

## Social Construction of Third Gender in India

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### ABSTRACT

Since the creation of this universe, the world we live in identifies sexual orientation only in terms of femininity and masculinity. Anything outside this dichotomous orientation is either rejected or considered abnormal across various cultures. Due to this 'exclusion', the third gender is assigned different gender roles because of their unusual sexual identity which is constructed through these gender roles. Across cultures, sexual orientation varies in range and intensity. It reflects the penchant nature of one gender towards the same gender, other gender or both genders. Third gender people are described as people who do not fall under the gender binary category. Third gender people are omnipresent across different cultures even when though they are considered unnatural or as a stigma to the society. In India they are regarded as *mistakes of nature* and are given therapies to transform themselves in order to fit into society. These are the societies that give power to the heterosexual to construct the sexuality of other sexes. It is because of this construction and individual subjectivity that the third gender lacks the '*structural support*' which the dichotomous gender possesses. A report in BBC News India (2012) estimates 2.5 million of LGBT people in India.

This paper highlights their social construction in India. The main concern of third gender people is to find out the exact centre that constructs and at times even controls their sexuality. Their battle is against the whole cultural system whom they feel subjugate their identity and worsen their situation. Their life is stigmatized and stereotyped continuously because of the lack of a fixed centre. The third gender people are denied any sort of '*space*' and '*voice*' in mainstream society. They are at the bottom even in the hierarchal structure of gender roles. There has been a visible change in the cultural identity construction in the form of recognizing the sexual identity of the third gender.

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### 1. Introduction

Herdt (1993b) in his book titled '*Beyond Sexual Dimorphism in Culture and History*' writes about how the concept of the third gender entered anthropological literature, challenging the assumed naturalness of binary gender system in the society and how gender fluidity evolved. In the 1970s and 1980s cultural anthropologists and feminist theorists challenged the dichotomy of gender by showing how femininity and masculinity are socially constructed. The anthropological interests in gender and sexual alterity at that time was not new but got a new direction with the validation and support by feminists. The feminist agenda was inspired by social constructionist theory which led to resurfacing of studies of the third gender around the world. Simultaneously, the mushrooming of gay and lesbian studies provided a boost in this research where the scholars critiqued homophobia and heterosexism to possibly have a system of gender and sexuality that is more liberating.

Nanda (1999), in her book '*Neither Man nor Woman: The Hijras of India*' discusses how the word *trans* itself explains that transsexuals are transitional in gender categories and nothing permanent. In her ethnographic research, Nanda opines that Western transsexuals are inferior to *hijras* in India because of their name. Researchers across the fields have focused on transsexuals as ultimate gender conformist rather than rebellious beings to femininity and masculinity. There has been

a widespread usage of third sex framework during the final three decades of the 20<sup>th</sup> century across cultures to describe the range of its identities which has led to questioning of the importance of this gender variant categorization. The emphasis on third sex groups in existence with the larger society has led to the skewed assumptions that these categories are less marginalized than their counterparts in Western cultures (Hall, 2005). Towle and Morgan (2002) in their research paper titled '*Romancing the transgender native: Rethinking the use of the "third gender" concept*' critique that third sex groups might wrongly entail that the gender binaries (female and male) are sacred and trouble-free, at least for exploring and understanding gender variability. In a three-tier gender system, anyone who falls outside the two normative genders can be transferred to a third group. Research on third sex categories often put the non-normative gender categories into a single group, thus leaving other forms of gender diversity invisible.

Hall (2005) argues that queer theory's uptake of post-structuralism had led the new scholars to focus on the overlooking of other less visible gender variant groups because of third sex groups like *hijras*. In short, the term *third sex* can create the illusion of only three groups in a society-female, male and other-rather than taking into account various subtle categories between and within the three. In recent years, a number of transgender authors and sexologists with an interest in transgenderism argue that identifying transgender people as

third sex gives them personal and political empowerment. A similar conundrum occurs in India around the status of *hijras*. While *hijras* in India claim to have a long history a lot of Indians have now embraced lesbian, gay and bi-sexual identities under the influence of globalization and HIV thus rejecting the traditional tag of *hijras* in India. Socio-cultural linguists who have been working on gender variant communities have been sensitive about these problems and have been critical in the engagement with the third sex concept. The new wave of understanding third sex suggests incorporating embodiment not only biologically but also taking into consideration socio-cultural paradigms of society.

