

Gender Identity Construction of Homosexual (Kathoe) Student Teachers in Educational Area

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Abstract

The term “kathoe” is used in Thailand to refer to individuals who are homosexual expressing their gender identity in a different way rather than traditional male gender role. This study aims to analyze the identity construction of kathoe or bisexual student teachers in the educational area. This qualitative research uses descriptive analysis to describe the research findings. The samples in this research were the kathoe student teachers that purposively selected using snowball sampling method, from three schools in Thailand.

The selection of schools was chosen from a complaint document about Kathoe student teachers at educational institutions who were unfairly treated based due to their gender identity. The case was referred to the Committee on the Determination of the Unfair Gender Discrimination (DUGD) of the Department of Women’s Affairs and Family, Ministry of Social Development and Human Security, during the years 2016 to 2019. The selection involved a purposive sampling of three individuals-the 1st sample from the Faculty of Education, Kamphaeng Phet Rajabhat University, the 2nd sample from the Faculty of Industrial Technology, King Mongkut’s University of Technology North Bangkok, and the 3rd sample from Faculty of Education, Chulalongkorn University. The study found that Kathoe student teachers, who do not conform to their assigned gender at birth and exhibit feminine characteristics or undergo physical changes to become female, faced discrimination within the educational system, particularly in dress codes. This led to unequal treatment based on gender, prompting transgender students to fight against this inequality. They sought advice from experienced individuals, such as the Thai Transgender Alliance (ThaiTGA) and the Rainbow Sky Association of Thailand, using the Gender Equality Act of 2015 as a tool to assert their identity. This included filing complaints with the Committee on the Determination of the Unfair Gender Discrimination (DUGD) of the Department of Women’s Affairs and Family, Ministry of Social Development and Human Security. During the investigation, various testimonies and discussions occurred between the complainants and the accused parties. The outcome of the investigation for all three individuals was the same: they had experienced discrimination based on gender identity. As a result of their efforts, they successfully challenged the educational system’s discriminatory practices. They also initiated changes to dress code regulations within the educational institutions to better accommodate their gender identities. Additionally, efforts were made to enhance communication and understanding of Kathoe student teachers’ needs and rights among faculty and staff within the educational institutions.

Keywords: Practicing; Identity Construction; Kathoe Student Teachers; Educational Area

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1. Introduction

Teachers are the mold of good practices for future generations. It is their responsibility to teach the students morality, ethics, and knowledge. So, the students could become qualified adults who, later, contribute goodness to society and the nation. According to a speech of Her Royal Highness Princess Maha Chakri Sirinthorn that kindly gave to graduates of teachers’ colleges on May 18, 1983 (morning session) as follows.

“...Teacher is the most important occupation for the development of the country. Before developing

the country, the teacher has to develop the people of the nation. Because the youth is the future of the nation...” [1]

The Faculty of Education in both public and private universities are the educational institutes that nurture these future teachers. [2] One of the most obvious good practices of the teacher is how to dress appropriately. According to the Teachers and Educational Personnel Regulation Act 2004 and the Prime Minister’s Office Rules 2010, the dress of civil servants’ uniforms for males and females was mentioned. In this sense, the regulations divide people into two genders-male and female. [3] Also, the social norm is one of the important factors that shape society in terms of gender,

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seniority, family, occupation, assets, power, social status, etc. Moreover, these norms are related to rules of laws, regulations, culture, as well as practices in society too. [4] In other words, practices and daily life of people whether good/ appropriate or bad/inappropriate are defined by these norms. So, the practice and actions that do not match one's gender are considered bad practice that doesn't go along with social norms. [5]

