heterosexuality is considered normal, and other forms of sexuality are treated as abnormal. Although the visibility of sexual minorities is growing, they continue to be discriminated and restricted from many societal benefits such as marriage, adoption, etc. As sexual minorities do not match the heteronormative and cisgender expectations, the pressure and anxiety lead them to experience stress (Brallier & Hequembourg, 2009). They are often mocked and ridiculed by society and face violence in their own homes and public spaces, and are also discriminated in places such as healthcare, housing, education, employment, and law (Remya, 2017). In recent years, there has been much deliberation in favour of transgender individuals concerning their rights, identity, issues, or acceptance. It can be seen that there are more significant debates on the transgender community and sexual orientation happening around the world. In the recent past, new sexual identities have emerged. However, more significant problems persist across institutions, cultures, and societies worldwide. At this juncture, a comprehensive and systematic review is essential to examine how debates and discussions on transgender and sexual diversities have unfolded over the years. Furthermore, it is important to ensure inclusivity in the existing literature on transgender and sexual diversity across nations. Eventually, this study aims to analyse and synthesise the differences and issues through examining the trajectories and discourses on transgender over a century, with the following objectives:

1. To trace the historical, religious, and mythological representations of transgender and sexual diversities.
2. To identify the various historical movements and rights towards the development of transgender and sexual diversities.
3. To examine the sociological implications amongst the transgender and sexual diversities.

2. Methodology

This study employs a qualitative approach to trace the historical trajectories and deliberations surrounding transgender and sexual diversities. The study uses a systematic literature review, in accordance with the PRISMA guidelines, to identify studies and publications on transgender and sexual diversity over the past century. This review employed a narrative synthesis design to source books, journals, historical documents, and other legal reports published from 1928 to 2023. Firstly, the literature was retrieved from academic databases, including Scopus, Web of Science, and Google Scholar, using the following search string with the combination of Boolean operators such as “transgender” OR “sexual diversities” OR “lesbian” OR “gay” AND “history” OR “discourse” OR “trajectory”. Secondly, a total of 428 studies were identified based on the search string. Thirdly, the papers were selected based on the inclusion and exclusion criteria. The inclusion criteria are as follows: (i) Peer-reviewed journal articles, books, book chapters, and reports published in English addressing the relevance to transgender and sexual diversity discourses, rights, and identities, including but not confined to lesbian, gay, bisexual, and transgender identities. (ii) Coverage of significant debates, policies, and movements from ancient times to contemporary times, from 1928 to 2023. The exclusion criteria are as follows:(i) Studies focusing exclusively on non-binary gender and non heterosexual identities, and papers that primarily discussed cisgender or heterosexuality were excluded. (ii) Editorials or non-scholarly commentary were not included in this paper. Through the above filtering and exclusion process, 212 papers were shortlisted for the next stage.

The next stage involved further scrutiny of articles by their authors, article titles, and publication years, covering various multidisciplinary subjects, the types of sources used, and the key themes identified. Eventually, 42 relevant studies were finalised for the analysis and synthesis. During the synthesis process, various data variables were extracted, enabling the review to substantiate the major content and to help frame the study's analytical themes. The overarching analysis clearly indicates that the trajectories and discourses have travelled in directions that focus on religion, mythology, sex, gender identity, sexual orientation, the rights of transgender people, sexual diversity, and sociological aspects. These discourses are discussed in detail with the following categories:

a) Religion, Mythology, and Sexual Diversities
b) Sex, Gender Identity, and Sexual Orientation
c) Evolution of the Term
d) Emergence of New Identities and Orientations
e) The Complexities of Gender Identities and Sexual Orientations
f) Rights, Movements, and Organisations of Transgender and Sexual Diversities
g) Sociological Aspects and Sexual Diversities

3. Analysis

3.1 Religion, Mythology, and Sexual Diversities

The presence of various sexual diversities in mythologies and religious texts worldwide challenges the contemporary perception of gender identity and sexual orientation as rigid and binary constructs. For instance, "In Greek mythology, the transsexual influence is dramatised in the designation of Venus Castina as the goddess who responded with sympathy and understanding to the yearnings of feminine souls locked up in male bodies" (Bulliet, 1928, as cited in Green, 1997). Male and female same-sex sexual conduct was permitted and celebrated in the ancient Athenian civilisation. The term 'hermaphrodite' comes from Greek Mythology and refers to people with Differences in Sex Development (DSD) who are born with a combination of male and female biological traits. "Hermaphroditus was the child of Hermes (the male Greek God of commerce and a messenger to the other gods) and Aphrodite (the female Greek Goddess of love and beauty)" (Thomas, 2019). Similar to Greek mythology, there are references in Christianity to sexual minorities. Christianity, as a religion, reaffirms the notion of anatomical male or female (Witten et al., 2003). Over the years, the religious right has successfully portrayed sexual minorities as profoundly immoral, threatening American values and culture, and even threatening the nation itself (Pierceson, 2015). Besides Christianity, Islam, as a prominent religion, also has its views and values regarding homosexuality. According to teachings and law in Islam, homosexuality is a sin. Many Arab nations' cultures are highly homosocial, with a preference for same-sex partnerships despite legal and cultural restrictions against homosexuality (Mousa & Scull, 2017). The review distinguishes Greek mythology from the two major religions, such as Christianity and Islam. Same sex, gender change, and intersex are openly included and accepted in Greek Tradition. In contrast, Christianity considers the existence of only two binary genders, and both Christianity and Islam have viewed homosexuality as a sin. Although rejection is not the only theme in their religious texts, it grew stronger over time as religious leaders reinforced it by using those texts to control society. Further, lived experiences should be compared and included across various religions to enhance the knowledge of how these deeply rooted traditional beliefs still affect the identity and lives of sexual diversities.

