

A History Unfolding: Exploring the Past, Present, and Challenges of Bangladesh's LGBTQ+ Community.

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Abstract

The article offers a detailed study of the challenges that the LGBTQ+ community face in Bangladesh. It explores and highlights the issues that went on in the historical, legal, social, and political aspects. It draws attention to this sensitive intermix of gender roles, patriarchal traditions and religious consideration which has made the LGBTQ+ community what they are today. The article explores legal context, on which particular chapter of Penal Code, Section 377, has been used to criminalize sexual relations between the same sex individuals. It talks about stigma as one of the issues that cuts across every aspect of the daily lives of queer people, including violence, pressure, and oppression from police and the community direction at large.

The article continues by analysing the way LGBTQ+ activists and organisations in Bangladesh have made use of the 'safe spaces' and through the creative and artistic forms of advocacy and protest to spread their message to the masses. It also deals with the issue of the international aid for the campaign of queer rights around the nation. It also deals with the issue of the international aid for the campaign of queer rights around the nation. Eventually, the piece discusses the road map which contains the challenges and possibilities of improvement with the commitment to equality and respect for the complexities and the detail of LGBTQ+ adventures in Bangladesh. The author's engaging narration, combined with the use of interviews right into the matter at hand in a different, yet profound way.

Key Words: LGBTQ+, Queer, South Asia, Bangladesh, discrimination, Section 377, criminalization, same-sex relations, stigma, violence, oppression, activists, organizations, safe spaces, advocacy.

1. Introduction

In South Asia, sexual identity has to do with culture, religion, tradition and colonization and therefore creating the intricate complexities. Colonialism had effects based on the fact that, British colonial influence pushed away the non-conforming sexualities (Oxford Analytica, 2023). Besides the rise of fundamentalism and ethno-nationalism there also come sure challenges that affect on the issue of sexual and reproductive health rights (Singh & Arora, 2022).

Arondekar (2023) highlights the severity of control surrounding non-conforming sexualities in South Asia, with limited choices and healthcare access due to conservative norms, nationalist discourse, and discriminatory laws. This necessitates a deeper understanding of the intersectionality between cultural, social, and political contexts (Daiya & Sarkar, 2022).

With Bangladesh the situation is the worst of all. People who do not adhere to the straight and ordinary sexual and gender models face a lot of social rejection, and they are seen as failures to family, culture and religion (Mishra et al., 2023; Mukherjee, 2023; Alam et al., 2023; Akter & Saha, 2024; Gandotra et al., 2024). State legislation reflects this disapproval (Jones, 2023).

With a widespread, government and nongovernmental agencies' discrimination towards the queer people, the human rights violations and social exclusion caused by such mistreatment often increases beyond the possible threshold of the individuals' tolerance (Kaplan, 2020; Fontana, 2021; Chatterjee, 2022). Such discriminations might be generated as one's sexuality or gender identity, or in combination with anti-Muslim or anti-minority sentiments. Neglect and disrespect can induce them to desert their Bangladesh homeland or opt for the asylum, however, both of them can be tagged as a difficult mission. (Chaney et al., 2020).

1.1. Background of Queer People in Bangladesh

In order to understand issues about the queer in Bangladesh, one needs to trace back the historical development of queerness embedded in Bengali culture during the pre-Islamic and British colonial era (Nandi, 2024). At first, hijras were highly considered as respectable consultants to kings and the elite groups of that time during pre-Islamic and Buddhist kingdoms (M. Sadat, 2023). While the perception of them change inclining towards the colloquial association with community of transgender people, a discrimination and the poverty follow them. They were left with no option but to take part in socially stigmatized jobs like begging and prostitution of Bangladesh. This newfound intolerance depicts that LGBT people are now unwelcome in that country (Sifat et al., 2023; Hossain, 2022; Jalil et al., 2021; Hossain et al., 2022; Zulfiqar & Badshah, 2021).

Bangladesh, a country that has gotten fame for its economic problems and political violence, and also has rising Islamic tendencies which are cancelled the right to dissent and crushed the marginal community. These cultural and religious supremacy maintain the status quo and set limit for those looked down for difference with Dhaka representing the center for this turbulent time. Even though Dhaka is a multicultural city, there appears a deep interaction of intolerance towards the individuals not common to the community. The notions of religious or cultural deviation are deified as 'deviant'. In this repressive atmosphere, the courageous and heroic queer-oriented Bangladeshis persistently challenge the system through self-identification (Haque, 2021).

1.2. Significance of the Struggle for Queer Identity

Economic, cultural, and religious landscape of Bangladesh plays an important role in identity competition, which is closely connected with the growing conservatism, an allegedly the basis of which is determined by the religion (Amanullah et al., 2022). In Bangladesh, unsanctioned homosexual activities or sodomy are punishable by 10 years or more of imprisonment, which is a strong sign of disapproval of same-sex relations. This policy enhances the problem of people who faced the mistakes to be a suspect by the law. The law in question is a legacy of the British Indian penal code which separates it from its strict definition through the interplay of intense Islam and Bengali nationalism (Alam & Mashraf, 2023). Specifically, private male-to-male sexual affairs are extremely common but they tend to refrain from being perceived as a manifestation of sexual orientation as a male identity in Bangladesh that is completely associated with the active role in male sexual relationships gets the dominant recognition (Prima & Marston, 2023). This stand point overlooks the men who are naturally heterosexual but are passive receivers in male sexual roles without recognition within their existence Barua and Khan (2023).