As mentioned above, social norms are one of the reasons that extremely relate to the educational structure and regulations such as the Ministerial regulations, regulations of teacher schools (KHURUSAPHA), and university regulations. These are tools to control the behavior of the members of the organization. So, the students could be well-behaved and act in the same way. However, gender diversity cannot be limited to this multicultural society including educational institutes. Kathoey Student Teachers in educational institutes are subject to gender diversity, particularly to those who dress, act, or transform to be women. In the study of the identity of bisexual students: a case study of a high school in Chiang Mai [6], Kathoey students define themselves as kathoey which differs from straight male or female. There is an inner feeling of not accepting the role of males as defined by society. These factors caused kathoey students to feel uncomfortable with the dressing norm. Coupled with the profession, teachers have relatively high expectations from society. As teachers, they are expected to be noble, honorable, and reliable. [7] Kathoey [8], a word originally used to denote hermaphrodites is used today to describe a male-to-female transsexual. Moreover, the term "Kathoey" [9] is a commonly used but also contested term for a broad spectrum of transgender persons whose sex is assigned as male at birth but who have a feminine gender identity and/or expression. Changing the gender of kathoey students is something different from social norms and university regulations, for example, the way they dress. As a result, kathoey students are often discriminated against by society because bisexuals are not classified as mainstream genders- men and women. In some cases, they are not accepted and included in society. [10] Some studies showed that kathoey teacher students are often discriminated against, treated unequally, and suppressed by the institute's regulations. For example, they could not follow the university's regulations on dressing because the regulations are specified only for males and females. Below is a sample of kathoey teacher students who could not follow the university's regulations and caused discrimination and abusive gender identity.

"When I was a sophomore, I put on a hairpiece. The other day, one of a senior went to the professor and tell him that I had an inappropriate hairstyle. The male professor then called me to meet and he made me remove the hairpiece that was attached to my head. I was very angry and felt like my right was limited.

That professor also told me to sign a document that if I do it again, I have to resign from the university. I was shocked and he called my mother to pay a visit. He then reported this to my mother. When my mother knew, she was very upset and afraid that I might be expelled from the school. She cried. So I decided to stand up and fight."

(Interviewed on November 28, 2020)

According to the interview, gender-unequal discrimination against kathoey student teachers is caused by the educational structure. However, such discrimination is contrary to the Gender Equality Act 2015, which states that "any act or non-act that discriminates, deprives, or restricts any direct or indirect benefit, without legitimacy, because the person is male or female, or has an expression different from the innate sex" [11] According to a sample interview, kathoey student teachers questioned gender inequality: *"I think the university is against the Gender Equality Act. If I don't get up and fight, I could not be the way I am, and I'll have to dress like a male until my graduation"* The situation has resulted in kathoey student teachers having an identity-building operation in the education environment. They tried to negotiate gender inequalities that arise in educational structures that suppress the identities of kathoey student teachers. The complaint was informed to the Committee on the Determination of the Unfair Gender Discrimination (DUGD), the Department of Women's Affairs and Family Development, the Ministry of Social Development, and Human Security. It is the central agency to promote gender equality and determine which actions are discrimination or against gender equality.

The researchers were therefore interested in the issue of identity formation of bisexual or kathoey student teachers, as this is very limited and could help gain a better understanding of educational structures and social structures among kathoey student teachers. The concept of Anthony Giddens' Structuration Theory was applied as it is believed that the relation between actors and structures created practice and inseparable structure agency reflect. [12] This study aims to analyze the identity construction of kathoey student teachers focusing on their the practice in the professional identity construction-social values, norms and gender role in the education area. Also, attitude of professors who teach the kathoey student teachers in the educational school under the context of time and space are also focused.

1.1 Objective

To analyze the identity construction of kathoey student teachers focusing on the practice in the professional identity construction-social values, norms, and gender role in the education area.

1.2 Scope of the study

Population scope

The research populations were three kathoey teacher students in the study area, namely the Faculty of Education, Kamphaeng Phet Rajabhat University, the Faculty of Education, Chulalongkorn University, and the Faculty of Home Economics Technology, Rajamangala University of Technology Krungthep who sent the complaint to the Committee on the Determination of the Unfair Gender Discrimination (DUGD), the Department of Women's Affairs and the Family Development, the Ministry of Social Development, and Human Security.

Content scope

This research scope focuses on the practices that establish the identity of kathoey teacher students in the educational space by analyzing the factors affecting the identity-building practices of kathoey teacher students, social norms, social values, the Gender Equality Act B.E. 2558 (2015) and educational structures such as university regulations, teacher professional standards, and teacher professional ethics.

