

Gender Versus Transgender: Transgender Communities at the Crosshairs

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Abstract: Transgender as a gender is currently a worldwide topical issue. There are raging debates between those who are pro-transgender, fighting for the rights of the transgender people and those who are anti-transgender; fighting for traditional culture conservation; arguing that only the traditional male and female categories of gender must be observed. Include to the debates, the conflict between the South African Constitution and on the other hand, Christianity and the traditional cultural customs and values, then the debates become intense. The heterosexuals; being in the majority; tend to muzzle the voices of the minority transgender. This has bred insurmountable challenges for the transgender community. This paper illuminates the challenges encountered by transgender learners in South African schools as found by a recent study. Guided by the otherness theory; applying a qualitative research design and using questionnaires, observations and interviews to gather data from the purposively sampled students and staff, the study found that transgender learners were abused, discriminated against and stereotyped. The study also made some worrisome finding: that the transgender learners feared for their lives. These findings underline the importance of shifting from traditional approaches which define gender as a social construct, and pursuing perspectives that view gender as a biological construct.

Keywords: Gender, Othering, Otherness, Sexual Orientation, Transgender, Transgender Challenges

1. Introduction

The issue of the transgender rights is a site of intense conversation globally. In these debates are ensconced serious challenges related to being a transgender. Transgender rights, cultural disgrace, cultural norms and values, *inter alia*, are recurrent themes embodied in these debates. The debates have also illuminated how traditional cultural norms and values infringed on the human rights of the transgender people. Transgender as a gender has not been insulated from the traditional cultural beliefs; hence, it is a current polemic issue. In communities which sanctifies traditional beliefs, being transgender turns out to be *Kafkaesque*. Most challenges encountered by the transgender people emanate mostly, from the need to preserve and practice cultural norms and values of patriarchal societies. Of particular interest, for the purpose of this paper, are the challenges that confront transgender learners in patriarchal societies in South Africa. According to the study from which this paper draws, many transgender students were facing a plethora of challenges in

their communities. This is not in line with the South African constitution which demands that its citizens observe the human rights of fellow citizens regardless of gender, sexual orientation, race, religion, *inter alia*. As for the learning institutions, *The Charter of Children's Basic Education Rights in South Africa* is meant to ensure that all learners learn in a safe and free environment. According to the *4A legal framework* of the charter, *point 3D* dictates that the school environment must be safe and free for all learners [1]. In addition to that instrument, *The Promotion of Equality and Prevention of Unfair Discrimination Act No. 4 of 2000* is meant to, among other things, address discrimination of learners in schools. However, the situation on the ground shows that the minority groups have not benefitted much, from such provisions. The more than two decades of democracy seem not to have been enjoyed by the minorities.

Although the fall of apartheid saw major shifts in the political dispensation, the reality on the ground have changed marginally [2]. Whilst most of the citizens are enjoying the freedoms brought by democracy, equal rights seem to remain

a dream for some sexual minorities. The transgender community seems to be a lone voice calling for the observation of their rights and freedoms brought by the fall of apartheid. Many studies have been conducted on this polemic issue. This paper is an additional voice highlighting the challenges encountered by the minority groups living in societies whose norms and values seem to be influenced by their cultural and religious beliefs than the constitution. The paper will first give a cursory glance on gender and genders, and then describe the framework that guided this study in order to put the article's argument into context.