**2. Third Gender in India**

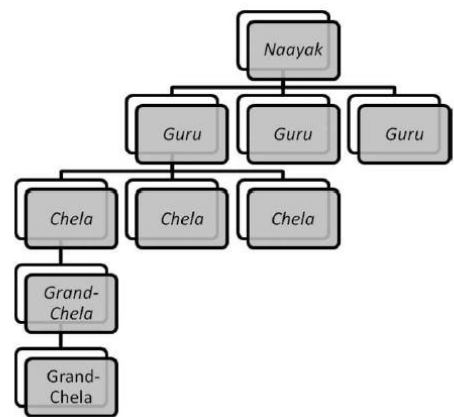
The term ‘third gender’ is generally used to describe those people who transgress social gender norms and challenge the dichotomous gender binary construction. Third gender people usually blur or break the stereotypical role in society and may live full or part-time in their choice of gender role in opposition to their biological sex. All around the world many countries have centuries-old histories of the existence of variance in gender binaries. India is no exception, with a wide range of third gender people whose identities are based either on experience or culture. *Hijras, Aravanis, Kothis, Jogtas/Jogappas, and Shiv Shakhtis* were often an important part of broader Indian culture and were treated with a great aspect, at least in the past. Although some of them are still accorded with some respect the majority of them faces social exclusion.

Third gender people are also known as *eunuchs, transvestites, hermaphrodites, androgynes, transsexuals, and gynomimetics* and are also referred to as *intersexed, emasculated, impotent, transgendered, castrated, effeminate or sexually anomalous or dysfunctional* in Indian society (Lal, 1999). Lal further comments that *hijras* are born biologically male or intersex in some cases. Most of them join the *hijra* community and live in these communities as *hijras* for the rest of their life. S. Mohan (2007), in his article ‘*More than a woman no less than a man,*’ operationally defines a *hijra* as a person who has characteristics of both male and female genders. A person who is physically male, who may or may not have undergone castration (removal of penis and/or testicles), vaginoplasty, breast implants, has a guru and takes and accepts a feminine identity by cross-dressing and claiming to be a *hijra* in order to be a part of their cult/community. Laxminarayan Tripathi (2015), in her autobiography ‘*Me Hijra Me Laxmi*’ further explains a *hijra*, is someone who is feminine but not a woman, masculine but not a man, a person beyond the boxes of man and woman.

Some transgendered people opt for surgery changing the body to match the mind (Diane Wilson, 2001). In the report titled ‘*Human Rights Violations against the Transgender Community: a Study of Kothi and Hijra Sex Workers in Bangalore*’ by People’s Union for Civil Liberties, Karnataka (2003), further explains that ‘*lesbians, gays, bisexuals and transgenderers*’ (LGBT) are often considered in the umbrella of a single group, there have been slow but steady advances in the rights of *lesbian* and *gay* people while the transgender people including *hijras* are still without any legal protection for their

rights particularly in India. The social stigma and discrimination among the sexual minorities fail Article 19 of The Constitution of India which declares non-discriminatory practices on the basis of religion, race and gender. Class, religion, language, education divide the Indian society and the axe of sexuality create deep-rooted oppressions. Even though *hijras* have a little visibility especially at weddings, births and festivals, it is the gender non conformity of the *hijra* that is the contemporary problem besides lack of a gender recognition certificate, sexual expression, employment, decent housing, subsidized health care services, and as well as the violence they suffer especially when they choose to take up sex work.

