Douglas A. Vakoch *Editor*

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Understanding Third Gender Identities and Experiences

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To
Laxmi Narayan Tripathi,
Manobi Bandyopadhyay,
A. Revathi, and
Living Smile Vidya

Preface

Transgender India: Understanding Third Gender Identities and Experiences provides the first scholarly study of hijras and other third gender Indians from the perspective of a range of disciplines in the humanities, as well as the behavioral and social sciences. This book fosters a dialogue across academic fields, as authors cross-reference each other's chapters, comparing and contrasting their understandings of transgender experience and identity in India. This multidisciplinary approach helps readers understand the complex interplay of factors that have led to discrimination against third gender individuals, as well as paths forward to a more equitable and just future, in ways not possible from the view of a single academic field.

In recent years, transgender studies have gained increased visibility as an independent subfield within gender studies. While many colleges and universities continue to teach and conduct research on transgender topics within broader programs in lesbian, gay, bisexual, and transgender (LGBT) studies, increasingly scholars and educators are recognizing the value of a disciplinary perspective that focuses specifically on transgender identity and experience.

Transgender India is written in a scholarly yet accessible style, making it suitable for established researchers as well as upper-level undergraduates and graduate students. The volume is especially relevant for researchers and courses in gender studies, trans studies, psychology, social services, medicine, Asian studies, South Asian studies, history, literature, law, women's studies, and masculinity studies.

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About the Editor

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Chapter 1
Introduction. Transgender to Transperson: An Overview of Indian Histories of Self, Sex, and Society

Sonya J. Nair

Transgender India: Understanding Third Gender Identities and Experiences underlines an essential conversation surrounding transpeople in India. Often, the spectacular, the spectacle, the erotic, and the exotic are all that remain in the eye of the public, and the lived realities of being transgender are often ignored. Who are the transpeople and what spaces do they occupy in the civil and civic life of a country like India? In the changing vocabulary of this nation, how do they fit? How do their lives, the legislations they have caused to bring about, and their visibility affect Indian mindscapes? How does all this translate into relevant public discourse? How does it influence art or its contemporary readings? How does the transperson figure as an entrant into the workplace, all the while maintaining their identity and not hiding anymore? These and similar questions find an answer, or at any rate, a direction in this book.

The very contemporariness of this book is its strength as it connects the monumental research done in the past and newer directions of research in transpeople studies has turned in newer directions, especially post-Article 377 and the enforcement of the Transgender Persons (Protection of Rights) 2020. After the repeal of Article 377 and the Bill being passed, the prevalent question was, what next? Where does the trans community go from here? The chapters of this book identify possible directions, as reflected in the way the chapters have been divided into sections of the book. The first section looks at the way literature has interpreted the transperson, while the second section on history forms a bridge between creativity and the elements that make up civil society. This sense of historical awareness is essential to understand the ways that modernity and its (dis)contents worked upon the Indian mind and enabled the readings of laws, ideas of personal liberty, life-choices, and social interpretations of sexualities, causing deleterious effects to this day. The third section reads contemporary amendments in legislation regulating sexualities and

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ponders the concept of citizenship. This naturally leads to the fourth section on health and employment, where the immediate and real time effects of citizenship in subsidized healthcare and the health hazards caused by disenfranchisement can be felt. The meaningful and sustainable employment of transpeople as viable citizens can add valuable numbers to the workforce that is already suffering from a lack of skilled labor. The final section on transmen looks at a doubly marginalized group of people who seek an alternate community. In my introduction, I will address these concerns as well, setting the tone for the deliberations to follow.

Human societies are very interesting subjects of study. It is believed that the more complicated the laws that govern a society are, the more thought that has gone into its making, propagation, and maintenance. These include the laws of kinship, marriage, or its need; the rules that prevail after death; regulations about the sharing of property; all the paraphernalia that come to define the morality of a society; and its governing codes that indicate its fundamental belief system and the sort of stability it aspires to have. Stability is rather important for most modern societies, in that they aspire for a normalcy—a constantly replicating and recurring pattern is preconfigured and that can be recognized based on the constants that are involved. For example, a marriage in India is usually defined by society as a contract, a covenant, or an agreement between a man and a woman in the presence of parents, relatives, friends, and members of society who subscribe to the same set of beliefs and customs as the people getting married. Any deviation from this is covered under special provisions of the law and demand a separate set of norms and requirements.

When events occur that do not conform to this formula, a sense of moral and social panic sets in (Cohen 1972; Drislane and Parkinson 2016). When people violate expectations about how they should behave, speak, and be seen, the pattern breaks and the carefully calibrated systems of norms do not work anymore. This panic is what generally defines the first reaction to transpeople in India and the rest of the world.

It is not as though this panic is a permanent state of affairs or that it is insurmountable. There are very specific situations when the transperson is welcome and very visible as well. These occasions invariably coincide with a festival or ritual that requires their presence as auspicious. The state of visibility is therefore very conditional and conforms to pre-agreed days and very particular moments. During my work on transgender festivals in South India, I have travelled to a number of spots sacred to the trans community in India and found that most of the narratives that regulate the presence of transpeople in these places occur at times when certain rituals demand their presence, like the Bonnalu that is celebrated in the Yellamma temples in Andhra Pradesh. A ritual during the Bonnalu has transpeople come into the temple beating drums and singing hymns, circumambulating the sanctum, and then going out and helping families sacrifice animals brought to propitiate the Goddess.

This is a sanctioned, sanctified presence—one that is present through decree of the deity. It is a requirement for the rituals to be complete. But once the Bonnalu is done, these transpresences become an aberration, or at any rate they are expected to go back to their everyday existences. Their role in the rituals, and hence in the public memory, is fulfilled. This is one of the major reasons why transpeople in India have sought legal redress through claiming citizenship in the cultural (read pre-colonial) and mythological matrix of India.

The transperson is a direct victim of the social stratification that came about in British India due to the interventions of the British reformist zeal and the Indian elite's response to the same that expressed itself in the form of an enthusiasm for modernity. Modernity became an aspiration as a means of setting up the "enlightened" Indians for the promise of self-rule. This itself is evident in the way the European styles of dressing, learning, and social conduct became an essential commodity of cultural consumption among the well-heeled in India. The poor, the marginalized, and the vagrant thus became a project for the "British Indians" to prove their European worthiness, and in the process brought far-ranging changes into Indian society as direct or indirect consequences—the effects of which can be felt today as well.

An examination of some of the most important legislation that the British passed in India gives a telling picture of the ways that Indian sexualities were perceived and sought to be regulated directly or indirectly through the Indian Contagious Diseases Act (1868), The Criminal Tribes Act, 1871, The Ilbert Bill (1883), and the Age of Consent Act (1891). The Ilbert Bill, while not directly impacting the perception of sexualities in India, did however influence the passage of the Age of Consent Act. The Ilbert Bill sought to grant senior Indian magistrates the right to preside over cases involving British subjects. While this was primarily intended to avoid British magistrates needing to travel long distances to satellite areas, the Bill came under considerable criticism for placing Indians in a position of punitive power over British subjects. For the Indians, the defeat of the Bill was an indication of the fact that they were not considered capable enough for self-rule and that their place in the colonial hierarchy would always remain that of subjects. The Age of Consent Act that followed the Ilbert Bill a few years later was controversial, as it was perceived as an interference in the religious life of Indians. The challenge to patriarchy that the Act presented and the underlying implications of the need to realign social order was considered a direct assault on the cultural autonomy of Indians. The questions of cognizance of marital rape and whether consummation could even be considered rape brought questions of sexuality, sexual practices, and the intertwining of culture and religion into the minds of Indians (Kosambi 1991). The Age of Consent Act had immense fallout in terms of the counter questions raised about the cultural command of the British over the Indians and the retaliatory loss of political support by Indians. Judith Whitehead (1996, 31) points out, "Both the British and the Indian middle classes fantasized their national 'body' by idealizing their mother figures as the bearers of national traditions. The Age of Consent controversy which occurred 8 years after the Ilbert Bill agitation, reveals the metaphoric connections that exist between social bodies and gender identities."

The equations of political command and participation were thus linked to autonomy over cultural practices, the preservation of which was perceived as a way of retaining the personhood of the colonial subject. These exchanges by the colonizers and the "reformers" point to the transactional nature of colonial power and the ways that any power is maintained through civil consent and public participation. The readings of colonial sexualities and their real time significance in the lifespan of the colonial regime in India have been well documented by Jessica Hinchy, Anjali Arondekar, Zia Jaffrey, Sanjay Srivastava, and Arvind Narrain. What one repeatedly comes back to through these readings are the ways that the colonizer tries to prevent a rent in their own moral fabric either by keeping the erotic and the exotic away from their line of sight or by keeping them exclusively for themselves. The second often happened through enactments such as the Cantonment Act, which sanctioned pleasure-seeking activities within the prescribed boundaries allowed to soldiers, with women sanctioned by the Raj. This led to the decline of the courtesan culture of places such as Lucknow and Awadh, where the Baiji then became the Madame of the brothel visited by British soldiers, and the tawaif culture was decimated by gradual decline in their social stature and the lack of patronage.

These sexual contracts—be they spoken or unspoken—were crucial in fixing the Indian perception of the British as people of rather loose morals, with the result of seriously denting the moral authority with which the British ruled India. The Empire was sexing its way onto the saddle of Home Rule by questioning the cultural antecedents of the colonizer. The post-colonial memory retains these perceptions and also seeks to build a hybrid modernity that is aspirational yet abrasive of Western ideas of enlightenment and progress. While the fear toward anything not "normal" is retained, one of the ways to dispel it is through invoking the colonial attitude toward it. For example, while hijra are among the most marginalized people in modern India, many of the arguments in favor of repealing Article 377 originated in the memory of the place of honor occupied by hijra in the pre-British times. In contrast, the matrilineal system of governance among the Nair community of Kerala, which gave autonomy to women over their bodies and their lives (in theory at least), was replaced by patriliny and not restored. This could also be in adherence to the prevalent legal system in the country, which has strong patriarchal tendencies as evidenced by laws governing marriage and divorce systems.

The inherited memory of colonial times is significant in helping rewrite history. Entire histories of people, castes, communities, and leaders of national significance are rewritten by using or misusing archival evidence or by playing fast and loose with timelines. Rewriting histories brings to the fore lesser-known people, narratives, and systems of lives. Bose and Bhattacharya (2007, xvii) point out that

> …it would be imperative, of course, to look at the ways in which colonial discourse has shaped contemporary attitudes to sex and sexuality in India and to examine the role of the post-colonial nation-state in the othering of gendered and sexual minorities. The alternatively sexualized citizen—just like the 'second sex', perhaps—is instrumental, through the very performance of his/her sexuality, in rendering unstable all universalized notions of citizenship (modelled on the male heterosexual). The nation-state then becomes a site of anxiety as well as of negotiation, where the dissident sexual subject threatens the socio, cultural and economic boundaries of the national imagination and challenges the ideological apparatus employed by the state for vigilance and containment.

The transperson in India even till recent times was a very paradoxical citizen. They were not sexual, social, political, or legal citizens. Yet they existed, rented homes, met and talked to people, went about their everyday activities, and were very visible. No one could account for the millions of identity cards of supposed males and females being rendered useless through the changed appearance or the complete identity dysphoria of the card holder. No one could account either for the millions of people who appeared over a period of time, who had no certificate of birth to prove their name of choice or their gender of choice or a valid address or antecedents. These paradoxes were resolved to a certain extent in various ways: through the gharana system of colonies or residence complexes of transpeople in metropolitan cities where there was a community-based way of life, through the guru-chela system, and through the existence of other members of the family such as nayak, guru-bhai, nati, and nati-chela. The community too follows the social and familial hierarchy within the residential and intercommunity spaces. This act of replication often leads to straitjacketing independent thinkers within the community, in a way doing the exact same thing that each member of the community had battled against, and which led to the institution of this community in the first place. In any case, the gharana was a very pre-colonial way of life, one that encouraged the community to go out as tolis (troupes) and collect money in the form of badhais through celebratory life cycle events such as births or weddings, or through public performances.

If British discomfort with non-heteronormative sexualities and gender expressions led to the displacement and disenfranchisement of transpeople, post-independence India had no time for them either, as the country marched toward the obvious and masculinized perceptions of progress in the form of dams, machinery, and modernization. It was only in 1952 that the CTA was abolished but then replaced by the Habitual Offenders Act in many states of India. The euphoria of freedom was supplemented by the desire to seem as progressive as possible, leading to a distinct distaste for all that could not be identified, classified, traced, and tracked down. In short, the suspicions that the British had regarding the travelling, performing, or semi-nomadic people was passed down to the legal systems of India as well. The emphasis placed on settling down or having an address that took one out of their indigenous or local identity went against an elemental facet of the dignity of these peoples. Even up to today, the legislative systems of India have not been able to get out of their inherent prejudice toward the seemingly homeless, the vagrant, and the wanderer.

These are some of the fundamental factors that have caused the trans community to end up in abysmal circumstances and have made society link their identities to sex work and begging. The rise of gated communities, shopping malls, and similar gated existences have caused a sharp deterioration of the life chances of the transpeople in India. Most of the births are now hospital births, and celebrations are held in halls and hotels. The upward aspirations and the shrinking living spaces of the middle and upper middle-class Indians have limited the possibility of the trans community being able to eke out a living by performing at these occasions. Many transpeople leave home in their formative years as they find their situation untenable, thus limiting their education and subsequent job prospects. Also, the names, photographs, and genders in their certificates, if any, do not match their gender expressions, thus again leading to very slim chances of earning a living. This automatically opens them up to dangerous and unsafe career paths, stigma, violence, and infection.

This is why the few days of the year when they are sought after by society become so important. Transpeople in India, who as I mentioned earlier are paradoxical citizens, are examples of how legal citizenship in India is obtained through cultural citizenship and inherited memory of a pre-colonial Indian society. The claims of social and political consideration on account of being descendants or legacy heirs of a certain historical figure are not unheard of in India. Transpeople of this country claim their spiritual origin from Goddess worship or from the Aravan myth, or they subscribe to a hybrid form of intersectional faith that incorporates the tenets of Islam and Hinduism. It does not matter what religion they were born into. What matters after is the faith they follow after they become part of the community.

The subscription to some form or faith is important for most among the trans community simply because it gives them and others an idea of their allegiance—the gharana they belong to and who their nayak or guru is. So important is the idea of the transperson and their invisible visibility in social performances that the first Pride Walk in India was held in Calcutta in 1999 by a group of transpeople. The LGBTQIA+ agitation to repeal Article 377 and decriminalize same-sex intercourse saw multiple sexualities come together to agitate. The trans community too was a part of the struggle and the protests. They were an integral part of the celebrations as well when the Act was finally, once and for all, repealed. Indeed, the social and legal developments in the area of transgender jurisprudence is progressing more rapidly than for the people of other sexualities and genders.

There have been Transgender Justice Boards established in the states, shelter homes and care homes have been set up, medical aid and governmental financial assistance has been offered for those who wish to perform gender affirmation surgeries, welfare schemes have been developed for enhanced food security, and options are now available for individuals to change their names and genders on the various government-issued identity cards and educational certificates as well to declare their gender of choice on application forms and other forms where said declaration is required. There are seats reserved in colleges for transgender students wanting to pursue higher education. There are provisions for getting married, with a spate of weddings among transpeople in Kerala and Tamil Nadu. In Tamil Nadu, when the marriage between a cisgender man and a transwoman was denied registration, the court intervened to define marriage as a contract between two persons, helping transpeople get their personhood after decades of India's independence.

One must understand that this is not overnight progress. It is the culmination of decades of struggle and determination. The struggle for civil rights of sexual and gender minorities in India has been an ongoing one. Decades of vocal protest against the state-abetted violence and social ignorance regarding the anomaly of not applying the tenets of human rights to these human beings as well and a modernity-inspired ethos of sexual prudery began to bear fruits through acts of visuality. Activists such as Laxmi Narayan Tripathi, A. Revathi, Living Smile Vidya, Shabnam Mausi, Kalki Subramaniam, and others began using performance avenues such as stages and podia, venues of conferences, television talk shows, and Pride Walks.

They also began to write their own stories, not only to reach out to other members of the community, but also to make their narratives resound and strike a chord with those who refused to consider themselves a part of this social struggle—namely, cisgender individuals who preferred to pretend that these people and these events were happening elsewhere. Autobiographies by transpeople such as *The Truth About Me* are vital in understanding the socio-cultural processes that lead to treating transpeople differently. The role that family plays in the social perception of a transperson comes through in vivid detail. That the family is the first place where rejection often happens has been reiterated in a number of accounts of transpeople. The times acceptance has been extended often coincide with economic dependency of the family on the income earned by the transitioning child.

Today, India is at a critical juncture as far as the civil rights of its non-male, non-upper caste, non-heteronormative, non-cisnormative population is concerned. Sweeping reforms are demanded in terms of legislation in marriage, sexual rights, and dignity of life and livelihood. The legal system is looked upon with hope as reformative justice can ensure political and social justice—however grudgingly it is given. For example, it is not enough to decriminalize consensual sex between two adults of the same sex. They must be given the right to marry, to have a say in the disposal of property, and to have access to their spouse's health insurance. The Government of India who is the respondent in this case argues that it is impossible to have two people of the same sex marrying each other, as a marriage is the union of a biological man and a biological woman and that any reinterpretation of the same could cause havoc in the delicate balance of personal and social laws. In contrast, the union of transgender couples, as well as the marriage between cisgender people and transpeople, is socially and legally sanctioned and has all the privileges accorded to cisgender couples in India.

The Transgender Persons (Protection of Rights) Rules 2020, which followed the rulings of the Transgender Persons (Protection of Rights) Act, 2019, has invited considerable criticism in its notion of self-determination. The very wording of the rules and the format of the annexes that need to be filled out are problematic, as they show little or no sensitivity to the delicate differences in identity and the use of names and terms.