2. Genderising Gender in the Existing World

Over the years, gender has become a topical issue, especially in the sense of identity and equality. In its semantic content, the gender notion has become more complex and multi-faceted because of the desire to have equal rights and freedom of association. This has seen the meaning of the term gender changing to include the new demands of the existing world. Traditionally, gender refers to the socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for men and women [3]. Behaviour that is compatible with cultural expectations is often referred to as gender-normative; and behaviour that is viewed as incompatible with these expectations, constitutes gender non-conformity [4]. In contrast to the traditional definition of gender, Brian (2013) argued that gender were an individual's feelings about their roles, behaviours, and activities and attributes that they considered appropriate [5]. Gender was not to be defined based on society's expectations, but rather on individual feelings [5]. There was an argument by Nittle (2012) that traditional perceptions on gender made ubiquitous constructs that wielded power over every individual in a society [3]. The traditional dichotomous gender paradigm was oppressive, especially for transgendered people whose sense of themselves as gendered people was incongruent with the gender they were assigned at birth [8]. *Ipso facto*, new definitions of gender have emerged giving birth to more ~~gender~~ *gender*; popularly known as homosexuality or by the abbreviations LGBTIQ+; is a term used to describe all people whose gender identity, gender expression and biological sex do not align [7]. People who see themselves as transgendered are usually people who are born with typical male or female anatomies but feel as though they have been born into the "wrong body" [7]. Devor (2009) observed that persons could be transgendered based on their feelings about themselves; they could appear ambiguously gendered to others; or they may change genders and live unnoticed as another gender [8]. Lesbians, Gays, Bisexuals, Transsexuals Intersexual, Queer + cross genders and hermaphrodites (LGBTIQ+) are some examples of transgender [8]. Transgendered people can be traced back to human creation where they appear in ancient history, in the Bible, myths, and tales of many cultures [3].

According to Brian, because of the traditional gender paradigm, transgendered individuals are targeted for mistreatment when others attempt to enforce conventional boundaries [5]. The gender conflicts create challenges especially for the minorities whose voices will be drowned by the dominant groups. The transgender community has encountered a myriad of challenges due to the conflicting and contrasting views on what gender entails. The traditional cultural views hold that one's gender is socio-culturally determined whereas the new world order argues that one's gender can only be determined by their sexual orientation; their individual feelings [7]. The traditional cultural views recognise the male/female gender only, and believe that a female's romantic partner is a male. The new world order adds LGBTIQ+ to the traditional male/female genders and holds the view that romantic feelings are determined by an individual's sexual orientation. The existing world argues that the traditional cultural expectations that a female's romantic partner must be a man, that one's biological sex, gender identity and gender expression will align in stereotypical ways, and that someone who is male will identify as a boy/man and have a masculine gender expression, is inadequate [8]. The cultural expectation does not serve the diverse world and the myriad experiences of self that exist [8]. These differences on what constitute gender pits *gender versus transgender*, creating a crucible in which the minority transgender people are in the crosshairs of the dominant heterosexual members of the community. The next part of the article outlines the framework that guided the study which informs this paper; attempting to explain the reasons behind the challenges as hinted in the previous part of the article.

3. Applying the Otherness Framework

Any study meriting serious attention should thoroughly explain the theoretical lenses that inform its perspective. a theoretical scaffold has the task of illuminating the of argument and the energy with which that research claims authority. The study, on which this paper draws, was guided by Spivak (1985)'s *otherness* concept, further refined to the *theory of self and other* in which the juxtaposition towards the *other* constitutes *the self*. *Otherness* is ideas which demonstrate that through aspects like labelling, minorities are always disadvantaged [9]. Societies can develop ideologies and distribute resources to maintain social identities using the concept of *otherness* [10]. Society often uses sexual orientation as a tool to perceive one another and in such cases, power relationships are used to negotiate identity [9]. When one belongs to *the other*, they become a non-member in the culture which is dominant; making it necessary that they become subordinates or are removed from the dominant culture (cultural detoxification) in order for the dominant culture to be 'pure' [10]. The paper will use this concept and theory as a framework to present the challenges encountered by the transgender community and argue for their case. The paper will use the *otherness conceptual framework* to demonstrate how the transgender communities are

discriminated and abused as they are labelled *the other*. The theory of *the self and other* will be used to demonstrate how the transgender people's rights are trampled. The study chose the framework because it presents a distinct and realistic understanding of the challenges encountered by the transgender community. We cannot understand the insurmountable challenges encountered by the transgender people if we conceptually and theoretically separate transgender as a gender, from the realities of the existing world of which it is a part. The otherness perspectives allow for a deeper understanding of the transgender people and challenges.