Gurvinder Kalra (2012) in his research paper ‘*Hijras: the unique transgender culture of India*’ describes the hierarchy and structure of *hijra* community. *Hijra* community is also known as *hijra jamaat* and follows a proper top-down power control structure mostly in Western, North Indian states and a few Eastern states. According to Gayatri Reddy (2006) in her book ‘*With Respect to Sex: Negotiating Hijra Identity in South India*’ there are different *gharanas* with particular names in every *hijra* community. Each *gharanas* has a head who is the decision and policymaker called as *naik* or *nayak*. Each *nayak* has many *gurus* under them and in turn these *gurus* have various *chelas* and *naticheles* (granddaughters) under them in the same house. Each *guru* is the guardian of her *chela* and provides food, clothing and shelter to their *chelas*. In turn, *chelas* and *naticheles* earn for themselves and the *gurus* by giving partial or whole amount of their earnings to their respective *gurus*. Reddy further compares *hijra jamaat* to Indian panchayat system as each *jamaat* had their own values and rules if violated leads to a fine or direct expulsion from the *jamaat*. At the same time, *hijras* get moral and emotional support from these *jamaats*. Since *hijras* have a feminine identity, they follow matrilineal relationships like sister, daughter, mother, aunt, niece, grandmother, granddaughter and so on amongst themselves.



**The Hierarchical System in a Hijra Gharana (Kalra 2012:3)**

According to I. Sen (2005), in her book ‘*Human Rights of Minority and Women’s*’ transgender is the most commonly used term to describe people who ‘cross socially constructed gender boundaries.’ The term *transgender* blankets all the people who perceive their gender identity doesn’t match their physiological sex. It is at a very early age that transgendered people become aware of this difference. This difference is usually visible by the age of five supporting various theories that suggest that transgenderism is deep-rooted in

developmental conditions which no amount of denial, drugs, counseling, nagging or anything else can change.

### 3. Within Religion and Culture-Hijras in India

The *hijra* population is deeply entrenched in Indian society for a long time. They are linked to the different religious-cultural background in the country. It has been stated that the religious role of *hijras* come from Hinduism while as the historical roles come from Muslim courts.

There are representations and references of *hijras* in *Mahabharata*, *Ramayana* and *Kamasutra*. Few characters mentioned in *Mahabharata* include *Arjuna as Brihannala* (a eunuch teacher), *Shikhandi* (reborn as a male) who fought with *Bhisma* in the *Kurushetra* war and *Krishna* (as a woman) marrying *Arjun's* son *Aravan* (Krishna & Gupta, 2002). Serena Nanda (1999) in her book titled '*Neither Man nor Woman: The Hijras of India*' writes that *hijras* in India worship *Bahuchara Mata* and relate to the woman form of *Krishna (Mohini)* and *Shiva (Ardhanarishvara)*. *Lord Ayyappa* is said to be born to *Lord Shiva* and *Vishnu* when *Vishnu* took *Mohini* avatar. *Ardhanarishvara* form of *Shiva* is taken as half male body and half female body. *Shiva* and *Parvati* together in one body are called *Ardhanarishvara*. Similarly, in *Ramayana*, *Ram* was commanded by his father to leave Ayodhya (his native city) and live in the forest for 14 years. *Ram* left the city along with his wife *Sita*. As he was leaving the whole city followed him towards the forest. *Ram* told men and women to go back to the city. When *Ram* returned to the city after 14 years, he saw the *hijras* waiting for him. The *hijras* had stayed near the forest for 14 years because *Ram* had told only men and women to return to the city and since *hijras* were neither men nor women they stayed there and waited for *Ram* to return. *Ram* was so touched with their affection that he acknowledged and blessed them and that is why *hijras* are respected in India.