Identical to the global references to transgender in mythology and religion, India is not an exception. The existence of transgender people can be seen in the Hindu mythological texts from ancient times, such as the Mahabharata, where a notable character, Shikhandi, is male but born female. He becomes Shikhandi once Shikhandini changes her sex, although he is a eunuch. Another example can be seen in the Mahabharata, where Aravan and Krishna are depicted. To marry Aravan, Krishna assumed the form of a woman (Mohini). Thirunangai, a popular transgender community (also known as Aravani in Tamil and Hijra throughout South Asia), is patronised by a God called Aravan (Raj, 2020). Bahuchara Mata is considered a mother deity of transgender people in India (Remya, 2017). Lord Shiva is portrayed as 'Ardhanarishavara' in numerous Puranic scriptures, a bi-gendered deity with Lord Shiva on the right and his wife, Goddess Parvati, on the left. The male element 'Purusha' with the feminine element 'Prakriti' unite into a divine form, representing 'totality that lies beyond duality' (Pramanik, 2023). Another well-known tale that underscores the significance of transgender people's cultural values comes from the epic Ramayana. Lord Rama, who was pleased, praised transgender people and foretold that they would bless humanity on numerous auspicious occasions, including births and marriages (Pal & Tiwari, 2020). Several examples of demigods, saints, and even the Supreme Lord defying gender norms and emerging in various sex and gender identities can be found in Hindu and Vedic Scriptures (Kumar, 2019). Besides the examples of transgender, similar instances of homosexuality can be seen in Ancient texts such as the Manu Smriti, Arthashastra, Kamasutra, Upanishads, and Puranas (Parasar, 2007). Kumar (2019) continued to highlight that in the Rig Veda, sexual acts between women have been portrayed in sculptures. According to Manu Smriti's guidelines, the conduct of homosexuality is restricted and punishable (Gulia & Mallick, 2010). Through such examples, it can be claimed that same-sex eroticism (homosexuality) was present and documented in ancient Hindu society. The Hindu mythological and ancient texts have presented a flexible view of gender identity and sexual orientation compared to other religious texts. It reflects that in Hindu mythology, the acceptance of sexual minorities is greater. The mythological text has supported the importance of transgender community in Hindu society. However, the Manusmriti did not accept homosexuality and imposed restrictions and penalties. It suggests that there were contradictory views within the ancient texts. It reflects that, in contemporary society, discrimination stems from social, historical, and colonial changes. The studies are limited to the ancient texts and myths. Further, it should be explored how these ancient mythologies can be embedded in the modern practice to include the acceptance of sexual minorities.

Ultimately, the analysis of references to sexual diversity in ancient mythological and religious texts was limited to acceptance and acknowledgement. However, it should go beyond a more critical interrogation of how these narratives

have been used, either to include or to exclude, to empower, or to marginalise, as this will help to deconstruct the heteronormative and cisnormative frameworks that continue to shape contemporary discourse on gender and sexuality.