4. The Applied Research Design

This article draws on a case study conducted in June 2021. Applying a qualitative research design, the study sought to illuminate the challenges faced by the transgender communities in high schools. With this purpose, it followed Durrheim (2002)'s guidelines on how to conduct a case study [11]. For the purpose of this study, 40 learners and five educators were purposively sampled from a high school in the Eastern Cape of South Africa. This study did not consider many learners and staff because this would widen the scope of the study. The study used self-administered questionnaires (deliver and collect) and semi-structured interviews to collect data from the participants. The researcher hand-delivered 45 questionnaires, each to a participant at the school. A total of 10 learners and 5 educators from the constituted sample were interviewed by this researcher. The interviewer spent two days interviewing these participants. Content analysis, described by Durrheim (2002) as a method used to systematically analyse the meaning of collected information, was used to qualitatively analyse the data. Of central interest were the core themes that the participants referred to—the information or messages that they wanted to pass on. Some of the methods used included the simple counting of the questionnaire responses and finding patterns in the qualitative data where many participants referred to similar trends of challenges and strategies to overcome those challenges. The similar trends were developed into themes, which were analysed and presented as data. In presenting the findings of the study, pseudonyms were used to protect the identity of the participants where necessary.

5. Context and Participants

The district of the high school under study is part of a kingdom which follows a patriarchal African traditional culture. However, as is the trend world over, the district is experiencing cultural diversity due to globalisation, westernisation and other religious beliefs such as the Moslem and Christianity. Most of the urbanites are quickly adopting and adapting to the western culture whereas most of the rural populace are traditional culture conservative. The majority of students of the school under study commuted from the villages around and a few commuted from a town in the

district. There were students from urban areas who rented flats around the schools. The researcher had to purposively sample subjects from both, the rural and the urban areas to ensure equal representation off each constituent in attempt to ferret divergent views on what constitutes gender. Out of the 45 participants; 11 indicated that they were transgender; a figure which could not be declared as a true reflection of the study's demography given the sensitivity and confidentiality associated with *coming out*.

6. Findings from the Study

Challenges Encountered by LGBTI Learners in High Schools

The case for transgender people is commonly made in terms of the challenges they encounter and their rights. Previous studies by King (2014) and Gitau (2011) indicated that there were many challenges encountered by transgender people in most education institutions in Africa [13, 18]. In addition to the challenges found from other studies, the study which informs this paper found labelling, discrimination and abuse as the most common challenges encountered by the transgender people in the high school under study. The study also found some worrisome finding—that some transgender learners were living in danger as they feared for their lives. Although this finding might have been recorded in some studies, the fact that the lives of some transgender people feared for their lives because of their sexual orientation in a 29 year old South African democracy was worrisome. The *South African constitution* is ranked amongst the best in guaranteeing democracy, and often referred to as a beacon of human rights, and yet there are citizens whose rights are infringed. Such notions of best constitution, beacon of human rights, might be relegated to mere claims if the challenges encountered by the transgender people persist. This worrisome finding creates a crucial starting point for this article's analysis and argument which will ensue after the presentation of the following findings.

6.1. Discrimination of the Transgender People

Transgender learners in the high school under study encountered discrimination which often came in form of marginalisation and exclusion. In this study, 35 per cent of the participants indicated that schools discriminated against the transgender learners. This was reinforced by the 71 per cent who indicated that their schools were not well prepared to accommodate and ensure the rights of the transgender students. During interviews, participants indicated that they had witnessed the exclusion of transgender learners in their schools. Onele said: "I do not think I have any problem studying in the same class with a gay or lesbian, but I can't see myself socialising with them."

Some participants indicated that transgender learners were also marginalised in their schools. The marginalisation would be in the form of exclusion from discussions in class. Educators tended to pay more attention to the *straight* students and less to the transgender students, indicated the

student participants. Fellow students also marginalised their transgender classmates during group assignments, tasks or projects. When asked to form groups to carry out assignments, heterosexual students would avoid working in a group with homosexual students. This is in line with Devor (2009) who posited that heterosexual students wanted to use groups to keep social identities which were relational, believing that by excluding the homosexuals, they could be the sole identities [8]. Such behaviour hurts, demean and frustrate the excluded homosexual learners.