Laurent (2005) writes that in the most popular interpretations of Quran it is said that Islam condemns sodomy or in common terms, homosexuality and is considered a sin. However, Islam doesn't take them neither an inferior gender nor have there have been any punishments ruled out against homosexuals in Quran. Muslims, themselves without any religious documentation, have created punishments like stoning, whipping, imprisonment, and even death. Jamal (2001) writes that homosexuality is connected to the story of Lut in Quran. It narrates that when Lut was sent to earth to guide people there was a lot of people who rejected his teaching and were a part of immoral activities. A rain of stones came upon those people and the majority of the people interpreted the immoral activities as homosexuality. However, there have been a lot of contested interpretations towards homosexuality in Islam. Krondorfer (2011) writes that Imam Muhsin Hendricks from South Africa says Quran makes some room for same-sex marriage. He further says that in chapter 36:36 it is written glory to Allah, who created in pairs all things that the earth produces, and partners from amongst you and partners in other things of which they have no knowledge. Thus he says God created more than just two pairs of relationships on earth.

Lynton, H., & Rajan, M. (1974) in their book titled '*Days of the beloved*' write that Islam historically provides a model for

the third gender if not mythological. Traditionally in Mughal era *Eunuchs* guarded the harem of the ladies. They were also secret bearers in the rule. In spite of clear mythological connection of *hijras* with Hinduism, Islam gives a positive role to the alternative gender. The glorious and generous place of *eunuchs* ended with the end of the Mughal rule in India. Hahm (2010) in her research paper '*Striving to Survive: Human Security of the Hijra of Pakistan*' looks at the human security of the *hijras* in Pakistan. The researcher writes that the position of *hijras* is paradoxical in Islam. On one hand, Islam despises castration and considers castrated men as non-Muslims. The Prophet Muhammad did not let cross-dressers enter his home because he did not promote anybody going against the way God has created them. Moreover, homosexuality is also forbidden. While on the other hand, they receive honorable positions as guards in the mosques. This occupation of *hijras* has its roots from the time of Prophet Muhammad. They guarded his tomb in Medina and moved on to other religious places all around the world.

In Buddhism, there are four main gender categories: females, males, *ubha byanjanka* (people having dual sexual nature) and *pandaka* (people who have deficiency of the male sexual capacity). Vinaya tradition in Buddhism refers to a term called *pandaka* which encompasses third sex category termed as *inter sex*, females and males with physical and behavioral attributes that do not align to their biological sex.

### 4. The Anti Sodomy Law

*Hijras* had an honored status in the pre-colonial stage. They were regarded as trust-worthy servants and were employed as guards in women harem during the *Mughal rule*. *Hijras* were taken in as confidants, domestic supervisors and even advisors. During the *Mughal rule*, the Hyderabad state had special Inspector for *hijras* to look after their welfare. Vinay Lal (1999), in his research work titled '*Not This, Not That: The Hijra of India and the Cultural Politics of Sexuality*' facts that *hijras* in Hyderabad had claimed over public revenues through grants of cash and land and possessed the official and codified right to beg in India. On the contrary, many laws were introduced against *hijras* which made them miserable. According to the Andhra Pradesh Eunuchs Act 1329 F. Act No. XVI of 1329 F. (state statutory law), a person was termed *eunuch* only if proved impotent after medical examination. As per this law, the government was supposed to maintain details of every *hijra* like their names, residence and employment (Kannabiran, 2013). *Hijras* were restricted to engage in *badhai* or any kind of street entertainment carried out secretly. Moreover, restrictions were laid on emasculation (self or performed on others). This act thus had close scrutiny on the lives of *hijras*. Steadily various laws came up that deteriorated the conditions of *hijras*. Registration, surveillance and control of some tribes and eunuchs were taken under The Criminal Tribes Act (Act 27) of 1871. The Act was applicable in all states of India. *Hijras* bodies and labour were restricted. Their lands given by kings and Mughal rule were taken back by the Britishers. The conditions of *hijras* worsened with British ruler's perspective about the gender binaries and sexuality. All the privileges provided by the Kings and Mughals were dispossessed with the passage of time. They were even put under the category of criminal caste/tribe. A section of the