3.2 Sex, Gender Identity, and Sexual Orientation

The notion of categorising sex as male or female as a binary gender has long prevailed in both scientific and societal discourses. "Sex refers to the biological differences between males and females" (Mize, 2015, p. 1067). People have predetermined that masculine features are confined to males and feminine features are confined to females. However, it is found that masculine characteristics are evident in many females and feminine characteristics in many males. Gender identity is a person's self-conception of gender. It includes men, women, and other genders, such as transgender, genderqueer, non-binary, and bigender, rejecting the conventional gender binary classification (National Academy of Sciences, 2011; Jourian, 2015). The individuals whose internal identity aligns with their biological sex are considered to be 'cisgender'. On the contrary, the individuals who identify themselves as the opposite of their biological sex are called 'trans' or 'transgender'. Besides these identities, there are other gender identities whose internal sense lies between or does not fit within the gender binary, such as 'non-binary', 'genderfluid', 'genderqueer', 'pangender', and 'genderfuck'. An individual who does not strongly identify as male or female is considered 'agender' (Griffin et al., 2021). One's gender expression, which might include masculine, feminine, or androgynous behaviours, refers to how one performs and enacts their gender (Jourian, 2015). Often, people just acknowledge gender identity regarding biological sex and disregard the psychological feeling perspective of gender. Around the second year of a child's life, the emergence of gender identity can be identified (Alonso, 2012). People having physical characteristics of both sexes are referred to as intersex. These individuals are incredibly marginalised, and society often fails to recognise their existence (Kumar, 2019). Transgender persons accepted their psychological gender identity and eventually exhibited it through behaviour, dress, haircuts, voice, and body traits, defying the social standards they were exposed to from infancy. American Psychological Association (2015) states that "transgender people struggle with the gender identity they were given at birth and the social identity they developed as they grew up" (Meher & Acharya, 2022, p. 2). The males who consider themselves trans are often targeted verbally and physically victimised as the non-conforming behaviour or expression of boys is less accepted than that of girls (Ryan & Futterman, 1998, as cited in Grossman et al., 2005). It highlights that the notion of sex, gender identity, and gender expression is complex when it does not align with the concept of cisnormativity. Throughout history, in every culture, the existence of sexual diversities is being recognised, but in contemporary society, it is being ignored and suppressed. More studies are necessary and they must focus on various genders worldwide and how they differ, and awareness should be disseminated in society regarding the same.

Sexual attraction toward men, women, or both refers to sexual orientation, and people of same-sex attraction refer to the nonheterosexual, which is identified as a minority group (Bailey et al., 2016). When we talk about various identities depending on sexuality, new ways of identification of sexual orientation have emerged, such as lesbian, gay, bisexual, queer, questioning, asexual, pansexual, etc. "Some people believe that sexual orientation is innate and fixed, for others, sexual orientation may develop across a person's lifetime" (Jannini et al., 2010, p. 3246). Still, to which an individual belongs in terms of gender identity and sexual orientation is influenced by society, though it is a personal choice of the individual. Historically, notions of sex, gender identity, and sexual orientation are largely established on the gender binary and heteronormativity. However, such a system will continue to bind an individual's freedom of self-expression and choices, so it needs to be challenged.

3.3 Evolution of the Term

Since human life has been recorded in every society and culture, the existence of transgender people can be seen, but the word 'transgender' came into being in the mid-1990s. Historically, the presence of transgender across societies is not a recent phenomenon. Transgender individuals of any age or sex who identify as transgender have an appearance, personality, or behaviour that deviates from expectations of what men and women should look and act like. Other synonyms for transgender include 'gender variant', 'gender different', and 'gender non-conforming'. In India, there are a host of socio-cultural groups of transgender people, such as 'hijras' or 'kinnars', and other transgender identities such as 'shiv-shaktis', 'jogtas', 'jogappas', 'aradhis', 'sakhi', etc. The term 'homosexual' came into being in the second half of the nineteenth century (Kumar, 2019). The labels were used negatively to describe homosexuals in the past. Such labels include 'Moffie' for homosexual men in South Africa and 'Bog' and 'Flata' for homosexual men and women in Sweden. In the 1950s and 1960s, it was readdressed by 'homophiles' and later with 'gay' in the 1970s. The term 'gay' was first

adopted by the homosexual community, and further, the term 'gay and lesbian' became more prevalent as lesbians established public identities. Lars Ullerstam, a Swedish writer, promoted the term 'sexual minority' in the 1960s. Jourian (2015) highlighted that earlier same-sex eroticism and relationships were referred to as passionate friendships and crushes or as abhorrent and problematic in the US. The words used to describe LGBTQ identities in the US did not originate until the early to mid-20th century. Ultimately, this emergence of newer terms regarding transgender and homosexuality highlights shifting perceptions in society, from derogatory words to inclusive identities.

3.4 Emergence of New Identities and Orientations

As time passed, identities around the world began to resurge. Though we call transgender a broader identity, there are very clearly defined sub-sections, and people prefer to identify themselves as such sub-sections.

3.4.1 Transsexual and Intersexual

Alonso (2012) points out that the arrival of gender reassignment surgery in the 1900s helped transgender people undergo a process that comprises hormonal and surgical treatments that bring harmony to their gender identity, referred to as transsexuals. Still, there are many issues faced by transsexuals with regard to acceptance by society, legal recognition, and medical care.

For people who are born intersex, Gender Correction Surgery is done to make them more compatible with either the male or female biological sex without their consent. A small but increasing intersex movement, such as The Intersex Society of North America (INSA), opposes this behaviour because it is offensive, disrespectful, and frequently causes physical and psychological harm (Kumar, 2019). The studies have not only focused on the trauma caused to intersex individuals but also have focused on how an organisation became a voice for them.