Consider the following provisions from the Transgender Persons (Protection of Rights) Rules 2020, that are to be followed for the purpose of establishing a person's identity as transgender:

3. Application for issue of identity of certificate under section 6 or 7:

1. Any transgender person desirous of obtaining a certificate of identity shall make an application, in *form – 1* of this rule.
2. The application shall be submitted to the District Magistrate in person or by post till online facilities are developed by the State Government concerned, and thereafter application may also be made online.

4. Procedure for issue of certificate of identity (section 6):

1. The District Magistrate shall, based on the application, the affidavit attached therewith and the report of psychologist, without any medical examination, issue the certificate of identity.

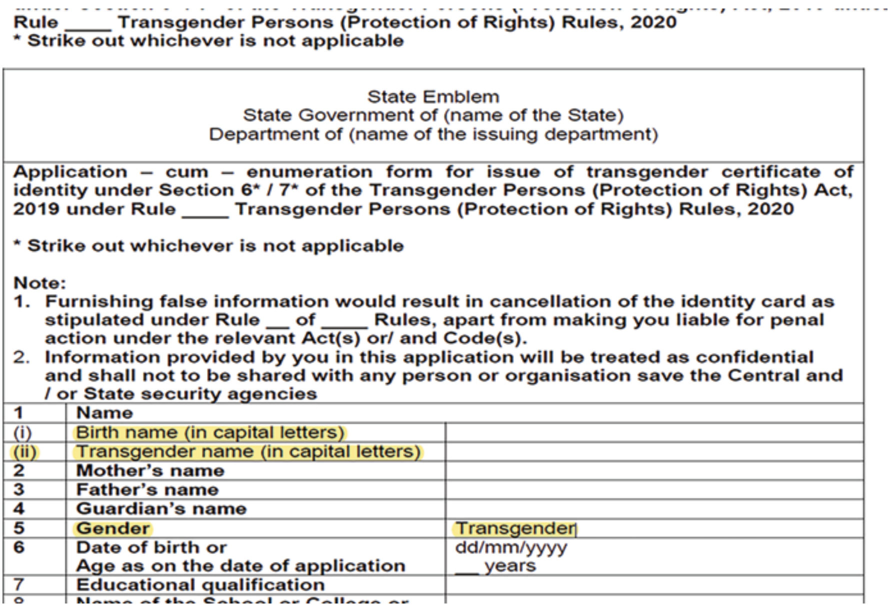
It is obvious that there is a contradiction between the intention and the legal interpretation of the idea of self-determination. For the self-identification to be given credibility, it is imperative that there should be a confirmation from a psychologist. The psychologist in question may or may not understand the intricate thoughts and rationale of the person they are talking to. To entrust one's process of identity affirmation to a stranger puts an individual under stress and also results in giving undue power to the assessor, which may not be ideal for an activity such as mental assessment—an assessment that is private and subjective, and which the person being assessed is submitting on account of to meet a legal requirement and not because of a genuine identity crisis.

In the past decade, rapid strides have been made to vocalize the cause of sexual and gender minorities in India. Interestingly, in the earlier decades, while the LGB segments of the movements were visible and vocal, the T were seen as disruptive to the cause. With the passage of time, transpeople became the face of the movement to repeal Article 377. Soon enough, the Transgender Rights (Protection) Bill, introduced by the member of parliament (MP) Tiruchi Siva, became the point of departure, from which the legal parlance of the trans movement took on an entirely different emphasis, with the questions of gender performativity, self-identification, life chances, and precarities becoming crucial. The historical and mythological examples given in the court judgment, in the bill introduced by MP Tiruchi Siva, and later in the private bill introduced by MP Shashi Tharoor, all drew heavily on the glorious past of transpeople and the roles they played in the sociological narrative of this country.

This focus makes the idea of transpeople more acceptable. To make one a cultural citizen is a certain way of gaining political and social citizenship. But the question remains whether these advances have entered the consciousness of the ordinary Indian and whether the legal system is completely aware of the nuances of identity, selfhood, and the need for placing power in the hands individuals regarding their own identity. If so, then processes and forms such as the following are counterproductive (Fig. 1.1).

The highlighted portions of the form to be completed to obtain a certificate of identity are problematic. To use words such as Birth Name and Transgender Name and to pre-fill the category Gender as Transgender, rather than have the transperson do it themselves, with the gender of their choice is extremely entitled and presumptuous to say the least. To assume that until one undergoes gender affirmation surgery, the person has to identify as transgender rather than, say, male or female, goes against the fundamental principles of self-determination and makes the process interminably long and covered with red tape. It involves too many players who have no right to encroach on an autonomous entity. Also, the idea of a Birth name and a Transgender name is plain offensive as most transpeople refer to their given name as Dead name and the name they selected as their choice as their Name. To ignore this most basic courtesy is one of the ways that governments and civil societies create impediments in the life processes of citizens.

Arvind Narrain and Alok Gupta (2011, 3) raise the crucial question of civil and political accountability.



Rule ____ Transgender Persons (Protection of Rights) Rules, 2020
*** Strike out whichever is not applicable**

State Emblem
State Government of (name of the State)
Department of (name of the issuing department)

Application – cum – enumeration form for issue of transgender certificate of identity under Section 6* / 7* of the Transgender Persons (Protection of Rights) Act, 2019 under Rule ____ Transgender Persons (Protection of Rights) Rules, 2020

*** Strike out whichever is not applicable**

Note:
1. **Furnishing false information would result in cancellation of the identity card as stipulated under Rule __ of ____ Rules, apart from making you liable for penal action under the relevant Act(s) or/ and Code(s).**
2. **Information provided by you in this application will be treated as confidential and shall not to be shared with any person or organisation save the Central and / or State security agencies**

1	**Name**	
(i)	Birth name (in capital letters)	
(ii)	Transgender name (in capital letters)	
2	**Mother's name**	
3	**Father's name**	
4	**Guardian's name**	
5	**Gender**	Transgender
6	**Date of birth or Age as on the date of application**	dd/mm/yyyy ___ years
7	**Educational qualification**	

Fig. 1.1 Form completed to obtain transgender certificate of identity

> Is the task of queer politics to press for the inclusion of citizens who are being discriminated against on the basis of their gender and sexuality within the existing democratic framework? Or can one take it a step further and argue that there are implications of the queer perspective for the question of a democratic practice? Is the imagination of a queer politics merely about access to rights for queer citizens or also about questioning structures which limit the very potential of human freedom?

In Kerala, where significant work has been done toward an equitable condition for transpeople, the situation is marginally better. Despite having a working Transgender Justice Cell and succeeding in integrating welfare schemes with discussions on precarities, it is regretful to note that there are not many concrete measures to ensure strong support at the governmental level. The TG Board can at best issue directives or make recommendations.

As mentioned earlier, transpeople of the country are generally associated with various myths that ascribe powers of bestowing blessings or curses upon people. It is this cultural currency that has been instrumental in carrying out transactions with society at various instances and venues. There are many examples history being written to include transpeople by recounting the ritualistic nature of their initiation: the conduct of the nirvan ceremony, the offerings to Bahuchara Mata, the worship of the Goddess by the jogappas and the jogtis in Karnataka, the aravanis mourning at Koovagam, the Chamayavilakku festival in Kerala, and the festival of Goddess Yellamma in Andhra Pradesh and Maharashtra. A new history of modernity celebrates these diversities as these bodies that present themselves at these rituals and festivals are devoid of sexuality and instead are a stand-in for the Goddess. The divinity that these bodies attain through the absence of desire is what makes them desirable as ideal bodies in the larger quest of nation building.

Some try to script a vocabulary by invoking the inherited memories of pre-colonial times, when the nation was conceived as a masculine entity. This entity was devoid of sexuality and bodies were warrior-like. The cult of the warrior sanyasis and the pehelwans of the akhadas present a virile masculinity that tries to shake off the anxieties of English-speaking modernity that seeks to establish a very different ethos of progress—one that is vertical and not vernacular. These vernacular masculinities see the transperson's body as a site of purity—one that has been sanctified through castration or through impotence. This cleanly erases the hijra body from any such conversation and instead welcomes the kinnar identity. What was before a syncretic identity is now one that reflects the deep schisms that are symptomatic or replicative of those that we find in Indian society today.

The community system where resources were earlier pooled together to sponsor crudely done surgeries is now increasingly replaced by transpeople who do not join any gharana or who even when they do, do not stay with their community members. There are individual access points for transpeople to approach authorities for surgeries or apply for assistance. What was the toli system, is now NGOs that are run by community leaders who wield considerable influence over policy matters and allocation of funds. The transgender welfare system has become highly organized and systematized, and it has a definite toolkit that helps transpeople gain the essential identity card. However, the holding of the card is a critical part of transgender economy. There is a process of gatekeeping that does not allow passing transpeople to participate or benefit from the schemes meant for transpeople. The limitedness of these resources is a major factor, but at the same time, it is rather disheartening to see transpeople themselves determining identity based on external markers when they have often suffered as a consequence of the same.

A broader view of the issue will make us understand that in a welfare economy, it is difficult to expect an honest disbursement of resources and hence considerable vigilance is required in the process of handing out concessions and assistance on the part of the states and the community. A more proactive system of resource distribution in society such that no one slips through the cracks would be extremely helpful.

The unfolding of the historical, political, and social narrative of the trans community in India is one that throws the spotlight on the pathways by which cultural discourses are formed in the country and the implications they can have down the line. While transpeople are followers of the Goddesses Bahuchara Mata and Yellamma, or they claim lineage from the Mohini avatar of Lord Krishna, or they claim to be blessed by Lord Ram for their unswerving obedience, we must read into these epistemes the ways that cultural legacies are established as a means of gaining social validity. The route to social citizenship lies within these kernels of meaning that are generated implicitly and explicitly. The body is then a site devoid of desire, and there is only divinity that is fearsome and that demands sacrifice of the ability to procreate. This renunciation of the vital organ of procreation as demanded by the Goddesses in lieu of a better life in the next birth is also a warning to those who wish to preserve their procreative ability, or plainly, their masculinity. The renounced body is a site of sacrifice and thus attains ritual purity. It commands respect at places of worship and on festival days when the public spectacle reminds people of the sacrifice committed by the body at that point in time.

This cultural capital thus lays claim to an inherited memory of a time before the British and their unitary religion and culture that saw these people as freaks. Thus, recognizing the cultural and social citizenship of the transperson is also a reclamation of the hoary history of India. It is also a means of negating the Western idea that India had no history before the arrival of the Europeans. The recognition of transpeople as valid citizens runs counter to the modernity that India has been grappling with so far and so the subcultural value the community represents is immense; the focus on an ethnic, vernacular sexual economy that insists upon bodies with sexualities is a way of differentiating between the "pure" Indian and the "immoral" Other.

Myths form a vital part of these conversations and serve as the markers that guide the discourses around transpeople and their sexuality (or in this case, the lack of it). Take the myth that surrounds the Chavara Sree Devi Temple in Kollam, Kerala, India. It is believed that long ago some young cowherds found a coconut that they tried to crack open on a stone. The stone began to bleed under the impact of the blows and the scared boys ran away. The oracle of the village declared that the stone carried the presence of Vana Durga, the Goddess of the forest, and that a temple must come up in the very spot. And since it was the boys who discovered the Goddess, they should dress up as girls and stand holding ceremonial lamps to light her path on the day the temple was ready. It is one of the few temples that has no roof over the sanctum as Vana Durga is a free spirit who must not be enclosed.

Year after year, in the month of March, thousands of men dress up as women and hold the ceremonial lamp for the Goddess as a form of thanksgiving for the favors they received during that year. Also, men who are currently passing or transpeople who are devotees of the Goddess come to this annual festival. This means that there is no direct claim to the Goddess by transpeople; she is not their Goddess alone. But the festival has gained traction today due to the burgeoning presence of transpeople at the festival. The performative acts of gendering are always on full display, and one keeps trying to look beyond the make-up and the hair to discern how closely the performance resembles the social visualization of women. North Kerala also has a festival where the young men of the village cross dress and go from door to door to dance and perform in the name of the Goddess. There are within the walls of these sanctioned performances, desires that dare not speak their name. While it is not imperative that those that attend the Chamayavilakku festival are transpeople, there are hardly any transpeople who have not visited the festival before they revealed their true identity.

The Koovagam festival at Villupuram in Tamil Nadu is a festival that sees massive participation by the transgender community. The aravanis—as they are known—assemble for the festival and play out the story of the *Mahabharata* featuring the fate of Aravan, the tribal prince who was the son of the Pandava hero Arjuna. Aravan or Iravan hears of the war and comes to help his father. The Pandavas and the Kauravas are told that victory is assured for the side who sacrifices a warrior of perfect proportions and who carries all the auspicious and desirable features. The

Kauravas found their warriors to be indispensable while the Pandavas also found their perfect warriors—Arjuna and Krishna—to be indispensable. The third suitable warrior was Aravan, who was ready to be sacrificed, provided he did not die unmarried. However, no woman was ready to marry this doomed young man and then later be consigned to a life of widowhood. To solve this dilemma, Krishna assumed the avatar of Mohini and married Aravan. He was subsequently sacrificed, but as he was such a noble man, he did not meet with immediate death. His head remained conscious through the entire battle, and he passed away after knowing the outcome of the war. Mohini was said to mourn for forty days, breaking her bangles, wearing white, and keening—wailing in grief. The aravanis believe themselves to follow the footsteps of Mohini. They have a priest tie a yellow thread around their necks, symbolizing the sign of matrimony. There is plenty of singing and dancing throughout the night, and the next morning the priest comes round cutting the thread from the necks of the aravanis, who then mourn and keen.

The revelries of the night give way to a dawn of mourning, the morning air rent with the wails of the aravanis, their bodies sanctified for replicating Mohini. The Mohini of the previous night was an object of desire, a persona of power and sacrifice. The Mohini of the morning is an aggrieved widow, fulfilling her Dharma. The Mohini who leaves Villupuram later in the day is spectacle, a nameless face among many others like her. That is the transformative power of cultural replication.

Transgender India: Understanding Third Gender Identities and Experiences could not have come at a better time as India stands on the cusp of a crisis of identity. Words such as secular, liberal, democratic, and socialist, which formed the foundational basis of Indian political and diplomatic policies, are gradually being replaced by polarized standpoints. There is a greater need to understand human and environmental rights and the politics of vocabulary. The language we speak, the mode of dress we adopt, the food we eat, and the methodologies of our social consciousness are constantly being challenged by an array of socially motivated agencies. Sanskruti or culture is of a major concern in these discussions. There seems to be an imperative push toward creating binaries for any sort of identity or ideology. The "With" and "Against" camps seem the easiest way to frame public debate in India in the current socio-political scenario. There is a deepening dread of the Other. In the midst of this Otheredness, the transperson forms an interesting intersection.

The referential for transpersons is growing increasingly specific. But interestingly, that is not the case with the transpersons in Kerala, who prefer the term transgender—possibly on account of the easy identifiability that the term evokes. Given the context of the times, the growing academic interest, the increasing social visibility, the political and cultural presence of transpeople in initiatives of great importance to the nation, and the sociological understanding needed to find equitable, sustainable economic measures to address some of the most vulnerable people of Indian society, this book is especially timely and through its creation of a different set of paradigms and matrices to frame the discourse. The ideas discussed in this Introduction find a deeper investigation in the chapters that follow. The chapters are interconnected, and readers will often find cross-references between chapters, because research cannot and must not exist in a vacuum.

In the following chapter, Shalini Jayaprakash looks at the contemporary life writings by prominent transpeople such as A. Revathi and Laxmi Narayan Tripathi, who in their own ways discuss prejudice and the ways they overcame the same by sheer determination and grit. Having met Revathi and interacted closely with her, I can add that she demonstrates through her life that the processes of activism and articulation are interconnected and therapeutic. The ability to inspire through theater as Revathi does, or in the case of Laxmi, through dance and public lectures, is true leadership and makes for compelling narratives. These narratives carry the kernels of immense courage and resilience and bring out the testimonials of these individuals who had to struggle to be heard. These life writings are essential to understand the ways that the unprotected citizen is a victim of the law. The politics of negotiation that these activists had to carry out with a system that rendered them invisible are narratives of contested citizenship in the world's largest democracy.

Anna Guttman decodes the current Indian social pulse through the lens of Arundhati Roy's *The Ministry of Utmost Happiness* in Chap. 3. Roy's much-anticipated book is a compendium of all of Roy's concerns for the nation, and Guttman has articulated a purpose-filled narrative of gendered multiplicities without the frequent use of the word queer. She looks at the ways that Roy has closely followed the hijra protagonist and woven a discourse of mercy from this persona. The hijra is a national icon in the sense of being what the nation needs at this point—neither a hypermasculine militant stand nor a cisgender Mother figure as an icon of the country. If any human should represent India, it must be the non-confirming body of the hijra, who nourishes, cares for, and protects the most vulnerable of her land. Guttman thus points out that there can be a very vibrant political existence outside of terminologies, if the intentions are present.

In Chap. 4, Peter I-min Huang looks at the classic text *Journey to the West* (西遊記) in terms of the transitions that took place in many societies that pushed for an erasure of transbodies and identities through a creative process of naming. The patriarchal systems that replaced the inclusive or affirmative social processes tended to have far-reaching consequences on the lives of the generations to come. Huang's reading of the text in terms of Foucault's subjugated knowledges shows the percolation of ossified ideology in our midst. His chapter is an important reading of the sort of archival enquiry one must conduct to reveal the place occupied by transpeople in literature of pre-colonial times, as well to create a canon of works that fight erasure.

Ruman Sutradhar's field work in South Assam leads to very interesting findings in Chap. 5 about the ways that infertility and castration myths converge in the rituals surrounding worship. This chapter examines the myths surrounding transpeople and their ability to bless and curse. Sutradhar pays special attention to the ways that these myths enable transpeople to earn a living and also points to how these narratives present the anxieties of the state and civil society, which cannot comprehend the space that must be created for transpersons as they seek to rise above their "normal" condition of precarity. The obsession around fertility and the male child have hobbled women's reproductive health for a long time and have warped social roles that women can and must play in society. This chapter reads the transperson at the center of the fertility question and locates the transperson at an interesting juncture of being able to bestow fertility all the while remaining infertile themselves.