1.3 Definition of Terms

Kathoey student teacher is a term for students who study in the Faculty of Education, the Faculty of Education, and the faculties involved in the teaching profession who define themselves as "kathoey" and behave in a feminine manner or transform their physical appearance to female.

Practicing in professional identity construction refers to a method to obtain an identity through a process of compromising or demanding gender equality that results from discrimination, including identity suppression derived from educational structure and regulations.

The term educational area refers to organizations and institutions that are involved in the production and training of teachers. This includes faculties of education, faculties of education sciences, the Teachers' Council, the Ministry of Education, and the Ministry of Higher Education, Science, Research, and Innovation. These organizations and institutions are responsible for teacher training and education in Thailand.

1.4 Conceptual Framework

Figure 1 illustrates the conceptual framework used in the research, which focused on the practice of establishing the identity of kathoey teacher students in the educational area. According to the structuration theory, the action of agency relates to the structure which is reflected back and forth. The kathoey student teachers were suppressed by the regulations of the universities. They were discriminated against and treated unequally. Therefore, they would like to stand up and fight for their identities which results in the changes in education structure, regulations, and identity of kathoey teacher students in the educational space.

2. Methodology

This qualitative research aims to analyze the self-identity formation practices of Kathoey student teachers within the educational context. The inclusion criteria for selecting participants in this study are 1) Students must be enrolled in the Faculty of Education or Faculty of Education Sciences 2) Students must be in their first to fifth academic years 3) Students must self-identify as "" (Kathoey student teacher) and 4) Students must have filed complaints with the educational institution regarding unequal treatment based on their gender identity. On the other hand, the exclusion criteria include students who feel uncomfortable during data collection or are unable to provide complete information during interviews or the research process.

Population and Sample

The research population and sample selection process involve purposive sampling from a complaint document from Kathoey student teachers at educational institutions who were unfairly treated based on their gender identity. The case was referred to the Committee on the Determination of the Unfair Gender Discrimination (DUGD) of the Department of Women's Affairs and Family, Ministry of Social Development and Human Security, during the years 2016 to 2019. Three Kathoey student teachers from different faculties were selected based on the specified criteria: one from the Faculty of Education at Kamphaeng Phet Rajabhat University, one from the Faculty of Industrial Technology at King Mongkut's University of Technology North Bangkok, and one from the Faculty of Education at Chulalongkorn University. Additionally, six teachers were also selected for the study.

Random sampling

To recruit participants, the researcher employed a snowball sampling technique, wherein individuals with relevant experience in the field were initially selected, such as those associated with the Thai Transgender Alliance (ThaiTGA) and the Rainbow Sky Association of Thailand. These initial participants then recommended others who had similar experiences or backgrounds. Purposive sampling was used to select individuals based on the specific criteria required for the research.

Data Collection The interview form was done as a research tool for data collection in order to investigate the primary information of the samples. The questions were ensured to cover the objectives of the research including - Part 1: General background information, Part 2: Personal information of the samples such as gender identity of kathoey status, Part 3: Information of Teacher Professions focusing on attitude and opinion of the professors towards kathoey student teachers and Part 4: Operations and Identity Formation focusing on how to create the identity of kathoey teacher students in the educational area. The conversations and exchange of experience