3.4.2 Cross-Dressing/ Transvestism

When a person wears clothes associated with the opposite gender is known as cross-dressing or transvestism. We can mainly see this kind of act in festive practice. This set of people is sometimes not considered transgender by the transgender community, as they think they only do cross-dressing for some purpose and are not transgender. Even the many crossdressers, or gender performers, do not include themselves in this community. It reflects that cross-dressing is sometimes wrongly considered. Further studies should focus more on understanding cross-dressing as a purposeful practice and on identity or expression, rather than treating it as a disorder.

3.4.3 Drag

Judith Butler, an American philosopher and gender studies writer (1956), argues that gender is socially constructed; masculinity and femininity are not natural or essential. In reality, gender is quite fluid and malleable. What we see as gender in ourselves and others is, in reality, a performance. In other words, according to her, we are always in drag. He calls gender a performative concept because it reflects our learned, constructed gender expressions and reinforces or generates gender norms (Pierceson, 2015). The studies indicate that drag king/queen is for entertainment, but in reality, it is an art form that plays an important role in building identity in queer spaces across cultures. Unfortunately, most studies focused on Western drag culture, rather than focusing on various drag communities and their lived experiences across cultures.

3.4.4 Various Sexual Orientations

Based on heterosexism, it is assumed that everybody is heterosexual. As a result, perspectives and biases that favour those who identify as heterosexual or who are in heterosexual relationships become institutionalised systematically. The word "couple" implies only a pairing of a man and a woman. Homophobia, a type of heterosexism, is the fear or hate of non-heterosexual people. The people who are attracted to various genders or who want to express that they are open to that possibility prefer the term 'queer' as Lesbian, gay, heterosexual, or even bisexual words may not be comfortable for some people. One is believed to be exclusively heterosexual, or exclusively gay or lesbian; it refers to monosexism. The stereotypes include the notion that being bisexual is just a phase or a trend. The dislike of bisexuals and other

monosexual individuals, such as pansexuals or omnisexuals, is known as biphobia, and it is a form of monosexism. Frequently, it is a foundation of the disappearance of bisexuality from public view (Eliason, 2000, as cited in Jourian, 2015). Those who have no sexual attraction to anyone are referred to as asexual. Some asexual people only have romantic connections; some might even love nonsexual physical acts like cuddling. They might experience queerness themselves. The studies clearly indicate the various forms of sexual orientation and how an individual wants to identify themselves based on their choice of sexuality.

LGBT in short stands for LGBTTQQIIA, which includes lesbian, gay, bisexual, transgender, transsexual, queer, questioning, intersex, intergender, and asexual. The fact is that sexuality in any form is rarely discussed freely, which has prevented India's public from openly discussing homosexuality. Thoughts on homosexuality have recently shifted slightly (Kumar, 2019). Considering these discourses, it is evident that over the past century, awareness of various sexual orientations has changed significantly. Most of the studies are based on homosexuality, such as lesbian and gay, but other sexual orientations, such as bisexual, asexual, and pansexual, etc., should also be discussed in future studies.

3.5 The Complexities of Gender Identities and Sexual Orientations

Homosexuality can be seen in all cultures and societies. Meher & Acharya (2022) emphasised that women in India struggle for their secondary identity in a patriarchal society, and achieving respect for the transgender population in that society has proven to be a persistent problem. Each community has struggled to find its identity, sometimes excluding other subgroups, including deciding whether and how to identify with other communities based on gender and sexuality. Sometimes, the larger LGBT community marginalises bisexual and transgender. Gay, lesbian, bisexual, and transgender people did not receive equal acceptance in the Gay Liberation Movement until the 1990s (Kumar, 2019). Lesbians engaged in long-term, intimate relationships known as 'Boston marriages' in the 19th and 20th centuries. It was easier for these couples to hide the reality of their relationships, as lesbianism was not as threatening to society as male homosexuality (Pierceson, 2015). Similarly, in the 16th century, in England, it was believed that love without a penis was not possible, which made it easy for women to show their erotic behaviour towards each other without facing the stigma (Faderman, 1981). Notably, some feminists criticised transgender women since they can either continue to play a socially and politically influential position as men or switch to this role when necessary (Pierceson, 2015). It shows that every individual was not treated the same. Lesbians were more accepted than gays, but when it comes to gender identity, a man who identifies himself as a transwoman sometimes wants to remain dominant in a patriarchal society.

Due to the non-conforming identities and sexual identities, the transgender and LGBTQ+ population is experiencing many difficulties. There are instances in which a child or adult was subjected to an abortion because their physical characteristics and biological sex were deemed incorrect. One such example is the discrimination against the athletes whose prizes were withdrawn as their biological sex did not conform to a purely male or female sex (Alonso, 2012).

The continuity of challenges and struggles for identity and acceptance within the sexual minority community reflects the deeper biases within their own community, and discrimination of non-binary gender and non-heterosexual individuals can be seen in terms of exclusion from public places by the heteronormative society. An effort is required to dismantle the societal prejudices against the sexual diversity community.