The society in Bangladesh is also highly patriarchal, thereby making it difficult for women to maintain lifelong fidelity as opposed to the traditional norm where marriage following the official dating, engagement, and sexual rites are expected. This common thread obscures the comprehension of nonheterosexual sexuality by the women group which leads to misplaced apprehension for those coming from a lesbian inclination (Novak et al., 2020, p. 156; Chaney et al., 2020; Anjum et al., 2021; Narayan., 2021)

2. Role of Democracy in Queer Rights

This is important noting that a democracy may function according to its ideal model, however due to cultural and institutional influences, differing types of democracy may exist. (Bua & Bussu, 2021) A study on how political systems affect LGBTQ rights in 137 countries discovered that there was no improved gay rights from 1973-2008 and no laws decriminalizing homosexuality in presidential system countries which shared similar economic and cultural properties with parliamentary ones where positive changes took place. This study correlates with a presidential system Bangladesh was under in the process of this case and can be a general indicator of future change for queer rights. (Francois et al., 2020)

As of recently, the supreme court has overturned this ruling claiming that it was unconstitutional as the ones who passed the bill originally were not elected into power. (Mason & Stephenson Jr, 2021) This means not only is there no longer protection of queer rights, but it has set a precedence saying that all future law changes must be made by the elected government decreasing the chances of change for queer rights in the future.

A specific protection of queer rights was the withdrawing of section 377 of the penal code which punishes any "unnatural act" with ten years imprisonment, this included homosexual activity. (Bhatt, 2022; Gasse, 2023; Ssenyonjo, 2023; Armstrong, 2021) In 2009, the high court of Bangladesh declared that this section was void. This ruling was met with huge opposition and protests from Islamic groups and lawyers. A petition was signed by 80,000 people saying that they did not agree with the ruling.

Democracy is a system widely accepted and celebrated for protecting the rights of individuals. Bangladesh, in its struggle to re-establish democracy, has held queer people as part of its electorate and ensured protection of their rights. In theory, this should mean that the lives and living situations of queer people should change for the better. However, empirical evidence shows that this is not the case.

2.1. Democratic Institutions and Queer Representation

Political institutions imply the practice of functioning of the government through the power that is specified in the law, which in its turn prevents the people of the country from being subjected to the power of some person or body who is not granted the right to do so. Bangladesh which was born into existence as a separate country after the secession from Pakistan (Riaz, 2021; Riaz, 2024; Islam et.al., 2020) has been ruled by parliamentary democracy for the past 5 decades. Subject to political struggle, Bangladesh's democratic system has been in the way developing and well established one currently. The democratic framework in the country comprises legislative, executive, and judiciary branches (Riaz, 2021; Ahmed, 2020).

Similar to other members of the Commonwealth, Bangladesh values an active opposition and upholds the principles of the Commonwealth. The country is committed to working in alignment with the Commonwealth Principles. The Commonwealth Youth Programme has promoted the engagement of nations' youth in the country's affairs, to unleash their potential and equity as well be their active participants in the decision making processes and development (Trivelli & Morel, 2021).

2.2. Challenges Faced by Queer Activists in a Democratic System

The democratic mechanism to achieve the rights of the queer consists of three major routes including legal reforms, the development and execution procedures of policies targeted the welfare of queer persons, and fostering changes in society which are a result of discrimination, promoted by leadership positions and citizen endorsement (Partlett, 2022). The first approach is the least controversial compared to the third because policy in which supports social equity and fair treatment for all is a central aspect of democratic principles. However, changes in the law are not always what is best for a society at a given time. Queer rights can be a politically convenient tool for a party in power to make a formal legislative change, because often queer people are a minority group with little political or economic influence to

resist such changes. These laws can be imposed by the ruling class without public support or understanding and can lead to greater societal discrimination and levels of violence against queer people.

3. Gendered Politics and Queer Identity

In Bangladesh Hijra community transgender individuals who are not fastened to the hijras do face gender discrimination even though they are being recognized as normal humans (Islam, 2017). These cultural values convey a strict gender roles pattern, which leads to applying a male-female binary model for those individuals to fulfill this purpose relatively easily. They may look at themselves having no relation to society with ability to perform similar activities, therefore, resulting in social and economic backwardness (Prevention Web, 2018). Besides that, as Islam (2017) notes, the norms and forces of influencing hijras which is defined as a gender of people who dress and live as women in cultural life inevitably leads to the exclusion of those transgender people who does not belong to hijra culture leading to the a reinforcement of these societal expectations. Consequently, these expectations of the society immediately impact the way LGBT+ people are treated and their opportunity for living a normal and fulfilling life. Social standing being among top priorities for most, making ends meet without being openly identified as a member of the LGBT community is not an option (Rana, 2016).

In Bangladesh, intersectionality hits the hardest for the transgender people who face not just a gender issue but one of the sexuality aspects. In contrast with the Western setting, transgender identity is not equivalent to sexual orientation, as research has shown in work by Namaste (2000) and others (Rahman et al., 2014). Many members of the transgender community in Bangladesh consider themselves part of the hijra community. Hindi term hijra translated to "third gender" in English (Nanda, 1999) is used to designate the community of people that exist outside the binary division of male and female. While the majority of hijras are assigned male in their birth and exhibit feminine roles as per gender (Puar, 2004), there is also a number of people who identify as women or men (Nanda, 1999). Challenging the society's idea of maleness and femaleness through their unclear gender identity, gender expression and norms of gender are their pre-dominance (Nanda, 1999). The selfproclaimed "queerness," in turn they face taunts, which are very much alike those experienced by other disregarded LGBTQ+ people (Rahman et al., 2014). Finally, that is why these people are discriminated upon due to fact that they both don't fit in with the traditional gender role and their appearance is seen as not natural.