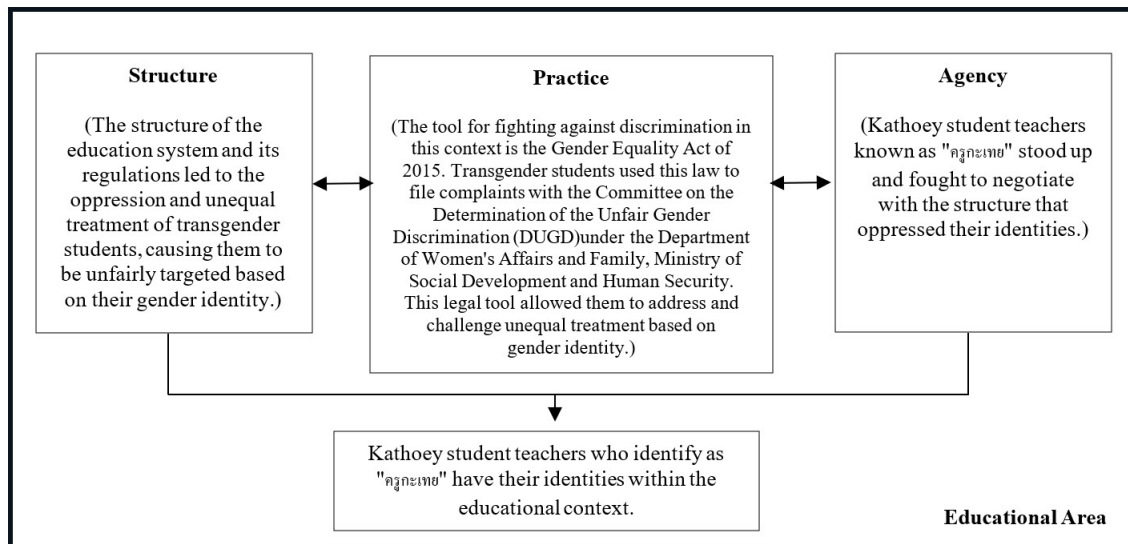


Figure 1: The conceptual framework used in the research.

and ideas between the researcher and samples were extremely focused so that the researcher could understand verbal and nonverbal communication. Some related questions that were not in the questionnaires were asked by the researcher in order to gain more trust. So, the informants would be more comfortable providing more information or revealing their true feelings. For the secondary information, the data was collected from the relevant documents obtained from sources such as 1. The regulation of the university that suppresses the identity of kathoey student teachers or causes discrimination and gender inequality 2. The request form of kathoey's student teachers provides ideas and needs for their identity claim 3. The Gender Equality Act 2015 4. The document related to the teaching profession 5. The diagnostic results are from the Gender Unfair Discrimination Diagnostic Committee and the Department of Women's Affairs and Family Development, the Ministry of Social Development, and Human Security.

Data Analysis

Data analysis was analyzed based on Anthony Giddens' Structuration Theory, in which the relation between actors and structures created practice and inseparable structure agency reflect. The identity-building practices of kathoey student teachers in the form of claims of gender inequality from discrimination and identity suppression from regulatory university structures that result from social values and norms, especially for roles of males and females, were analyzed. Also, the attitude of the instructor towards bisexual students in the context of time and space, which occurs during the 1st year to the 5th year in the study area was observed. The outcome of the operation between the actors and the structure could create more or fewer results according to the ability to negotiate

the agency in the operation. After that, the results and conclusion were presented in descriptive analysis.

3. Results

The data analysis phase of the study was informed by Anthony Giddens' Structuration Theory, which posits a reciprocal relationship between actors and structures, resulting in the creation of practices that reflect the inseparability of structure and agency. The research centered on the identity-building practices of kathoey student teachers, particularly their efforts to address gender inequality stemming from discriminatory practices and identity suppression embedded within university regulations. These regulatory structures are influenced by prevailing social values and norms, particularly those pertaining to gender roles. Furthermore, the study examined the attitudes of instructors toward bisexual students within the temporal and spatial context of their academic progression, spanning from the first to the fifth year of study.

Outcomes resulting from the interplay between actors and structures were contingent upon the agency's negotiation capacity within these interactions. The study subsequently presented its findings and conclusions via descriptive analysis. The study on Practicing in Professional Identity Construction of Kathoey Student Teachers in Educational Area aims to analyze the identity-building practices of kathoey teacher students in the educational school in Thailand, namely, the Faculty of Education, Kamphaeng Phet Rajabhat University, the Faculty of Education, Chulalongkorn University, and the Faculty of Technology, the Rajamangala University of Technology Krungthep. Three kathoey teacher students from the above-mentioned institutes, who were discriminated and treated unequally by the structure of the university's regulations were the informants. Anthony Giddens's Structuration Theory

was applied. The findings reveal that the gender identity of kathoey student teachers was suppressed by the structure of the university's regulations, especially in terms of dressing. There is gender inequality and discrimination in the educational space. As a result, kathoey student teachers have compromised their identities against the structure of the university's regulations through the central agency. So, they could help the kathoey student teachers to promote gender equality and establish an identity in the educational space.