3.6 Rights, Movements, and Organisations of Transgenders and Sexual Diversities

Historically, various movements, organizations, and rights have emerged to seek legal recognition, protection against discrimination, and the promotion of inclusivity of sexual diversity.

3.6.1 Political and Legal Movements

Despite evidence of transgender and homosexuality in ancient Indian literature, modern society is in a dilemma with their existence. Sadly, such a community is frequently stigmatised, and discrimination exists in the present century due to homophobia, transphobia, moral, religious, and political ideologies. Even medical ideologies were being embedded in law for the confinement of homosexuals in prisons and mental institutions, excluding them from the basic right to live without harassment, government service, and immigration (Adam, 1995). Discrimination perspectives lead to harassment, unemployment, a lack of educational resources, homelessness, medical facilities, marriage, and adoption. LGBT rights are increasingly widely accepted due to the efforts of organisations such as Amnesty International Human Rights, which

runs effective campaigns, and, in certain nations, governments are beginning to enact laws supporting LGBT rights and anti-discrimination measures. In the upcoming years, on a global scale, LGBT rights will be the main concern to protect people in the legal system from hate crimes and propaganda, working to combat homophobia and heterosexism, and to eliminate discrimination based on equal rights, privileges, and sexual orientation (Kumar, 2019). The studies have covered how the sexual minorities face various forms of discrimination and stigma in every sphere of their lives, and besides this, the studies have also discussed the steps that are being slowly taken to protect them socially, politically, and legally.

In the 1700s and the early 1800s, most European legal and political philosophers condemned homosexuality. Consensual same-sex intercourse should not be made illegal. The main cause of homophobia is Judeo-Christian morality, which was dispersed to many regions of the world by European colonisation, which brought its laws and morals into other local contexts. The 18th-century philosopher Jeremy Bentham (1748-1832) was shocked by the harsh legal treatment of same-sex relationships, particularly in England, but he hesitated to express his displeasure publicly. The writings from 1774 to 1824 were never published because he feared harming his reputation. His views on legal reform were more favourably regarded in Europe than in England. Subsequently, during the French Revolution of 1791, sodomy became legal in France; the Napoleonic Code (French Civil Code) continued to contain this provision. The Scientific Humanitarian Committee, founded in 1897 in Germany under the direction of sex researcher and reformer Magnus Hirschfeld, was the first documented attempt to establish a continuous political movement for sexual minorities. The committee's objectives were to promote tolerance of homosexuality generally and to overturn Germany's anti-sodomy (sexual perversion) law, Paragraph 175 (German Criminal Code, 1871). Unfortunately, the campaign's attempt to repeal Paragraph 175 proved unsuccessful. In 1937, Hirschfeld's institute and the reform along with it were destroyed by the Nazis. Under the authority of paragraph 175, sexual minorities were victims of the Nazi concentration camps. A pink triangle badge in the camps has become a symbol of the LGBT rights movement. The lesbian and gay rights movement, which emerged in the 1950s and 1960s, eventually benefited greatly from the philosophical and legal groundwork of the 19th-century philosopher Mill (1806-1873) (Pierceson, 2015). It reflects on studies of European countries and how religious texts played a role in shaping same-sex relationships, which causes homophobia towards them, and also how the researchers and reformers try to decriminalise homosexuality and the struggles they faced during the campaigns.

The American homophile movement emerged aftereffect of the Second World War in the 1950s and 1960s. Throughout the country, the mass movement of young men and women found themselves in the same environment of homosexuality and realised they were not alone, and many individuals decided to relocate to urban areas rather than going back to isolated lives (Charles, 2010). A homosexual bar named Stonewall Inn in Greenwich Village was being raided by New York police in 1969. It was not the first time that homosexual bars were raided by police, but it has been a common incident since the 1960s in New York and other American cities. However, in 1969, when there was a police raid in the homosexual bar, the bar customers did not tolerate the humiliating treatment; instead, they fought back against it, and this act initiated a Stonewall riot. As a result, this riot became a milestone for the gay liberation movement in the United States (Armstrong & Crage, 2006). The study reflects on the United States of America, how they strongly fought against the police for the humiliating treatment of homosexuals, which became a remarkable incident of being liberated from the same.

3.6.2 Sexual Diversities Organisations and Rights

In 1897, Germany saw the emergence of the first social movement for gay individuals to secure their civil rights (Adam, 1995). The importance of the rights of people with sexual orientation was not specified in the United Nations General Assembly's Universal Declaration of Human Rights of 1948 (Kumar, 2019). In 1950, gay and lesbian organisations such as Mattachine Society and Daughters of Bilitis pushed the homosexual individuals for tolerance rather than expecting full acceptance and equal inclusion. They inspired lesbians and gays to act 'straight' to convince courts, legislatures, and the public so that they can be left alone despite being fired from their jobs and being criminalised for their sexual orientations. The Stonewall riots in 1969 changed everything, as the homosexuals did not tolerate the harassment but rather advocated for liberation across gender, gender identity, sexual orientation, race, and class. Soon after, the Gay Liberation Front was formed, adopting a liberation-based strategy (Velte, 2020). It reflects studies from various countries on how different organisations stood up for people of diverse sexual orientations.