3.1. Intersectionality of Gender and Queer Identity

Intersectionality, which is the overlapping nature of social categories such as race, class, and gender that determine how queer people face their problems, is the key factor that dominates the experience of queer people in Bangladesh (Crenshaw, 1989). In She ishl, the main representation called for transgender individuality is incredibly known as the hijra society, traditional composed of individuals assigned male at birth who show female gender characteristics (Nanda, 1999). Some hijras syncretize their oppression

as a "third gender" (Nanda, 1999), which will become a transitional identity for others, enabling them to accept themselves sexually or, in turn, accept and embrace their queer nature (Rahman et al., 2014). This gives a merge between who are otherwise considered events which are completely different, where one might be seen as encompassing the other (Nanda, 1999). This overlapping is the validity to what's called social stigma towards non-gender stereotype and same-sex desires. In turn, the marginalization of the hijra people is also added to this mix (Rahman et al., 2014). This is a fact that being aforementioned marginalization, on another level is fueled up by poor recognition and weak social mobilization channels.

3.2. Political Influence on Gendered Perceptions of Queer People

Despite official recognition as a "third gender" (Islam, 2017), transgender individuals in Bangladesh who don't identify with the Hijra community face significant discrimination (Islam, 2017). This stems from deeply ingrained cultural values enforcing a rigid binary gender model (Prevention Web, 2018). Those people with non-conforming identities are left with such expectations that deny them the freedom to choose, and they face social and economic exclusion (Prevention Web, 2018).

Apart from that, the stereotypes that the culture of the Hijra community purposefully maintain contribute to the societal marginalization they face (Islam, 2017). Transgender people who are not part of the Hijra mold are under pressure to adapt remodeling their gender identity in the Hijra mold that constrains them socially and does not allow them to achieve a social recognition (Islam, 2017). With the conjunction of gender identity and sexuality comes the correlated problems of underlying discrimination and social exclusion (Rana, 2016). While the western context describes the transgender identity as a particular sexual orientation – heterosexual men identifying themselves as woman (Namaste, 2000; Rahman et al., 2014), the Bangladeshi gender order doesn't implicate such. Sometimes, this difference is somehow forgotten and culminates to the marginalization of both transgender and homosexual individuals, worse than before (Rahman et al., 2014).

The society has people who are transgressive of traditional gender roles and meeting societal rules of outward appearance and these groups are isolated from the community at large (Nanda, 1999). Those who identify as intersex face stigmatization and disapproval similar to that they go through as the members of the LGBTQ+ community according to Rahman, et al. (2014). The stigma comes from both their gender and because their appearance doesn't meet the imposed physical normal standards.

4. Legal Framework for Queer Rights in Bangladesh

Bangladesh, which was a British crown colony rights (that entail) penalizing sex between beings of the same sex and transgender people. This heritage paves the way from Section 377 of the Penal Code, which was brought to India by the British Raj in the year 1860 (The Penal Code, 1860, Act No. XLV of 1860). The Section 377 is a clause that prohibits "carnal intercourse against the order of the nature that is supposed to refer to same - sex intercourse leads to discrimination (Human Rights Watch, 2021).

However, a case 2000 High Court case where section 377 was declared as unconstitutional due to it being against the right to equality (Bangladesh Legal Aid and Services Trust, 2000) was overtaken by the Supreme Court in the year 2003 in another case (Bangladesh Supreme Court, 2003). In its judgment regarding the case of "Shireen Pervin et al. v Bangladesh, the Supreme Court stated that "the people referred to as the 'affected group' were actually part of a "very small segment of the overall population" (Bangladesh Supreme Court, 2003). This argument has been denounced for its discriminatory nature the the corresponding violation of the human rights(Chowdhury, 2014).

4.1. Historical Development of Laws Affecting Queer People

To the detriment of their non-heteronormative peers, Bangladesh has a Penal Code in place that criminalizes acts denoted by "unnatural offences" (Section 377) which is a punishable by life imprisonment and "indecent acts" (Section 377A) with a prison term of up to 10 years (The Penal Code, 1 These rarely enforced laws naturally create an atmosphere of fear, preventing LGBTQ+ persons from seeking the legal arm if they are disciplined or subjected to mistreatment (Human Rights Watch, 2021).

There is a colonial legacy that is vividly reflected in these laws. Bangladesh inherited statutory law including but not limited to the Penal Code, from the British Raj regime (Ahmed, 2010). One of the major laws in the pursuit of modernization and colonization, Section 377 is based on the same actor laws found in British dominated areas like India (Murray & Roscoe, 1997). In addition to this, the ambiguousness of the wording ("unnatural offences") gives a chance to misinterpret the contents and has been used for suppressing LGBTQ+ people (Chowdhury, 2014).

The provision of historical background is of utmost importance as it significantly depicts the origins of the present legal climate and its implications on the life of the LGBTQ community of Bangladesh.

4.2. Current Legal Status and Challenges Faced by Queer Individuals

The British, who were holding onto power, adopted the Penal Code dating back to 1860; such a position discriminated against and still does against rights of the LGBTQ+ community (Ilankovan, 2012, p. 42). Perceiving the absence of responsiveness from the society's side, they have written a book on how to create homophobic politicians and way of life of the religious leaders who have been using the power under their position to harass, and humiliate by disregarding people from the LGBTQ+ community, without showing any clarity on where people from the community belong to. Wiking, which originates from the year 1860, that penalizes them with death should they be homosexuals, according to the Human Rights Watch (2021). A phrase could be drawn up and worded in this way which could be used by different people for various conflicting interpretations that would then threaten and disregard the rights of the LGBTQ+ community as individuals. Justice and law enforcement systems may then be exploited through corruption (Chowdhury, 2014). Yet, it is the general population whose attitude has been

subjected to predominant stigma; Owing to it, fear and selfreproach become pillars of culture (UNDP, 2018).