In Chap. 6, Shane Gannon takes forward the discovery of the ways that non-heteronormative and non-cisnormative identities have been erased by the British through the deployment of official machinery. The Census, which was a mammoth task undertaken to account for the populace of British India, became a complicated system of identity erasure and formation, sometimes at the same time. Gannon discusses the ways that transpeople were "slotted" into compartments considered convenient by the British during the Census, as they did not have and adequate comprehension of the social, sexual, and gender spectrum of the land. Such erasures point to the imposition of a knowledge system that is unrelentingly binary and that works to put down roots at the expense of multiplicities. Classifying people according to their occupations, castes, or possible criminality due to their caste was not only arbitrary, it also had deep ramifications for the country that was to become and now is.

Vaibhav Saria re-thinks notions of dignity and shame as situations that seek to galvanize society into a "savior" mode in Chap. 7. The prevalent idea is to "pull" transpeople out of the life of abjection that they lead by giving them jobs and moving them away from the life that they know. Saria raises critical issues about the perception of what constitutes shameful and dignified. He takes the reader along the streets of New Delhi, the capital of India, to read public attitudes as he theorizes the concepts of shame, privacy, the body, and the role that the law—as punitive authority and as abettor—plays in all of this. He draws attention to the sexual clowning in some parts of Odisha by the hijras who thus create a carnivalesque. The reforming zeal that tries to convert hijras into "respectable," "dignified" people smacks of the homogenizing zeal that seeks the comfort of classification.

In Chap. 8, Sangeetha Sriraam undertakes an archival investigation and reads deep into the connect between citizenship and The Transgender Persons (Protection of Rights) Act, 2019. She critiques the ways that laws intended to protect the vulnerable end up, in contrast, perpetuating prejudice. Jurisprudence regarding the material possessions and the legalities of the same have been revelatory, showing the long route that the transpeople have to take in order to achieve complete citizenship. Or it would be more appropriate to say that the state has a long way to go to re-enfranchise transpeople and gain the benefits of their civic and political participation.

Sameena Azhar and Jason Vaudrey take a long look at the sort of psychological support that transpeople need as they manage HIV infection and related illnesses in Chap. 9. This collaborative research between Azhar and Vaudrey examines the much-needed issue of mental health among the HIV-infected transpeople of Hyderabad. The chapter reveals disturbing accounts of state intervention into the bodyscapes of transpeople through invasive questions and insensitive body examinations. This in turn translates into transpeople avoiding medical procedures or hospital visits as much as possible, leading to spiraling health crises. The attendant mental health issues are extremely distressing as transpeople deal with the trauma of stigma and insensitivity. Thus, keywords such as shame and dignity make a comeback in this context as well. This chapter provides an informed account of these issues through first-person accounts as well as methodologically rigorous research.

In Chap. 10, Supriya Pal and Neeta Sinha present the other side of this balance by exploring the ways that employment could bring about a difference in the lives of transpeople, by helping them to break out of toxic relationships that form within their communities through kinship. This translates into the self-reliance that more and more transpersons are seeking as they strike out on their own. This chapter thus accompanies the previous two chapters in the ways that sociological presences of transpeople are impacted in their attempt to enact their own identities by joining trans communities that are supposed to be a safe haven. But the exploitative income pattern and the hierarchical, almost patriarchal systems of community life severely limit transpeople and make them uncomfortable citizens.

Tanupriya too examines literary and life narratives to read the resilient transperson in Chap. 11. The politics of such narratives is that while they serve to inspire, one must also be wary of stereotyping these narratives to form ideas of trans lives and how they must be lived. It could well lead to gatekeeping of a different kind. This chapter reads the visibility spectrum of transpeople and points out that transmen are not accorded the sort of visibility that transwomen have received. This is possibly on account of the optics of the performative aspects of gender attracting closer scrutiny. The almost habitual erasure of the female or feminine presence in literary, scriptural, and archival narratives is rather disconcerting and points to the insidious ways that power exists—covertly and without any obvious collateral damage.

In the final chapter, Agaja Puthan Purayil takes the issue further as she discusses the issues that affect transmen in large, metropolitan cities like Bangalore and the ways that the ties of family-like bonds among the community form a support system. The disenfranchisement and alienation that they experience and the sense of mutuality they employ to overcome these obstacles brings an understanding of how families and societies must exist for providing a supportive ambit rather than to drive home mind-numbing stances of conformity. The testimonials that she has collected are telling in the ways that these citizens have been systematically ignored in the spectrum of sexualities and genders that are considered "acceptable" by Indian civil society. The sense of isolation and loneliness that these subjects feel leads to deep-seated insecurities that further exacerbate their problems. The anonymity of a big city often is a blessing, as it provides respite from unrelenting scrutiny and the opportunity to start afresh. But this same anonymity can be a bane when dealing with community leaders and other transpeople. For transmen, a minority within a minority, the problems multiply.

Transgender India: Understanding Third Gender Identities and Experiences is a work that reads deeply into the personal, political, social, historical, and economic interactions that an individual, or a group of individuals, has with the state. By "state," I mean anyone and any agency who is outside the self of the transperson. This generalization may at first seem to be broad or sweeping, but on closer scrutiny, it rings true. The body of the transperson, which is the most visible marker of their identity, is seen as the only frontier of interaction between the person and the world. However, that is not true. The real negotiation happens at the level of the sentient mind. The mind, which is the seat of our actual enfranchisement, is where truth in the spiritual sense exists. This is why most cultures foreground the mind over the body, which is often seen as transient or a mere vessel. This book reads the transperson as a mind—as millions of minds that seek to find their space under the Sun, as is their right to do so. The voices in this book are part of that revolution. This revolution, like everything else about transpeople, is one that is fought in the court, in the Legislative Assembly, in the streets, at home, and with oneself. To be a part of it, one has only to be mindful.

The need to speak correctly, to know the stories and preferred pronouns of transpeople and gender diverse people, is important and respectful. It will go a long way in changing the way people view the idea of selfhood. While the families of a bygone era welcomed blood relatives and spoke about blood being thicker than water, a quiet counterrevolution is now taking place. Transpeople are trying to look beyond traditional ideas of family and are looking to make families based on love.

This transformation will radically open the doors and minds of people to the infinite beauties of life that they have previously refused to see. The barrier of denial of selfhood is a huge debt incurred by society. It carries significant ramifications and must be solved through discourse and conversation. This book will be a vital part of that resultant polyphony.

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Part I
Literature

Chapter 2
Re-writing the Subject and the Self: A Study of Hijra Life Writings

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2.1 Introduction

Autobiography is a critical tool for self-assessment, self-evolution, and self-construction. By ruminating on and construing their past lives, writers create evocative configurations out of diverse experiences. Berryman (1999) shows that the sudden rise of the literary genre of autobiography in the last three decades has raised the need to discover or invent one's own history. He opines the need to view personal statements in autobiographies as a political act, and conversely also to scrutinize how all forms of social and political discourse both disguise and promote definitions of self. For subalterns—including women, Dalits, African Americans, working-class immigrants, conquered indigenous populations, and sexual minorities—autobiography becomes a mode for the articulation of the self, "that is never flamboyantly autonomous, self-generated and self-perpetuating. Rather it is a will, and a self, that is produced in constrained, often damaging conditions" (Pandey 2011). Thus, it becomes imperative to view autobiography as important in constructing the meanings of the self and subject. In the context of women's autobiographies, in the journey of the female self-striving to form the subject of her own discourse, readers witness the revealing of the autobiographical subject (Lionnet 1989).

Theories of deconstruction and new historicism that assume that every work is a product of the historic moment that created it have made history and literature interchangeable, and here writing then becomes a social and political act. From autobiography becoming a "metaphor of the self" (Olney 1980), it has come to explore the "changing self" (Spengemann 1980). Later, the intersectional aspect of exploration of self-writing with its emphasis on politics of race, class, caste, gender, sexuality, and ethnicity has changed the limits of this genre (Gusdorf 1980). Autobiography,

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then, became an "all-inclusive" genre to include a wide range of concerns and not just the life being written (Kamuf 1988). Later, it developed into a means to redefine the concept of self and to make writing a political act (Braudy 1986). Also, categories of writings by women which are autobiographical in nature took on various forms as life narratives (Smith and Watson 2010).

Autobiography, to a woman writer, represents the becoming of a woman, her coming to voice, sexuality, and experience. Sidonie Smith and Watson (1998) show how major Western critics like James Olney, Georges Gusdorf, Philip Lejeune, William Spengemann, and Albert Stone configured autobiography unquestionably as white, male, and Western. Female autobiographers first had to contest this myth. Mason and Green's (1979) collection of British and American autobiographies became the forerunner for theorizing women's autobiographies. Schaffer and Smith (2004, 229) find an essential link between life narrative and social change, and they argue that personal narratives have become one of the most potent vehicles for advancing human rights claims across the world. They contend that "both affirm something called 'human rights,' always a moving target rather than a fixed concept and re-define the grounds upon which those rights are asserted." I will draw on some of these theoretical frameworks in this chapter.

This chapter studies two autobiographies: *The Truth About Me: A Hijra Life Story* by A. Revathi and *Me Hijra, Me Laxmi* by Laxmi Narayan Tripathi, both of whom are transgender women or hijras, a sexual minority at the margins of the Indian society, to reflect on the disruptions and displacements of established structured dualistic modes of thinking on gender, and to unravel the evolution of a gendered self at the space of "liminality" that is "ambiguous or indeterminate" (Boyd and Lassiter 2011, 218) in the Indian cultural and social scene. There is an imperative to extend the theoretical framework on gender to move it beyond the rigid binaries and to view it as fluid, to see an interconnection between marginality and diverse aspects of their identities, and to see the slow evolution of a positive hijra identity. This chapter examines how hijra selves are culturally reconstituted and rewritten through the act of self-writing.

2.2 The Hijra Figure

Hijras are positioned in the lowest place in the Indian social hierarchy, and they have a long history of gender-based social, economic, civil, and political exclusion. They are referred to as the "third sex" in India and are men who are born male yet desire to be females, who dress in female clothing, who are castrated, and who claim the power to confer blessings and fertility upon others. They are regarded as "neither men nor women" (Reddy 2005a) or the "not this, not that" (Lal 1999). As Gayatri Reddy (2005b, 3) points out, "As the quintessential 'third sex' of India, they have captured the Western scholarly imagination as an ideal case in the transnational system of 'alternative' gender/sexuality." In India, the term "hijra"—like the word "transgender" woman in the West—has become a pangender term along with a wide range of identities like eunuchs, aravanis, jogappas, khusra, kojja, kinnars, napunsaka, akwa, shiva-shakthis, thirunangis, and kothis. The etymology of the word hijra, an Urdu word, is traced back to the Persian word hiz, which means effeminate, or from hich, for a person who is hichgah, or nowhere (Reddy 2005a, 237). Reddy (2005b, 2) describes hijras as phenotypic men who dress in female attire, undergo a sacrificial emasculation, dedicate themselves to goddess Bahuchara Mata, and occupy a liminal space between men and women. The castration process is an elaborate ritual followed by forty days of rigorous rituals and social isolation. The hijra community has a strict, hierarchical, self-sufficient system (Tripathi 2015, 176).

Even though hijra do not figure much in mainstream discourse except in the HIV and AIDS health agenda, society's internalization of the fixed category of hijras and its deployment in social, cultural, health, and modernity schemes locate them as a homogenized risk group. As Shane Gannon notes in Chap. 6 of this volume, in post-independence India, "the collapsing of groups under a single umbrella allowed for the colonial understanding of what constituted transgender to supplant Indigenous understandings." This in turn led to the subsuming of many categories and castes of the hijra into a homogenous entity. Gannon explains how it was convenient for the British to elide the diversity of this community into one. In Chap. 8, Sangeetha Sriram contends that the 2019 Act's definition of transgender individuals is insufficient to aptly describe this diverse group. She adds that this process endangers people's gender identities and gender expressions. At the same time, she argues we need more inclusive and comprehensive definitions applicable to "as wide an array of gender minorities as possible."

The Indian subcontinent has always had an ancient mythological presence of gender-fluid people. The concept of Ardhanarishwar, Lord Shiva's form, is a manifestation of a combination of being half man and half woman. Arjuna in the Shikandi form in the *Mahabharata* helps the Pandavas win their war against the Kauravas. In *Ramayana,* the monkey king Riskha becomes a woman and marries the sun God and the rain God to give birth to Sugriva and Vali (Pattanaik 2020). Gender fluidity is an accepted notion within Hinduism. Mughals in the fifteenth to nineteenth centuries were generous patrons of third gender Indians. As a part of the Mughal harems where males were prevented entry, hijras actively contributed to the political and social system in the form of Khawjasaras by being guards to palaces, entertaining royal ladies with their singing and dancing, and through their work as messengers (Parmar 2020). Anna Guttman asserts in the following chapter that in spite of "abundant evidence for the history same-sex love and gender non-conformity on the subcontinent," there is this tendency to subsume their identities into a transnational "umbrella term" and to erase "the religious role of the hijras, derived from Hinduism, and the historical role of the eunuchs in the Muslim courts" (Lal 1999, 122, as cited by Guttmann). As Guttman says, this "harms Indian queer and trans folks whose identities risk being reframed as imported from the West." A reading of the hijra autobiographies in this chapter is consciously done against these historical notions to reveal the emergence of unique subjectivities that invalidate the prescriptive codes that confirm certain subjectivities as valid or tend to force all others under one umbrella.

Hijras have a long history of gender and sexuality-based marginalization, bodily ostracization, and social exclusion from economic, civil, cultural, and political rights. They experience alienation and stigmatization at home and in society. According to Suzy Woltmann (2019, 3), “The displacement, alienation, and homelessness that many hijra youth experience leads to what I call ideological diaspora—a form of internal diaspora predicated on intersectional oppression and exile.” In Chap. 9, Azar and Vaudrey emphasize ways that financial and social stigma force many hijra people to live “double lives.” Sometimes they are forced to live “as a cisgender man with wife and children” and then in parallel, discreetly live the life of the hijra woman. This can lead to a lot of psychosocial distress. Such people become vulnerable to sexual exploitation at the hands of cisgender men and the police. Robert Phillips (2014, 19) borrows the term “abjection” from Kristeva and Roudiez’s (1982) “Powers of Horror: An Essay on Abjection” to refer to the process that excludes subjects that the dominant deems as its “other.” He extends this to think of the “instability of the gendered and/or sexed bodies—especially those occupied by transgender individuals” (Phillips 2014, 19). He says that abjection as Kristeva and Roudiez (1982) describes it, “disturbs identity, system, order and encompasses a kind of borderline uncertainty—ambiguous, horrifying, and polluting” (Phillips 2014, 20). Transgender bodies, then—especially when viewed as physical bodies in transition—defy the borders of systemic order by refusing to adhere to a clear definitions of sex and gender. “The abject can thus service the cleaving point of abstruseness and unease—separating, pathologizing, and psychologizing trans subjectivity” (Phillips 2014, 20). In Chap. 5, Ruman Sutradhar shares the experiences of Rai Kinnar (aged 25), one of the hijras of South Assam, who describes how people dehumanize them. Hijras are stared at “as if they are from some other planet.” Society thinks of them as “very different.” She asks, “When we are not even considered humans, how can we even expect to be respected? And equate us with God is just a dream which will never be fulfilled.” This example makes clear how appropriate the term abjection is for describing the hijra presence in Indian society.

With the 2014 landmark declaration of transgender individuals in India as the third gender, along with the Transgender Persons (Protection of Rights) Act, 2019, hijras have greater visibility, social presence, and rights (Hylton et al. 2018). Researcher Shraddha Chatterjee (2018, 311) maintains that “It can be hypothesized that a contemporary transgender subject in India finds itself caught between the fading voice of precolonial and colonial history on the one hand, and the strong pull of globalization on the other, creating what can perhaps be imagined as a knotted relation of the (transgender) subject with historicity and temporality.”

Within this context, I offer my reading of the life narratives of the hijras Revathi and Laxmi. I consciously avoid using the term autobiography, since for many critics, this term connotes a Western, masculine, middle class, universal subject. The term is inadequate to represent the expression of collective subjects, since this universal subjectivity bypasses the gender and ethnic diversity of experience and other modes of subjectivity (Huddart 2008, 4). Hence, I employ the words self-writing or life narrative rather than autobiography. Simultaneously, we must extend the theoretical framework of gender beyond rigid binaries and instead view gender as fluid, to see the emergence of positive identities at the intersection of multiple dimensions.

2.3 Toward Understanding Marginal Writings

There was a sudden explosion in the Indian popular literary market for life narratives during the 1990s and 2000s, especially from marginalized groups. These life narratives challenged readers to reconsider the dynamics of the self and to question their assumptions that the Indian self can be adequately represented by the mainstream upper caste, upper class, elitist, male self. Mainstream historiography has cleverly played on its exclusionary strategy to carefully exclude categories that do not fit into its secular public sphere discourse. It has begun to decisively change the way we approach sexuality, gender, and intersectionality studies in India. For people whose lives exist in the peripheries of culture and whose subjectivities are forced into the position of being objects, it is a challenging task to inject the personal into a space against the narratorial subjectivities accepted by mainstream culture (Pradeep 2020, 288). Through their life writings, many recent marginal writers—including Dalit men and Dalit women, Adivasis, hijras, domestic servants, and sex workers—have questioned the idea of a hegemonic, unitary Indian gender and sexual experience, history, and culture. The emergence of transgender studies in the 1990s, especially in the West, was one such moment of change in India too that "worked in concert to create the possibility of new performative utterances, unprecedented things to say, un-expected language games, and a heteroglossic outpouring of gender positions from which to speak" (Stryker and Whittle 2006, 11). It is important to hear these voices since "they are seen not as a normal, fallible human being living within the gender constraints of his or her own society but as an appealing, exalted, transcendent being" (Towle 2002, 44).

These marginalized subjects, including trans people, have collectively begun to reveal the many layers and subtexts of experiences and agency that allow for the full range of their gendered subjectivity. It is essential to read their lives as heterogenous voices and as mediated by factors of class, caste, sexual orientation, and region, and to carefully look at the ways they challenge the society's reification and erasure of their agencies (Menon and Tom 2016, 8). This trend in all regional languages in India points to the fact that life writing provides a means of self-expression for a population that has been silenced for generations.

