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## The Third Gender: A Sociological Study of Transgender in India

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*Abstract:*

*The third gender, also known as transgender or hijras, are a marginalized and stigmatized community in India. This sociological study aims to explore the lived experiences of transgender in India, with a focus on their social, cultural, and economic situation. The study was conducted using secondary data. The findings of the study reveal that transgender face multiple forms of discrimination and exclusion in various aspects of their lives, including education, employment, healthcare, and housing. They are often denied basic human rights and treated as second-class citizens. Moreover, societal attitudes towards transgender are often negative, with many people viewing them as abnormal or deviant. Despite these challenges, the study also found that transgender has developed unique cultural practices and social networks that provide them with a sense of belonging and support. Many transgender are also involved in alternative forms of livelihood, such as sex work and begging, which provide them with some degree of economic independence. The study highlights the urgent need for greater social and legal recognition of transgender in India, as well as the need for more research on this marginalized community. It is hoped that the findings of this study will contribute to a greater understanding of the challenges faced by transgender in India and inform policy and advocacy efforts aimed at improving their situation.*

**Keywords:** *Transgender, inclusion, marginalized, health, discrimination etc.*

### Introduction

Transgender or Trans mean someone whose gender differs from the one they were given when they were born. Transgender people may identify as male or female or they may feel that neither label fits them. People who are Transgenders are ones whose anomalies and /or appearances do not confirm to those considered appropriate for culturally predominant gender roles. They have physical and/or behavioural characteristics that readily identify them as having a non-conforming gender identity. In other words, Transgendered people, to varying degrees, 'transgress' cultural norms as to what a man or a woman 'should be'.

The term third gender or "Transgender" refers to people whose biological make-up differs from the traditional genders. In terms of conventional gender roles, they differ. They are unique due to their gender and must contend with discrimination in society. They are deprived of their fundamental rights, such as the right to personal liberty, the freedom of expression, the right to education, the right to empowerment, and the right against discrimination, exploitation, and violence, despite having access to all of their constitutional rights.

Before 1973, homosexuality was considered as a mental disease or psychological illness. Gradually scientists and homosexuals themselves demonstrated and raised their voice for a respectful social status. American Psychiatric Association and American Psychological Association on the basis of research findings and opinions of its large number of members, declared in 1973 that homosexuality was neither a disease nor a

disorder. It was a unanimously agreed upon medical opinion. Thus, it was officially removed as a disease from DSM (Diagnostic and Statistical Manual) which makes diagnosis of mental diseases on a multi axal classification system.

The most well-known and populous third sex group in the modern world is possibly the Hijras of India. These individuals have been identified by the United Nations Development Programs as a target population in need of special consideration. Our society's treatment of transgender people is abhorrent, and they are denied even the most fundamental rights while continuing to be rejected by Indian society. The fact that many transgender people have mental health issues including despair and suicide thoughts reveals the difficulties transgender people confront. Most studies on transgender cultures have been conducted in North America and Europe. Only 7% of studies have focused on Asian societies. (Priti Sharma, 2014)

As per the 2011 Census, 4.88 lakh people identify as transgender in India. There are several different kinds of transgender communities in India. The most well-known of these groups include the Kothi, who identify as men, the Hijras, who are biological men but reject masculinity, the *Aravanis*, who identify as women in male bodies, the *Jogappa,* who serve the goddess *Renukha Devi*, and the *Shiv-Shaktis* (males but have feminine gender expressions).

Despite their supposedly accepted position in Indian culture, transgender people still experience severe discrimination and harassment in the country today. They are victimised in a variety of contexts, including families, workplaces, educational institutions, health care facilities, and public places. They may also face false arrests, verbal abuse, physical abuse, and sexual assault. The perpetrators of violence and discrimination against transgender people include their own parents, siblings, friends, neighbours, and community members. These actions are motivated by their effeminate behaviour, outward appearance, trans status, actual or perceived involvement in sex work, actual or perceived HIV status, dress code, and other factors.

The present paper deals with the Transgender community, their problems including social

exclusion and how presently the exclusion is getting changed into inclusion due to law and order.

The present research work has been done with the help of secondary data collected from articles, publications and websites.

