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Original Research Article

Transgender - The third sex: Their problems and prospects

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ABSTRACT

This biological feature of sex contributed to widespread transgender prejudice in Indian society's social life. The Indian social structure presents them with a number of challenges. They believe they are not welcome in social, cultural, economic, political, or even the decision-making processes. This isolation is thought to have as its main cause the disregard for their socioeconomic standing. In the areas of education, work, housing, and public accommodations, complaints of violence, harassment, denial of services, and unjust treatment against them are extremely frequent. Generally speaking, transgender persons are denied the fundamental rights enjoyed by males and females and are not acknowledged as an equal sex. They are viewed as odd and non-existent. Due to superstition, they are typically targets of derision and even dread. Since everyone is born free, equal, and endowed with dignity, they all deserve the chance to exercise their human rights without facing prejudice because of their gender identity or sexual orientation. They experience discrimination and mistreatment despite constitutional protections. Although this group is acknowledged as the "third sex," an attempt has been made in this article to shed light on some of the significant issues that plague it in modern society.

1. Introduction

Humans are the most distinctive creatures that God has made since they are both male and female. However, there is another group of aberrant persons among them who have only lately been given the transgender designation and are neither male nor female. They are people of any age or sex whose look, traits, or conduct are different from those of typical men and women. Since the dawn of human history, every civilization, ethnicity, and social class has documented their existence. Transgender persons are defined as someone whose identity or conduct deviates from conventional gender standards.

When compared to the country's overall population, the number of transgender persons in India, who belong to a variety of socio-cultural groups, is minuscule. This biological feature of sex contributed to widespread transgender prejudice in Indian society's social life. The Indian social structure presents them with a number of challenges. They believe they are not welcome in social, cultural, economic, political, or even the decision-making processes. This isolation is thought to have as its main cause the disregard for their socioeconomic standing. In the areas of education, work, housing, and public accommodations, complaints of violence, harassment, denial of services, and biased behaviour against them are extremely frequent. Generally speaking, transgender persons are denied the fundamental rights enjoyed by males and females and are not acknowledged as an equal sex. They are viewed as odd and non-existent. Due to superstition, they are typically targets of derision and even dread. Since everyone is born free, equal, and endowed with dignity, they all deserve the chance to exercise their human rights without facing prejudice because of their gender identity or sexual orientation. They

experience discrimination and mistreatment despite constitutional protections. This research makes an effort to shed light on some of the significant issues that, despite being acknowledged as the "third sex," plague this population in modern society. It is urgently necessary to improve their circumstances in the current egalitarian society.

2. Meaning

The grassroots group of persons who identify as having a different gender gave rise to the word "transgender" in the middle of the 1990s. It is used to describe a variety of persons, such as transgender individuals, male and female crossdressers, and those who are intersex and have gendered-atypical physical features or traits. They were either born as male or female but failed to completely grow as normal people or were males who chose to live as women. They originate from a sexually ambiguous background (born intersex). Other common terms for transgender people today include "gender non-conforming," "gender difference," and "gender variant" [1].

3. History

The term "Pedi" is used in Sangam literature to describe persons who are born with the intersex condition. Numerous sociocultural transgender groups exist in India, including the hijras, aravanis, thirunangais, kothis, kinnars, shiv-shaktis, jogtas, jogappars, aradhis, and saktis, among others. These ethnic groups have a long history in India, and Hindu mythology and other holy writings have numerous depictions of them [2]. They've lived in India for a long time, either by



themselves or in communities centred around a Guru. The guru connection (master, teacher, and chela) is the most important one in the hijra community (disciple). Chelas are made to live a life of slavery and bonded labour by their Gurus [3]. Transgender persons have held numerous positions in many countries, like attendants or domestics of comparable status, religious experts, treble singers, public servants, royal guards, soldiers, and wardens of harem staff or ladies.

4. In Mythology

Hindu mythology and other religious literature in India give transgender people a significant position. One of Lord Shiva's forms is Ardhanari, in which Parvati makes up the left half of the body. This form is particularly revered in North India and is significant because it serves as the patron saint of those who identify as hijras [4], or people who are gender non-conforming. An ancient work of Indian literature called the Kama Sutra mentions the existence of individuals of the "third Sex" (triteeyaprakrti), who may dress in either men's or women's clothing and engage in fellatio on males. In Hindu mythology, the Puranas, and epics, real hermaphrodites—often referred to as the "third sex"—are commonly shown achieving great feats [5].