It is also crucial to understand why subaltern individuals choose the genre of self-writing to re-define themselves, and at the same time to look at the various political and cultural positionalities from which they resist mainstream imaginings. As quoted in the article, "Autobiography; Culture and Identity: Narrative Strategies" (n.d.), self-writing or life writing is "a process that is historically and culturally situated, and through which identity and experience are negotiated, materialized, and refashioned." It also entails awareness about the rhetorical situation and the cultural narrative that entrenches and shapes the book. The critic Janet Harbord (2002, 32–33) suggests that the writing of the self involves an engagement with the various cultural resources available, and they do not contain the latent text of the "self" but make up its possibilities. She says about autobiography that "to dismiss it as an intrinsically private activity, signaling a retreat from either public communication or narratives of broader social application, is to miss the point, and to reinstate the tired polarities of public and private, abstract versus embodied knowledge, the political subject versus the narcissist: the ineluctability of 'othering' each other" (Harbord 2002, 32). Since the self becomes defined against its socio-cultural and historic context in the autobiography, the term "self-writings" has become popular. Since the traditional, unified, essential self is historically appropriate for a man's life and not a woman's, feminist critics see women's selves, as Martine Watson Brownley and Allison B. Kimmich (1999, xiii) put it, as "fragmented or contradictory since these women attempt to fulfill the impossible expectations society places on them and fashion self-understandings, separate from those oppressive norms." Also, a woman's challenge in writing her autobiography is to acquire a voice and assert selfhood in a world that continues to undervalue all that is feminine. Women writers find a voice to express themselves, and images of their selves are created through the act of writing (Benstock 1988, 11). Francoise Lionnet (1989) proposes the theory of mettisage to understand how marginalized women voice their lives. According to her, such subjects create "braided" texts of several voices to articulate their cultural positioning. Lionnet's (1991, 4) approach emphasizes difference, plurality, and multiple voices.

Thorner and Krishnaraj (2000, 18) argue that "subaltern history employs the principle of self-representation as a means of recovering suppressed identities. It seeks to retrieve the subject-hood of oppressed groups by highlighting their everyday activities." I would extend this to any writer marginalized by the dominant heteronormative and cisnormative discourse, and in this context, to hijra writers. The sexual minorities who have begun to write about their constructions of their self and their trans status have begun to reshape the existing genre of self-representation and to fashion new modes of voice, appropriation, and gender visions. Just like women, their efforts are often incumbered by the demarcation that is entrenched in established forms of self-representation. This validates their preference for this genre.

Both Revathi and Laxmi identify themselves as female/woman, and yet their voices are not unidimensional; in this chapter, I investigate the diversity of their voices. And as Reddy (2005b, 4) suggests, "Viewing hijras solely within the framework of sex/gender difference—as the quintessential 'third sex' or 'neither men nor women'— ultimately might be a disservice to the complexity of their lives and their embeddedness within the social fabric of India." Their writings "call attention to the fact that 'gender,' as it is lived, embodied, experienced, performed, and encountered, is more complex and varied than can be accounted for by the currently dominant binary sex/gender ideology of Eurocentric modernity" (Stryker 2008, 3).

Mary Leonstsini and Yulie Padadakou (2017, 79), in the context of Greek transwomen's autobiographies, have employed Honneth's (1995) theories to understand the relationship between recognition and the emergence of a collective subjectivity. I have derived parts of my framework for analyzing hijra autobiographies from this work. Recognition is a vital human need. Subaltern persons, especially sexual minorities, have been systematically denied recognition for their way of life. Honneth (1995, x) feels that these social conflicts in their lives should be situated within the social world that produces them and "to the struggle for the establishment of relations of mutual recognition, as a precondition for self-realization." In the introduction to the book, translator Joel Anderson says that humans need strong ethical relationships, which are formed through struggles for recognition:

> Honneth's approach can be summarized, in a preliminary way, as follows. The possibility for sensing, interpreting, and realizing one's needs and desires as a fully autonomous and individuated person—in short, the very possibility of identity-formation—depends crucially on the development of self-confidence, self-respect, and self-esteem. These three modes of relating practically to oneself can only be acquired and maintained intersubjectively, through being granted recognition by others whom one also recognizes (Honneth 1995, xi).

This can be extended to see the raison d'être for Revathi and Laxmi's re-emphasis of the pain of conflicting with the framework of their relationships, friendships, civic society, police, and law makers, since that is a prerequisite for reasserting a positive self and eventually for demanding social justice. For the mainstream, hijra exist only at the periphery of their imagination. In contrast, through the act of writing, these authors insert their visibility by asserting their "'realness,' or their authenticity, and their claim to izzat (respect)" (Reddy 2003, 15). Both Revathi and Laxmi experience personal struggles, feelings of confusion, and an intense yearning for recognition. They experience disrespect and disregard for their bodies, and this becomes a precondition for their claims to a coherent, valid assertion of identity. These hijras place emphasis on an honorable life, greater recognition, the defense of human dignity, and on being political subjects. In this chapter, I strive to re-read the life writings of Revathi and Laxmi to explore the evolution of a self at the critical junctures of gender, embodiment, and agency. In this re-writing of their selves, the body is analyzed as both victimized and agential within the context of the motivations and meanings of violence meted out to a hijra body. In this chapter, I will explore how hijra bodies are used by the writers to re-interpret, negotiate, and reconstruct positive hijra identities.

2.4 Agential Bodies

There are certain bodies that matter, as Judith Butler (1993, 16) argues: bodies that are worth protecting, saving, and grieving. Other bodies become abject bodies—bodies transgressive of borders and boundaries that do not matter. Only bodies that are deemed "culturally intelligible and socially valuable" retain certain privileges, rights, and protections (Boyd 2008, 421). It makes no difference if abject bodies die, are hurt, humiliated, or ridiculed, and no one grieves them. The abject body of the hijra transgresses borders and boundaries, becoming a site of oppression by the dominant patriarchy. At the same time, memories of “becoming,” even though elusive and immaterial, are implicated in the “materiality of their bodies” (Smith and Watson 2010, 27). To Revathi and Laxmi, body is an important construct. It is a site of violence and agency, as well as a site for individual concerns and collective consciousness. As Tanupriya states in Chap. 11, alternative masculinities are seen as lesser versions of masculinities, in comparison to the established version of “heroic masculinities.” Indeed, many of these “heroic masculinities” depend on the subordination of alternative masculinities. This echoes the way that a hijra’s body is a site of coercion and pain in a male-dominated society, expressing culture’s notions of toxic masculinity, and how the violence of oppression and gendered relationships play out upon their bodies. At the same time, their bodies are also crucial in debunking myths about hijras, by exploring their sexualities and inserting their bodies into public spaces as productive members of the society.

Violence against sexual minorities can be understood in light of what constitutes public space and who occupies it. Public spaces that are inhabited by sexual minorities become spaces of gender tyranny (Doan 2010, 635). Transgender persons face multiple challenges to accessing a livelihood. Transgender people’s effeminate behavior, their trans status, their real or perceived association with sex work, their real or perceived HIV status, their dress code, and their physical appearance contribute to the multiple forms of discrimination they face from families, neighborhoods, communities, and public and private institution.

Revathi confirms this discrimination. She remembers her childhood in the context of painful stories of difference, embarrassment, uncertainties, abuses, and name calling. Describing the beating she received from her brother, she writes, “He beat me hard mindlessly, yelling that he wanted to kill me, I who had dared to run away… I was beaten on my legs, on my back, and finally my brother brought the bat down heavily on my head… there was blood all over, flowing, warm… (as) I had been spotted in women’s clothes, begging in the apple market” (Revathi 2010, 55–56). Revathi’s feminine body was teased at school, and she notes how she was a “regular source of amusement and curiosity” and caned for “not being brave like a boy” (Revathi 2010, 6, 14–15). She was called “Girl-boy!”, “Ali!”, and “Number 9” (Revathi 2010, 6). Apart from such external conflicts, Revathi’s body suffered even from within. She says, how “irrepressible femaleness haunts him,” “troubled by the feelings men incited in him,” and feeling she was a “flawed being” all made her confused and anxious all the time (Revathi 2010, 14–15). Revathi’s hijra body was constantly abused at the hands of clients and of the police through beating, violent arrests, and being paraded naked.

Even after the transition process, Revathi’s feminine body was forced to conform to rules of behavior. Her body was instructed to “sleep like a woman, draw her feet in, tuck her hands into the folds of the sari and feel womanlier” (Revathi 2010, 24). Her hijra body was scrutinized and poked. Heterosexual men made bold moves to touch her and to point toward her breasts to ask if they were original (Revathi 2010, 29). Once back home, her body was dragged to the temple and her hair shaven off. Even castration was an intense pain to her hijra body, which Revathi endured since she felt, “I had to put up with these painful procedures, if I wanted to become a woman” (Revathi 2010, 76). Her body was self-controlled as she suppressed her bodily desires. She says, “Whatever I felt within, I kept to myself. I had learned to suppress desire and had told myself that it was important for me to become a woman first period everything else would come later” (Revathi 2010, 95).

Cultural codes of femininity are ingrained into the hijras by their community. Along with moral codes, gurus also instill in the hijras the skills that a girl needs to know since she is a sexual being. The irony here is while the training of the hijra body is focused on a nonsexual, laboring body in possession of various skills like helping in the house, cooking, and doing domestic chores, there is also an insistence on another kind of the body, which is a non-agential, sexual body. Revathi describes how her hijra body was denied work and deemed fit for “only dancing on the roads and having cheap, riotous fun” (Revathi 2010, 161). Later as she got into sex work and developed an excessive drinking habit, it was again her hijra body that was traumatized and rendered as an object. She and other hijra bodies were jolted awake by the heat of flames on their sleeping bodies (Revathi 2010, 107). She was forced to perform painful sex while threatened by a knife. Slowly readers can see how her narrative defies the canonical definition of autobiography, as she begins to write about the experience of her hijra community and its members. Gradually, she assumes a collective voice as she talks about the fate of other hijras. The “I” then becomes the collective “we”: violated hijra bodies with scars, injured by knives, bitten by clients. She describes the hijra body as cheated by clients, suffering from sexually transmitted diseases, and ultimately dying from lack of a proper medical care. She brings to the center of discussion those hijra bodies that were paid a paltry sum of 15 or 50 rupees, as well as the young ones who—with powdered faces and painted lips—solicited clients, were picked by the police, beaten with whips and lathis, stamped by police boots, electrocuted by having current run through their bodies, and who could ultimately leave only after paying the police a hefty bribe. Visible gender presentations are perceived to be a threat to heterosexual domination of public spaces. For those who do not fit the heteronormative binary or the man/woman dichotomy, public spaces become spaces that create vulnerabilities and violence (acts, mannerisms, and attitudes) (Namaste 2008, 584). Revathi reveals the hardships inflicted on hijra bodies in public spaces.

Revathi’s narrative of her hijra body and the depiction of hijra exploitation and atrocities not only lays bare the concealed body politics of patriarchy, law, and social codes, but also represents a paradigm shift by advocating ways of emancipation for hijras through their bodies. It is important to see how Revathi directs the violence and bashing to all the tyranny she experiences in the public space, channeling her anger into a manifesto for change and increased activism. She stands up to her brothers who taunt her for castrating her body and who insult her body. She asserts, “It is not my vanity that made me cut it off. I felt like a woman. I wanted to stay true to my feelings, so I changed into a woman and I’m going to live as one” (Revathi 2010, 114). She claims that her body was in “disguise” prior to her transition surgery and that now it is “real and true” (Revathi 2010, 114). She asserts her hijra body as a site of conjugality, desire, and normativity. To her brothers, she declares, “I am a woman and I do what any woman does. I have feelings too. What did you ask? What could a man and man do? Well, I do exactly what you do with your wives. Do you understand now? What is your business here in my house? Do I come to yours and ask what you do with your wives or how?” (Revathi 2010, 184). She redeems the hijra body by normalizing and materializing it, by finally demanding acceptance from her family, by falling in love with a man, by cuddling in his arms, and by living the domestic body. This points toward her validation of alternate discourses of corporeality. She fights her way to make her body acceptable and liberating. Revathi’s hijra body that was problematically positioned with respect to the binary seeks an alternate way to live gender that is productive and self-respectful.

Revathi also reinscribes the hijra body into her narrative as an agential body. Revathi becomes associated with Sangama, an NGO that works for sexual minorities, as a social worker. Through this act, she subverts the norms that discipline gender-variant bodies, and she upsets the mainstream essentializing tendency to discipline her deviant body and to render bodies like hers impossible for public life. She reclaims the disciplining and restrictive public space as a space for activism. She begins to realize that she is, after all, not a “bad person,” and that to be a hijra or to do sex work was after all not “wrong” (Revathi 2010, 244). She begins to see how within those liminal spaces, she could work for those who face violence like her and for those sexual minorities who are forced to earn a living only through sex work and begging.

Hence, all that Revathi demands for the hijras is not sympathy or compassion, but acceptance and the freedom to work. She holds the moral regulators responsible for the hijras indulging in begging and sex work, since they are forced to do it for lack of anything better. She wants the economic exploitation, social marginalization, and stigma of hijra bodies to be removed. Here one can see how Revathi’s narrative projects her subjectivity, by revealing her agency as a hijra within Indian society, which overtly stigmatizes hijras. She subverts mainstream discourses by destabilizing establishments, questioning police, and demanding urgent re-examination of mainstream representations of the hijra. It also shows how by implicating the hijra body in public spaces, she is transforming society by the queering of spaces. In the preface to her book, Revathi loudly proclaims the aim for writing it: “*The Truth about Me* is about my everyday experience of discrimination, ridicule and pain; it is also about my endurance and my joys. As a hijra I get pushed to the fringes of society. Yet I dared to share my innermost life with you—about being a hijra… my aim is to introduce to the readers the lives of hijras, their distinct culture, and their dreams and desires” (Revathi 2010, v). She realizes the need to also take into her fold the issues of other sexual minorities like homosexuals, as well as Dalit women, child workers, and victims of dowry violence. In so many ways, readers can see how—through the discourse of discontentment—Revathi constructs a self, marked with integrity, and eventually she celebrates a positive identity as a hijra.

Laxmi also remembers her painful childhood of sexual encounters, rape, and abuse of her body while growing up. Laxmi, right from the beginning, evince more of herself as a subject rather than herself as an object. Revathi chooses to narrate the painful recollections of her childhood, while Laxmi chooses to talk more about how her body emerges out of the darkness of violence and rape in her childhood to become a more dignified and confident body quite early on in her youth. This politics of remembering is central to the formation of herself, and it is implicated in the materiality of her body. She confronts her own body as "gay body" since she proclaims to Ashok Ravi who worked for gay men, "I am effeminate and people tease me. I am also sexually attracted to me. Why am I not like everyone else? Am I abnormal?" (Tripathi 2015, 11). Laxmi's body was also tortured and raped at a very young age. She states, "It was as if my body did not belong to me but to them" (Tripathi 2015, 7). Here her body felt like something she did not own. She was abducted by a gang of boys, and in another instance, she was raped in a locked room. Gradually she realized that the heterosexual female body was what she yearned for. She says, "I did not think of myself as a man. I thought of myself as a woman. That's my I was a drag queen, donning women's clothing and dancing at parties" (Tripathi 2015, 29). Laxmi remarks how her body was "nothing but a playhouse… a plaything, and any man could do anything with it…" (Tripathi 2015, 27). Her dancing, which is a dominant woman's pursuit, was something she acknowledged, since that was one way that she made sense of her internal life within her body. She says, "In patriarchal, misogynistic cultures such as ours, dancing is seen as a womanly pursuit. So I was teased. People began to call me a homo and a *chakka*. They couldn't see the cathartic and therapeutic effect that my art had on me. All they could see was that though I was a man, my body language was that of a woman" (Tripathi 2015, 4–5). Laxmi unapologetically resisted and subverted by taking her sexuality out of the close recesses of home and went on to reclaim a non-cisnormative space with her body. The urge of her body to acquire a social and cultural meaning was imperative to her at that age. She was on her path toward hijra construction through the framework of bodily performance, which is an integral part of Laxmi's gendered identity. By proclaiming autonomy over her own body, she began to carefully construct a proud hijra self through her body's language, presentation, and mannerisms.

Popular imaginations draw up the image of a hijra at the margins as deviant, uncivilized, passive, ugly, and dangerous: as sex workers, bar dancers, castrated beings, homosexuals, child kidnappers, and runaways (Tripathi 2015, 137–139). Laxmi writes her life from subversive sites, wherein she proudly begins to claim a subjectivity from the domain of the "unliveable" and the "abnormal." She uses the public space as a platform for her political subjecthood. She is able to fight against the stereotypes impinged upon the hijra body. As Larry Preston (1995, 942) writes in his paper "Theorizing Difference: Voice from the Margins," "We may begin to see the ways in which women, minorities, and others outside society's mainstream have developed resistances to that language and, in doing so, fashioned tongues of their own." Raj Rao in the afterword to *Me Hijra, Me Laxmi* says, "Laxmi's autobiography is one of the earliest works that belong to the genre of hijra literature. It seeks to make readers aware of who the hijras are, and what goes into the shaping of their personalities…it seeks to dispel myths about the hijras and help us to shed our prejudice" (Tripathi 2015, 183). About Laxmi's attitude toward her life and writing, Rao feels that Laxmi comes across as an "anti-essentialist" by "de-centering her being by refusing to take on the victimhood yet affirming a positive hijra identity" (Tripathi 2015, 188). Early on, Laxmi began to subvert the violence against her transgressed body and to fight against the policing of her gender performance and presentation, both in the private and the public spaces. She kept her identity discreet from her parents all throughout her teenage years. Later her parents rendered her support and accepted her for who she is. She became a star at a young age, a distinguished dance teacher, and a voice for social justice advocacy in Mumbai and the rest of India. Her elaborate, exaggerated dress and make-up, her saris and trendy clothes, became another way that she has negotiated outer space through her body.

