

Living on the Societal Edge: India's Transgender Realities

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Abstract The transgendered people have played an important role in ancient Indian culture over millennia. They were portrayed in famous Hindu religious scriptures such as Ramayana and Mahabharata. They were given imperative roles in the royal courtyards of Mughal emperors. Their downfall came only at the onset of British rule during the eighteenth century when they were blacklisted and treated as criminal elements in society. Only in 2014, India's Supreme Court has made a landmark ruling by declaring that the transgendered people must have access to equal opportunity in society. In spite of this legal recognition, transgenders at large have been forced to live on the fringes of the contemporary Indian society. This article explores their past glories, present struggles and future ambitions in the world's largest democracy.

Keywords Transgender · Hinduism · HIV/AIDS · Health · Society · India

The Gender Paradox

Genetic and environmental factors play crucial roles in the development of sexual characteristics in biological organisms. Naturally, there are two sexes, but occasionally hermaphrodites appear in place of one or both sexes. Some species do not have a set sex—they may change owing to certain cues. Therefore, details on the complex sex-determination system in the diverse animal kingdom are yet to be fully understood by science (Ehrlich 2001). Nevertheless, in most cases, sex determination is based on genetics with males and females having different alleles or groups of genes to specify distinct sexual

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morphology. The formation of reproductive organs in humans largely depends on actions of genes and interactions within embryo, and also with other embryos if any in uterus, as well as with maternal environment. However, confusion over gender category continues to persist in contemporary society and examples of such mayhems at times pop up in news involving famous athletic stars (Fausto-Sterling 2012).

In human society, the terminology third gender, third sex and transgender refers to those who are categorized as neither male nor female (Herdt 1996). Some scholars have used this term to stipulate sexual orientation, while others considered it as male spirit in female's body (Wilhelm 2004). The transgendered people are known by various local names such as *hijras* in South Asia, *berdache* in North America, *xanith* in Arabian Peninsula, female husbands in West Africa, *Sambia* boys in Papua New Guinea, *Fa'afafine* in Polynesia, sworn virgins in Balkans and *katoey* (lady boys) in Thailand (Aldous and Sereemongkonpol 2008).

The roles and practices performed by transgendered individuals were once regarded as exotica in several countries in the west. This aspect has been debated in scientific literature and some have questioned the concept of even the third gender (Walworth 1998). In spite of this, not much is known about social inequalities afflicting the minority transgender population in the world's largest democracy—India (Agrawal 1977; Nanda 1989; Agoramoorthy and Hsu 2007). This article explores the hardship, social exclusion and disease threats facing the almost forgotten transgendered people in the contemporary Indian society.

Transgenderism in Ancient Society

Hinduism is considered to be the oldest of all great religions of the world, and it can be traced back to 5000 BC (Bhaskarananda 2002). Over 900 million people worldwide follow the Hindu faith. They worship nearly 330 million gods and goddesses that make up the elaborate Hindu pantheon. However, the foremost Hindu trinity of gods represents Brahma—the creator, Vishnu—the protector and Shiva—the destroyer (Agoramoorthy 2011). Vishnu is known for many manifestations (*avatars*) that include fish- and boar-like creatures as well as human heroes depicted in Ramayana and Mahabharata (Dutt 2009).

According to Hindu mythology, there was a hero named Iravan (pronounced also as Aravan) who was destined to marry Mohini before his death through self-sacrifice as per the boon given by the goddess Kali (Pattanaik 2001). To fulfill the boon, Krishna (incarnation of Vishnu and charioteer of warrior King Arjuna in the Mahabharata epic) turned into Mohini, married Iravan, and spent the night with him since no other women dared to become widow overnight. After the sacrifice, Mohini grieved for Iravan's death by breaking her bangles and beating her chest strictly following the Hindu tradition. She then transformed back as Krishna. India's transgender (*hijra*) community elaborately celebrates this transformation ceremony every year (Hiltebeitel 1995).

Similarly, Arjuna had a transgender form (Dutt 2009). According to legend, when Arjuna was in exile, he met a beautiful fairy named Urvashi who was anxious to marry him. But Arjuna refused and the annoyed fairy then cursed him to become a transgender. When the frustrated Arjuna became confused of the looming curse, Lord Vishnu appeared and convinced him that the transgender makeover would create a better disguise as he has to complete his exile away from his kingdom. Arjuna then obliged, took a new name (Brihannala), spent a year in a faraway kingdom, and finally became a man again (Menon

2006). Similarly, one of Lord Shiva's appearances include Ardhanari, which was half man and half woman split down in the middle and statues of this manifestation can still be seen in many Hindu temples. Another popular deity worshiped in south India called Lord Ayyappa was the result of homosexual union between two male gods—Shiva and Vishnu.