5. Ramayana

Several of Rama's followers accompanied him into the jungle in certain descriptions of the holy Ramayana when Shri Ram left Ayodhya to begin his exile for 14 years out of loyalty to him. Soon after, Rama becomes aware of this and instructs everyone in his kingdom—both "men and women"—to go back to their respective locations in Ayodhya and not to weep. After then, Rama departed and finished his 14-year exile. When he gets back to his hometown Ayodhya, he comes to know that persons who are neither males nor women, named as hijras, still remain in the location where he offered his counsel. [6]. Rama was impressed by their devotion and granted them the authority to bless people on significant first-time occasions like marriages and pregnancies. This blessing serves as the inspiration for the performance art form known as Badhai, in that case, hijras dance, sing and eventually bestow blessings [7].

6. Mahabarata

Arjun dresses as a eunuch-transvestite and conducts wedding and birthing ceremonies that are presently carried out by hijras at agnavasam in the Mahabarata. Furthermore, in order to gain an advantage over their military relatives the Kauravas during the Kurushetra battle, the Pandava brothers had to sacrifice one of their own soldiers. One of the sons of the legendary warrior Arjuna was chosen for sacrifice by their war council: Aravanan. The lad declared his desire to fulfil his last dream of being married before agreeing to die for the good cause of conquering the evil Kaurava relatives. In order to remedy the issue, Lord Krishna took the lovely human form of Mohini, whom he then wed to Aravanan. Since then, hijras in South India have referred to themselves as "Aravanis" and claim Aravanan as their ancestor [9]. The god Koothandavar, also known as Aravanan, has a temple in Tamil Nadu's Koovagam, Ulundurpet Taluk, and Villupuram District dedicated to him. Hijras celebrate a religious celebration that

lasts for eighteen days in the months of April and May every year. The Aravanis recreate a tale of Lord Krishna and Aravanan's wedding and subsequent sacrifice at the festival. They then perform ceremonial dances, break their bangles, and take off their Mangalsutras to express their grief at Aravanan's passing. Hijras from all across the nation congregate here to travel and participate in the festival in style [10].

7. Medieval India

They were commonly employed in the imperial palaces of Hindu and Muslim emperors throughout the mediaeval era as attendants for female royalty, harem guards, and sexual partners for the nobility. Some of them rose to positions of prominence in society. A mediaeval author named Ziauddin Barani recounts them in great detail. They were highly regarded because they could guard the women in the harem, were strong, and could coexist with women. This made it possible for them to work as palace guards, watchmen, attendants, and messengers. They frequently were invited to join the King's council [11].

8. Under the British

The hijras were an offence to public morality, thus under the British Raj, the government made an effort to exterminate them [12]. However, a provision that forbade castration—a significant aspect of the hijra community—was retained, even if it was rarely implemented. During the British occupation of India, they were categorised as a "Criminal Tribe" and were governed under the Criminal Tribes Act of 1871. They endured lengthy stigmatisation, intense surveillance, and required registration [13]. However, they were de-notified in 1952 after independence, despite the long-standing stigma.

9. Present status

According to the most current census, there are 4.9 lakh transgender individuals living throughout India, with 1,37,000 of them residing in Uttar Pradesh. 14 Nearly 55,000 of the total transgender persons reported in the census are in the 0–6 age range. The community has been greatly surprised by this since they did not anticipate that as many parents would identify their children as being of the third gender. In India, almost 66% of people who identify as a third gender lives in rural areas. The census data also showed that just 46% of the community members were literate, compared to a population-wide literacy rate of 74%. Because of the abuse and prejudice, they experience in society, they stop attending school.