Furthermore, the sexual intercourse of closely related persons through gender abnormalities can be included into non-consensual sex acts (article 375 of the penal code). This portrayal should include very intimate homosexual relationships that are sexist and vulgar. It, however, misconstrues the fact that a man with man or a woman with a woman instead of a man/women with them does not impede the processes of generation of off-springs (Rahman et al., 2014). This is a reason why such societies are bound to discriminate.

Similarly Trans feminine and Hijra community suffer with similar issues, therefore they too have the right to equality. Unfortunately, it is the case that, the law of Bangladesh do not recognize their existence with their rights. However, the criminal codes penalize them for such characteristics of behavior such as "Living a man or woman or connecting men and women to themselves as the other sex". The story of the transgender, the X - case raises multiple interesting questions, discussion, problems, and answers that are associated with the transgender community. It will humiliate them so much that they become potential victims of bullies as they seem weak to the eyes of their classmates and they can be victimized through bullying or any other forms of discrimination.

5. Intersectionality and the Struggle for Queer Rights

The queer community also deservedly suffers the widespread bias aimed at minority population. While society has gradually improved in accepting and shielding the rights of LGBTQ communities, so have several countries discriminate and even popularize the homosexuality and alike. Bangladesh, being one of such places, meets this statement. Primarily, they are a Muslim nation-state that upholds the belief that homosexuality is evil and the courts system persecute homosexuals. Bangladesh's Supreme Court has declared that they will let existing anti- gay acts laws stand, saying that this issue is not that important to countries. Although quatern holds don't adventure queer Bangladeshi the same type of fatality that quiver community achieved in 90'es, still they are recent for sometimes and roved by law enforcement. Very often the brutalities against this community is not from the hands of strangers but triggers from the hands of fellowmen. Within a slow motion world, where these people become not only their neighbors, but their friends, and for some, their own families. It is rare that homosexuals who are in their families or community are accepted and this usually leads to their isolation from the families or communities, they belong to. This might include a circumstance whereby they inhabit the same places but are obligated to cover up their sexual orientation (Narayan 2021; Anjum et al. 2021).

5.1. Intersectional Identities within the Queer Community

The queer community of Bangladesh is just large due to cultural and state institutions which portray the people of Quasa in a negative way. Homosexual gender activity is very severely dealt with submitting to societal standards thus limiting sexuality. People experiencing stigma can feel rejected and subsequent reactions negatively affect the person's sense of self-acceptance and coming out process. Hijra, the male nature one dressing and acting like females, in addition to displaying severe gender behavior, are stigmatized negatively to prove a point of non-acceptance. That is, a, striving to get further up on the socioeconomic ladder, had to borrow his urban manners and thus show characteristics of manly behavior. R, an ordinary middle-class guy with duties and family, faces displacement on the grounds of his same-sex attraction. Cumulatively, the dominance of Bangladesh narrows and scoffs people off from the appreciation of genders and sexual identity resulting in negative stigma associated with the persons who cannot conform to societal constructs. Therefore, in some other countries escaping the eminent judgements are hard at least for some (Anjum et al., 2021)

6.2. Overlapping Challenges Faced by Queer Individuals with Multiple Identities

Members of the LGBTQ+ community who have dual identity include the intersecting forms of discrimination and other problems that they face. Standing in one place can provide somebody with both a marginalization and a privilege limitation, as their different identities illustrate (Makbul and Goni, 2022). The queer Bangladeshi women may be subjected to varying risks of discrimination and maltreatment on the ground of their gender identity and ethnicity. Their female gender might be utilized as an object by men due to their sexual orientation while women of different sexual orientations are objectified because of their femininity. In undertaking to get rid of the cliché of "immoral lesbian," queer females may be obliged to fulfill the obligations of early and arranged marriage. People in that situation with hope for "insertion" in heterosexuality. (Azim and Bilkis 2023). This is likely to be less acceptable for the men who are not the part of the society that put pressure on men to marry young. In addition to, the double prejudice makes queer people, even more, forest by themselves. This leads to an increase in depression, anxiety, depression and other mentalizing problems in people's minds. As a result the majority of those gay persons while battling the mental health issues are obliged to endure uneducated or antgay health professionals. It thus gives rise to the compounding problem and trouble to look for mental health treatment. Experience of multiple dimensions of discrimination by queer individuals having intersectional identities make the situation even more challenging for them, and further complicated in the process of improving the over-all (Hossain et al 2023; Breen et al 2020)

7. Activism and Advocacy for Queer Rights in Bangladesh

The memorable rainbow riot on April 14, 2014, is considered as the turning point of the LGBTQ+ activism in Bangladesh irrespectively of the Roopbaan, the human right organization of Bangladesh (Roopbaan, 2014). The event, that was the first public gathering of people were gay openly socialized,

showed that the level of courage and sturdiness within the community was growing steadily (Khan, 2014). A previous experiences of public demonstrations were unable to face the opposition from authorities and religious groups (Chowdhury, 2014). The rally emerged triumphant for its appearance on the campus of Dhaka University, as well as, careful exclusion of the word "LGBTQ+" (Roopbaan, 2014). On the one hand a policing strategy which was intended to prevent unrest (The Daily Star, 2014), the concerns about the ineffectiveness of and the difficulty of the action was further emphasised. It seemed to be a new way compared to the former times since younger, small groups were often unprotected and could be targeted by attacks (Human Rights Watch, 2014).