Educational institutes are the place where future teachers are educated and groomed. Being a teacher is an honorable and respectful occupation. Thus, the concept of being a teacher in Thailand is quite strict and lies with traditional concepts specifically for gender identity. Nowadays, student teachers are diverse and it is not limited to only males or females. In this study, the samples are the bisexual student teacher or kathoey student teachers who have acted and dressed as females. In this regard, they were discriminated against and suppressed by the structure of the university's regulations because their sexual identities do not match their genders. Therefore, they could not dress according to the university's regulations which limit only male and female's dress codes for example, the announcement of the uniform/the student's dress code, the examination guidelines of dress code for admission, Rules and regulations of dress code of teacher practitioners, Teacher Professional Experience Training Guideline: The Announcements of dress code for graduation, graduation certificates, and photographs used in educational documents. According to those regulations, male students are required to dress according to their genders and have a short haircut that their hair is long no more than the collar line. The ears must be seen, and the front hair must not be too long to cover the faces. overgrown. The male student teachers must wear a white shirt with short or long sleeves. The shirts must not be too tight or slim fit and must be put in the trousers at all times. The trousers should be modern and polite with a black belt and black cut shoes. The overall look must be polite, clean, and appropriate. *"For a male student, if you cannot put a bottle of drinking water into your trouser. It is against the regulation. Also, wearing too tight trousers is against the regulation too."* (Interview of the administrators of the Faculty of Education, December 15, 2020). Changing physical appearance would not be considered to be a student teacher because the children could copy the behavior of the bisexual student teachers.

The above negative attitudes are all derived from the values and social norms underlying the educational structure. Since social norms are considered part of the social culture, this educational structure will not tolerate either inappropriate sexual behavior or sexual orientation.[13] As well as social values, people in society will have a fixed mindset and tend to

attach to traditional values such as the teacher should dress politely and appropriately whether at school or in the public area. This idea is in line with the interview of a professor from the Faculty of Education who:

"Teachers' careers lie on cultural traditions. We will not be respected by the student's parents if we wear high heels, shorts, or small T-shirts outside the house. Women teachers are usually viewed in a bad way if their dresses don't follow the ethics of education."

(Interviewed on December 15, 2020)

The second lecturer in the same faculty stated about accepting the conditions of the educational structure based on social values and norms as follows:

"To me, I've been a teacher since I finished my bachelor's degree. I was also in a family in which my uncle or relatives were soldiers, and my grandfather was gender sensitive. I didn't have the opportunity to dress inappropriately or show any inappropriate signs that were against my gender since I was a child. I was told to be a good role model. So, I try to do everything that is in line with the tradition and social norms."

(Interviewed on December 15, 2020)

The regulations of the educational institutes are like a structural concept that all students and teachers in the field of education must follow because they are in line with culture, tradition, and social norms that are agreed upon by the majority of people in society. On the other hand, the power of these structures could create identity suppression and lead to discrimination against a particular person. In this study, kathoey student teachers were suppressed by these regulations just because they could not follow the traditional concept of dressing. Those who dress or act or transform their physical appearance to a female look would be judged and excluded by society. Applied from Section 3 of the Gender Equality Act 2015, they were forced to stop dressing like a female student teacher and, instead of that, dress as a male student teacher. Their gender identities were insulted in class and could lead to the forcing resignation in the end.

"I got a complaint from the professor in front of my classmates in the course of instruction. He spoke with a microphone like he wanted to expel me. I was insulted that I should make a lot of merits, so I wouldn't be born bisexual again. My mother and aunt were summoned to complain about raising me as kathoey and now become a kathoey student teacher"

(Interviewed on March 27, 2021)

Another example of the suppression of sexual identity is that:

"There was one time when we were forced to dress like men again. That was because the teacher didn't allow me to enter the exam room if my dress didn't match my gender. I tried to dress like a male student teacher, but it wasn't me at all. The teacher complained to me about using a female toilet. I was not allowed to use the female toilet and I could be punished if I was caught using a female toilet. So, I use a restroom for handicapped people. Then I complained again. The teachers always complain about bisexual students and hate speech towards the bisexuals all the time."