Table 1. States and literacy

States	Transgender	Child (0-6)	Literacy
Uttar Pradesh	137,465	18,374	55.80%
Andhra Pradesh	43,769	4,482	53.33%
Maharashtra	40,891	4,101	67.57%
Bihar	40,827	5,971	44.35%
West Bengal	30,349	2,376	58.83%
Madhya Pradesh	29,597	3,409	53.01%
Tamil Nadu	22,364	1,289	57.78%
Orissa	20,332	2,125	54.35%
Karnataka	20,266	1,771	58.82%
Rajasthan	16,517	2,012	48.34%
Jharkhand	13,463	1,593	47.58%

Gujarat	11,544	1,028	62.82%
Assam	11,374	1,348	53.69%
Punjab	10,243	813	59.75%
Haryana	8,422	1,107	62.11%
Chhatisgarh	6,591	706	51.35%
Uttarakhand	4,555	512	62.65%
Delhi	4,213	311	62.99%
Jammu Kashmir	4,137	487	49.29%
Kerala	3,902	295	84.61%
Himachal Pradesh	2,051	154	62.10%
Manipur	1,343	177	67.50%
Tripura	833	66	71.19%
Meghalaya	627	134	57.40%
Arunachal Pradesh	495	64	52.20%
Goa	398	34	73.90%
Nagaland	398	63	70.75%
Puducherry	252	16	60.59%
Mizoram	166	26	87.14%
Chandigarh	142	16	72.22%
Sikkim	126	14	65.18%
Daman & Diu	59	10	75.51%
Andaman & Nicobar Islands	47	5	73.81%
Dadra & Nagar Haveli	43	5	73.68%
Lakshadweep	2	0	50.00%
Total	487,803	54,854	56.07%

Odisha 20000 04
Karnataka 20000 04
Rajasthan 17000 03

10. Stigma

They are endowed with extraordinary abilities to bring success and wealth according to old myths. But because of the gender gap, they are subject to societal shame. Stigma displayed as violence, harassment, and prejudice causes transgender people great psychological pain. Since 2006, the government has employed hijras in the Bihar state as tax collectors, primarily in the city of Patna, where they are paid a 4% commission. Their job is to sing aloud about the debt outside defaulters' homes until they are shamed into paying. Similarly to this, a former Mumbai banker named B. R. Shetty hired a crew of transgender persons to assist him in collecting his credit society's unpaid debts. Bank loans and other types of financing from reputable financial organisations were successfully recovered thanks in large part to Shetty's innovative Recovery Services, which are based in Mumbai's Matunganeighbourhood. Transgender staffers at Shetty perform their duties conscientiously, occasionally fostering a joyful and lighthearted atmosphere. Compared to other frightening methods, this has been more successful. People who avoid paying their debts made the decision to repay their loans in a timely manner out of fear of mockery from these utterly unrestrained organisations. Shetty developed this novel plan with the detained former Deputy Municipal Commissioner of Mumbai, G.R. Khairnar. Shetty was adamant that they possess greater persuasiveness than conventional debt collectors. At least some of them in Mumbai now have a chance at a respectable living thanks to Shetty's business. Francis, Meena, Dilnaz, Karishma, Priya, Venkatesh, Neetu, Shabnam, and many more have had their life transformed by

the firm today. Additionally, Khairnar's team included these "agents," who assisted young women who were being exploited in Kawmathipura, the main red-light district of the city [15].

11. Problems

In India, transgender persons deal with a wide range of issues on a daily basis. They believe they have been shut out of political, economic, and decision-making processes as well as social and cultural life. Since they are classified as neither males nor females, their primary issue is that they are expelled from their homes. In order to survive, they are compelled to turn to beg. They are unable to fully exercise their civic rights due to a lack of societal acceptance. Housing and public accommodations are frequently denied in Indian society. They drop out of school as a result of prejudice, mocking, and insults, which negatively affect their educational backgrounds and employment prospects.