Some participants blamed the challenges of the transgender learners on the culture which viewed homosexual as a taboo. During the interviews, participants in the rural areas expressed a view which seemed to be shared most participants with Sive saying:

The thing is that the LGBTIQ+ learners are hard to find in rural areas. Even if they existed, they could hardly *come out* because homosexuality is still taboo in the rural areas. Although the country's laws recognise LGBTIQ+, our culture does not recognise it. In fact, they are negatively viewed and this makes them hide from the public.

This finding resonates well with what Blum, Harris, Ramafedi, and Resnick (1992) found in a study conducted in the United States of America. In that study, 41 per cent of the participants indicated that schools were discriminating transgender learners and 54 per cent of the transgender learners felt denied the right to the same privileges accorded the heterosexual learners [12]. The same study indicated that 88 per cent of the participants did not like to have a transgender friend and that 46 per cent of the transgender learners lost a friend after *coming out* [12].

6.2. Stereotyping the Transgender Learners

The study found that transgender learners in high schools were negatively stereotyped. In the study, 79 per cent of the participants indicated that transgender learners were negatively stereotyped. In rural areas, stereotyping of transgender learners made it difficult for them to *come out*. The stereotyping would include demeaning and derogatory language with labels attached to them. The participants indicated that labelling could be very subtle, and people could live with that. Mihle said that, "The truth is that the LGBTIQ+ people are not free. They are called all sorts of names when we are out there leaving them isolated and stigmatised". Under such circumstances, the LGBTIQ+ learners would not freely socialise and participate in class.

In the study, the interview and questionnaire instruments revealed that the LGBTIQ+ genders were being negatively stereotyped and stigmatised. The questionnaire instrument showed that many respondents did not want to be associated with LGBTIQ+ learners. During the interviews, participants with rural background indicated that they did not want to socialise with the LGBTIQ+ learners. Participants found it unacceptable to recognise LGBTIQ+ as other types of gender. This could be the reason why it was difficult for the LGBTIQ+ genders to *come out*. This finding has negative implications for LGBTIQ+ learners at school. The LGBTIQ+

learners may find it difficult to fit in the classroom because of stigmatisation and victimisation. They may not participate freely in class knowing that their classmates are having a negative attitude towards them. Findings by Blum, et al (1992) concurred with this finding when they observed that LGBTIQ+ learners in the United States of America were disadvantaged in learning processes due to negative stereotyping [12]. Another study by Elliot and Brantley (1997) had similar findings, pointing out that LGBTIQ+ learners in South Africa continued to be victimised, abused, isolated and stigmatised, hence they did not *come out* with their true identity [15]. The LGBTIQ+ learners who undergo such an experience end up being withdrawn, passive and afraid to partake in any learning activities.

6.3. Abuse of the Transgender People

Another major challenge faced by the transgender learners in the high school under study was abuse. All the participants who had identified as transgender in the questionnaire indicated that they had encountered some form of abuse at some point in their school life. The interviewed participants indicated that they were aware of transgender learners who, out of fear, were in romantic relationships of convenience or forced relationships with males. This ultimately led to sexual abuse. The participants, mostly female, related isolated cases where male learners would force relationships with lesbians to compel them to "act as women". Such behaviour can be understood from the notion of *otherness* as posited by Zevallos (2011). In this regard, the male learners perceive the lesbians to be foreign bodies that needed to be removed for their culture to be pure. They think that by sexually abusing lesbians, they will be healing their culture. The study also found that there was emotional abuse which resulted from the mocking of- and laughing at the transgender learners in some cases. Yonela, a participant, indicated that transgender learners would have a difficult time in rural areas saying:

I can't imagine a male falling in love with another male or a female dating a female in these rural areas. Maybe in town. I think an LGBTIQ+ learner cannot study in the rural areas because people will laugh at them.

Previous studies support the finding that transgender learners are often exposed to several forms of abuse such as harassment and mockery. According to reference [13], the abuse extended to unwelcome sexual jokes and gestures which were rude. The abuse of the transgender learners was also found by Moore (1995) indicating that 19 per cent of the lesbians and 20 per cent of gays were raped by fellow students and their educators [10]. In another study (Elliot & Brantley (1997) it was found that:

- 1) 40 per cent of the transgender learners reported being physically abused because of their gender identity.
- 2) 40 per cent of the transgender did not feel safe in their schools.
- 3) 38 per cent of the transgender learners did not feel safe to *come out*.
- 4) 87 per cent of the transgender learners had heard homophobic remarks about them [15].