Identity is a sense of self that emerges from an affiliation with or a sense of belonging to a group. Identity formation implies a fashioning of the self and is located in both the external world of events and the internal world of desires and feelings. Identity is formed in the nexus between the hidden private self and the socially committed self. The hijra self of both Revathi and Laxmi is profoundly ingrained within the customs of the hijra community and without. Revathi sees herself as an integral part of her community, and this identity with her community is part of her self-identity. For her, sometimes hijra consciousness emerges as important, while at other times her female consciousness dominates. Although multiple voices emanate from her, she perceives herself primarily as a hijra.

For Laxmi, her identity as a hijra is of utmost importance. She says, "When I became a hijra, a great burden was lifted off my head. I felt relaxed. I was now neither a man nor a woman. I was a hijra. I had my own identity. No longer did I feel like an alien" (Tripathi 2015, 43). But that is an identity she creates on her own terms. Laxmi defies the norms of the hijra community, revealing the need to view her life outside the archetype of a hijra life. Pal and Sinha in Chap. 10 talk about how important the process of castration is for hijras. Only castrated hijras are considered "real." In order to be considered a "real" hijra within the community, to show allegiance to the goddess, castration is a must. But Laxmi writes that she was not castrated, nor does she take hormone therapy in a desire to look feminine (Tripathi 2015, 157). But she asserts that the other hijras still regard her as one of them.

This act of resistance to the hijra community's regulations through her lived experience of hijra identity shows how she fought back against the disciplining of her life and body. Laxmi re-defines our understanding of the relationship between gender and sexuality, and also between sexuality and the body. She represents the need to shift toward a new understanding of sexual fluidity to acknowledge bodies and embodied experiences beyond social and biological categories. Laxmi confesses that she rebelled against the hijra system because it restricted her freedom (Tripathi 2015, 160) and that she was ostracized for all her transgressions. In Chap. 10, Pal and Sinha contend that the guru-chela system can be sites of abuse that trap the hijras in the vicious cycle of marginalization and poverty, denying them a sense of agency. They argue that the guru-chela system is an extremely hierarchical system, where chelas cannot question the gurus at any cost. Laxmi subverts this equation when she questions and walks away from this cycle. At the same time, she is well-educated, speaks English, and posits her body amidst the elite in society. It provides her the social mobility to move anywhere in India and to foreign shores, at any time. Her body empowers her, and that is the reason she acknowledges it throughout her narrative. She loves her dancing body, wears make-up, and adorns her body with saris. She organized the first hijra beauty pageant in India. This reveals her effort to create a broader, liberatory space for other hijra bodies to harmonize their internal senses of self and respect for their own bodies. Her body is a major construct in her subjectivity:

> When I was young, I had an inferiority complex and society was responsible for it. But now I have a superiority complex. I have travelled all over the world. I have hobnobbed with the high and the mighty. Films have been made on my life. Who can deny that I am a celebrity? People laughed at me once, but today I have the last laugh. But then, I owe all this to my decision to become a hijra. It was a bold decision and it yielded rewards. Had I not become a hijra, I might have been any ordinary effeminate homosexual guy. Being a hijra was glamorous and militant. At first, I seemed a stranger to myself. But overtime, the timid, shy Laxminarayan of old, faded out of existence, and the Laxmi you see before you, aggressive, ready to fight the world, stood in his place (Tripathi 2015, 169).

Laxmi establishes a new understanding of the hijra body and the agency of hijras when she inscribes the hijra body with beauty. To Laxmi, her body becomes an important means to construct her respectable identity. She subverts the notion of the "hijra body" as "deviant," "devoid of desire," "impotent," "incapable of copulation," "deformed, dysfunctional, or deficient" (Lal 1999, 119). Neither Laxmi nor Revathi claim to be "sannyasis (ascetics)" who have "renounced all sexual desire and family life" (Nanda 1999, xx–xi). On the other hand, they claim a subjectivity that was hitherto denied to a hijra. Both portray sexuality not a moral threat, but as an important aspect of their identity. Through writing, they reaffirm a hijra body that is sexual, desirable, worthy, and agential. The female or feminine bodies are typically associated with passive bodily objects, but these hijra bodies challenge gendered power dynamics in Indian society.

Both Revathi and Laxmi deploy agency in their de-victimization of hijra status by highlighting that their social positions as a social worker and an activist allow them to be a voice for other hijras and sexual minorities. They validate their powerful positions in the organizations they work for because they present their fight for the concerns of other marginal people as imperative. At the same time, this involvement also allows them to make sense of their existence in the world. This enhances their visibility and presence in the social world. Their bodies gain respect and acceptance, their voices become authentic, and their identities are assertive.

Revathi and Laxmi focus not only on the present assertive position they occupy, but also on their hijra identities recovering from painful pasts, wounds, and broken relationships, and as activists fighting for the cause of sexual minorities in India. Growing up as hijras in India, they learned the hard lessons of the cruel inequities of a binary-bound culture with insistence on compulsive biological essentialism, combined with the ironic position of hijras who have always existed in the social imaginary, yet have also been outcasts. Through their writings, they narrate a hijra woman's enforced complicity in the consciousness of their otherness that becomes a defining part of their early years. Both of them record the silence, invisibility, and outright disregard and disrespect for the hijra body that shrouds police and patriarchal violence. At the same time, both juxtapose it with the rage, anger, depression, embarrassment, and self-doubt of growing up as a hijra woman. Through her writing, Laxmi "deploys a counter-hegemonic narrative to dismantle the cartographies of trans identities (stable, singular trans identity)" (Ramonas 2018, 75).

2.5 Conclusion

The reading of the hijra autobiography brings to fore Foucault's (1980) "subjugated knowledges" that are positioned hierarchically low. Stryker (2008, 13) argues that this is the knowledge that is essential, since it brings to visibility transgender-embodied experiences and the relationships between individuals and the institutions that act upon them. These writers de-subjugate knowledge about themselves and their community by putting their "gendered subjectivity and their sexed embodiment" into the mainstream (Stryker 2008, 13). Their lives reveal that gender is not a dichotomy but a splendid array of diverse experiences and performances (Doan 2010, 635). At the same time, they employ their abused bodies as platforms for resistance, which they negotiate in unique ways. By resisting all attempts to see themselves as only sexual/asexual objects, these writers mold new subjectivities at the margins of Indian society.

In Chap. 10, Pal and Sinha describe how hijra identity, in its trajectory toward decline and marginalization and the loss of importance accorded to their traditional roles, becomes a site of victimization both by mainstream society and by the hijra community. Although both of my writers are marginalized by society, they maintain that third gender experiences cannot be universalized. They reside at the margins of Indian society, and they script their lives from both their individual and collective experiences. The act of writing lets them bear witness not only to the years of pain and torture that lay in their conscious selves, but also to the powerful commitment to restore their lives and reassert their selves. Through re-living and re-visiting their past, these women make sense out of their disorganized lives. The Black feminist bell hooks writes in her autobiography, "It was the act of making it present, bringing it into the open, so to speak, that was liberating" (hooks 2000, 159). Earlier in their lives, the instances of shame, oppression, brutality, and disrespect experienced by these hijras lay repressed within their unconscious, whether from fear or a lack of opportunity or confidence. By scripting their lives, these writers have liberated themselves. They divulged their strength, multiplicity, and complexity within their varied experiences of marginalization. Their activism and agency have broken the myth of a monolithic, marginalized hijra body, fashioned only for begging, sex work, and eliciting rebuke. They shatter this myth by showing how they engage, question, rebel, and protest the power relations in both private and public domains, and in the process, they become agents of change.

I conclude with the strong conviction that these hijra self-writings are vital for understanding the imposing and unbroken narratives of the dominant discourses that need to be uncovered and articulated. By authenticating their experiences, these writers provoke self-reflexivity in their readers. By raising their voices that were previously subjugated, expunged from history, they were able to evolve as subjects with dignity. They profoundly impact the self-image, self-identity, and self-respect of any individual who engages with texts of these kinds, forcing readers to re-think society, life, and humanity as a whole. When sexual minorities worldwide are challenging gender binaries, it becomes imperative to listen to such voices as Revathi and Laxmi who challenge these dualistic modes.

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Chapter 3
Queer Futurities in Arundhati Roy's *The Ministry of Utmost Happiness*

Anna Guttman

Given the blockbuster success of Arundhati Roy's first novel, *The God of Small Things* (1997), and the 20-year wait for her second novel, *The Ministry of Utmost Happiness* (2017), it is no surprise that it "was published as expected amidst a furore of literary excitement" (Lau and Mendes 2019). This latter work attracted immediate critical attention, as scholars considered both its continuities with and differences from Roy's earlier work. Lisa Lau and Ana Cristina Mendes (2019), for instance, note that this sophomore novel is about the breaking of the love laws introduced disdainfully in *The God of Small Things*, which, in an oft-quoted passage, are said to "lay down who should be loved, and how. And how much" (Roy 1997, 33). Filippo Menozzi (2019) argues that *The Ministry of Utmost Happiness* continues and expands Roy's engagement with questions of realism. Alex Tickell (2018) has focused on Roy's ongoing interest in the city, and multiple writers have noted her desire to call attention, in both her fiction, and non-fiction, to the underbelly of India's supposedly successful integration into global capitalism. Robbie H. Goh (2021) reads *The Ministry of Utmost Happiness* as a post-9/11 novel. Among these diverse and rigorous analyses, however, there is a notable absence of the word "queer" from all but one entry (Kuiti 2020) into the critical discussion.

This, I wish to argue, is not a small absence. Queerness was very much on Roy's mind as she wrote; in the acknowledgments, the author thanks Shohini Ghosh, known for her work on queerness, gender, and sexuality, among other topics, for having "queered" her "pitch" (Roy 2017, 447). While the word does not appear, it is true, in the body of the novel itself, the subject of the novel certainly evokes queerness. The novel's main character, Anjum, is a hijra, and while her story is interwoven with many others, the bulk of the novel concerns Anjum's coming to terms with her gender identity as a young person, and her construction of a

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community and a family that falls outside of patriarchal and heteronormative paradigms. Though hijras have frequently appeared in non-fiction as objects of anthropological study, or more, recently, as authors of their own biographies, as Shalini Jayaprakash addresses in the previous chapter, hijras in fiction have largely been stereotyped figures. Hijras are, in general, depicted as "symbols of deviance and central points around which wider anti-sociality circulates" (Newport 2018, 3). Even more recent works of fiction that portray hijra characters, such as Anosh Irani's *The Parcel* (2016), depict them as "almost human" (Irani 2017); the main hijra character in that novel dies tragically, and heroically, rescuing a young girl from prostitution so that she can be reintegrated into "respectable" femininity and society. *The Ministry of Utmost Happiness* may be the first work of Indian fiction in English to depict a hijra central character as rounded and fully developed. And while hijras are often associated with a mother goddess, and therefore have the power to confer or withdraw fertility from cisgender heterosexual subjects, Anjum's central, and ultimately, successful quest, to become a mother, makes this story particularly notable.

As Shane Gannon elucidates in Chap. 6, hijras have troubled Western gender categories since at least the nineteenth century. But difficulty placing the hijra extends beyond colonial commitments to binary notions of gender. According to Geeta Patel (1997, 14), hijras do not fit tidily into Western-centered queer theory:

> Both Indian and western accounts slip and slide on what hijra means, or what the figure of the hijra is supposed to stand for. They have been variously equated in local lore (Indian media, Indian scholarship) with zenane ("gay men"), eunuchs, hermaphrodites, transsexuals, and people who are transgendered…. popular press articles, and anthropologists who have "studied" them seem to agree that hijras sometimes speak of themselves as intersexed "people" or gendered inverts (effeminate men) who may have been castrated or "emasculated." Although many hijras appear to acquiesce to transnamings such as eunuch or hermaphrodite, they distance themselves from zenane (gay men), both the category and the name… Hijra, sans zenane, then, is a bloated umbrella term under which "trans-"bodies and representation collect.

Indeed, within *The Ministry of Utmost Happiness*, Anjum herself is uncertain about the Western language of gender. An older hijra, she contrasts herself with the younger Saeeda, who "could speak the new language of the times—she could use the terms cis-Man and FtoM and MtoF and in interviews she referred to herself as a 'transperson'" (Roy 2017, 42). Anjum, in contrast, refuses those terms for herself, is recognized as a hijra from birth by her mother (Roy 2017, 12) and steadfastly identifies with "us Hijras" (Roy 2017, 312).

There are a variety of reasons why Anjum might be hesitant to adopt the label transgender, which Saeeda wears comparatively easily. For one, as Supriya Pal and Neeta Sinha explain in Chap. 10, hijras in India are at risk of being tokenized as symbols of the progressivism of the organizations that employ or work with them; this is especially true if they speak English. Drawing on an English-language vocabulary of gender identity is not straightforwardly liberating, even if the terms in question signal progressive thinking in the West. Secondly, to be a hijra in India is to have a history. Hijra identity on the subcontinent has a longstanding mythology and set of rituals (see Pal and Sinha). As Ruman Sutradar details in Chap. 5, hijra life and identity maintain deep and complex connections to canonical Hindu texts and practices, including both the *Ramayana* and the *Mahabharata*, as well as the worship of the Shiva lingam. Initiation into Anjum's particular hijra community includes not only traditional rituals, and a process of physical transformation, but a compulsory outing to the sound and light show at Delhi's famous red fort. The entire community goes for the experience of a brief moment in the presentation, depicting the history of the Mughal court, in which a "clearly audible, deep, distinct, rasping, coquettish giggle of a court eunuch" can be heard. "The moment passed in a heartbeat. But it did not matter. What mattered was that it existed. To be present in history" (Roy 2017, 55). This is what being a hijra means for Anjum; in contrast, to be trans means to be English-speaking, attired in Western clothes, and therefore other to Anjum's self.

Yet to ignore the novel's queer potential can lead to misreading. When Anjum attends an anti-corruption protest in New Delhi, she encounters a set of activist filmmakers asking attendees to create a message of optimism by stating "another world is possible" in their various dialects on camera. In a moment of mistranslation and cultural misunderstanding, however, Anjum instead states: "[W]e've come from there…from the other world" (Roy 2017, 113–114). Filippo Menozzi (2019, 29) explains:

> Anjum's use of the word "Duniya" refers to "what most ordinary people thought of as the real world" (30), a word that Hijras oppose to their own world, the "other-worldly" marginalized transgender community living on the edges of "Duniya". The first message enclosed in her erased testimony is that Anjum is a Hijra: she does not belong to "ordinary", heteronormative Indian society. But her sentence also includes another important message: Anjum tells the young filmmakers, in a way, that she comes "from the other world", meaning that she is not from the real world, but from the world of the novel itself, the fictional world to which she belongs as [a] character of *The Ministry of Utmost Happiness*.

While the novel is not realist in any narrowly traditional sense, I contend that Menozzi's reading forecloses queerness too quickly. If we accept José Esteban Muñoz's (2009, 1) contention that "[q]ueerness is essentially about the rejection of the here and now and an insistence on potentiality or concrete possibility for another world," then it seems hard to justify a reading of Anjum's declaration, which mirrors that of José Esteban Muñoz so closely, as primarily a self-referential declaration of the narrative's commitment to postmodern form. Yet the fact that Muñoz never mentions hijras, or India, or indeed any non-Western identities makes postcolonial scholars reluctant to apply his formulation to texts such as Roy's.

Indeed, the novel itself textualizes the limitations of the Western gaze in this very scene. The filmmakers move on quickly, rather than explaining their project to the protestors and carefully keep out of frame messages and slogans they deem "regressive" (Roy 2017, 114). More importantly, they miss the pivotal appearance of the baby Jebeen at this protest, who Anjum refuses to turn over to the authorities, and ultimately adopts as her own. I argue that Anjum's insistence on an alternative world, then, can best be understood as an articulation of queer time, whose moment of titular happiness is overtly tied to various forms of queer kinship, expressed not as an ultimate goal but in the novel's, and our, present. Indeed, "queer futurity is not just about crafting prescriptions for a utopian society… but making life more bearable in the present, because in doing so we create the potential for a better future" (Jones 2013, 2). Yet in *The Ministry of Utmost Happiness* "everything…had happened before…nothing new was possible" (Roy 2017, 20). This is a world where "soldiers die twice" (Roy 2017, 324) and even 300-year-old blood stains "cannot be washed away" (Roy 2017, 14). Time in the novel is therefore neither linear and progressive, nor simply repetitive and cyclical, but distinctly queer.

The novel flags its preoccupation with questions of time from the outset, but rejects futurity in the traditional sense. The prologue to *The Ministry of Utmost Happiness* opens "[a]t magic hour, when the sun has gone but the light has not" (Roy 2017, 4). This is a liminal and transitional moment. It is also a time of absence, when the unnamed narrator marks the loss of the sparrows and vultures that once frequented the city. We are told, however, that "Not many noticed the passing of the friendly old birds. There was so much else to look forward to" (Roy 2017, 6). Hijras, in contrast to the normative majority, however, do not "look forward," in the same sense. One of the elder hijra mentors to the young Anjum soon explains why:

> Arre yaar, think about it, what are the things you normal people get unhappy about? I don't mean you, but grown-ups like you—what makes them unhappy? Price-rise, children's school-admissions, husbands' beatings, wives' cheatings, Hindu-Muslim riots, Indo-Pak war—outside things that settle down eventually. But for us…It will never settle down. It can't (Roy 2017, 26-27).

Traditional "settling down," with its implications of heterosexual marriage and reproduction is quite literally unavailable for someone born intersex like Anjum. Instead, "at the age of fifteen, only a few hundred yards from where his family had lived for centuries, Aftab [as Anjum is named at birth] stepped through an ordinary doorway into another universe" (Roy 2017, 29). This alternative space is "called Khwabgah – the House of Dreams" (Roy 2017, 23). But it is also a literal house in which hijras live together, connected by both traditional discipleship and queer kinship. While *The Ministry of Utmost Happiness* is a work of fiction, the notion of chosen family is also becoming increasingly prevalent in the lived experience of urban trans and gender non-conforming Indians, as Agaja Puthan Purayil describes in Chap. 12. Thus, the novel "opens up space for alternative support networks and new family structures, unconventional refuges, and homes (such as graveyards) as places of shelter, protection, and belonging" (Mendes and Lau 2020, 78).