There were voices concerning LGBT issues, including anti-discrimination protection, same-sex marriage, and gay adoption rights, which should be taken into consideration in human rights. Canadian courts have recognised certain rights under Section 15 of the Canadian Charter of Rights and Freedoms. Discrimination based on gender identity and sexual

orientation is prohibited by a proposed UN statement on LGBT rights. Equality groups advocated for the consideration of the rights and needs of LGBT people when the UN agreed to establish global goals to end poverty and achieve equality by 2030. The Sustainable Development Goals (SDGs), adopted by the UN in 2015, mention leaving no one behind; however, many member nations have made very few attempts to bring inclusivity to these communities, and they mainly focus on low income, poor health, and lack of education. The studies reflect the inclusive steps taken to protect the human rights of transgender and sexual diversities to eradicate the inequalities faced by this community.

In addition to Europe and the UN, Kuwait has developed and implemented disputed laws and social policies. In the Gulf Cooperation Countries (GCC), homosexual acts are illegal. The laws and policies, such as cross-dressing in public, became illegal in 2008, and in 2013, the Kuwaiti government developed a medical test, 'gaydar', to identify sexual minorities so that they can be prevented from entering Kuwait and other GCC (Scutti 2013, as cited in Scull & Mousa, 2017). However, HELEM (2001) is the organisation that supports LGBT people in the Middle East and North Africa due to stigma and legal issues. The organisation offers services ranging from outreach work, counselling, and raising LGBT visibility and awareness to HIV testing and education programs (Scull & Mousa, 2017).

As discussed earlier, the practice of homosexuality mentioned in mythological texts is culturally existing, but their silence, invisibility, and social difficulties have never been taken seriously. The criminalisation of homosexual behaviour was made universal in India in 1860 after the adoption of uniform criminal laws. The British Raj made it illegal to engage in any sexual activity 'against the order of nature,' potentially including homosexual sexual activities under Section 377 of the Indian Penal Code (IPC), which went into effect in 1861. Due to the Christian religious views of the British colonial administrations, these views were implemented across the majority of the British Empire. Section 377 of the IPC, 1860, which was in effect until 2009, made homosexual acts a crime. It has to be noted that pre-colonial laws also referred to homosexuality. Since 2004, there has been a steady drop in the reports of police harassment of LGBT people and gatherings. Throughout the past few decades, numerous administrative and legal initiatives have been implemented to serve the community. Various organisations, like Humsafar Trust, Naz Foundation, Gay Bombay, etc., in India have taken up the rights of sexual minorities and supported the decriminalisation of homosexuality in India. Today, organisations, helplines, periodicals and newsletters, health resources, gathering places, and drop-in centers can be found in most of India's major cities, including Delhi, Mumbai, Kolkata, Bangalore, Hyderabad, Pune, Chennai, Patna, and Lucknow. Cities like Bangalore, Hyderabad, and Mumbai have vibrant gay nightlife, including nightclubs and discos. Due to a lack of funding, personnel, and government support, and severe societal or state discrimination, the established organisations have reached only a small percentage of the population, which is more painful to witness than the fact that many emerging organisations fade away in silence.

3.6.3 Legal Policies and Amendments

Canada is progressive in accepting the LGBTQ and granting the rights to same sex marriage since 2005, ensuring human rights protections as well as various legal protections for sexual minorities (Nash & Catungal, 2013). Similarly, in India, various legal policies and amendments were initiated regarding sexual diversities, such as the Delhi High Court in 2009 decriminalised the private sexual activity between adults of the same sex (Randev, 2022). Subsequently, after many years of struggles, activism, and social movements, the Supreme Court of India (The Highest Court in India), in 2018, revoked Section 377 of the IPC that decriminalised consensual homosexual activities between adults (Dutta, 2020, as cited in Bhattacharya et al., 2022).

Both the Indian Civil Society and the government typically view homosexuality as a taboo subject (Kumar, 2019). Transgender individuals were recognised as a third gender by the Supreme Court in 2014, and in 2018, the Supreme Court of India created a third-gender status for them in a landmark ruling (Mishra, 2019). In 2016, the Lok Sabha (the Lower House of the Indian Parliament) introduced the Transgender People (Protection of Rights) Bill, 2016. The definition of transgender people is stated in the bill. In addition to directing the state or central government(s) to provide assistance programs in these areas, measures to prohibit discrimination against transgender people in sectors such as education, employment, and healthcare are also included. The punishment for crimes like forcing a transgender person to beg, denying them entrance to a public location, abusing them physically or sexually, etc., will be considered a crime. Additionally, the bill stipulates that anyone who is legally recognised as 'transgender' has the freedom to pursue their own 'self-perceived' gender identity (Raj, 2020). "On 17 December 2018, the Lok Sabha passed a revised version of the Bill with 27 amendments, including an improvement in the definition of a transgender person. In 2019, this amended Bill declared an Act" (Bhattacharya et al., 2022, p. 680). Nowadays, an increasing number of people publicly identify their gender identity and sexual orientation and organise to demand their rights. In addition, transgender people are now