(Interviewed on March 29, 2021)

Gender inequality actions and discrimination result from the regulation of educational structure. Kathoey student teachers have to compromise their gender identities with faculty. However, this was not accepted. So, they chose to seek other ways by using legislation under the Gender Equality Act 2015 as a tool to claim their sexual identity and address issues related to gender identity suppression. They used the internet to search for information and created a central agency, the Bisexual Friends Network Foundation for Human Rights, to support and mentor them. Then a series of laws such as the Gender Equality Act B.E. 2558, the Constitution of the Kingdom of Thailand 2017, and The Yogyakarta Principles on the application of international human rights law on issues of sexual orientation and gender identity were applied. The Bisexual Friends For Human Rights Network Foundation also helps collect relevant documents and coordinates with the Committee on the Determination of Unfair Gender Discrimination (the 'DUGD Committee'), the Department of Women's Affairs and Family development, the Ministry of social development and human security, which is the central agency to coordinate operations on promoting equality between the sexes as well as to determine which actions constitute unfair discrimination between the sexes.

The fact that kathoey student teachers have utilized legal avenues to address gender discrimination within educational institutions has resulted in formal complaints being lodged with the Committee on the Determination of Unfair Gender Discrimination (the 'DUGD Committee'). Kathoey student teachers have been required to apprise the committees of the unequal treatment they have experienced and provide suggestions and solutions for both committees and the educational institutions to rectify this issue. This process entails the submission of request forms, the provision of information, and attendance at meetings, among other

steps.

Any actions of the regulation of the education structure that against bisexual students are contrary to the Constitution of the Kingdom of Thailand, 2017, Article 4, "Human Dignity". The human rights, freedoms, and equality of persons. Are protected under Section 27 that persons are equal in law. They have rights and freedoms, and they are equally protected by law. Unfair discrimination against individuals regardless of the difference in origin. race, language, gender, age, physical disability or health condition, a person's status, socio-economic status, religious beliefs, education, training, or political opinions are not contrary to the provisions of the Constitution, or any other cause shall be unconstitutional. In other words, the result of such a structure is unfair sexual discrimination according to section 3 of the Gender Equality Act 2015 and the University Regulations on Student Dress Code, which defines only female and male students. As a result, the university's regulations are inconsistent with the Gender Equality Act 2015, Section 3, "Unfair Discrimination Between the Sexes," the notion that any act or non-act that discriminates, deprives, excludes, or restricts any benefit, directly or indirectly, without justification because the person is male or female or has an expression that differs by means of sex. As same as Section 17 the formulation of policies, rules, regulations, measures, programs, or practices of any government agency, document organization, or person in a manner that constitutes unfair discrimination between the sexes shall not be committed.

The findings of the three samples, based on the diagnosis of the Group of Judges of Unfair Discrimination between the Sexes, revealed the same result that the structure of the university in terms of regulations was changed according to the constructing practice of professional identity of kathoey student teachers. Consequently, the regulations based on the educational structure must be changed appropriately to gender diversity and gender identity of the student teachers in the educational area. Students whose gender differences are from their birth gender should be allowed to dress and have haircuts according to their gender identity during their studies. In addition, the university has to create a way to communicate about gender identity and gender diversity as well as allow the kathoey students to dress like female student teachers during their studies until their graduation. Also, professors and staff in the university must be encouraged to understand and respect the gender identity of the kathoey student teachers.

Kathoey student teachers were suppressed by the regulations according to the educational structure. So, they were treated unequally and discriminated against. As a result, kathoey student teachers have to compromise with such structures by sending complaints to the authorities that be able to declare unfair sexual discrimination which is against the Gender Equal-

ity Act 2015. In this way, kathoey student teachers have successfully created identity-building operations in the educational area. For instance, the educational educational structure also needs to be changed according to the current circumstance in terms of sexual diversity and the sexual identity of students.