Due to their families' abandonment and poverty, they are the targets of forced prostitution and sexual exploitation by others of the same gender. Other disadvantages in Indian society include a lack of social protection and a lack of current legislation enactment to safeguard transgender people's rights. They frequently have issues with depression, hormone pill misuse, nicotine and alcohol abuse, and issues with marriage, property, voting rights, and adoption due to a lack of medical facilities for things like HIV care and sanitation. They are not accurately accounted for in the census. Additionally, they are forced to live a life of slavery and bondage by their gurus. There aren't enough public amenities like designated or separate washrooms for them in public spaces. They develop poor self-esteem as a result of ongoing harassment and discrimination in public spaces, which makes them one of India's most disadvantaged and powerless populations. In every social conflict, they are verbally assaulted based on their class and gender. They are refused entrance to educational institutions on the grounds of gender. Even victimisation occurs in a variety of contexts, including the home, workplace, healthcare facilities, and public locations. As a result of gender variance, transgender persons deal with a variety of issues in their daily lives.

12. Prospects

In 1994, the Indian government declared transgender individuals to be a "third sex," and they were given all of the fundamental civil rights that every citizen is entitled to [16]. In India, people now have the choice to mark their passports and other official documents with the letter T, which stands for transgender. In a case that the National Legal Services Authority (NALSA) filed on April 15, 2014, against the Union of India and others, Justice Radhakrishnan ruled that transgender people are considered members of the third gender defined by Indian law [17]. Despite their small number, they are nonetheless individuals with the freedom to express their human rights. To be covered by the legislation passed by the Parliament and state legislatures, and their rights under Part III of our constitution, they must be regarded as the "third gender."

Now transgender people have the freedom to select their gender identification was also declared, and also the federal, as

well as state governments, were instructed to identify the third gender from a legal viewpoint. The Supreme Court of India also decided on April 15, 2014, that transgender individuals constitute an economically as well as socially underprivileged category and are authorised to accommodations in education and employment, also it commanded the federal and all state governments for creating welfare programmes for them. Despite their rarity, the first state to launch a programme in support of transgender people was Tamil Nadu.

Deal of the policy, eligibility of transgender people to get free sex reassignment surgery (SRS) in government hospitals, free accommodation programmes, a range of citizenship records, admission to higher institutions with academic scholarships for higher education, and approach to other income sources by establishing self-help groups (for savings) and the launch of income-generating programmes (IGP). Transgender Welfare Board was created first in Tamil Nadu in April 2008, the board comprised representatives of the community of transgender. It is no longer in use, nevertheless, because the Tamil Nadu government changed.

The Rajya Sabha approved the Rights of Transgender Bill, 2014 on April 24, 2015, granting transgender people rights and permissions, accommodations in employment as well as education (2% reservation in government services), pensions, legal support, unemployed benefits, expertise development and many more. The measure also exclaims for the creation of welfare boards for transgender rights courts at the federal and state levels. The DMK MP Tiruchi Siva introduced this legislation and highlighted that it had been 45 years since the Parliament house had validated a private member's bill.

The House voted overwhelmingly to pass the measure. The measure is riddled with inconsistencies, and it is unclear how different ministries would coordinate to carry out its provisions. The government will submit a thorough bill on transgender rights to Parliament during the monsoon session, according to Thavar Chand Gehlot, the minister of social justice and empowerment, who made the announcement on June 11, 2015. The research on transgender problems undertaken by a committee and authorised on January 27, 2014, will serve as the basis for the legislation. Gehlot claims that the government plans to grant transgender people all of the privileges and rights now enjoyed by members of the Scheduled Castes and Scheduled Tribes.

13. Political mobility

These individuals rallied to raise awareness among themselves and use political action to secure their rights after being denied equality status and subjected to discrimination in all spheres of life. People like PriyaBabu did the ground-breaking effort of awakening their consciousness. As a result, the All India HijraKalyan Sabha was established, which battled for voting rights for more than ten years until winning them in 1994. Under the banner of the Judicial Reform Party at the time, Kali ran against the Janata Dal and the BJP in the Patna elections of 1996. They continue to take engaged in Indian politics even after he lost. Shobha Nehru's victory in the 1998 election for the Hissar, Haryana, local council seat opened the door to transgender people entering politics. Kamala Jaan was elected mayor of Katni, Madhya Pradesh, in 1999. ShabnamMausiwas chosen to serve in the legislature. Between

1998 through 2003, she was the first transgender person to be elected as a member of the MP State Legislative Assembly.