The adoption of baby Jebeen creates one such alternative structure. While Anjum spots the child at the demonstration in Delhi, and prevents the baby being taken in by the authorities, it is a different character, Tilo, who takes her home. Anjum's kin track Tilo down, and the baby is ultimately brought to the graveyard where Anjum lives. Tilo herself is an adopted child (adopted, ironically, by her own birth mother) who both resists gender norms and refuses, herself, to give birth. When Tilo takes the baby home we are told that "[s]he could not remember when last she had been this happy. Not because the baby was hers, but because it wasn't" (Roy 2017, 42). Indeed, she does not ultimately become the child's parent. Importantly, however, Tilo does grant her the name Jebeen. Jebeen is named for another child, one who died in Kashmir in the midst of a different conflict, and with whom she has no biological, religious, or ethnic connection. Indeed, Jebeen the first, as the novel calls her, was not Tilo's biological child, but the child of Tilo's underground, revolutionary lover, Musa. Jebeen the first is buried in a graveyard whose entrance is framed by the words: *We Gave Our Todays for Your Tomorrows* (Roy 2017, 316; italics in original). This evocation of revolutionary futurity could hardly be more ironic.

Jebeen the second, or Udaya Jebeen, is the birth daughter of Revathy, a member of the People's Liberation Guerilla Army of India (PLGA), whose pregnancy came about as the result of a brutal assault by the state police. Even this Naxalite fighter, like her guerilla counterparts in Kashmir, is hardly an idealist. Instead, "Revathy frames her decision to join the PLGA as a negative but necessary choice, rather than one invested in a utopian vision of the future" (Gorman-DaRif 2018, 307). While Samadrita Kuiti argues that the birth of Revathy's daughter is "auspicious" and argues that her adoption seems to "herald the advent of a utopian future for a modern India" (2020), I disagree with the claim that Udaya Jebeen will "settle the accounts and square the books" (Roy 2017, 219). Her presence, however joyous, cannot be simplistically regarded as compensation for the death of her namesake. Tilo and Anjum must live with, rather than reconcile, their losses.

Samadrita Kuiti's case for a utopian reading of *The Ministry of Utmost Happiness* hinges on the novel's conclusion:

> everybody was asleep. Everybody, that is, except for Guih Kyom the dung beetle. He was wide awake and on duty, lying on his back with his legs in the air to save the world in case the heavens fell. But even he knew that things would turn out all right in the end. They would, because they had to. Because Miss Jebeen, Miss Udaya Jebeen, was come (Roy 2017, 446).

This is the only time the dung beetle is mentioned in the novel. His presence, and concluding statement, returns to Roy's celebration of the small, but there are also several layers of ironies to this passage. Firstly, his presence evokes the "evil weevil world" (Roy 2017, 219) in which "*Evil Weevils Always Make the Cut*" (Roy 2017, 218). Secondly, the beetle's heroism, in holding up the sky, cannot be interpreted entirely literally. His belief in the importance of his efforts is also inexorably linked to the claim that the sky is falling, suggesting unreliability, undue pessimism, or both. Finally, while there is some evidence that African dung beetles may use stargazing for navigation (see Dacke et al. 2013), insects lying on their backs are more generally understood as immobilized and at imminent risk of death. Rather than unproblematically hopeful, then, this scene might be interpreted as illustrating a sort of desperate naivety. It is hard, given the novel's emphasis on precarity, to advance an earnest claim that Udaya Jebeen, on her own, will solve the many political, social, and economic problems that characterize the world of *The Ministry of Utmost Happiness*.

The absence of utopic thinking, however, is not a flaw in the world of the novel, a point that some reviewers and readers have missed. Parul Sehgal (2017), for example, complains that Anjum "never becomes more than her patched-together body and her partially realized dreams." Sehgal's claim, however, fails to address the ways in which the hijra body functions in India—not only as a site of gay pride, but as, Vaibhav Saria argues in Chap. 7, a source of critically deployed difference rooted in shame. Anjum's non-normative body demands to be seen just as it is; she neither needs to conceal herself nor to pass. Seen in this light, her body's visibly "patched-together" nature parallels the Jannat Guest House, which Anjum opens after leaving Khwabgah. While it is rambling and irregular, the guest house is also "a hub for outcasts including hijras who have fallen out or been expelled from the grid of hijras' gharanas ("families" or "houses")" (Mendes and Lau 2020, 76). Jebeen the second's incorporation into this community demonstrates that hijras are able not only to "reproduce their own kind" (Lal 1999, 127), but can also, despite received wisdom to the contrary "continue their family line" (Lal 1999, 126). Indeed, she is Anjum's second adopted child; Zainab is adopted years earlier after she, too, was found alone in the streets.

This hijra reproduction also reconfigures heterosexuality generally, and femininity in particular. Firstly, "adopting and raising two abandoned girl children outside the hallowed bonds of marriage or the patriarchal family unit is powerfully symbolic and serves as a direct critique of the devaluation of the lives of South Asian girl children" (Kuiti 2020). Both Anjum and Tilo engage in forms of "queer motherhood" (regardless of their own sexualities and gender identities) that defies expectations of heterosexuality and patriarchy (Kuiti 2020). The paternity of both Zainab and Jebeen the second are unknown, and, in the world of the novel, does not matter. Secondly, as Srila Roy explains, the "image of the mother warrior [with a gun in her arms and a baby on her back] …has a long standing in the imaginary of 'liberatory,' especially nationalist struggles in the 'third world,' and is an acknowledged part of a revolutionary femininity" (2009, 141). But the repetition of this imagery in *The Ministry of Utmost Happiness* is different in two ways: Jebeen's violent conception punctures this vision of a supposedly liberating revolutionary femininity, and Revathy rejects the possibility of being both mother and warrior by abandoning the infant. Revathy's assault at the hands of fellow revolutionaries makes clear that there is no relief from structural, gendered violence, within any national space, even a revolutionary one premised on futurity. Autonomy over one's individual body is the best that can be hoped for; like Anjum, Revathy rejects the body into which she has supposedly been born, and the gendered expectations that follow from it. Fertility, and its promise of futurity, is not the boon for Revathy that it is traditionally imagined to be, and Anjum's inability to engage in biological reproduction is not a source of crisis, despite the prevalent belief that infertility figures prominently in hijra experiences of discrimination and marginalization (see Sutradahar's Chap. 5).

Indeed, even the alternative community that is the Jannat Guest House rejects futurity in any utopic sense. When Municipal authorities complain about Anjum's unauthorized construction, Anjum insists "that she wasn't living in the graveyard, she was dying in it—and for this she didn't need permission from the municipality because she had authorization from the Almighty Himself" (Roy 2017, 71). Of course, Anjum is dying only in the sense that we all are—this is not the death drive of which Lee Edelman (2004) so famously writes. Indeed, Roy "is concerned with repudiating an archetypal Indian family's obsession with their biological progeny but at the same time also revoking an overarching Edelmanian disavowal of the figure of the "child" altogether" (Kuiti 2020, 7). Anjum's ironic insistence on her own death, then, demonstrates the ways in which resistance to municipal regulation corresponds with her larger resistance to nationalist teleology and regulation, which, among other problems, does not officially recognize her own family. Thus, Anjum's narration of her history omits any reference to events such as the declaration of emergency in 1976, though the third-person narrator occasionally steps in to situate or gloss Anjum's stories (see Roy 2017, 38, for example). As such, *The Ministry of Utmost Happiness* resists the discourse of development under which banner calls for hijra rights are sometimes incorporated (see Sriraam's Chap. 8).

Instead, beyond the realm of official control, Anjum presides over the ministry of utmost happiness, for which both the tenth chapter, and the novel as a whole, are named. Happiness "offers us a promise, which we glimpse in the unfolding of the present…but it does not follow that we can simply collapse happiness with the future or into the future" (Ahmed 2010, 160). Accordingly, liberation in the novel is a "process" rather than a "goal" (Lertlaksanaporn 2020, 123). This process resists and defies a sociological account, in which gender non-conformity in India leads almost invariably to experiences of depression, as Sameena Azhar and Jason Vaudrey document in Chap. 9. This is not to minimize the very real stressors that Azhar and Vaudrey identify. Instead, the insistence on happiness in Roy's novel resists both stereotypes of queer tragedy and discourses—both medical and social—that construct hijras as requiring institutional support, management, and correction. Happiness in the novel is both present, and contingent, as illustrated by the story of the "hazrat of utmost happiness" (Roy 2017, 421). Hazrat Sarmad, a historical figure who was born a Jew and became a Muslim, is now best remembered for his same-sex love for a Hindu boy. Notably, however, he is not punished for his homosexuality, nor his practice of public nudity (Irfan 2018). The Hazrat's story still does not end well—he is branded a heretic when he declares his atheism and ultimately executed. But his shrine, and his story, is nevertheless a saving one. At the beginning of *The Ministry of Utmost Happiness*, the Hazrat teaches Anjum's mother to love her intersex child, and at the end of the book, in the titular chapter, he blesses the marriage of Anjum's adopted daughter Zainab to a Dalit man who has escaped a lynch mob of upper caste Hindus and renamed himself Saddam Hussein. The wedding is a moment of celebration, though challenges likely await the couple. The inhabitants of Jannat Guest House are not waiting for recovery, nor anticipating a "happily ever after," but asserting happiness "in spite of" the "sociopolitical fragmentation that is embodied in the narrative" (Goh 2021, 18).

This commitment to fragmentation also serves to differentiate this fictional imagining of hijra life from the autobiographical accounts that Shalini Jayaprakash analyzes in the previous chapter. Drawing on feminist criticism, Jayaprakash argues that the writers of hijra memoirs "attempt to surpass their liminality by arguing for their subjectivity." Yet, as Agaja Puthan Purayil demonstrates in Chap. 12, transgender Indians can often find relative happiness and freedom in anonymity. Anjum in

The Ministry of Utmost Happiness is a subject, but one who does not demand coherence, and cultivates her liminality through, among other things, her choice to live in the graveyard. A third-person narrative, Roy's novel, unlike an autobiography, need not hinge solely on finding or constructing a cohesive voice. In contrast, Anjum's speech sounds like "two voices quarreling with each other instead of one" (Roy 2017, 32–33). This unusual voice neither pleases nor offends her; this internalized multiplicity is itself a form of resistance and non-conformity that challenges not only gender binaries, but also categories of class, caste, and religion.

In contrast, characters who resist reinvention via conventional commitments to heterosexuality, reproduction, hierarchical relationships, and the nation-state find happiness elusive. Biplab Dasgupta, one of the novel's first-person narrators and part of the same circle at university as Tilo and Musa, is the only main character to choose heterosexual marriage, biological parenthood, and service to the nation-state, via his career with the Indian Intelligence Service. He ends the novel as an unemployed, alcoholic, recluse, who has been abandoned by his wife and children, and is haunted by his failure to confess his life-long love to Tilo—a failure driven by his basic inability to accept her non-conformity. Notably, he is also the only character who insists unironically on both personal and national optimism, claiming that "[t]hings will get better. They must" (Roy 2017, 454). Rather than enacting any of his plans for individual or political improvement, however, or heralding the revolution signaled in the literal meaning of his name, Biplab simply continues to spiral deeper into addiction, and exits the text. Given the extent of his alcohol abuse, Biplab's death seems imminent.

Despite being, on one level, so obviously queer, *The Ministry of Utmost Happiness* also highlights the limitations of queer theory in general, and trans theory more specifically, for South Asian literary studies. As Aniruddha Dutta and Raina Roy point out, "the attempted universalization of transgender as a transnational 'umbrella term'…. tends to subsume South Asian discourses and practices of gender/sexual variance as merely 'local' expressions of transgender identity" (Dutta and Roy 2014, 328). Such subsuming not only erases "the religious role of the hijras, derived from Hinduism, and the historical role of the eunuchs in the Muslim courts" (Lal 1999, 122) but also harms Indian queer and trans folks whose identities risk being reframed as imported from the West, despite abundant evidence for the history same-sex love and gender non-conformity on the subcontinent (see Irfan 2018, for example). Indeed, *The Ministry of Utmost Happiness* demonstrates both that hijra communities can have their own problematic social orders, and that the mastery of trans theory from the West can, in some cases, be a tool for the enforcement of hierarchy among and between hijras (Lertlaksanaporn 2020, 123). Yet the alternative cannot be to simply neglect the queer potentialities of the hijra, or by, extension, to refuse to engage in queer readings of South Asian literary texts that contain hijra characters. Furthermore, as Peter I-min Huang demonstrates in the next chapter, such refusals can also limit our ability to interpret texts beyond the subcontinent. Non-binary constructions of gender and stories of gender transformation within Buddhist texts provide an alternative lineage and framework for understanding both queer and hijra subjectivities, but risk being erased not only by colonial criticism, but by contemporary nationalist frameworks as well.

Indeed, it is important to understand the figure of the hijra as queer for another reason. Geeta Patel (1997, 135), reflecting on a childhood spent in India, followed by her coming out as a lesbian in 1970s America, realizes that her youthful "questions about hijras…had also been questions about myself." She is not alone in her realization. A fellow South Asian lesbian whom she encounters also carries "memories which included hijras her family knew" and which "were laced with the fear that attended the possibility of becoming a hijra" (Patel 1997, 134). Hijra life, both separate from, but proximate to, the lives of heterosexual families, via their very presence, made visible the possibility of both gender non-conformity and alternative familial and social structures. As Shane P. Gannon demonstrates in Chap. 6, the category of hijra in the eighteenth and nineteenth centuries was not limited to those sexed male at birth, suggesting alternatives for sex and gender beyond the binary that exceed the categories of both colonial epistemology and Western-centered queer theory.

While *The Ministry of Utmost Happiness* focuses on hijra experience more generally, and the story of Anjum in particular, it is worth noting that there are multiple examples of gender non-conformity. Revathy and Tilo both challenge conventional notions of femininity, even as they continue to identify as women. Furthermore, the gharana itself in which Anjum first finds community, is not exclusively populated by hijras:

> The most masculine person in the Khwabgah, however, did menstruate. Bismillah slept upstairs on the kitchen terrace. She was a small, wiry, dark woman with a voice like a bus horn. She had converted to Islam and moved into the Khwabgah a few years ago (the two were not connected) after her husband, a bus driver for Delhi Transport Corporation, had thrown her out of their home for not bearing him a child. Of course it never occurred to him that he might have been responsible for their childlessness. Bismillah (formerly Bimla) managed the kitchen and guarded the Khwabgah against unwanted intruders with the ferocity and ruthlessness of a professional Chicago mobster (Roy 2017, 25–26).

Here, Bismillah's own gender and community role, defined by masculinity, is decoupled both from her fertility and observable bodily functions. Indeed, the unknown fertility of Bismillah's absent husband makes it clear that the invocation of fertility as a marker of gender identity is dubious, and inextricably linked with the sexist devaluation of women. Bismillah is not defined as a hijra nor as a transgender person, but the transition from Bimla (a name given to Hindu girls, meaning pure) to Bismillah (a name given more often in India to Muslim boys, meaning beginning) signals not just a change in faith but in gender. Indeed, I would argue that Bismillah is best understood within the history of "alternative masculinities" that Tanupriya discusses in Chap. 11. But Bismillah is also not invisible, as Tanupriya suggests is often the case for transmen in India. Indeed, Bismillah's "voice like a bus horn" (25) and work as a security guard ensure a high degree of both visibility and audibility. While Bismillah uses the pronoun "she" (84) the fact that she becomes a "granny" (35) to Anjum's first child, and is buried by Anjum upon her death, places her firmly within the queer family, even though her sexual orientation and gender identity are not expressly named.

In India, the struggle for hijra recognition and queer rights are necessarily intertwined. Given that "[h]omosexual domestic partnership, and hijra kinship, has not been legally recognized…[and] queers and hijras have had no rights to inheritance, adoption, custody, hospital visits, or to the bodies of their deceased partners or kin" (Bacchetta 1999, 159), there is an urgent need to affirm the history and indigeneity of queer and hijra identities on the subcontinent. In Chap. 8, Sangeetha Sriraam further elucidates the very real problems associated with the lack of legal recognition of queer individuals and families, which can include economic, social, and political marginalization, in addition to the individual and familial stress that is identified repeatedly throughout this collection. While the right to change one's sex on official documents in India arrived 2014, and consensual homosexual sex was decriminalized in India in 2018, the presence of the hijra in the lives of all classes and religious communities have long made evident the fact that there is no isomorphism between sex, gender, and sexuality on the subcontinent. Hijras therefore represent queer possibility to South Asian men and women alike, even in the absence of access to the word "queer."

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Chapter 4
Indian Influences and the Transgender Imagination in the Chinese Literary Classic *Journey to the West* (西遊記)

Peter I-min Huang

Journey to the West (西遊記), published in the time of the Ming Dynasty (1368–1644) and attributed to Cheng'en Wun, is regarded as one of the four great classics of Chinese literature. Scholars mostly have written about the ancient Chinese influences on the novel. That critical reception is exemplified by Cunren Liu (1991), who discusses the indelible stamp of Taoism on the novel in the context of the author's close familiarity with the scriptures of the Quanzhen Sect, a branch of Taoism that emerged in China in the late twelfth century and was dominant thereafter. Up through the end of the last century, few studies reflected interest in the novel's Buddhist content other than the obvious content of the plot: a journey that a monk makes from China to India in search of Buddhist scriptures. A notable exception is a study by Shi Hu (1988), who admonished his contemporaries to not let their interest in Taoism overdetermine their appreciation of *Journey to the West*. As other scholars have since pointed out in support of Hu's injunction, even the notable influence on the text of the Taoist teachings of the Quanzhen Sect cannot be addressed without some notice of Buddhist teachings, for in the time of the twelfth century, when this branch of Taoism first emerged and gained prominence, Chinese culture and society was already steeped in Buddhism, which arrived in China in the first century CE, and the Quanzhen Sect was no less susceptible to Buddhist influence in the twelfth century than were other cultural and social movements in that time (Kao 2018). Kao, one of the scholars who makes this point, does so in the context of his critical analysis of several characters in *Journey to the West*. As he argues, these characters hardly represent a denunciation or disavowal of Taoism; rather, they reflect the absorption, adoption, and adaptation of Buddhist teachings under Taoist thought. The characters that Kao discusses include Monkey King (Sun Wukong),

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who converts from Taoism to Buddhism when he joins the pilgrimage to India with his master, the monk Xuanzang. Both these characters inform the main subject of this chapter, an address of the Indian influences on *Journey to the West* in transgender studies critical contexts. I will come to that main subject by first expanding a little more on the subject of the Buddhist influences on the novel.