4. Conclusion and Discussion

Conclusion

The educational institutes are the places where future teachers are educated and groomed. It has a strict regulatory structure, such as mannerisms, good behavior, etc. So, the students could be well behaved, have knowledge and ability to be a role models in the future. These social values and norms are things that people in society agree as the right thing to do. However, the sexual identity of students in these educational institutes is not limited to only males and females. Kathoey student teacher who has feminine manners and behaviors, or changes their physical condition to a woman, is considered wrong since it is against the social norms. As a result, kathoey or bisexual students are subjected to self-oppression and discrimination without gender equality. They were treated unequally and led to other sexual unfairness in terms of sexism, exclusionary, degrading human dignity and limiting direct privileges. Kathoey student teachers then find ways to negotiate with the structure by conducting internet searches involving legal datasets, as well as networks that will provide assistance and guidance in this operation. They used the Gender Equality Act 2015 as a tool to file a complaint to the Committee to determine unfair discrimination between the sexes, the Department of Women's Affairs and Family Development, the Ministry of social development and human security, which is the central agency to coordinate operations on promoting gender equality, as well as to determine which actions constitute unfair discrimination between the sexes. Referring to the Gender Equality Act 2015, it resulted in restructuring the university's regulations that suited the sexual identity of kathoey student teachers. The university should change its practice, such as the university amending and etc. Students whose gender differs from their birth gender are allowed to dress and have haircuts according to their gender identity during their studies. In addition, the university has to create a way to communicate with people in the organization to understand the composition of students based on their gender of origin. Also, the universities have to create measures to encourage teachers and staff in the organization to respect and awareness of sexual diversity without discrimination among students whose gender does not match their gender of origin.

Discussion

The findings are consistent with Anthony Giddens's theory of structuration Theory that the construction of

structures was created by the relationships between the doers/ actor or individual and structure through some practice as the structure agency reflects because they are inextricably related. [12] It was found that kathoey teacher students were subjected to self-restraint from the structure of the university's regulatory studies on dress code because they exhibited sexual behaviors that differed from the university's social norms and regulations, namely, the mannerisms and behaviors of women, or the change of body to women. Therefore, they suffered from gender-unequal discrimination in the educational area. Being suppressed as kathoey teacher students lead bisexual student teachers to compromise their representation as an agency, to claim their identity against the structure by sending the complaint to the Board of Directors to determine unfair discrimination between the sexes, the Department of Women's Affairs and Family Development, the Ministry of Social Development and Human Security, which is the central agency to promote gender equality and determine which unfair discrimination actions are against the constitution. The findings consistent with the structuration theory that the educational structure on regulations and kathoey student teachers represented the agencies that their relationship cannot be separable. The structure changes according to the result of the agent's actions. Through practice, some structures reflect in the context of time and space, which occur during years 1- 5 in the study area.

It is also consistent with other studies regarding self-meaning [14] that causes bisexual teachers to be stigmatized and socially discriminated against in schools. Meaning influences stigma and discrimination, and in situations of discrimination against bisexual teachers. Bisexual teachers give themselves four meanings: 1. Be a male teacher who expresses masculine demeanor and behavior; 2. Be a male teacher who expresses behavior as a gay man and acts like a female 3. Be a male teacher who has preferences in a gay manner, and 4. Be a female teacher in a school with only the prefix "Mr." [15]. According to Guidelines for ensuring the right to gender identity in Thailand through the perspective of foreign law, it found that, under international human rights principles, states has a duty to ensure legal status based on the gender identity endorsed by law. It prohibits imposing conditions that are in violation of human rights in other matters in order to obtain legal status. Currently, Thailand only has to guarantee the legal status of individuals classified as male and female. As a result, individuals with diverse gender identities have become targeted by widespread unfair discrimination in public spaces. Therefore, it is appropriate to have a law to set the rules, conditions, and legal consequences of certifying their gender identity in accordance with the will. Moreover, the principles of international human rights under international obligations should be created in

Thailand. Another approach on Human rights regarding sexual orientation and gender identity in the Thai legal system [16] suggested that the diversity in sexual orientation and gender identity leads to the queer-ness of individuals who do not necessarily conform to society's norms or rules. The United Nations has established guidelines to protect and certify human rights in matters relating to LGBTQ people that cover several important rights and freedoms while requiring member states to ensure protection from discrimination on the grounds of sexual orientation and gender identity. Moreover, bisexual concepts have had a significant influence on the legal system in terms of gender classification and the establishment of family institutions [17]. However, since the end of the 20th century, changes have occurred in the legal system to accommodate the status of gender-diverse individuals in both international law and the internal legal system of each country. International law has increasingly recognized the identities of gender-diverse individuals on the principles of equality and non-discrimination due to gender differences. While internal law has undergone significant changes in two areas: the legal acceptance of transgenderism and the acceptance of the dual life of individuals of various genders, this change has resulted in the legal system being expanded to a more multi-gender legal system.