These were the major challenges faced by the LGBTIQ+ learners in the high school under study.

7. An Argument for the Case of the Transgender People

This argument is set against the backdrop of increased discrimination, abuse and labelling of the transgender people. It comes at a time when the whole world is in shock with the enactment of a Ugandan legislative act which bans transgender as a gender; with capital punishment meted in some cases [16]. This paper indicated the same challenges found in Uganda and worldwide: discrimination, stereotyping, and abuse. The findings are supported by studies from other countries. Such challenges impact negatively on the transgender learners. When learners are labelled, they are stigmatised; they lack in confidence; and this destroys their self-esteem. The labelling theory suggests that the transgender people are stigmatised with unfortunate circumstances [17]. Moore (1995) posited that the dominant culture viewed the minority sexual group as cultural pollution which had to be removed [10]. Such practices lead to labelling, discrimination and abuse of the LGBTIQ+ members. Questions such as: *What foment and perpetuate discrimination, stereotyping and abuse against the transgender people? Why is the labelling, discrimination and abuse of the transgender people persistent?* In response to such questions, fingers have pointed at the African traditional culture, politics and Christianity-the major forces behind the challenges faced by the LGBTIQ+ people. This discussion will focus on the African traditional culture, Christianity and politics as the main forces behind the challenges encountered by transgender people.

Generally, the Sub-Sahara African Traditional Culture is anti-homosexual, a development which has often led to challenges in developing and/or implementing pro-transgender policies. In South Africa, there seem to be a conflict between the constitution, Christianity and the African traditional culture. The tenets of the *South African constitution* conflict with the African traditional culture and the Christianity position regarding homosexuality. The South African constitution recognises and promotes the rights of the transgender people whereas the African traditional culture and Christianity are anti-transgender. On the political front, many African governments have laws which are anti-transgender. This explains why 38 out of 54 African countries still have laws criminalising homosexuality [18]. Many African countries are even crafting harsher laws that ban homosexuality [19], the latest case being Uganda. This is not good for transgender rights. Their rights and freedoms are infringed. The government's position on transgender influence the attitudes of society towards the LGBTIQ+ people. Some presidents, especially the African countries, do not hide their dislike of the transgender. The cases which went viral world over are that of the late Robert Gabriel Mugabe, former president of Zimbabwe, and of late, Yoweri

Museveni, the president of Uganda. Mugabe used several platforms to insult the LGBTIQ+ people labelling them "worse than pigs and dogs". If a president of a country who wields so much power and influence over his constituent can utter such words; then the worst can only be expected of his followers.

Another sector accused of fomenting anti-transgender views is religion. This paper will focus on Christianity because that was the dominant religion in the area of investigation. Christianity has been accused of infringing on the rights and freedoms of the transgender people. The church still struggle with the issue of sexual orientation of its members such that there is strife in some churches-the case of the Church of England being the latest example, where it is being torn between allowing and refusing same sex marriage. The constitutionalists argue that transgender people have the right and freedom to associate with whoever they want whereas the conservatives believe that homosexuality is evil. The conservatives make reference to Genesis 19 verses 4 to 24 where God destroyed Sodom and Gomorrah because all the local men wanted to sodomise Lot's male visitors regardless that Lot had offered his male neighbours virgin girls to sleep with [20]. Most conservative Christians claim that homosexuality was the grounds for the divine retribution of the cities of Sodom and Gomorrah, and this is the reason why gay men have been named 'sodomites' [21]. The conservative Christians follow this line of thinking and view transgender people as sinners or demons which need *religious detoxification* or deliverance, if not; they will face divine punishment. Whether their arguments are wrong or right, the fact remains that their position has led to the discrimination and abuse of the LGBTIQ+ people [22]. Christianity wields so much influence in South Africa since most of the citizens are Christian [23]. Many people believe Christianity upholds good moral standards embedded with Ubuntu. Anything unchristian has no morality and must be discarded.