included in the government's Unique Identification Programme, which gives identification numbers to Indian residents. It is a positive recognition for the minority community (Randev, 2022). Although there have been considerable positive changes over the decades, they are still not fully accepted. Hence, continuous efforts from legal bodies, organisations, and civil society are important in this process to gain more rights, protection, and equality for sexual minorities.

3.7 Sociological Aspects and Sexual Diversities

Historically, sexual minority groups all over the world have experienced discrimination in every sphere of life, particularly within their family and society, and further towards various sociological aspects such as education, health, livelihood, etc. The following subsections detail how these sexual diversities were categorically marginalised over time.

3.7.1 Family and Society

Family, as a sociological concept, has evolved historically and become an essential element of human existence. Globally, the stigma faced by LGBTQ individuals begins in their own families. Parker et al. (2018) categorised stigma into two types: felt and enacted. "Felt stigma refers to internal states, such as shame or fear of being associated with a stigmatised identity or condition, enacted stigma refers to actual experiences of discrimination" (p.2). Enacted stigma can be seen in families in their parental behaviours, such as rejecting their identity, bullying, and harassing them. According to Aristotle (384 BCE- 322 BC), people are strongly inclined toward group action rather than individualism and are predisposed to form political communities. Heterosexual families provided the basis for this viewpoint. Hence, same-sex sexuality was typically not considered an alternative to the heterosexual family in the classical setting. In traditional political contexts, there was a presumption that heterosexual families were natural (Pierceson, 2015). Due to their gender identification, one in five transgender people in America experienced discrimination while looking for a place to live, and two out of ten experienced eviction (Saranya et al., 2022). Even in Arab families, homosexuality is prohibited, and they are forced to struggle alone and search for help from others (Scull & Mousa, 2017).

In India, if a child starts behaving differently from their expected gender role, most families do not accept them. As a result, sometimes they decide to flee from their family because it becomes difficult to endure discrimination or because they do not want to embarrass their family, which leads them to seek out Hijra communities (Chakrapani, 2010). "A study revealed that 41% of Indians would not want a homosexual neighbour, and 64% believe that homosexuality is never justified" (Badgett, 2014, as cited in Randev, 2022, p.1). The elite class of the community receives different treatment and is better accepted than the lower class of the same group, which is often criticised for certain assertive and flamboyant gestures (Dutta, 2012, as cited in Randev, 2022).

The concept that transgender persons possess some spiritual power while also being viewed as having a mental condition is in conflict with who they are as people. Society's selective acceptance of them is based on this dualism. Similar behaviours have been seen in Indian urban culture, consistent with the increasing acceptance of transgender people in Western society. Transwomen in urban India are more at ease coming out as transgender individuals and are less inclined to accept themselves in the traditional 'Hijra' position. In semi-urban and rural India, identifying transgender persons is stigmatised because of people's prejudiced perceptions of them in these areas, where cultural conservatism still rules societal perception (Meher & Acharya, 2022). With their social network and family, they are kept at a distance (Saranya et al., 2022). Societies have varied attitudes toward the sexual phenomenon. It is considered a common factor in certain communities, and individuals are provided with the appropriate knowledge. In others, it is viewed as a taboo subject that should not be addressed publicly (Kumar, 2019). Complete acceptance is still far off, but Indian society is working to normalise trans identities and gender fluidity (Elischberger et al., 2018, as cited in Meher & Acharya, 2022).

Although family and society play an important role in the well-being of sexual minorities, being rejected by their own family members and societal pressure are leading them towards physical and emotional trauma. The acceptance and support of family is very important to come out with one's own gender identity and sexual orientation. However, the studies focused on the family and societal rejection and the discrimination faced by them, but did not travel much in the direction of including those who understand their problems, acceptance, and support, so that they can also experience life as a cisgender and heterosexual individual.

3.7.2 Education and Health

While family and society are grounding factors, educating them will lead to a better livelihood. Access to health and education is a basic necessity for an individual's well-being. However, Transgender people have limited access to education, exercise centers, and public areas. In many Indian states, the third gender column for Transgender individuals is not available for university admission paperwork or process (Saranya et al., 2022). In India, those who enroll in schools or higher education face various levels of discrimination and issues, such as their name and pronoun being used inappropriately, and they are being harassed and bullied every day, due to which they are not able to continue their studies. Further, they are being denied the use of the public washroom in educational institutions and are being abused if they do not conform to their gender identity (Balu, 2020). Less access to health and educational facilities, and also other factors, such as not getting support from the family, due to which the suicidal tendencies increase, and also lead to poor health (Toomey et al., 2019).