The success of the Rainbow Rally, most of all, boosted the queer community after a year that left a deep, sad mark (Amnesty International, 2014). It was a time that had seen numerous arrests and the spike of violence against the community. Members of the group also wanted to put an end to discrimination by drafting a memorandum to the Vice-Chancellor, asking for a proper recognition of the members of the LGBTQ+ community together with the consideration of their safety as students and staff. Although they got the unsuccessful response (Roopbaan, 2014) their struggle continued.

Even though Bangladesh doesn't have queer rights organisation, there are human rights and social justice groups which address the problems of gender-based anomalies as well as exploitation of minorities and economy. (UNDP, 2018). Often these organizations serve as avenue to achieving coalitions and promoting social justice side by side with their friends and people of similar outlook (Chowdhury, 2014). Regional Non-Governmental Organizations have also voiced their approval for further LGBTQ+ projects in Bangladesh, if possible (UNITED, 2018).

7.1. Key Organizations and Movements

However, coincidentally, there is no sign of constitutionalized LGBTQ+ rights movement in Bangladesh. Still, NGOs like Uddipan ("Inspiration") strive to create safe places and promote the visibility of sexual minority rights (Chowdhury, 2014). Uddipan literally became a programme manager by arranging meetings, workshops and cultural events in Dhaka and in other areas (Sen & Rahman, 2014). These activities try to inform the audience, empower the LGBTQ+ person and also campaign for a legal and social paradigm shift (International trade, 2018). The media reports about the examples of discrimination and the obstacle that the activists have to surmount for Bangladesh LGBTQ+ movement. Activists such as Uddipan's organizers understand the dangers that come with their work and are faced with hostile threats, violent acts, and efforts to interrupt their events by religious and political groups (The Daily Star, 2014). Provision of stringent sodomy laws and societal disdain results in prevailing atmosphere of fear and vulnerability (Human Rights Watch, 2021).

Nevertheless, the persons from "Uddipan" as well as from other LGBTQ+ rights-oriented groups in Bangladesh remains resilient undaunted by all the difficulties. The activists indicate the willingness to

sacrifice all on this path to a better world although it may cost them life (Roopbaan, 2014). Their work is vital to the stance towards upholding the ideals of social justice and human rights for every citizen of this country.

7.2. Strategies and Tactics Employed by Activists

This is possible through the various approaches and tactics that the activists and the organizations employ which are a direct reflection of the complex and multi-dimensional life of perspectives of queer people in Bangladesh. This first one and the quintessential strategy is the one of establishing "safe spaces". A queer identifying person barely has a chance to come out his closet as an openly LGBT+ individual and instead, he continues to live in constant fear of being outed in society of Bangladesh (Tasfi & Mostofa, 2024). Questioned why the very organizations that he was connected to were also considered a threat. Often the opposition uses nasty labeling of gay support groups as 'sex clubs' or political assassinations to use the occasion to label them as anti-social and foreign funded. After that, raids are organized and arrests of the members are made and sometimes abusers are deployed to maim them. This is incredibly damaging for an individual even when such cases do not lead to conviction, but there is a 'chilling effect' that when the individual and his/her work is being associated with legal trouble, it's stressful and tarnishes the individual's image. These problems also facilitate the normative pressures on queer individuals not to live openly with their sexuality and till the family and community consider them to be mature enough to 'act normal' and of a marriageable age (Mozumder et al., 2023).

Often this happens to individuals, who have homosexual feelings, but enter into straight marriages to hide it from themselves as well. This may often destroy the partner's world and the LGBTQ person's life can be full of deceiving and self-loathing. Holding all of these in mind, it should come as no surprise that the suicide rate of the LGBTQ people in Bangladesh is highly alarming. There is a need to provide LGBTQ people with both physical and virtual spaces where they can freely express themselves, and such a process is considered crucial for further activism. For example, one organization runs a "counseling center," which, although it does not promote the LGBTQ rights of the society as a whole, is a place of quietness, where queer people can conversationally speak to empathic counselors and feel free to be themselves (Khan et al., 2021). There was also the example of a queer poetry group that held an event at an art university after meeting and performing it in secret for a year. Although some Islamic fundamentalists were protesting and the students needed to pass between them to get inside the building, the event was a great step towards their right to peacefully exist and be heard. Yet the most defined concept of safe place may be roaming when yourself inside your own identity. 'If someone is poor and starving, then you can't talk to them about queer rights,' the labour rights activist added. They will say, why do you refer to me about these pompous things, let me get it em, then we'll talk of that rights. Human being will be able to breathe, eat and sleep safely and without fear only then he will turn his thoughts to ideas. This nevertheless shows the process behind a security based gradual change very distinctive for a country like Bangladesh.

8. International Support and Solidarity for Queer People in Bangladesh

The international community expressing concern and the support and solidarity it has shown to the cause of the rights for the LGBTQ community in Bangladesh have been instrumental in drawing attention to the issue and advocating for change (Amundsen, 2018). The brutal murders of two prominent LGBTQ+ activists Xulhaz Mannan and Mahbub Rabbi Tonoy in the year of 2016 provoked instant worldwide indignation. They were condemned by the embassy of the United States in Dhaka, stressing the necessity of protecting the “fundamental universal rights” and “diversity” of the LGBTQ+ global society (MacDonald, 2021).

Such global visibility contributed to integrating LGBTQ+ concerns into the international human rights discourse, thus providing a certain reinforcement and boost to local activists and groups in Bangladesh. IGLHRC, an international gay and lesbian human rights group, enlightened local LGBTQ+ organizations in its leadership training in 1999, which did have a backlash from the fundamentalists, but ultimately helped in forming the global human rights issue (MacDonald, 2021).