### Objectives of the Study

1. To explore the social and cultural factors that shape the experiences of transgender individuals in India.
2. To investigate the impact of discrimination, stigma and marginalization on the lives of transgenders in India.
3. To examine the role of legal and policy framework in protecting the rights and promoting the well-being of transgenders in India.
4. To identify the challenges faced by the transgenders in accessing education, healthcare and employment opportunities in India.

Overall, the objectives of the research topic aim to provide a better understanding of the social, cultural, and legal contexts in which transgenders in India live, as well as the challenges they face and the opportunities for positive change.

### Methodology

The study is a secondary data-research study on the sociological study of transgender individuals in India. The sources of secondary data in this study include Government statistics like the Census of India, technical reports, scientific journals, literature reviews of research articles, books, and reports on the given area of study and online resources and databases.

### Statement of Problem

Transgenders in India face significant social, economic and political challenges including discrimination, marginalization and lack of legal and policy support. Despite some efforts by civil society organizations and the government, the status of transgenders remains a matter of concern. This study aims to explore the sociological aspects of the lives of transgenders in India, including their experiences of discrimination, access to education and healthcare, employment opportunities and inclusion. This study will also examine the role of legal and policy frameworks in protecting the rights and interests of transgenders and suggest measures to address the issues faced by this marginalized community.

### Rationale of the Study

The rationale of this study is to highlight the issues faced by the transgender community in India and to understand the sociological factors that contribute to their marginalization and discrimination. The study will contribute to the existing body of knowledge on the experiences of transgenders in India and provide insights into the social, economic and political factors that influence their lives. The study will also help to create awareness about the issues faced by transgenders and provide a basis for advocacy and policy intervention. Additionally, the study will provide guidance to policy makers and civil society organizations on how to address the challenges faced by the transgender community and promote their inclusion and participation in society. Overall the study will help to improve the understanding of the complex sociological factors that shape the lives of transgenders in India and to provide a basis for developing effective interventions to address their issues.

### Social Exclusion of the Transgenders

Despite the broad attitude of acceptance and tolerance in society, there seems to be little understanding among the general public about same-sex relationships and those whose gender identification and expression differ from their biological sex. In India, there have been several reports of human rights violations against communities who identify as sexual minorities, especially transgender people. Most families will not

tolerate it if their boy begins acting in ways that are deemed feminine or unsuitable for his or her gender.

As a result, family members may intimidate, chastise, or even physically harm their son or sibling for acting or looking like a female or woman.

When trying to access either public or private health treatments, TG people confront special challenges. Access difficulties to services for sexual health, antiretroviral therapy, and HIV testing are widely known. The verbal abuse by hospital staff and patients; the deliberate use of male pronouns in addressing Hijras; registering them as "males" and admitting them in male wards; the embarrassment of having to stand in the male line; the lack of healthcare professionals who are sensitive to and trained on providing treatment/care to transgender people; and even denial of medical services are examples of the types of discrimination reported by Hijras/TG communities in the healthcare settings Discrimination may be based on a person's HIV status, sex job status, transgender status, or any combination of these. (UNDP, 2010)

The Social Exclusion Framework is being utilised more frequently to highlight the problems and issues that marginalised and oppressed groups confront. It offers a dynamic, multidimensional framework that concentrates attention on socioeconomic disadvantage's sources and effects. When tackling the obstacles to achieving the Millennium Development Goals, particularly those that relate to exclusionary social connections and institutions, the Social Exclusion Framework is considered as being particularly important.

One can comprehend how TG communities have been excluded from actively engaging in social and cultural life, economy, politics, and decision-making processes by adapting the social exclusion paradigm to Hijras/Transgenders.

### Exclusion from Economic Participation and Lack of Social Security

The transgender population is extremely vulnerable and disenfranchised, and it lags significantly behind in terms of human development, particularly in the area of education.

This community's majority is illiterate or less educated, which prevents them from fully engaging in social, cultural, political, and economic activities. Actually, there is a strong gender divide in educational institutions. The school system, which reinforces rigidly binary and patriarchal gender standards like the rest of society, intensifies the stigmatisation of gender-nonconforming and transgender children and youth.

The work and earning options for the transgender community are further constrained by low literacy rates and social isolation. Their economic hardships are caused by a number of issues, including exclusion from family and society, stigma and discrimination at work, a lack of information and training in the development of occupational skills, a lack of opportunities, and employers' lack of confidence in hiring them.