same Act criminalized same sex sexual relationship and is often referred as Anti Sodomy Law (Reddy 2006). Delhi High Court in 2009 decriminalized adult consensual same-sex acts in private. The *hijra* community has led a subversive life since then. They primarily reside in closed groups and in the outskirts of any locality. The homophobia which is prevalent in across cultures, maiming and murders of gay people in the West, public execution in the Middle East, violence against non-heterosexuals in many countries like India, is a manifestation of modernity and not of the past. Britishers in India introduced a law that criminalized homosexuality, till then homophobia was a minor threat in Indian tradition but after colonization, it became a dominant ideology. This law, prohibiting sex against the order of nature (Section 377 of Indian Penal Code), still remains in the book even after the British left. This law is widely used to violate and harass non-heterosexuals across the country.

A petition filed by an NGO named NAZ Foundation in Delhi High Court in 2001 de-criminalized homosexuality in India after eight long years on July 2, 2009. The foundation works for the awareness of AIDS/HIV and gay rights, brought happiness to LGBT community in India. In a turn of events, the Supreme Court of India re-criminalized homosexuality in 2013. The judgment came as a blow to the LGBT community of India. On February 2, 2016, the Supreme Court decided to reconsider its judgment on LGBT community and Section 377 of IPC. Eventually, in a landmark judgment on April 15, 2014, the Supreme Court gave legal recognition to the transgender community as '*third gender*'. The Supreme Court protected one's right to personal autonomy and self-determination under Article 21 by stating '*the gender to which a person belongs is to be determined by the person concerned.*' The court also protected one's gender expression under freedom of speech and expression Article 19(1) (a) stating '*no restriction can be placed on one's personal appearance or choice of dressing, subject to the restrictions contained in Article 19(2) of the Constitution.*' Third gender people popularly known as *hijras* in the country are now entitled to basic rights like Right to Personal Liberty, Dignity, Freedom of Speech and Expression, Right to Education and Empowerment, Right against Violence, Discrimination and Exploitation and Right to Work.

In another landmark judgment for the LGBTQ community, Supreme Court decriminalized Art 377 by lifting the colonial ban on consensual gay sex in 2018. The five-judge bench said that the judgment will erase prejudice, embrace inclusion and ensure equal rights. India is now one among the 17 Commonwealth nations to decriminalize homosexuality. The judgment faced a serious backlash by extreme Hindu, Muslim and Christian groups (Kidangoor, A. 2018).

## 5. The Situation of The Third Gender in India

The *hijra* community is located all over India and most of them are scattered mostly around the Western and North Indian states and few of them are found in South Indian states. Most of them live in Western and North Indian because of the availability of livelihood. Livelihood is one of the main reasons for their migration from Southern states to other Indian states. Human rights violation against third gender people has been widely documented. Majority of the families reject their child if

she/he behaves in ways that are considered opposite to their biological sex. The family members may threaten, even assault or worse disown their child for crossing the prescribed gender norms of the society. The parents do it on the basis of several reasons like bringing disgrace to the family, ending of a generation if a female or male decides to marry a person of the same gender and so on. They usually move to bigger cities from villages and towns to escape from family exclusion and to deal with an identity crisis. They are forced to leave their families behind resulting in their expulsion from family and property rights. As a result of all this, *hijras* join *hijra* community for protection.

In an unpublished study report for Masters Program on '*Culture and Health of Hijras in India – Study of a Marginalized Community in Pune and Mumbai*', Pisal, H. (2006) writes that apart from socio, economic and political issues, *hijras* also face a lot of health problems like Acquired Immune Deficiency Syndrome/ Human Immunodeficiency Virus/ Sexually Transmitted Infections (AIDS/HIV/STI), obesity, blood pressure, diabetes, heart problem and urinary tract infection, alcohol and drug abuse. The report further highlights the lack of research done on the mental health of transgender people, their behavior, coping mechanisms of dealing with stress and anxiety and how all these problems are largely ignored. It is because of the regressive thinking among the health care staff and counselors that *hijras* do not consult government doctors fearing harassment and stigma; forcing the *hijras* to consult private doctors which cost a lot of money. While as *hijras* in rural areas prefer to go to *hakims* (traditional medical practitioners) or opt for self-medication for treatment. Third gender people face a lot of discrimination in the healthcare sector, which include: deliberate use of male pronouns while addressing *hijras*, registering and admitting them in male wards, harassment by the hospital staff and co-patients and at times even denial of medical services and attention.