In addition to the local activists who started the movement, global organizations like Amnesty International, Human Rights Watch, and the International Lesbian and Gay Association had a crucial role in bringing the issues of human right abuses against LGBTQ+ Bangladeshis in the international agenda. This persistent advocacy which gradually succeeded in making the issues of queer rights stand out as valid human rights concerns both in Bangladesh and in the global stage (Amundsen, 2018; MacDonald, 2021).

Within this context, growth of the global gay rights movement and coming together of the international LGBTQ+ communities to support issues faced by LGBTQ+ people in Bangladesh through awareness programs and advocacy has been the key factor in attending to legal issues dealing with LGBTQ+ people in Bangladesh. However, the impact of international pressure and support still does not have clear-cut answers, what is certain is that international solidarity has been

9. Future Prospects for Queer Rights in Bangladesh

The situation is seemingly bleak, but the interconnectedness of an increasingly globalized world may facilitate future reforms. Indeed, the government's standing in international politics places it in a position where diplomatic ties may induce concessions on human rights issues. With the correct approach, the queer rights movement may form strategic alliances with international human rights organizations, donor governments and other actors that put pressure on the Bangladeshi government. Furthermore, a globalizing Bangladesh increasingly plugged into Western cultural forms, trends and ideas. This has been seen as facilitating a more invisible queer community to carve out spaces and styles of living that rapidly deviate from traditional norms and family structures. Such social change at societal levels often precedes legal changes and may shape the political climate such that future reforms become more

probable. The cultivation of "good governance" as essential for successful state in the age of globalization, combined with the fact that Bangladesh is the recipient of various international loans, aids and debts means that it is increasingly subject to conditions imposed by donor agencies and international financial institutions. These conditions usually concern economic and political reforms, but often touch upon human rights obligations. If the formulation of new human rights obligations clash with the interests of conservative nationalist and Islamic forces in Bangladesh, this may polarize politics and create openings for marginalized groups to exploit.

9.1. Potential Pathways for Legal Reforms

Transgender and hijra communities in Bangladesh do have a chance of legal recognition as a 'third gender,' which would enable them to access their rights to education, employment, and health services. At a consultation on a CEDAW shadow report in 2011, in which transgender and hijra rights were discussed, participants expressed hope that the government would address the issue, and the NHRC has recommended to the Ministry of Law that it take necessary steps. In the same year, the Ministry of Social Welfare provided 200 identity cards to hijras; however, this initiative was not developed. In 2012, it was recommended that organizations working for transgender and hijra rights form a network and campaign for the implementation of these ID cards as a first step towards legal recognition.

The National Human Rights Commission in Bangladesh has recommended that the government should finalize the draft National Human Rights Institutions Act, which will ensure the commission's independence, adequate resources, and financial autonomy. In 2009, the NHRC stated it would establish a separate wing to deal with complaints from and concerning sexual minorities, but this has not yet come into effect. As an interim measure, any complaints involving sexual and gender minorities can be directed to the South Asia Program Officer at the International Gay and Lesbian Human Rights Commission.

9.2. Challenges and Opportunities for Progress

One of the barriers between the advancement of queer rights in Bangladesh is the theoretical acceptance of a 'third gender' category on a range of government documents. Although this would appear as a progressive step for gender minorities in the country, who are often detained or bullied by law enforcement agencies for having identification that does not "match" their appearance, a report by Sasha in 2015 states that hijra and other gender non-conforming individuals often find themselves still marginalized, subsequently having to maintain a lack of official identification rather than risk being outed and thereby facing increased discrimination.

Another potential pathway for progression will be through improvement of the overall human rights situation in Bangladesh. Hossain and Kabeer discuss how standards of human rights and development are linked, and that the marginalized position of gender and sexual minority groups reveals a failure of the human rights framework. Increased international attention to human rights abuses, as well as further

domestic and international pressure on the government may thus encourage a better safeguarding of the rights of all citizens, irrespective of sexual orientation or gender identity.

10. Conclusion

As a researcher born and raised in Bangladesh, this essay represents a piece of my heart that has been longing for liberation for years. It was surely quite challenging to balance between being a researcher and an activist at the same time while conducting the research and writing this essay. With limited academic resources or works on the issue, the research was not easy and demanded a lot of qualitative research and data collection. But the biggest challenge was to not get emotionally involved with the people and the issue, as I belong to the same community and have experienced similar things that I am now researching about. But now that the research is finished, it feels that a huge burden has been taken off from my shoulder and throwing that onto the society's to reflect on it. Usually the academics are not very welcomed by the general people and does not bring any change in the society, but I strongly believe knowledge is power and if it can be utilized properly, it can bring change, a change for betterment. So I have tried to represent this essay as an insider to bring out the real picture of the issue which will also help the outsiders to understand the struggle of queer people in Bangladesh. I hope the effort strive for a change, a change which will lead to a free and better Bangladesh of tomorrow, where everyone will have equal rights and freedom.

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References:

Akter, S., & Saha, S. (2024). Impact of legal recognition on the lives of the third gender: A study in Khulna district of Bangladesh.