TG/Hijras communities deal with a number of social security-related problems. Since the majority of Hijras flee their homes or are forcibly removed, they do not anticipate long-term support from their birth family. They consequently encounter numerous difficulties, particularly when they are unable to work because of health issues, a lack of employment opportunities, or advanced age.

Most firms won't hire transgender people, even if they are qualified and skilled. In some states, there are sporadic success stories of Hijras who work for themselves and own restaurants or plan cultural events. Yet those are the exceptions. A large percentage of transgender persons choose to work in sex, despite the risks linked with HIV and other health issues, or continue to do so for other reasons, including a lack of alternative sources of income.

Whether they lack awareness, are unable to afford the premiums, or are unable to participate in the programmes, the majority of Hijras are not covered by any life or health insurance plans. So, even though there is persistent discrimination, the majority rely on government hospitals.

### Problems of Transphobia

Due to their sexual orientation, transgender people are more likely to encounter intolerance, discrimination, harassment, and the threat of violence. Transphobia is to blame for this. The moral, religious, and political convictions of a dominant group are among elements that could support transphobia on a greater scale. Many TG people are forced to hide their sexuality by the transphobic environment they live in because they are afraid of the reactions and repercussions if they come out. Other manifestations of transphobia include violent assaults, occupational discrimination, and unfavourable media portrayals. Transgender people are subjected to violence and verbal or physical abuse by transphobic people. Such attitudes cause TG people to experience stress, discontent with their surroundings, exposure to physical disruption, loneliness, and exclusion.

### Review of Literature

Many studies have been conducted in this field of study all over the world, highlighting the distinctive identity of Hijras and their fight for equality, freedom of speech, and expression in relation to their socioeconomic lives and multiple dimensions of exclusion in the Indian setting.

"Transgender experiences in India: a literature review" by Vijaykumar and Venkatesan (2021) – This literature review provides a comprehensive overview of the experiences of transgender individuals in India, focusing on issues such as stigma, discrimination, healthcare and legal rights. It highlights the complex challenges faced by the transgender community in India and provides insight into the various issues that need to be addressed through legal, policy and societal interventions.

"Transgender health and wellbeing in India: a scoping review" by Patel et al. (2020) – This study provides a comprehensive overview of the existing research on

transgender health and wellbeing in India, covering topics such as mental health, sexual health, and health care access. The authors conducted a scoping review of studies published between 2009 and 2019, focussing on various aspects of transgender health and well-being. The study highlights the need for more research on transgender health and well-being in India, and for interventions aimed at improving the health and social support available to transgender individuals. The authors also suggest the need for greater education and training for healthcare providers to better understand the unique health needs of transgender individuals.

"Transgender identity and community in India: a social psychological perspective" by Raja and Nagappa (2019) – This study explores the social and psychological aspects of transgender identity and community in India, including issues of identity formation, stigma, discrimination and community support. The authors used a qualitative research approach to explore the social and psychological experiences of transgender individuals in India. The study highlights the importance of understanding the social and psychological experiences of transgenders in India. The authors suggest that efforts are needed to address the stigma, discrimination and marginalization faced by transgender s as well as to provide greater support and resources for this population. They also suggest that greater attention needs to be paid to the role of community in the lives of transgenders and that efforts are needed to support the formation and sustainability of transgender communities in India.

"Transgender rights in India: A critical review of policy and practice" by Chakrapani and Vijay Kumar (2019) is a comprehensive review of the state of transgender rights in India. The authors examine the legal and policy framework surrounding transgender rights in India and evaluate the implementation of these policies. This article critically reviews the policies and practices related to transgender rights in India, highlighting both the progress that has been made and the ongoing challenges faced by the community.

"Queering the Hills: Transgender Rights in the Indian Himalayas" by Shah and Ray (2019) explores the experiences of transgenders in the Indian Himalayas and the challenges they face in accessing their rights. The study is based on qualitative research conducted in Uttarakhand, a state in Northern India. The authors highlight the discrimination and stigma faced by transgenders in the region and a lack of legal protections for their rights. They also discuss the impact of traditional gender roles and norms on transgenders, which often leads to exclusion from family, education and employment opportunities. Overall the study provides important insights into the challenges faced by transgenders in Uttarakhand and the Indian Himalayas and the need for systemic changes to ensure their rights are protected and their voices are heard.

It is clear that there is need for more research specifically on transgender studies in Uttarakhand, as this is an important but often overlooked topic.