Chakrapani, Venkatesan (2009) in a book chapter titled '*Sex Change Operation and Feminizing Procedures for Transgender Women in India: Current Scenario and Way Forward*' discusses how castration (also called as *nirvan*) is the most important thing in the life of a *hijra*. Male genitals are usually castrated by the members of the *hijra* community (older *hijras*, *thaiamma*, *daima* or *dai amma*) and seldom by an unqualified person. Traditionally no anesthesia is given to the person undergoing castration. There are many health risks attached to this unsafe and unhygienic castration; *hijras* get prone to infection in the urinary and reproductive tract. It is believed that a *hijra* will be more beautiful if the castration is done in a traditional way by *thaiamma*. There are some *hijras* who are not castrated. Castrated *hijras* get more respect than the non-castrated ones and within the castrated ones those who are traditionally castrated are highly respected as compared to the ones who got castrated elsewhere. From a legal perspective, Bakshi (2004) in his research paper titled '*A Comparative Analysis of Hijras and Drag Queens: The Subversive Possibilities and Limits of Parading Effeminacy and Negotiating Masculinity*', says under Section 320 and 322 of IPC castration is illegal; either voluntary or by force and is punishable under Section 325. A doctor can be punished for abetment in castration even if it is a voluntary one. However,

under Section 88 of IPC, there is an exception in case an action is undertaken in good faith (if the person to be emasculate gives consent to suffer the pain and harm undertaken). Winter, S. (2009) in his research paper 'Cultural Considerations for the World Professional Association for Transgender Health's Standards of Care: The Asian Perspective' highlights that there is a change in the trend of castration process as many *hijras* and Male to Female transgender people opt for sex change operation. Transgender health services like Sex Re-assignment Surgery (SRS) are covered under health insurance schemes in many western countries but in India, it is hardly available to the transgender people. Cost of SRS is one of the reasons for transgender people not to opt for the reassignment surgery. Ehrbar et al. (2010) in an unpublished paper on 'Revision Suggestions for Gender Related Diagnoses in the DSM and ICD' mentions that in western countries mental health is also covered under health insurance apart for SRS. However, there are no public or private health insurance schemes that cover transgender people in India. Lack of knowledge about the transgender people, inability to pay heavy cost of premiums of insurance companies and inability to enroll themselves in various insurance schemes because of their gender status, are some of the reasons for the lack of health insurance schemes for transgender people. The Life Insurance Corporation (LIC) in Tamil Nadu started a great program for transgender people's employment. The LIC hired transgender people as their training agents for various schemes. However, it isn't clear whether the transgender people working as agents are covered under the insurance or not and if they are covered what is the gender identity used for them since their anatomical sex doesn't match their gender identity.

Traditionally *hijras* dance, beg and do sex work to earn a livelihood (Kalra 2012). They also perform at childbirths and marriages. *Hijras* are deemed to have powers to bless or curse people because of their sexuality. It is the uncertainty of their gender and *hijra* phobia (transphobia) which leads them subjugation, discrimination and refutation at various levels.