The above transgender stories involving the famous gods are well accepted by millions of Hindu devotees. Therefore, it can be argued that the Hindu religion has gone far ahead of other world religions when it comes to the recognition of transgenderism or homosexuality in society. Hindu devotees continue to accept the concept of god as male, female and even gender neutral without any prejudice. Moreover, during the Mughal era (1504–1719), the transgenders have played an important role as royal guards in the courtyards (Faruqui 2012). But things started to change for the worst only at the onset of British rule in India (1757–1947) when the colonial administrators introduced Section 377 of the Indian Penal Code in 1860 declaring homosexuality a crime, and likewise listing transgenders as criminal elements in society. The prejudicial law remained for nearly 149 years until it was thrown out in 2009 (Agoramoorthy and Hsu 2007).

Transgenderism in Contemporary Society

The transgendered people live throughout India. They are known by various local names such as *hijra*, *Kinnar*, *Kothi*, *Iravanis*, *Jogtas*, *Jogappas*, *Khusras* and *Shiv-shaktis*. They are cheerful, and they come out in colorful feminine outfit. This culturally distinct group has often been ignored by the conservative society. Many biologically male *hijras* undergo a ritualized castration called *nirva* (sex reassignment). They resemble biologically hermaphrodites born with ambiguously male-like genitals. The exact transgender population is not clearly known since census data collecting agencies have ignored them in the past. However, various non-government social work agencies have estimated their population to reach up to six million across India (Nanda 1989).

In October 2013, India's Supreme Court stated that transgenders have remained untouchable in society with restricted access to education, health care and jobs. The justices criticized the government for such discrimination during a hearing of public interest litigation filed by the National Legal Services Authority (NIE 2013). This legal entity fights for the rights of transgendered people. Social activists argue that transgenders cannot be discriminated on just sex alone, and they in fact fall within the socially and educationally backward classification quoted in Article 15 (4) of the Constitution of India (2012).

The Supreme Court has directed the central government to place transgendered people in the other backward classes (OBCs) to classify their castes denoting their socially and economically disadvantaged status in society. The court directed all states across India to construct separate public rest rooms for their use. The court, moreover, instructed the government to establish welfare agencies to enhance their health and medical needs. After reviewing the court's verdict, the central government approached the court for clarification by highlighting the impracticality to group transgenders with OBCs since some may have already been from the backward classes. On the other hand, the government admitted that they can be included as OBCs if the National Commission for Backward Classes deemed it necessary. Furthermore, the government has requested the court for clarification of the term "transgender" that can include broadly the entire community of lesbian, gay, bisexual and transgender. But legal experts believe that the judgment specifically targets

transgendered people therefore lesbian, gay and bisexual are not covered in the court's verdict (Dwivedi 2014).

The transgender minorities have been deprived of social and cultural participation for nearly two centuries. They have limited access to education, health care and public facilities even today. To make matters worse, they are treated as nonentity legally, which is indeed in violation of the Constitution of India (2012). The constitution declares that citizens have the right to vote and to compete in elections. But the electoral ballots had only two categories of gender—male and female till 1993. Only in 1994, they were allowed for the first time to participate in the voting process in elections since the election commission included a third category as E (eunuch) to recognize them as citizens. In the general elections conducted in 2014, some of them contested as candidates for the Member of Parliament.

India's transgenders are gradually being recognized as legal residents, but they will not be able to exercise their democratic rights in marriage, adopting/raising children and utilizing financial support system such as free and subsidized health care, surgeries and medical treatments until the society at large makes some serious efforts. It is estimated that about 25 % of transgendered people have obtained the national identification (*aadhar*) cards. But they are still barred from receiving driving license, national income tax permanent account number and the ration cards to receive government subsidies. Human right activists have campaigned for their legal recognition for decades. But only in 2005, the Indian passport application forms were updated with three gender option—male, female and eunuch. But we wonder why did the government after all these years come up with the term 'eunuch' to categorize them? The Oxford dictionary defines 'eunuch' as 'a man who has been castrated, especially (in the past) one employed to guard the women's living areas at an oriental court' (www.oxforddictionaries.com/definition/english/eunuch). Instead of this graceless term, the government should call them more elegantly as transgender (T), which is perhaps appropriate biologically and socially.