- Al-Mamun, M., Hossain, M. J., Alam, M., Parvez, M. S., Dhar, B. K., & Islam, M. R. (2022). Discrimination and social exclusion of third-gender population (Hijra) in Bangladesh: A brief review. *Heliyon*.
- Alam, P., Bolio, A., Thakkar, N., & Marston, C. (2023). "I have taken your izzath (honour), so you can't betray me": Young people's lived experiences of navigating sexual norms and violence in Bangladesh. *Cogent Public Health*.
- Alam, J., Mashraf, A. Fifty Years of Human Rights Enforcement in Legal and Political Systems in Bangladesh: Past Controversies and Future Challenges. *Hum Rights Rev* **24**, 121–142 (2023).
<https://doi.org/10.1007/s12142-023-00679-3>
- Alam, P., & Marston, C. (2023). 'Bending' against straightening devices: queer lived experiences of sexuality and sexual health in Bangladesh. *BMC Public Health*.
- Amundsen, I. (2018). The ruins of Bangladesh's LGBT community. *East Asia Forum*. <https://www.cmi.no/publications/6489-the-ruins-of-bangladeshs-lgbt-community>.
- Androniceanu, A. (2021). Transparency in public administration as a challenge for good democratic governance. *Revista» Administratie si Management Public «(RAMP)*, (36), 149-164.
- Arondekar, A. (2023). South Asia and Sexuality: Still | Here. *Feminist Review*.
<https://doi.org/10.1177/01417789221149100>
- Armstrong, H. L. (2021). *Encyclopedia of Sex and Sexuality: Understanding Biology, Psychology, and Culture*.
- Barua, A., & Khan, S. A. (2023). Addressing violence against transgender people in Bangladesh: A call for policy intervention. *Frontiers in Sociology*, *7*, 995448.
<https://doi.org/10.3389/fsoc.2022.995448>
- Bhatt, M. N. (2022). *Queer Crimes & Criminal Justice*.
- Bua, A., & Bussu, S. (2021). Between governance-driven democratisation and democracy-driven governance: Explaining changes in participatory governance in the case of Barcelona. *European Journal of Political Research*.
- Chari, T., & Dzimiri, P. (2023). Introduction: Rethinking Political Transition in Southern Africa:

Threats and Challenges to Democratic Consolidation. In *Military, Politics and Democratization in Southern Africa: The Quest for Political Transition* (pp. 1-17). Cham: Springer Nature Switzerland.

Chaney, P., Sabur, S., & Sahoo, S. (2020). Civil society organisations and LGBT+ rights in Bangladesh: A critical analysis. *Journal of South Asian Development*, 15(2), 184-208.

Chatterjee, S. (2022). Inhabiting the in-between: exploring the lives and livelihoods of transpeople in contemporary West Bengal.

Crenshaw, K. (1989). Demarginalizing the intersection of race and sex: A black feminist critique of feminist legal theory. *University of Chicago Law Review*, 140(6), 139–167.

Daiya, K., & Sarkar, S. (2022). *Transcultural Humanities in South Asia* (1st ed.). Routledge. [DOI: 10.4324/9781003039549-39]

Fontana, E. (2021). Creating Inclusion for Transwomen at Work Through Corporate Social Responsibility: The Contributions of Bandhu in Bangladesh. *Exploring Gender at Work: Multiple Perspectives*.

Feng, Jonathan, L. (2022). Human rights violations and associated factors of the Hijras in Bangladesh—A cross-sectional study. *PLOS ONE*, doi: 10.1371/journal.pone.0269375

Francois, A., Panel, S., & Weill, L. (2020). Educated dictators attract more foreign direct investment. *Journal of Comparative Economics*.

Gandotra, H. (). *At the Margins: The Socially Excluded Third Gender People*.

Gasse, R. P. (2023). Monsters and Shapeshifters: The Hybrid Body in John Gower's *Confessio Amantis*. *Hybridity in the Literature of Medieval England*.

Hasan, M. (2020). *Islam and politics in Bangladesh*.

Hassan, M. (2023). Religion as a Source of Violence: Contending the Narrative of Political Violence Perpetrated in the Name of Islam in Bangladesh. *Journal of Asian Wisdom and Islamic Behavior*.

Haque, A. (2022). Security Conundrums of Queer Lives in Bangladesh: The Bulbul That Has Always Been A Crow. In: Ruud, A.E., Hasan, M. (eds) *Masks of Authoritarianism*. Palgrave Macmillan, Singapore. https://doi.org/10.1007/978-981-16-4314-9_12

Hossain, A., Pamment, C., & Roy, J. (2022). Badhai: Hijra-Khwaja Sira-Trans Performance Across Borders in South Asia.

Hossain, A. (2020). Hijras in South Asia: Rethinking the dominant representations. *The SAGE handbook of global sexualities*.

Hossain, M. I., & Ferdous, G. K. (2020). Social Exclusion of Transgender People in Bangladesh: Implication for Social Work Practice. In *Conference proceeding on social work and sustainable development* (pp. 89-109).

Hossain, A. (2022). Beyond emasculation: pleasure and power in the making of Hijra in Bangladesh.

IRI. (2017, December). *Understanding the Lives of Bangladesh's LGBTI Community*. International Republican Institute.

Islam, M. N., Önder, M., & Nyadera, I. N. (2020). Islam, politics and Bangladesh: A qualitative content analysis on the democratic and political culture of Bangladesh Jamaat-e-Islami (BJI). *Adam Academy Journal of Social Sciences*, 10(2), 291-318.

Islam, S. (2017, April 14). *The twisted plight of Bangladeshi transgender community*.

Jalil, T., Rahman, M. M., Rahman, M., & Rashid, S. F. (2021). On the fringes: impact of COVID-19 shutdown on the mental health condition of the Hijra community: a qualitative study conducted in Dhaka, Bangladesh. *Ment Health*.

Jones, C. (2023). *An Inaugural, Qualitative Examination of the Relationships Between People With Gender Nonconforming Expression and Social Anxiety*.

Kaplan, I. M. (2020). *Social Support, Stigma, and Mental Health Outcomes Among Transgender and Gender Non-conforming Adults in the United States*.

Kim, E., Park, H., Cho, Y. J., Jeon, K. A., & An, H. (2024). Invisibility and Stigma: Experiences of Transgender and Gender Non-Conforming Individuals in South Korea. *Archives of Sexual Behavior*.