In the year 2003, ShabnamMausiwas elected as the first transgender politician in the country. In 2003, Hijras of Madhya Pradesh's formed their own political party, named JeetiJitayi Politics (JJP), which translates into English means "politics that has already been won. Additionally, the party also released an eight-page election platform that outlined how it was unique from other political parties. Prior to 2012, they cast their ballots as either men or women; following that, they were added to the gender column and given the letter "T".

In the 2011 Assembly Elections, Kalki Subramanian, a transgender rights advocate, writer, and actress, attempted to secure a DMK ticket from the Villupuram seat. Kalkionce more declared in Puducherry, this time in March 2014, that she will run for office in Tamil Nadu's Villupuram seat. She is perhaps one of the very few candidates running in the national elections who are members of the transgender community and who experience prejudice and mockery. The first transgender mayor of India was elected in Raigrah, Chhattisgarh, on January 4, 2015, by independent candidate Madhu Bai Kinnar.

14. Individual achievements

Despite prejudice and a lack of acceptance by the majority of the population, transgender persons have outperformed average people in various fields. On October 7, 2013, transgender Swapna and transgender activist Gopi Shankar from Srishti Madurai demonstrated outside the Madurai Collector's office, calling for reservation and the right to apply for alternate genders to sit for SSC, UPSC, TNPSC, and bank exams. By chance, in 2011, Swapna petitioned the Madras High Court and was granted permission to register as a female candidate for the TNPSC Group II exams. The first transgender candidate to pass the TNPSC Group IV examinations is Swapna.

ManabiBandhopadhyaywas appointed as the first transgender principal in India at the Krishnagar Women's College, a Kalyani University affiliate located in the Nadia District of West Bengal due to her academic qualifications and managerial skills. Transgender PrithikaYashiniwas rejected from the Tamil Nadu Sub-Inspector of Police selection process because her name did not match that on the original certificates. Later, on the basis of a court order, she participated in the May 23, 2015, written examination. She passed the written exam, and on August 5 she participated in the field tests. She was behind the other contenders that were provisionally chosen by only one second in the 100-meter sprint. She was therefore passed over for the interview. Yasini went back to the court once more to ask for guidance on how to get the authorities to let her participate in the interview [18]. According to the bench, she could be allowed to participate in the viva voce depending on how the writ petition turns out. She became the first transgender police officer when the court continued to hear the case on November 3, 2015, the Tamil Nadu Uniformed Services Recruitment Board to consider her for the position of sub-inspector of police, as per a direction from the Honorable Chennai High Court. The decree also made it possible for the transgender category to be included in applications for positions in government services. Now that it

is her lifelong goal, transsexual Yasini hopes to join the government service as well.

Transgender individuals recently began modelling for fashion photo shoots, earning honourable mention at the 2015 International Photography Award. By using transgender models in his fashion photography, photographer Bhagath Kumar of Makka Studios astonished many people and provided the fashion business a new perspective. "Many of them are competent and eligible, and some of them are pursuing careers in law, fashion, and other fields. One only has to talk to them and cease passing judgement on them [19, 20].

15. Conclusions

People who identify as transgender are also human beings and have existed in all civilizations since the dawn of humanity. However, the vast majority of people in society do not regard them as creatures with rights. They shouldn't be treated unfairly and discriminatorily in the social system just due to biological disparities. They must be accepted into society and granted all the rights and benefits accorded to members of a democratic society. The children's curriculum has to include lessons on sex differences beginning in childhood in order to address the issues with transgender people. By doing so, they will be acknowledged as legitimate members of society who may enjoy their civic rights in accordance with their preferred gender. One of the few nations in the world to officially acknowledge them as belonging to a "third gender" is India. Like other men and women, they are a part of society and are equally successful in every field. What we require is a worldview that acknowledges and accepts them as equals. Like everyone else, they should be given priority in both education and work, and any required changes should be made. These persons need to be properly counted in order to get social welfare payments on par with other groups in society. Their right to live and work like regular people should not be infringed upon. They should have their own educational policies so that they are not required to ask for money. Transgenders with training reap the rewards of their labour. However, a large portion of them chooses to beg as a quick fix. It's time to break them of their ingrained behaviours. They will soon be able to coexist with others and enjoy equality in all spheres of life.

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