Hindu Religious Transgender Rituals

For centuries, the transgendered people have performed blessings at weddings and birth of newborns in society. Even now, they visit homes, temples and religious sites to bless children during their first head hair removal ritual (locally called *mundan*) with the belief that it purifies the child. In some regions, head shaving is done only for the male child. The senior author participated in the child hair removal ceremony of a family friend done on the holy river Ganges bank in Rishikesh (northern India) and witnessed the blessing done by a transgendered person during the ritual (Fig. 1).

Thousands of transgendered people gather near a village called Koovagam in the southern state of Tamil Nadu to participate in the annual Koothandavar temple ritual. They revere the temple's deity as their husband (Ditmore 2006). Koothandavar, by the way, is the Tamil name for Iravan and the festivity honors his sacrifice before the war. In 2014, the festival started on April 29 lasting for 16 days symbolizing the war between Pandavas and Kauravas—the warring clans portrayed in Mahabharata (Pattanaik 2010). Thousands of transgender devotees followed the ancient ritual of marriage by getting *thali* (sacred thread) tied on their necks and wearing bangles in both hands by the priest, and finally declared Iravan as their husband. After the marriage ceremony, partying continued till sun rise. The last day concluded with the breaking of the sacred thread and bangles as the



Fig. 1 A transgender well-wisher holding an umbrella blesses a child on the holy river Ganges bank during a ritual in Rishikesh, India (photo by G. Agoramorthy)



Fig. 2 Transgendered people and general public take the statue of Lord Koothandavar on a procession in Koovagam village, India (photo courtesy Archana residency)

transgenders mourn the death of their husband with a street procession of Iravan's statue (Fig. 2). According to legend, the Pandavas decided to sacrifice Iravan to ensure their victory in the war. Iravan accepted the decision of community elders, but expressed his last wish to get married. Sadly, no woman came forward to marry him so Lord Krishna transformed as a woman and married Iravan to fulfill his last desire (Hiltebeitel 1995).



Fig. 3 India's first Miss India transgender pageant was held in Chennai (Tamil Nadu State, India) on December 19, 2009 (photo courtesy Rediff news)

Transgender Beauty Pageant

The first Miss India transgender pageant was held in Chennai city located in Tamil Nadu state on December 19, 2009. The show was participated by 120 transgenders between the ages of 20 and 35 representing various states such as Maharashtra, Karnataka, Andhra Pradesh, Kerala, Tamil Nadu and Pondicherry (TOI 2009). The spectacle attracted over 800 transgendered people from across the nation. A model from Mumbai (Maharashtra) named Karina Shaline was selected for the crown, while the second and the third place went to Thokcho Romi, a beautician from Imphal (Manipur) and Padmini, a dance instructor from Coimbatore (Tamil Nadu; Fig. 3). The event was financially supported by various nonprofit organizations involved in HIV/AIDS prevention and transgender welfare such as the Indian Community Welfare Organization, Tamil Nadu AIDS Control Society, UNAIDS and ActionAid.

Harsh Transgender Realities

Twenty-six-year-old actor and mimicry artist from the southern state of Kerala named Surya Vinod is a transgender who once eloquently told reporters, "I am what I am. I don't want to hide my sexual orientation and pretend that I am man in front of society" (Binduraj 2013). Surya knew that it was not easy for the transgendered people to have peace in the highly conservative Kerala. Surya states that transgender minorities are harassed by police and public and so many have moved to cities such as Mumbai where there is sizable transgender population. Surya acted in the first transgender film made in Malayalam language released in 2012. In the past, Indian film producers did not dare to uncover transgender realities in society (Binduraj 2013).

Although *Kama Sutra* was born in India, directly talking about sex has been a taboo in the conservative Indian society for centuries. *Kama Sutra*, by the way, is an ancient Indian Sanskrit text that describes the sexual behavior of humans graphically. It was believed to have been composed during the fourth century BC, while some attributes that the compendium collected into its present form only during the second century AD (Keay 2000).

Nevertheless, a transgender named Rose has a popular television talk show host in Tamil language titled “*Ippadikku Rose*” (yours truly Rose) and openly discusses workplace sexual harassment, premarital sex issues and also police harassment-free prostitution (http://en.wikipedia.org/wiki/Ippadikku_Rose).