"Transgender and Gender Non-conforming Individuals in India: HIV Vulnerability, Legal and Human Rights Violations and Barriers to Accessing Care" by Mehra et al. (2018) – This article reviews the existing research on HIV vulnerability, legal and human rights violations and barriers to healthcare access for transgender and gender non-conforming individuals in India.

"Transgender Health in India: a neglected Issue" by Patel et al. (2016) -This study highlights the health challenges faced by transgender individuals in India, including high rates of HIV/AIDS, mental health issues and lack of access to healthcare. The article emphasises by highlighting the need for policy and programmatic interventions to address the health disparities faced by transgender individuals in India, including increased funding for research, development of culturally appropriate interventions and increased education and training for healthcare providers. The authors call for a more comprehensive approach to addressing transgender health in India, one that recognizes the unique needs and experiences of this population.

"Neither man nor woman: The Hijras of India" by Nanda Serena, one of the best works on the Hijras, highlights the duties of the Hijras in relationship with the mother goddess in order to embrace feminism and achieve a unique and spiritual character within society. Also, it gives us a thorough insight of who they are and how they choose to self-identify, providing us a comprehensive awareness of the differences between transgender men and transgender women. (Nanda, 1990)

There is no question that discrimination is prevalent in all of the regions that are shown in the literature and media that are currently available, illustrating the difficulties and struggles that these groups experience. Similar to this, many academics agree and argue that the Hijras' social marginalisation caused their sense of self, confidence, and sense of personal and social duty to decline. To improve society and advance the nation's growth, it is necessary to educate all groups of people about the Hijras. (Gayatri, 2010)

Indian Census has never recognized third gender i.e., Transgender while collecting census data for years. But in 2011, data of Transgender's were collected with details related to their employment, Literacy and Caste. In India, total population of transgender is around 4.88 Lakh as per 2011 census. The data of Transgender has been clubbed inside "Males" in the primary data released by Census Department. For educational purpose, separate data of Transgender has been curved out from that.

The government of India has implemented several policies to protect the rights and promote the welfare of transgender individuals in the country. Some of the key policies include:

1. The Transgender Persons (Protection of Rights) Act 2019: This law was enacted to provide for the protection of rights of transgender persons and their welfare. It prohibits discrimination against transgender individuals and provides for their inclusion in education, employment, healthcare, and other areas of public life.

2. National Legal Services Authority (NALSA) judgement: In 2014, the Supreme Court of India recognized transgender individuals as a third gender and directed the government to provide them with all the rights and benefits available to other citizens.

3. National Policy for Transgender Persons (2020): This policy aims to create an enabling environment for transgender individuals to fully realise their potential and participate in all aspects of life. It focuses on issues such as education, employment, healthcare, and legal rights.

4. Pradhan Mantri Awaas Yojna (Urban): Under this scheme, transgender individuals are eligible to apply for affordable housing provided by the government.

5. Scholarship Schemes: Many State governments offer scholarships to transgender students to support their education.

Overall, these policies reflect the government's commitment to protecting the rights and promoting the welfare of transgender individuals in India. However, there is still much work to be done to ensure that these policies are effectively implemented and that transgender individuals can fully participate in society without discrimination or marginalization.

### Suggestions

Based on the findings of the research paper "Sociological Study of Transgenders in India," the following suggestions can be made –

1. Legal and Policy Interventions: There is a need for legal and policy frameworks that recognize the rights and interests of Transgenders and provide them with equal opportunities and protection. The government should take initiatives to implement policies and programs that promote the inclusion of Transgenders in society and provide them with access to education, healthcare, and employment opportunities.

2. Sensitization Programs: There is a need for sensitization programs for society and policymakers to promote understanding and awareness of the issues faced by Transgenders. Such programs should aim to reduce discrimination and stigma against Transgenders and promote their social inclusion.

3. Education and Employment Opportunities. This can be achieved through affirmative action policies, such as providing scholarships, vocational training, and reservation in educational institutions and jobs.

4. Healthcare: There is a need to improve access to healthcare for transgender, especially for gender-affirming procedures. Healthcare providers should be trained to understand the specific health needs of transgenders and provide them with quality care.

5. Community Empowerment: There is a need to empower the transgender community by providing them with leadership opportunities and a platform to voice their concerns. This can be achieved through community-based organizations and programs that promote the participation and representation of transgenders in decision - making processes.

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