The annual report of *United Nation Development Programme* (2008) highlights that *hijras* are booked under various Sections in Indian Penal Code like Section 268 and Section 290 (causing public nuisance), Section 294 (obscene acts and songs), Section 269 and Section 270 (likely to spread infection) and Section 7 and 8 of the Immoral Traffic (Prevention) Act of 1956. Most transgender people are unemployed and those of them who are skilled are denied employment opportunities because of their sexual status. Media activism has helped some of the transgender people to come forward and become visible while most of them not only struggle with their socio-economic problems but also their fundamental rights. Right to vote, right to marriage, ration card, child adoption, opening a bank account are some of the basic rights deprived of *hijras*. UNDP further lists some of the legal issues faced by transgender people such as getting legal recognition of their gender identity, inheriting ancestral property, immigration status, employment discrimination and access to health services. The *hijras* are denied admission in schools, colleges and universities because the sex assigned at birth on the birth certificate doesn't match with their gender

identity. They also face physical and sexual violence from police and other anti-social elements as well. A lot of *hijras* report forced sex, physical and verbal abuse, blackmailing and a threat to life. Transgender people now have an option in a voter identity card as 'other'. *Hijras* have not only voted but contested elections also. The victory of a transgender person in a local election was considered null and void since the candidate contested the election as a 'female' and she was not a biological female. Thus, the right of a transgender to contest in an election was brought into question.

Similarly Chakraborty (2007) in his paper titled '*The North Indian Hijra Identity: Sexual and Gender Stratification*' narrates the tale of *Kamla Jaan* who was elected as the first *eunuch* mayor of *Katni* in *Madhya Pradesh* in the year 2000. She resigned from the post in 2003 after a petition was filed against her stating that *Kamla Jaan* has lied about her gender at *Jabalpur High Court*. The petitioner won the case stating that the election was illegal. *Kamla Jaan* lost the case because of her non-conformity with the prescribed gender categories and thus denying her of the political rights as a citizen of India. Transgender people also face domestic violence and even gang rapes, they also complain that the clients force the sex workers for unprotected sex and some of them assault them physically after having sex (National AIDS Control Organization, 2011). Many of these crimes committed against transgender people either go underreported or unreported.

## 6. From Tensions to Transformations

Currah, Juang, & Minter (2006) in their book '*Transgender Rights*' look in the history of transgender activism in the West especially in the United States of America; where transgender activism emerged in the 1960s and 1970s. The issues raised were access to health care facilities, legal rights, identity issues, and the emergence of transgender people as a self-conscious and political group. The 1996 riot at the Stonewall Inn in New York is recognized as the birth of the gay rights movement when a divide occurred because of the class-based conflict over the gender.

Chakraborty (2007) in his research paper titled '*The North Indian Hijra Identity: Sexual and Gender Stratification*' talks about how transgender people were an active part of welfare and development activities. In the late 1990s, *hijras*/transgender people formed a core group for the welfare of the *hijra* community. They used to raid on brothels along with police officers and save transgender people. After this, few transgender people along with government officials initiated their own organizations for transgender welfare and development and received funds for HIV/AIDS intervention programs among the *hijra* community. These works were highly promoted by the media and since then a lot of Community-Based Organizations (CBO) have mushroomed in India. It was after all these activities transgender activism became visible and third gender raised their voices through various associations.

According to '*Asia Pacific Coalition on Male Sexual Health Annual Report*' (2008) transgender activism had a strong foothold in Maharashtra, Tamil Nadu, West Bengal and hence have the largest concentration of CBOs/NGOs. One of the

reasons for this is because the transgender community is more planned and mobilized in these states. This activism has its roots in Mumbai also where voices from transgender people were heard either independently or collectively through various organizations. Tamil Nadu was the first state to form a Transgender Welfare Board which constituted of government officials, Aravanis and MtoF transgender activists, and non-transgender advocates. The Board has introduced various transgender schemes across Tamil Nadu like free SRS in government hospitals, admissions in government colleges with full scholarship for higher studies, issuance of various documents like voter card and ration card, formations of various Self Help Groups (SHGs) and Income Generation Programmes (IGPs) as an alternative source of livelihood. Many states in India have started to introduce these schemes for transgender people.