During the show, lots of messages popped up in the television channel’s webpage with admirations, compliments and compassionate notes. Some said that the TV host has changed peoples’ attitude about transgenderism in general from aversion to acceptance. However, Rose later had sex reassignment surgery in Bangkok and officially announced her gender as female (TOI 2010). As a consequence, the Tamil Nadu state government in 2009 started to provide free sex-change surgery. Additionally, the government of Tamil Nadu has started to issue special third gender ration cards to get subsidies and special quotas in colleges where transgendered people can access education with ease. The state also started India’s first welfare board for transgendered people in April 2008 to address their hardships faced in society. The state’s social welfare minister serves as the president of this pioneering board. So this model can be incorporated across all states of India and also other countries in the Asia-Pacific region (Chakrapani 2012).

Hatred, Deadly Diseases and Transgenders

Hatred targeting the transgendered children and adults in developed countries such as the USA has been reported in the social science literature (Lombardi et al. 2002; Stotzer 2009). But details on the struggles of transgendered children across India are yet to be recorded systematically. Families in general are not sympathetic toward the compassionate needs of the transgendered children. They do not fit the society’s status quo of the two gender rule so families are often ashamed to nurture them with love and compassion. Accordingly, they have become an unwanted and unwelcomed entity in society subjecting them to ridicule, harassment and bullying from young age. They are frequently abandoned by families so they miss out educational opportunities that are otherwise available to all adolescents in society. Ultimately, they end up on the street helplessly engaged in begging and prostitution while struggling to survive in the fringes of the contemporary Indian society (Nanda 1989).

Prostitution or the exchange of sexual services for monetary benefit is legal in India. But related activities associated with soliciting sex in public places, operating brothels and arranging clients to trade sex for cash are considered illegal. India’s transgender communities are one among the most vulnerable groups toward the deadly HIV/AIDS and other sexually transmitted diseases since they rely on prostitution for livelihood (Hernandez et al. 2006). When increasing cases of HIV/AIDS were reported during the 1980s, the transgender community nationwide was hardly hit with an infection rate leading up to 41 %—nearly 100 times more than the national average of 0.36 %. They do not choose the risky cash for sex trade by choice, but they end up risking their lives due to the innate gender misfortune (Agoramoorthy and Hsu 2007).

A recent report published by the National AIDS Control Organization of India states that the government continues its efforts to implement targeted interventions for high-risk groups that include sex workers, men who have sex with men, transgenders, intravenous drug users, truck drivers and migrant workers (Annual report 2013). The report admits that the HIV/AIDS prevalence in high-risk group to be considerably high when compared with the country’s general heterosexual population. The total high-risk group (transgenders and men who have sex with men) has been estimated to be 412,000 and targeted intervention

covered so far nearly 70 % (291,000 individuals) as of December 2012 (Annual report 2013).

The exact number of India's transgender population is unknown, so the government has started a project with the support of the United Nation Development Program to validate their national-level population. The targeted interventions have controlled the spread of HIV/AIDS among the transgendered people to some extent (Sahastrabuddhe et al. 2012). This is probably the first government-sponsored health program directing the transgender community on a national scale to reduce the infection from a deadly infectious disease. Yet, more work needs to be done at grassroots level to improve the general health and livelihood standards of transgenders at large. Thus, providing alternate job opportunities for them in the mainstream society should be given a top priority by the government, non-government and corporate sectors.

Conclusion

There are no data available on the mental health problems facing India's transgendered people since they are largely excluded from the conventional social order. Discrimination against them sadly continues when they seek for medical help in hospitals; therefore, effective laws to prevent transgender discrimination are urgently needed. At present, India's legal system is not vocal on the issue of sex-change operations. So the legal status of sex-change surgery should be determined and then only the government-run hospitals can provide subsidized health care services supported by qualified medical surgeons. It is essential to give adequate trainings to healthcare workers on how to deal transgender health issues, so that quality medical care will be available for them without further prejudice. Above all, the general public in society must be more tolerant and compassionate toward the country's transgendered people and treat them equally as fellow citizens so that the long-oppressed minority gender can become free at last.