In making the case for the Buddhist influences on *Journey to the West* that extend far beyond the level of the plot—a journey in search of enlightenment inspired by Buddhist scriptures—scholars emphasize that the Buddhist references in the novel (and Confucianism to a lesser extent) playfully overlap with the Taoist allusions (Kao 2018, 16, 43).[1] Anthony C. Yu, the editor and translator of the most authoritative English-language edition of *Journey to the West,* is one of those scholars. In his introduction to this translation, he mostly addresses the influence on the novel of Buddhism, China's "greatest single import from India" (2012, 12), but his translation makes clear his respect for both the Taoist and Buddhist religious and cultural fabric of the novel.

The well-documented inspiration for Xuanzang, the main human character of *Journey to the West*, is based on the historical Xuanzang (596–664), who, in the time of the Tang Dynasty (618–906 CE), undertook a pilgrimage to India in quest of Buddhist scriptures. The pilgrimage of Xuanzang—one of the most beloved monks in Chinese culture following the publication and popularity of *Journey to the West*, an erstwhile hagiography of Xuanzang—represents "the wider movement in China" of the search for "Dharma in the West" (Yu 2012, "Introduction," 1). The movement lasted for almost 500 years and today is a "permanent legacy of Chinese Buddhism" (1). The historical Xuanzang arrived at the Magadha Kingdom of mid-India (now Bodhgaya) in approximately 631, 4 years after setting out from China. "To honor him, Indian Buddhists bestowed on Xuanzang the titles Mahayana-deva (the Celestial Being of the Great Vehicle) and Moksa-deva (a Celestial Being of Deliverance)" (4). In 643, 16 years after he first left China, Xuanzang began the long journey home. He arrived in 645, bringing with him some 657 volumes of Buddhist scripture, and was welcomed by the Tang emperor (although this was more for reasons having to do with the monk's vast and erudite knowledge of the world outside of China than with reasons relating to his Buddhist faith) (4).

Yu, in his lengthy, detailed, and learned introduction to *Journey to the West* (2012), and Kao, in an equally through and scholarly explanation of the key sources of the novel (2018), emphasize in particular the importance in *Journey to the West* of the appearance of the deity, Guanyin. The argument that I make here is that this deity speaks for transgender identity as do two other key figures in the novel, the monk Xuanzang (Tripitaka) and Monkey King (Sun Wukong).

Worship of the male gender Guanyin (Bodhisattva) was established in China sometime in 220–589 BCE, a period of time that covers the Zhou Dynasty (c.

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[1] *Journey to the West* also functions as a satire of Buddhism and Taoism and represents a long tradition of this debunking, captured by the common expression, "the mocking of Buddhist monks and slandering of Taoists" (*hui seng bang dao*). For this aspect of the novel, see studies by Shi Hu (1988) and Xun Lu (2005).

1046–256 BCE) and Qin Dynasty (221–206 BCE) (Qi 2019, 586). During the Song Dynasty (618–906 CE), Guanyin took on a female form (586). The author of *Journey to the West* references this form, a Taoist form, in a passage that I will summarize here. In this same passage, Guanyin also assumes a male guise. It is one that she often dons in the *Journey to the West*. The historical female, Taoist, form of Guanyin, as this is represented in *Journey to the West,* and the representation of Guanyin in the novel as being a deity that frequently adopts male guises (male monks and priests) reflect the recognition and the suppression of transgender identity in China in the time of the Ming Dynasty, when Chinese culture and society were, as Chinese culture and society today are, predominantly patriarchal and heteronormative. The passage I remark upon here appears in the eighth chapter. Guanyin travels to Chang'an, the capital city in the time of the Tang Dynasty, in search of a monk virtuous enough to undertake the arduous task of a pilgrimage to India and a return with Buddhist scriptures. She disguises herself in the form of the most wretched of (male) mendicants, "covered with scabs and sores, barefooted and bareheaded, dressed in rags" (Yu 2012, Vol. 1, 280). When s/he arrives in Chang'an, at the site of the Grand Mass, onlookers ridicule the "filthy monk" and "lunatic" (280). Another onlooker, a member of the court, is intrigued by the mendicant and escorts Guanyin to the emperor. She shows the emperor two treasures, an "embroidered cassock with rare jewels" and "nine-ring priestly staff" (279). Examining and verifying their authenticity, the emperor is as pleased with these objects as he is with Guanyin. He addresses Guanyin by the words, "Venerable Elder of the Great Law" (281), an epithet that refers to male gendered mendicants, and tells Guanyin that he would like to purchase the objects to give to Xuanzang, "a man of great merit and virtue," who will be giving a sermon on the seventh day of the Grand Mass (283, 286). Guanyin declines to accept any offers of payment and takes respectful leave of the emperor. Nonetheless, she lingers in Chang'an to attend Xuanzang's lecture. During the lecture, Guanyin interrupts Xuanzang and poses a challenging question to him. Xuanzang greets the question with enthusiasm and appreciation of Guanyin's evident knowledge of Buddhist scripture. However, one of the officers in charge of the event promptly reports this impertinence to the emperor, who immediately orders the arrest of both Guanyin and her disciple, "[two] scabby mendicants, babbling some kind of nonsense" (287). When Guanyin is brought before the emperor for the second time, he is even more impressed by Guanyin's conduct and speech. In these moments, Guanyin flies to the sky, revealing her "true salvific form, holding the pure vase with the willow branch" (288).

The two objects Guanyin holds as she ascends to empyreal realms, the vase and willow branch, are often found in paintings and other figural representations of the female, Taoist version of Guanyin. This version also is known as the Chinese Guanyin and by the epithet, "lady immortal," a resolutely Taoist expression. Yet, in the passage that I have been discussing, Guanyin also is referred to by the Buddhist term, "bodhisattva": "*In the bright air of ninefold Heaven / A lady immortal appeared. / That Bodhisattva /… On her body she had / A robe of fine blue silk, / Lightly colored / And simply fretted / By circling dragons / And soaring phoenixes…*" (Yu 2012, Vol. 1, 288). The description carries allusions to Guanyin's ancient Buddhist origins and more recent Taoist metamorphoses. In addition, the description speaks for Guanyin's nonbinary gender. She is neither incontrovertibly female nor ontologically male. In another description of Guanyin that appears in this same passage in *Journey to the West,* the author describes Guanyin's robes. They are decorated with the figures of dragons and phoenixes. In Chinese culture, the pairing of the dragon and phoenix represents the union of the male and the female. Conventionally understood, that is to say, heteronormatively understood, that union celebrates the marriage between a male gender person and a female gender person, and, indeed, dragons and phoenixes are common symbols at weddings. As they are seen through a transgender studies' critical perspective, they also suggest transgender identity and nonbinary gender.

In another passage, Guanyin again transforms herself, this time into an old Taoist priest, "the immortal Master Transcending Void" (Yu 2012, Vol. 1, 363). In translating this passage into English, Yu translates the pronoun for he and she in Chinese as "she." (In Chinese, the same character is used for the pronouns of "she" and "he"). "Her crane-down cloak swept by the wind, / With airy steps she'd pace the void. / Her face, aged like cypress and pine, / Shows fair, fresh features never seen" (363). In Chinese culture, in the time of the Ming Dynasty, the crane, cypress, and pine represent old age and longevity, and Yu's translation supports this traditional representation. However, the personification of old age and longevity typically are male gendered. Thus, a more accurate English translation of this passage would use the pronouns of he and his not the pronouns of she and her. Accordingly, I offer this translation: In his crane-down cloak flying with the wind, / elderly and fragile treading on void. / As old as an old cypress or a pine, his face has lost all of its youthful features. This passage is one of the many astonishing tour-de-forces in the novel in the specific context of Guanyin' transgender identity and nonbinary gender.

Monkey King, like Guanyin, also is a character that alludes to transgender identity and nonbinary gender. Critics generally concur that Monkey King's prototype is Hanumat, a character that appears in the ancient Sanskrit Indian epic, the *Rāmāyana* (Hu 1988, 10; Jia 2016, 202). Centuries of "mercantile and religious traffic with India" made this figure and the source text well known in the East (Hu 1988, 10). Monkey King's movements are quick and light, as are Hanumat's, and Monkey King can travel great distances at high speed, an attribute that scholars note traces to Hanumat's father, a wind god. Both figures also can change at will into different forms. Other common traits of Monkey King and Hanumat are their intelligence and their skepticism toward the official, dominant culture (Jia 2016, 207). Monkey King and Hanumat also are known for their great bravery (207).[2]

What is most intriguing about the Monkey King character in *Journey to the West* in the context of transgender identity and nonbinary gender is that he is quite different from other simian characters in Chinese folklore. They are sexually aggressive, promiscuous, heterosexual, and manifestly male gendered figures. Monkey King is not in the least predatory (sexually or otherwise), or promiscuous, and his gender and sexuality are at the very least indeterminate. Disappointingly so, scholars tend to read Monkey King's ambiguous gender as evidence of his genderless-ness. In support of this claim, they also note that Monkey King becomes a vegetarian when he converts to Buddhism (Zhang 2019, 168), for in Chinese culture the renunciation of the consumption of meat in the path to enlightenment associates with the curbing and renunciation of sexual appetite. (When he converts to Buddhism, Monkey King feasts only on the leaves of pines and cypresses. His master, Xuanzang, compliments him for his sweet breath, and contrasts it with the stinking breath of General Pig, also known as Eight Rules, who consumes copious amounts of meat.)

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[2] A departure between these two figures refers to the matter of the corruption of the ruling class in the late Ming dynasty. In Chinese myth, Monkey King often is enlisted in tales that function as critiques of that corruption (Jia 2016, 215).

Other scholars assume that Monkey King is homosexual on the basis of the many profoundly moving passages in the novel that describe Monkey King's enduring, unrequited love for Xuanzang (Tripitaka). This assumption betrays a common fallacy, confusing transgender identity with homosexual identity, or gender with sexuality. Transgender studies scholars themselves made that mistake in the early days of the discipline (of transgender studies); they confused issues of gender with issues of sexuality. Today, transgender studies scholars continue to recognize that there are complex links between gender and sexuality but are careful to observe gender and sexuality are not invariable correlations. Monkey King is heartbroken when he is separated from Tripitaka in at least three major episodes in *Journey to the West,* in Chapters 27, 57, and 77. In the first two of these episodes, Tripitaka punishes Monkey King with banishment for some offence he has committed and Monkey King bawls his eyes out. He cannot bear to be separated from Tripitaka despite Tripitaka's treatment of him, which often is dismissive and somewhat contemptuous. In the third of these episodes, believing that Tripitaka has died, Monkey King again cries his heart out. I will elaborate a little more on the first of these three episodes in the next paragraph.

In Chapter 27, a demon, Lady White Bone, transforms herself into a beautiful woman in order to seduce Tripitaka, for if she can eat the flesh of Tripitaka, she will achieve immortality. Each time she attempts to trap Tripitaka, Monkey King foils her. Tripitaka cannot see through the alluring facade of Lady White Bone, and Monkey King, who is frustrated by Tripitaka's blindness, jealous of Tripitaka, and terrified that Lady White Bone will destroy his master, implores Tripitaka not to be deceived by the beautiful woman accosting him. Tripitaka is both angered and embarrassed by this, for, indeed, he is hopelessly attracted to Lady White Bone. His "whole bald head turns red from ear to ear" when Monkey King admonishes him for falling for a beautiful woman (Yu 2012, Vol. 2, 20). Cross as well as called out, Tripitaka punishes Monkey King with exile. When he finally allows Monkey King to return, Monkey King sobs uncontrollably with joy. He cannot "restrain the tears from rolling down his cheeks" when he learns he will be reunited with his master (28). Monkey King's great affection for, loyalty toward, and unrequited love for Tripitaka ties to the issue of his transgender identity and nonbinary gender. Other scholars frame Monkey King's transgender identity and nonbinary gender in terms of the overarching term, and principle and practice, of nondualism. It is evidenced in the epithet for Monkey King that appears over and over again in *Journey to the*

West: Monkey King has two hearts and two minds. I will return to this point later, when I discuss the overlap of transgender studies with ecocriticism and critical animal studies.

Xuanzang (Tripitaka) also is a character that speaks for nondualism inclusive of transgender identity and nonbinary gender. In a memorable scene in Chapter 53, Xuanzang becomes pregnant after drinking water from a river in the Women State of Western Liang. Tripitaka asks Eight Rules (General Pig), Xuanzang's second disciple after Monkey King, to fetch an alms bowl and fill it with water from the river. Xuanzang drinks half of the water and Eight Rules finishes the remaining half. They both suffer from a terrible stomachache, so they put up at an inn, where an old woman tells the two travelers that they are in the Women State, have drunk water from the Child and Mother River, and Xuanzang is pregnant with child. Tripitaka insists on an abortion, and the old woman advises Monkey King to take Xuanzang to the Mountain of Male-Undoing, to the Cave of Child Destruction and the Stream of Abortion (Yu, 2012, Vol. 3, 35). The tributary is heavily guarded by a Taoist priest, who permits access only when he is lavishly bribed with gifts and other offerings. Monkey King refuses to resort to bribery and so fights with the priest to gain access for his master to the Stream of Abortion. This entire episode is comic yet also hardly one of levity. Its manifest message is that nondualism, gender crossing, and gender fluidity are part of the search for and attainment of enlightenment.

My discussion of *Journey to the West* in this chapter began with the issue of the subject of influence of Buddhism on the novel. I then related that subject to the transgender figures of three main characters in the novel: Guanyin, Monkey King, and Xuanzang. To do the second subject justice, one that is the main subject of this chapter, discussion of how the novel challenges the dualisms of human/nonhuman (monster) and human animal/nonhuman animal is necessary. Such challenges closely tie to the novel's playful upsetting of gender binaries.

Transgender studies closely intersects with two other areas of critical inquiry: ecocriticism and critical animal studies. Scholars in those two areas focus on how humans' speciesist attitudes toward and speciesist abuses of nonhuman animals (and toward nature as a whole) operate on the basis of the erection of insuperable differences between humans and other animals (Estok 2018; Wolfe 2003, 2010). In addition to noting that the nonhuman animal is the most debased "other," these scholars point out that the nonhuman animal's struggle to exist (at both conscious and unconscious levels of being) alongside the human animal is comparable with the existential struggle of human minorities who do not fit dominant, heteronormative, models of identity (Mortimer-Sandilands and Erickson 2010). Many divisions between human and nonhuman animals are constructed and relied upon in order to rationalize the subordination, marginalization, demonization, and extirpation of nonhuman animals. In addition, under dominant, heteronormative frameworks of thinking, nonhuman animals (and the natural world as a whole) typically are reductively and inaccurately categorized as being one of two genders only, female or male gender, or else genderless. Sun Wukong (Monkey King), and many other animal characters in *Journey to the West* (characters that are depicted as monsters in contrast with Monkey King, who is humanized [anthropomorphized]), subvert both sets of these ideologically related norms.

In one particularly riveting passage in *Journey to the West,* Guanyin transforms herself into a wolf. Monkey King witnesses this and exclaims and asks: "Marvelous, Marvelous! Is the monster the Bodhisattva, or is the Bodhisattva the monster?" (Yu 2012, Vol. 1, 363). Guanyin smiles. She tells Monkey King the importance of nondualism, by far the most important concept in and moral teaching of *Journey to the West.* Both the Bodhisattva and the monster come from a single thought, she explains to Monkey King. They are sacred as well as indivisible. In another equally moving passage, Monkey King wants to kill a bear (another monster). Guanyin stops him from doing that. She teaches Monkey King that to become "a salvific and merciful goddess," one must not hurt any "sentient being" (365). Many other monsters (nonhuman animals) in *Journey to the West* are hybrid deity-nonhuman figures (Ma 2016, 132–33). Kao lists 12 of these figures (2018, 181). Many more (monsters) are hybrid nonhuman-human animals. Similar to Monkey King, they possess attributes that associate with both stereotypical human traits and stereotypical nonhuman traits. One of the most remarkable of these figures is "Old Monster Yellow Robe" (Yu 2012, Vol. 2, 37). He is suggestive of a nonhuman animal as well as a human foreigner (Caucasian human). He has dark blue skin (an "[i]ndigo face"), "long white fangs," "a big gaping mouth!" and "[t]ousled hair" that looks as if it has been "dyed red by rouge" (37).

Another example of a monster (nonhuman animal) figure in *Journey to the West* that upsets binaries in the specific context of the human/nonhuman animal binary appears in a passage, in Chapter 28, about the princess, Hundred Flowers Shy (my translation). (Yu translates the Chinese name of this princess as "Hundred Flowers Shame"). Hundred Flowers Shy bears two boys by a monster. One day, when Tripitaka (Xuanzang) enters the forest where the monster and Hundred Flowers Shy dwell, the monster captures and imprisons Tripitaka. Hundred Flowers Shy begs her husband to release the monk. The monster acquiesces out of respect and love for Hundred Flowers Shy. Tripitaka then goes to the mother and the father of Hundred Flowers Shy. The king and the queen, the rulers of Precious Elephant Kingdom, welcome him and are overjoyed to hear that their long-lost daughter is alive and well. Meanwhile, the monster becomes suspicious. He worries that his wife seeks his death in persuading him to set free Tripitaka, but again his love and respect for his human companion overcome his fears, and so he decides to journey to the kingdom of the parents of Hundred Flowers Shy. This episode represents many passages in *Journey to the West* that speak for transspecies bonds, one of the foci of animal studies scholars and ecocriticism scholars. Yet, until today, scholars have explained this episode in profoundly humanist terms. Such language reflects the bias of speciesism. In contrast, feminist ecocritics (also referred to as ecofeminists) call attention to the ideological connections between speciesism and gender binarism. Such call also is known as intersectional analysis (Gaard 2016, 68; Garrard 2014, 4).