The combined influence of the traditional culture, politics and Christianity exposes the transgender community to a myriad of challenges. The findings in this study indicated that transgender learners still face discrimination, stereotyping and abuse from fellow learners and their educators. The source of these challenges is the contradiction between the constitutional tenets which seek to promote the rights of all citizens, the transgender people included; and the norms and values of Christianity and the African tradition which view transgender as evil. Unfortunately, a majority of the people in patriarchal societies sanctify the norms and values of their culture and so are most Christians who keep holy, the teachings from their bible. This leaves the transgender people at the crosshairs of Christianity and patriarchy. Regardless of the policies drafted to promote equal rights for learners, implementing them is a problem because of the interference of traditional culture [3]. This is a signal that the larger sections of society are yet to accommodate diverse sexual orientations. Having overcome apartheid and its oppressive vices, the country should not be

found struggling with issues related to *otherness* such as homophobia, xenophobia, racism, *inter alia*. In the case of schools, it is an unfortunate scenario that learners from the minority sexualities will be welcome when enrolling into the learning institutions and then unwelcome upon *coming out*.

8. Conclusion

The paper; *Gender versus transgender: Transgender communities at the crosshairs*, illuminated the challenges encountered by the transgender people as found by a recent study. The study found that the transgender people encountered discrimination, stereotyping, abuse, and death threats. The study found that some transgender people were living in fear of death and other forms of punishment because of their sexuality. These developments call for measures which ensure that all transgender rights are observed in full without fear or favour since this is constitutional. By focusing on transgender as a distinct category, the paper contributes to the theoretical call for a shift from traditional approaches to gender and transgender, and pursuing perspectives that present transgender as another gender which need to be respected.

The discrimination, abuse, and the stereotyping of the transgender learners by fellow students and their educators confirms that our learning institutions and societies are not yet ready to co-exist with the LGBTQ+ people. The attitudes of the dominant cultures towards the minority cultures remain a threat to the stability of societies. This paper recommends further studies which ferret better ways of ensuring the rights of the transgender people are observed; studies which may find ways by which the heterosexuals and the transgender people co-exist in harmony. Society needs to reimagine what entails gender vis-a-vis human rights and constitutionalism so that it explicitly and implicitly understands the constitutionality of freedom of expression and association when it comes to the gender question. The citizens of South Africa need to receive more education about the constitution of the country; learning the importance of respecting the constitution of the country.

Gender education needs to be introduced formally and informally, at all levels of education. The communities should, through the traditional, political and religious leadership, teach gender equality, empathy, respect and tolerance at platforms such as weddings, funerals, church services cultural rites, and other gatherings. Such undertakings would need to workshop and sensitise the political, religious and traditional leaders on topical gender-related matters. The Pan African Parliament (PAP), an institution constituting of members of parliament from different African countries sharing the same socio-economic development aspirations and which want to ensure that all the African people participate in the developmental affairs of Africa, need to be engaged in order to share and come up with measures which mitigate the challenges encountered by the transgender people. This organ (PAP) can be crucial in managing the challenges encountered by the transgender

people because it brings together, the voices of the Sub-Sahara Africa, a crucible for the transgender people. Learning institutions must introduce Gender Studies as a subject, from the early years of schooling up to university level. The content of the Gender Studies subject may include among other things; deciphering the nomenclature of gender, androgyny, tolerance and empathy. Besides teaching the subject Gender Studies, the learning institutions and societies must come up with practical measures which promote the observance of the transgender rights-this, guided by research. The learning institutions, legislative bodies and society must also engage in debates which compare and contrast transgenderism and other forms of crime such as rape, murder, corruption, espionage, terrorism, *inter alia*; judging who deserves a death sentence, a person who intentionally murder or rape people and a transgender person.

There is a need for people to tolerate and respect each other regardless of their sexual orientation. Tolerance does not make one a part to it but a sign of respect. Respect is a virtue. Being another gender must not invite discrimination, stereotyping and abuse. It cannot be a crime to be a lesbian, gay, bisexual, transsexual or intersexual when it is not a crime to be a heterosexual. As Morrow (1989) puts it, "The principle of equality requires not that all people should be treated the same, but that people should not be treated differently unless there are valid reasons for that" [24]. It is most fortunate that to every problem in any given society, there is a solution.

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