References

- Agoramoorthy, G. (2011). *Spirituality and climate change: Easing crisis by changing attitudes*. Berlin: Lambert Academic Publishing.
- Agoramoorthy, G., & Hsu, M. J. (2007). India's homosexual discrimination and AIDS. *Revista de Saude Publica*, 41, 657–660.
- Agrawal, A. (1977). Gendered bodies: The case of the third gender in India. *Contributions to Indian Sociology*, 31, 273–279.
- Aldous, S., & Sereemongkonpol, P. (2008). *Ladyboys: The secret world of Thailand's third gender*. Dunboyne: Maverick House.
- Annual report. (2013). *Department of AIDS control annual report 2012–13*. Delhi: Ministry of Health and Family Welfare.
- Bhaskarananda, S. (2002). *The essentials of Hinduism: A comprehensive overview of the world's oldest religion*. Delhi: Viveka press.
- Binduraj, J. (2013). Transgenders are ill-treated, made fun of and abused in Kerala. India Today, 4 September. <http://indiatoday.intoday.in/story/transgenders>.
- Chakrapani, V. (2012). *The case of Tamil Nadu transgender welfare board-insights for developing practical models of social protection programs for transgender people in India: Policy brief*. Delhi: UNDP press.
- Constitution of India (2012). *Updated up ninety eighth amendment act, 2012*. <http://indiacode.nic.in/coiweb/welcome.html>.
- Ditmore, M. H. (2006). *Encyclopedia of prostitution and sex work: (Vol. 1)*. Connecticut: Greenwood Press.

- Dutt, R. C. (2009). *The Ramayana and Mahabharata*. Santa Cruz: Evinity Publishing Inc.
- Dwivedi, K. (2014). Modi government seeks clarification from SC on its transgender verdict. ITV New India. www.itvnewsindia.com/modi-govt-seeks-clarification-from-sc-on-its-transgender-verdict-ki8023.
- Ehrlich, P. (2001). *Human natures: Genes, cultures, and the human prospect*. New York: Penguin book.
- El Lombardi, L., Wilchins, R. A., Priesing, D. E., & Malouf, D. (2002). Gender violence: Transgender experiences with violence and discrimination. *Journal of Homosexuality*, 42, 89–101.
- Faruqi, M. D. (2012). *The princes of the Mughal empire, 1504–1719*. Cambridge: Cambridge university Press.
- Fausto-Sterling, A. (2012). *Sex/gender: Biology in a social world*. New York: Routledge.
- Herd, G. H. (1996). *Third sex, third gender: Beyond sexual dimorphism in culture and history*. New York: Zone Books.
- Hernandez, A. L., Lindan, C. P., Mathur, M., et al. (2006). Sexual behavior among men who have sex with women, men, and hijras in Mumbai, India—Multiple sexual risks. *AIDS Behavior*, 10, S5–S16.
- Hiltebeitel, A. (1995). Dying before the Mahabharata war: Martial and transsexual bodybuilding for Aravan. *Journal of Asian Studies*, 54, 447–473.
- Keay, J. (2000). *India: A history*. New York: Grove Press.
- Menon, R. (2006). *The Mahabharata: The modern rendering*. New York: iUniversie Inc.
- Nanda, S. (1989). *Neither man nor woman: The hijras of India*. Belmont: Wadsworth Publishing Company.
- NIE (2013). Transgenders have remained untouchables in society: SC. New Indian Express, 22 October 2013. <http://newindianexpress.com/nation/Transgenders>.
- Pattanaik, D. (2001). *The man who was a woman and other queer tales of Hindu lore*. New York: Routledge.
- Pattanaik, D. (2010). *Jaya: An illustrated retelling of the Mahabharata*. Delhi: Penguin Books.
- Sahastrabudde, S., Gupta, A., Stuart, E., Godbole, S., Ghate, M., Sahay, S., et al. (2012). Sexually transmitted infections and risk behaviors in transgender persons (Hijras) of Pune, India. *Journal of Acquired Immune Deficiency Syndromes*, 59, 72–78.
- Stotzer, R. L. (2009). Violence against transgender people: A review of United States data. *Aggression and Violent Behavior*, 14, 170–179.
- TOI (2009). Now, a Miss India beauty pageant for transgenders in city. Times of India. <http://timesofindia.indiatimes.com/city/chennai/Now-a-Miss-India-beauty-pageant-for-transgenders-in-city/articleshow/4961281.cms>.
- TOI (2010). 1st transgender TV host Rose is now a woman. Times of India. <http://timesofindia.indiatimes.com/city/chennai/1st-transgender-TV-host-Rose-is-now-a-woman/articleshow/5881929.cms>.
- Walworth, J. (1998). *Transsexual workers: An employer's guide*. Los Angeles: Center for Gender Sanity.
- Wilhelm, A. (2004). *Tritiya-Prakriti: People of the third sex*. Bloomington, IN: Xlibris Corporation.