Narrian & Bhan (2006) in their essay titled '*Because I Have a Voice: Queer Politics in India*' opine that HIV/AIDS have a huge contribution to LGBT activism in India. It was the introduction of HIV/AIDS awareness programmes in India that LGBT activists were able to indirectly highlight their human rights violation. Queer politics has been in limelight in Indian from past two decades now; largely visible in academic as well as activist circle. According to a report by *Creating Resources for Empowerment in Action (CREA)* (2006), the queer movement in India became visible in the late 1980s when gay issues came in limelight which led to the formation of activist groups exhibiting voices for the rights of LGBT people. Since 1990s many organizations have contributed to raising the issues of sexuality, gender and rights.

Plotke (1995) in his research paper titled '*What's so New About New Social Movements*' importance of social movements in the United States and elsewhere. The researcher includes movements like the feminist movement, the gay movement, environmental movement and movements including racial minorities and anti-nuclear weapons efforts. Third Gender activism falls under the New Social Movements (NSM) because of questioning the identity and dichotomous categories related to sex and gender, and sexuality. NSM focus on important issues of state in society, culture and sub-political domains. In a research paper titled '*Identity Politics*', Bernstein (2005) places identities at an important place in understanding social movements. The author opines that there are three approaches to understand and define identity politics: Neo-Marxist Approach; The New Social Movement Approach; Social Constructionist, Postmodernist, and Poststructuralist Approach. Class equality and power related issues are discussed in the Neo-Marxist Approach. NSM does not fit in the second approach as it doesn't exactly talk about the social class issue but tend to seek recognition for new identities and lifestyles. The NSM theory basically explains mobilization, i.e. why and when people act. NSM doesn't dwell upon the connection between identity, culture and political economy and this is the reason behind the evolution of social constructionism, postmodernism and queer theories. Later identity politics emerged out of these three theories. Various

lesbian and gay movements led to the emergence of queer politics. In order to understand the concept of '*identity*' in social paradigms, one has to go through three analytic levels. One: the importance of shared collective identity for any social movement to mobilize. Second: Aiming of deployment of expressions of identity at collective levels as cultural and/or political goals. Third, identity can be a goal of social movement activism, either being accepted for a stigmatized identity up till now or can deconstruct the categories of identities such as gender binary, sexual identity or racial identity. Social movements won't have any meaning without identity and that is why identity issue for necessary in any social movement to exist.

Cerulo (1997), in her research paper titled '*Identity Construction: New Issues, New Directions*' explains how identity politics is not a theory of social movements because it does not dwell upon the emergence of development of social movements. While studying identity politics it is important to understand and analyze the relationship between experiences, culture, identity, politics and power. Identity involves collectivization, which involves '*we-ness*' of a group or society, based on similarities (natural or essential) between the group or society members. In contrast, the social constructionist approach rejects the idea of collectivity in identity. It basically talks about gender identity. This concept problematizes the gender-sex link. Sex is biological i.e both male and female have biological distinctions seen through the lens of reproduction while as gender is inscribed on the body. The postmodern gender theorists have deconstructed and challenged the dichotomous gender category which is framed traditionally. Queer theorists have also advocated for an inclusive approach. Queer theorists focus on the socially excluded gender category i.e. third gender. They are usually excluded because of their hetero/homo duality or identity.

Shah (2004), in his book titled '*Social Movements in India: A Review of Literature*' writes about how social movements are new in India and have not been encouraged by scores. Social movements fall under political science and the focus of political scientists/researchers has mostly been on political institutions like executive, legislature, parties and elections. That is why social movements have been overshadowed in India. Researchers do not view '*social*' and '*political*' movements as different entities; they opine that social movements have objectives that usually concentrate and bring about political changes. There is no watertight compartment for defining social movements. Words like '*organization*', '*advocacy*', '*analytic movement*', '*empiricist movement*', '*ideology*', '*programmes*', '*leadership*', '*strengths*', '*weaknesses*' etc. are usually used to define social movements. However it is to be noted that the objectives of social movements keep on changing through the course of the movements, and some movements do not have any objectives at all. These movements include a sense of oneness and belongingness which is a precondition for the creation of new and different identities. Queer activism falls under the category of social movements.

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