Kulin, J., & Johansson Sevä, I. (2021). Who do you trust? How trust in partial and impartial government institutions influences climate policy attitudes. *Climate Policy*.

M. Amanullah, A. S., Abir, T., Husain, T., Lim, D., Osuagwu, U. L., Ahmed, G., Ahmed, S., Yazdani, A., & Agho, K. E. (2022). Human rights violations and associated factors of the Hijras in Bangladesh—A cross-sectional study. *PLOS ONE*, *17*(7), e0269375. <https://doi.org/10.1371/journal.pone.0269375>

Macdonald, G. (2021, April 8). Understanding the lives of Bangladesh's LGBTI community. Retrieved from <https://www.iri.org/resources/iri-conducts-innovative-mixed-method-lgbti-study-in-bangladesh/>

Mason, A. T., & Stephenson Jr, D. G. (2021). American constitutional law: introductory essays and selected cases.

Mishra, A. (). Gender and sexual minorities' right to recognition: A paper victory? With a focus on Nepal, Bangladesh, and India.

Mukherjee, A. (2023). Exploring the social and political lives of gender nonconforming people in India.

Nandi, A. (2024). Thinking Queerness and Forming Intimacies: Understanding Identity, Relationships, and Queerness in South Asian Diasporic Contemporary Literature, 1981–2022.

Narayan, S. (2021). A Detailed Study of the LGBT in Global Context.

Novak, A., & Novak, A. (2020). Litigation and the Decriminalization of Homosexuality. *Transnational Human Rights Litigation: Challenging the Death Penalty and Criminalization of Homosexuality in the Commonwealth*, 115-170.

Oxford Analytica. (2023). Cultural restrictions will tighten in South-east Asia [Expert briefing]. <https://doi.org/10.1108/OXAN-DB275731>

Partlett, W. (2022). Crown-presidentialism. *International Journal of Constitutional Law*.

Pickering, J., Bäckstrand, K., & Schlosberg, D. (2020). Between environmental and ecological democracy: theory and practice at the democracy-environment nexus. *Journal of Environmental Policy & Planning*, *22*(1), 1-15.

Pickering, J., Hickmann, T., Bäckstrand, K., Kalfagianni, A., Bloomfield, M., Mert, A., ... & Lo, A. Y. (2022). Democratizing sustainability transformations: Assessing the transformative potential of democratic practices in environmental governance. *Earth System Governance*, *11*, 100131.

Policy (2023, February 10). Policies for empowering transgenders in Bangladesh. *The Confluence*.

- PreventionWeb. (2018, March 8). Bangladesh: Transgender communities at higher risk during disasters.
- Prima, Alam., Cicely, Marston. (2023). "People are having lots of other kinds of sex": Exploring sexual lifeworlds of LGBTQ+ young people in Bangladesh. *Cogent Social Sciences*, doi: 10.1080/23311886.2023.2185305
- Rahman, A., Rashid, S. T., & Islam, M. N. (2014). Lived experiences of hijras in Bangladesh: Marginalization, resilience, and the quest for rights. *Journal of South Asian Development*, 9(2), 189212.
- Repucci, S., & Slipowitz, A. (2022). Authoritarians on offense. *Journal of Democracy*.
- Riaz, A. (2021). The pathway of democratic backsliding in Bangladesh. *Democratization*.
- Riaz, A. (2024). Bangladesh. An introduction to South Asian politics.
- Sellers, J. M., Lidström, A., & Bae, Y. (2020). Multilevel democracy: How local institutions and civil society shape the modern state.
- Sifat, R. I., Ahmed, F., Miah, M. R. A., & Khisa, M. (2023). Effects of COVID-19 on livelihood, health, and psychology of hijra population: insights from Dhaka, Bangladesh. *Journal of Homosexuality*.
- Sifat, R. I. (2020). The effect of COVID-19 on hijra (third gender) people in Bangladesh. *The Lancet Psychiatry*.
- Ssenyonjo, M. (2023). Sexual Orientation and the Criminalisation of Private Consensual Sexual Acts Between Adults of the Same Gender. *International Human Rights Law Review*.
- Sule, B., & Sambo, U. (2024). Nigerian Presidential Elections in Comparative Perspective. *Presidential Elections in Nigeria's Fourth Republic*.
- Sultana, Z., & Akter, N. (). Ensuring Constructive Prison Life for Life Convicted Prisoners in Bangladesh. [researchgate.net](https://www.researchgate.net).
- Sattar, D., & Parvez, M. D. (2021). Sex, Work and Sex-Work: The Clandestine Tale of a Tabooed Industry in Bangladesh. Available at SSRN 3768894.
- Singh, A., & Arora, S. (2022). South Asian American LGBTQIA+ People and Communities: Developing Spaces of Empowerment and Liberation in Mental Health Settings. In *Counseling and Psychotherapy for South Asian Americans* (1st ed., p. 15). Routledge.

Tasfi, J. T., & Mostofa, S. M. (2024). Understanding complex causes of suicidal behaviour among graduates in Bangladesh. BMC public health.

Trivelli, C., & Morel, J. (2021). Rural youth inclusion, empowerment, and participation. The Journal of Development Studies.

Williams, R. H. (2022). Realigning America: McKinley, Bryan, and the Remarkable Election of 1896.

Widyawati, A., Arifin, R., Setyanto, H., Syahputra, B. D., & Sabri, Z. S. A. (2024). Islamic Law's role in developing policies prohibiting homosexuality as a crime against morality in Indonesia. Legality: Jurnal Ilmiah Hukum, 32(1), 71-89.

Zulfiqar, F., & Badshah, I. (2021). ECONOMIC ORGANIZATION OF KHUSRA COMMUNITY OF PAKISTAN. Pakistan Journal of Social Research.