Suggestions

1. There was a limited number of studies in this kind of research. Therefore, more studies in this area should be conducted to provide information and knowledge of gender identity and the sexual diversity of people.

2. The research findings can be used as guidelines for adjusting the educational institution's structure, including various regulations, to make it more inclusive and supportive of individuals with diverse gender identities.

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References

- [1] K. Sirisaenglert, Her Royal Highness Princess Maha Chakri Sirindhorn and Education, *STOU Education Journal* 8(1) (2015) 1-12.
- [2] R. Sarnirund, The Teachers' Council of Thailand and Teacher Training Institute, Available online in December 26, 2022, Available from: <https://www.moe.go.th/>, 2013.
- [3] N. Duangwises, The Concept of Gender and Sexual Diversity in Sciences and Social Sciences Paradigms, *BUU Academic Journal of Humanities and Social Sciences* 28(3) (2020) 312-339.
- [4] P. Athicomnanta, *Sociology English-Thai Dictionary*, Office of the Royal Society, 2nd ed. Bangkok: Amarin Printing and Publishing Public Company Limited, 1989.
- [5] F. M. Mondimore, *A Natural History of Homosexuality*, Baltimore, The Johns Hopkins University Press, 1996.
- [6] T. Thungsiri, "Kathoei" Student Identity: A Case Study of Students in a Secondary School of Chiang Mai Province, Master of Education (Research and Statistics in Education) Major in Research and Statistics in Education Faculty of Education Chiang Mai University, 2003.
- [7] J. Tapingkae, Gender Adaptation and Negotiation in Teacher Role, Master of Education Major in Guidance and Counseling Psychology Faculty of Education Srinakharinwirot University, 2013.
- [8] P. A. Jackson, "Male homosexuality and transgenderism in the Thai buddhist tradition," in *Queer Dharma: Voices of Gay Buddhists*, W. Leyland, Ed., Gay Sunshine Press, San Francisco, Calif, USA, 1998.
- [9] M. Sinnott, Gender subjectivity: dees and toms in Thailand. In: Wieringa SE, Blackwood E, Bhayia A, editors. *Women's sexualities and masculinities in a globalizing Asia-comparative feminist studies series*. New York: Palgrave Macmillan; (2007) 119-138.
- [10] P. Potiwan, Identity, Sub-cultural and Social Space of the Transgender, *Damrong Journal* 10(1) (2011) 98-125.
- [11] Government Gazette, Gender quality Act, B.E. 2558 (2015). (132) 17-27, Available online in January 9, 2023, Available from: <https://www.ratchakitcha.soc.go.th/DATA/PDF/2558/A/018/17.PDF>, 2015.
- [12] A. Giddens, *The Constitution of Society*, Cambridge in association with Basil Blackwell, Oxford: Policy Press, 1984.
- [13] S. Luethongjak, Principle of Anthropology and Sociology Faculty of Humanities and Social Sciences, Available online in December 11, 2022, Available from: <https://www.udru.ac.th/oldsite/attachments/elearning/02/>, 2019.
- [14] P. Woraphan, Self-definition Leading to the Stigmatization and Social Discrimination Against Kathoey Teachers in Schools 5(2) (2022) 71-85.
- [15] A. Sooksom, The Guidelines for the Right to Gender Identity Recognition in Thailand Based on the Perspective of the Foreign Laws, *Songklanakarin Law Journal* 5(1) (2022) 24-43.
- [16] A. Sooksom, Human Rights to Sexual Orientation and Gender Identity in Thai Legal System, Doctor of Law Major in Law Faculty of Law Thammasat University, 2016).
- [17] S. Preechasinlapakun, *CMU Journal of Law and Social Sciences* 6(1) (2013) 5-25.