Now that various LGBT support groups have sprouted nationwide, the previously underserved community has more access to medical treatments and social gatherings (Kumar, 2019). Chakrapani (2010) emphasised that Hijras/Transgender communities have reported various forms of discrimination in the healthcare settings such as the intentional use of male pronouns in addressing Hijras, registering them as 'males' and admitting them in male wards, humiliation from having to wait in the male queue, verbal abuse from hospital staff and other patients, a lack of healthcare professionals who are sensitive to and trained in treating/caring for transgender people, and even denial of medical services. HIV status, sex work status, transgender status, or any combination of these could be grounds for discrimination. It reflects that the sexual minorities face challenges in educational and healthcare institutions, such as being bullied, having no proper access to washrooms and public spaces, etc. It mostly reflects on the challenges they face, rather than focusing on studies that discuss the policies that should be included to make these institutions queer-friendly.

3.7.3 Livelihood

Families and societies do not accept transgender people, due to which they lack family and societal support, so educationally, they cannot get better education opportunities, which leads to unemployment. Even if transgender people are qualified and skilled, employers deny them a job, and if they do possess a job, once their gender identity or sexual orientation is revealed, they are suspended. Due to the discrimination and internalised transphobia, an unfriendly and negative environment at the workplace makes them feel uncomfortable, and as a result, they do not apply for jobs that push them to choose the path of begging and sex work for their survival (Math & Seshadri, 2013; Divan et al., 2016), which leads to HIV and other health issues (Chakrapani, 2010). Within their own communities, they are also being discriminated who live under the guru(teacher/leader)-chela(disciple) relationships, gurus are the head of the community who perform badhai ceremonies as their traditional occupation, and chelas are being instructed to go into sex work (Reddy, 2005), which often leads to sexual harassment (Khan et al., 2009). On the contrary, in some states, there are success stories of self-employed transgender individuals running food shops or organising cultural events. However, those are exceptions.

However, there are some initiatives taken by the central and state governments to enhance the livelihood of transgender individuals, including very few trans-specific livelihood schemes, such as 'Support for Marginalised Individuals for Livelihood and Enterprise' (SMILE), which is a centrally approved scheme, and 'SWEEKRUTI,' which is run by the Odisha government (Pradhan & Paltasingh, 2023). It reflects on the traditional work they continue to do for their livelihood, as they do not conform to the binary gender system. If they get a job beyond their traditional work assigned to them, they are not being treated equally to others.

Eventually, the challenges faced by sexual minorities in their family, neighbourhood, society, and aspects such as education, health, and livelihood push them toward extreme marginalisation. Despite these obstacles across every sphere of their lives, increasing positive awareness, giving them freedom and space, and accepting them into mainstream society can eventually improve their quality of life.

4. Conclusion

By systematically synthesising research across disciplines, this study seeks to contribute to a more inclusive understanding of gender identity and sexual orientation while highlighting areas for future policy and academic inquiry.

Historically, religious and mythological texts challenged the strict gender binaries and heteronormativity enforced by society. The existence of non-binary identities is affirmed in ancient Indian texts such as the Mahabharata, the Ramayana, and Hindu Scriptures. However, they are still being discriminated and not accepted by society. Deconstructing heteronormativity and promoting inclusivity of gender identity and sexual orientation in modern discourse requires a critical interrogation of these texts. The emerging diverse gender identities and sexual orientations emphasise going beyond the construction of traditional norms, as their identity and sexual orientation are personal and still shaped by society. Due to the lack of societal understanding, particularly intersex and transgender people are being marginalised compared to other sexual minority groups. The complexities within various subgroups of the LGBTQ+ community persist. Such complexities must be acknowledged to create space for open discussion, which will help achieve broader inclusion and equality within subgroups.

Democracy has played a major role in identifying the rights of LGBT people. Because there are discourses on rights, there are various legal provisions for these communities. Despite having rights provided by the government, they are still not accepted in society. Though it can be observed that there are a fair number of debates and discussions about sexual diversities, identity, and rights, there is very little discourse and debate on various sociological aspects, such as family, society, health, education, and livelihood, which become crucial for them to become part of mainstream society; in turn, they do not need to live in private communities. There is a possibility of greater societal acceptance; more research is needed, and knowledge should be shared with the public to enable more positive changes. The transformation can be seen in terms of rights but not in terms of education, health, and livelihood. Still, our social structure is the fabrication of patriarchy or male chauvinism. Unless and until society remains patriarchal, certain issues might not be addressed. Further, in the future, more studies on LGBTQ+ must go beyond focusing solely on sociological aspects such as family, society, health, education, and livelihood, and instead bring the LGBTQ+ community from the margins into mainstream society.

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