A particularly moving passage in *Journey to the West* that is of interest to ecocritics and animal studies scholars appears in Chapter 28. Monkey King journeys to

Flower-Fruit Mountain and is shocked to discover that since he has been away the mountain has suffered deeply:

> None can hear a tiger's roar on eastern peaks;
> Who sees a white ape howling on western slopes?
> The northern gorge has no trace of fox or hare;
> All deer have vanished from the southern glen.
> Green rocks are burned to form a thousand bricks. (Yu 2012, Vol. 2, 30)

Monkey King meets a small band of monkeys, the last of their species. They relate to him their suffering and demise at the hands of humans:

> Those of us who were shot by arrows, pierced by spears, or clubbed to death they took away for food to be served with rice. The dead monkeys would be skinned and boned, cooked with sauce and steamed with vinegar, fried with oil, and sauteed with salt. Those of us who were caught by the net or the trap would be led away alive; they would be taught to skip ropes, to act, to somersault, and to do cartwheels. They would have to beat the drum and the gong on the streets and perform every kind of trick to entertain humans. (Yu 2012, Vol. 2, 31)

So, Monkey King assembles his monkey army to defend the mountain and its oldest ecosystems against the encroachment of the humans, who are wielding "spears and swords" and leading "hawks and hounds" (32). Kao is one of only several critics who point out the environmental significance and message of this episode (2018, 183). Most critics read this episode in speciesist terms, as a metaphor for humans' path to enlightenment (Zhang 2019, 18).

Monkey King "almost completely overshadows his master [Xuanzang / Tripitaka]" by the end of *Journey to the West* (Yu 2012, "Introduction," 9). Perhaps it is Monkey King's profoundly nonhuman as well as human characteristics that are the key to understanding the narrative displacement of Xuanzang / Tripitaka by Monkey King. Here, again, critics do not consider such explanation. They also either are not interested in or dismiss a possible Chinese source for the figure of Monkey King, a white ape. The oversight and dismissal trace to a study by Glen Dudbridge (1970), who argued that any links between Monkey King and the white ape figure are "superficial" (qtd. in Yu 2012, "Introduction," 9). Yu supports Dudbridge's claim; he argues that the white ape, as this animal typically appears in Chinese literature, is an evil monster and an "abductor and seducer of women" and so is not a literary antecedent of Monkey King (10). Yu and other scholars concur that the most likely antecedent of Monkey is Hanumat. They also note that other monkey figures that appear in Chinese literature (and other art) trace to Indian antecedents. One of those figures is that of the "religious" monkey. Writers and painters of Chinese art often depict pious monkeys "listening to scriptural exposition" (11). They reflect one of the most "fundamental" elements of "Indian religiosity," the pressing into ritual service to the gods "a huge variety of known animals and mythical beasts" (11).

From a different point of view, marginal but gaining ground, one that reflects the main interests of ecocritics and animal studies scholars, Monkey King and his simian peers are celebrations of the other than human hominoid animal as well as the human hominoid animal. Playful nondualism, the key concept of *Journey to the*

West, is one of the most important characteristics of Monkey King. Scholars mostly comment on this aspect of Monkey King in the context of the slippages in the novel between Taoist and Buddhist teachings and practices. An example of that is seen in this passage:

> This cosmic being fully fused with nature's gifts
> Passes with ease through ten thousand toils and tests.
> Vast and motionless like the One Great Void,
> Perfect, quiescent, he's named the Primal Depth.
> Long refined in the brazier, he's no mercury or lead,
> Just the very immortal, living above all things.
> Forever transforming, he changes still;
> Three refuges and five commandments he all rejects. (Yu 2012, Vol. 1, 189–90)

On the one hand, Monkey King is being compared to a Taoist entity, Great Void, who represents the most profound teaching and practice of Taoism—doing nothing. Like Great Void, Monkey King is "[v]ast and motionless" and comprised of no single material such as "mercury" or "lead." On the other hand, Monkey King is being associated with Buddhism, for the Chinese character for (what Yu translates into English as) "motionless" refers to a Buddhist term, as do the Chinese characters for (what Yu translates into English as) "[t]hree refuges and five commandments" (Shi 2016, 64). The terms are stock Buddhist terms (Shi 2016, 64). Monkey King is both a Buddhist and Taoist figure.

Scholars also comment on this passage in pointing to the slippages between Taoism and Buddhism that Monkey King's figure represents:

> An ape's body of Dao weds the human mind.
> Mind is a monkey—this meaning's profound.
> The Great Sage, Equal to Heaven, is no false thought.
> How could the post of BanHorse justly show his gifts?
> "Horse works with Monkey" means both Mind and Will
> Need binding firmly. Don't seek them outside.
> All things back to Nirvana follow one truth—
> To join Tathagata beneath twin trees. (Yu 2012, Vol. 1, 190)

Here, Monkey King is represented as a being with a Taoist body wed to a Buddhist mind. The description also alludes to his two hearts. "Two hearts," a common Buddhist expression, also is known as "mind monkey." Both relate to the expression, "Horse works with Monkey," which has two further related meanings. The first of these refers to ambition (desire to move up in rank); the second refers to the need for the ambiguous, indecisive, and hesitant mind (monkey) to work with the will (horse) in order to attain enlightenment (Zheng referenced in Zhang 2019, 179).

Both the aforementioned passages represent Monkey King's nondual nature. That nature, or condition, or identity, includes transgender identity and nonbinary gender. identity.

David Valentine, in *Imagining Transgender: An Ethnography of a Category* (2007), discusses the hijra in India. Valentine's discussion of this gender identity appears in the chapter, "The Making of a Field: Anthropology and Transgender Studies" (143–172). In the first chapter, "Imagining Transgender" (29–65), Valentine defines transgender in the sense it has come to have since the 1990s as referring to "a *collective*…inclusive of all and any gender variance" (33). Gender variance includes these "identity categories":

> …transsexuals, transvestites, cross-dressers, men or women of transgender or tran-sexual experience, drag queens, drag kings, female or male impersonators, genderqueers, intersexuals, hermaphrodites [intersex people], fem queens, girls, boys, trannies, feminine gay men, butch lesbians, male-to-female, female-to-male, female embodied masculine persons, and even, simply men or women. (33)

In his discussion of gender variance in non-Western as well as pre-colonial contexts, Valentine also comments on the berdache of Native America, the xanith in Oman in Western Asia, and the skesana in post-apartheid black South Africa. Of the figure of the berdache, he notes that it was reductively misunderstood in terms of homosexuality, a fallacy that in turn betrayed the taken-for-granted ties between sexuality and gender, even so among transgender studies scholars, up through the turn of the last century. Drawing support for his claims from anthropological and ethnographic accounts of people of diverse genders inclusive of the xanith, skesana, and hijra, Valentine points out that in many traditional societies, transgender people were accepted as being simply one of many kinds of people. Such accounts "stand opposed to the cold modernity" of gender binaries in "the [far] Western" regions of the world (2007, 150).

Valentine's study moves beyond European cultural and geographic bounds of understandings of nonbinary gender and transgender identity. As Susan Stryker notes, those understandings betray so-called first world concerns. Even the term, transgender, "without a doubt" constituted "a category of First World origin…exported for Third World consumption" (2006, 14). The volume in which this chapter appears also moves significantly beyond European and first world approaches to and understandings of transgender. Four chapters that are particularly useful to this chapter are those by Shane P. Gannon, Anna Guttman, Shalini Jayaprakash, and Ruman Sutradhar. In Chap. 6, Gannon discusses the practices of erasing transgender identity, reducing transgender identities to a single category, and inaccurately recognizing transgender identity in India in the nineteenth century. Much of that erasure and belittlement was achieved through the British colonial censuses. Many hijra, gondhali, khasua, khunsa, khusra, and mukhannas were inaccurately and reductively categorized as eunuchs in the censuses, which also functioned as a form of colonial control and rendered invisible third gender people. Moreover, before 1881, third gender people were assigned a male gender and after that year there appears the bizarre inconsistency of bestowing female identity on third gender people who also are categorized as male gender people. Specifically, after 1881 the British administrators assigned male gender to third gender people whom they (the administrators) determined to be eunuchs yet also referred to as being female. This inconsistency betrayed the profound lack of knowledge of nonbinary gender people as well as a disregard for these people, and especially so given the considerable data that pointed to the existence of third gender people, and to the remarkably diversity among third gender people. The inconsistency also ties to attitudes of superiority. The British administrators believed they knew better than their

Indian peers how to carry out and gather censuses. The colonialists' muddled understandings and presumptions about third gender people were compounded by their ignorance of caste and religion in India. For example, in the censuses before 1881 hijras were erroneously represented as being a distinct caste as well as a group of people who were Muslim male eunuchs. Equally damning is the criminalization of third gender people, part of a second major program of reduction of third gender people. Third gender people were first criminalized under the term of eunuch and then criminalized under the term of hijra.

In the previous chapter, Anna Guttman also discusses the hijra identity. Guttman does that in a similar context as that represented in this chapter, in the context of literary representations of transgender identity. The subject of Guttman's chapter is the hijra character of Anjum in Arundati Roy's novel (*The Ministry of Utmost Happiness*). Anjum's character stands out for being foregrounded and more fully developed in comparison with other third gender characters in mainstream contemporary Indian literature; this character also highlights the common association of the hijra with a mother goddess, the main focus of Guttman's discussion, as well as common points of departure between understandings of transgender identity (queer identity) in the West and transgender identity in the East. In explaining those points of departure, Guttman references Anuridha Dutta and Raina Roy's seminal essay, "Decolonizing Transgender in India: Some Reflections" (published in 2014 in *Transgender Studies Quarterly*). In Chap. 2, Shalini Jayaprakash also discusses the hijra identity in the context of two autobiographies previously mentioned in this chapter: A. Revathi's *The Truth About Me: A Hijra Life Story* and Laxmi Narayan Tripathi's *Me Hijra, Me Laxmi.* In Jayaprakash's reading of these two texts, the author describes hijra people as the lowest members of society and people who experience great social and political exclusion. The author also comments on hijra people in the context of ancient Indian texts. This commentary particularly resonates with this chapter; it is about the figure of the Monkey King as he appears in the epic, the *Rāmāyana,* and about his transitional gender. As Jayaprakash notes, in that ancient text, Riskha (Monkey King) becomes a woman and bears two children when he marries the god of the sun and the god of rain. Gender fluidity was accepted in India until fairly recently. Between the fifteenth and nineteenth centuries, India's rulers generously patronized hijra and other third gender people.

Despite the denial of third gender in India that persists today, there are positive signs of the recognition and acceptance of third gender. Ruman Sutradhar comments on some of those positive developments in the opening paragraphs of the next chapter. The Supreme Court of India now recognizes third gender people. Such recognition is in part the outcome of the global transgender movement, and increasingly that movement is reflecting understandings of transgender based in countries in the East inclusive of India.

Like Jayprakash, Sutradhar also discusses the *Rāmāyana* in the context of transgender identity and transgender people. Characters in this epic change from female to male gender (e.g., Shikhandin) or from male to female gender (e.g., Brihannala); and Sutradhar persuasively argues that they represent third gender identities, specifically the male-to-female hijra identities. Other third gender identities that

Sutradhar discusses include the kliba. Similar to hijra people, kliba people do not denote a homogenous third gender group. Citing Gayatri Reddy's 2005 study, *With Respect to Sex: Negotiating Hijra Identity in South India,* Sutradhar states that kliba people include eunuchs, people who are unable to conceive, people who are impotent, people who are castrated, men who have oral sex with other men, men who have anal sex with other men, men with mutilated or uncommon sexual organs, hermaphrodites, or men whose children are all female.

In the conclusion of Sutradhar's chapter, the author makes a poignant comment about hijra people in South Assam who are castrated. Many beg for a living despite the fact that they are recognized for having divine powers precisely because of their castration. That recognition traces to the Shiva lingam myth: Lord Shiva castrates himself, cutting off his male reproductive organ (linguam). By this act, he gives the universe fertility and sacrifices his own individual fertility.

In "(De)Subjugated Knowledges: An Introduction to Transgender Studies," Susan Stryker, a major figure in transgender studies, refers to Michel Foucault's concept of "subjugated knowledges" (2006, 12). Foucault meant by this term two different types of subordinated knowledge. The first refers to "historical contents" that are "masked" by "functional arrangements or systematic organizations" (qtd. in Stryker 2006, 12). Stryker gives examples of such historical contents in the context of the discipline of transgender studies; they include information—"descriptive material"—that have been "buried" in "ethnographies of non-European gender systems," "transcripts of legal proceedings hidden in some obscure publication of case law," or "files of psychiatric patients" (12). "Recovering" this information, and "knowing where to look [for it] in the first place, requires … 'meticulous, precise, technical expertise'" (12; Foucault qtd. in Stryker 2006, 13). Transgender studies was born out of such demand, that of uncovering subjugated knowledge about nonbinary genders.

Foucault's second kind of "subjugated knowledge" also is useful to transgender studies scholars, as Stryker points out. This second kind of subjugated knowledge refers to

> a whole series of knowledges that have been disqualified as nonconceptual knowledges, as insufficiently elaborated knowledges, naïve knowledges, hierarchically inferior knowledges, [and] knowledges that are below the required level of erudition or scientificity …. (Foucault qtd. in Stryker 2006, 13)

This second kind of "subjugated knowledge," then, is

> precisely the kind of knowledge that transgender people, whether academically trained or not, have of their own embodied experience, and of their relationship to the discourses and institutions that act upon and through them. (13)

It is suppressed under "regimes of normalization" (Foucault qtd. in Stryker 2006, 13), or by societies that construe nonbinary gender to be socially monstrous, devious, and aberrant.

Stryker also comments on "an immense, centuries-old ethnography…that documents European perspectives on cultures encountered around the world through exploration, trade, conquest, and colonization" (2006, 14). This ethnography reflects the eradication, much of it carried out under genocidal policies, of non-European gender variance, as well as a non-European gender variance that was deliberately "constructed by a European imaginary" for the purpose of both demonizing and refusing "radical cultural otherness in its totality" (14). The latter (European constructed) kind of gender variance includes the mujerado and morphodite, or a "deviant personhood" (14). This ethnography both documents and meretriciously "parade[s]" non-European gender variance: the Indian hijra, Polynesian manhu, Thai kathoey to Brazilian travesti, Arabian xanith, and Native American berdache (14).

Approaches to *Journey to the West* from transgender studies critical perspectives demand the kind of expertise that Stryker refers to in citing Foucault's concept of subjugated—hidden, dismantled, dismissed, excoriated—knowledges. Transgender studies, "through desubjugating previously marginalized forms of knowledge" is a key "radical critical intervention" in the discourse of gender (Stryker 2006, 13). Future readings of *Journey to the West* may reflect more of transgender studies critical theory. It is not surprising that today the transgender content of *Journey to the West* is hardly commented on by scholars in China. Patriarchal and other forms of denial and oppression of transgender in China have made it exceedingly difficult to engage with issues of transgender identity, as in many other countries. Yet, even the most conservative (and distinguished and impressive) of critical interpretations to date of *Journey to the West,* several of which I have cited here, provoke a transgender reading, for they emphasize that the novel is a text that first and foremost plays with, challenges, and dismantles dualisms. Those include, as I have sought to argue here, gender binarism.

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Part II
History

Chapter 5
Contradiction and Concurrence of Castration and the Fertile Phallus: A Transgender Reading of Ancient Indian Literature and Contemporary Hijra Experience

Ruman Sutradhar

5.1 Introduction

Historically, Indian literature suggests the existence of third gender individuals in Indian society from ancient times. But only since April 2014 have they gained recognition by the Supreme Court of India, providing them with increased attention in recent years. Prior to 2014, transgender individuals in India gained scholarly attention from the West, owing to the global transgender movement (Butler 1990; Stryker and Whittle 2006). A key question has been how, despite the presence of a third gender in ancient Indian literature, hijras have continuously been rejected by Indian society (Bandyopadhyay 2012; Jaffrey 1996), while also maintaining a strong religious significance (Loh 2011; Nanda 1999; Reddy 2005). Many recent works have investigated the lives of hijras through memoirs (Manobi Bandyopadhyay 2017; Revathi 2010; Tripathi 2015; Vidya 2013). In Chap. 2, Jayaprakash has examined *The Truth About Me: A Hijra Life Story* and *Me Hijra: Me Laxmi* to show how powerfully autobiographies can reflect and represent trans identity. Such works can also gradually transform negative views of transgender identity toward a more welcoming attitude. Furthermore, subaltern memoirs can make rich contributions to the construction of gender theory.

There has been inadequate scholarship to date on the contradiction and concurrence of castration and fertility in key Hindu religious texts. To understand why third gender individuals have faced both reverence and mortification, I will examine the iconography of the fertile phallus of Shiva, focusing on the interplay of fertility, respect, rejection, exclusion, and marginality. To understand the self-contradictory

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nature of the fertile phallus, I will review the presence of the tritiya prakriti—people of the third gender—in ancient Hindu[1] texts.

During the festival honoring the god Shiva called Shivaratri, Indian women—guided by the spirit of Hinduism in which worship of animals and plants is commonplace—worship the sacred phallus (lingam) to ensure a happy and fertile married life. In such a society, when an entire community of hijra is characterized by infertility, the reason for their exclusion becomes quite obvious. Despite the worship of such figures as Ardhanarishawr (the androgynous form of the merged male god Shiva and his female consort), third gender individuals in India have been rejected in society. Throughout this chapter, I will examine these paradoxes of Indian society, first through an analysis of ancient texts, and then through interviews with hijras from the northeastern state of Assam.

5.2 Tritiya Prakriti, Napumsaka, and Kliba in Ancient Indian Literature

"The category of a third sex has been part of the Indian worldview for nearly three thousand years," writes Zwilling and Sweet (as cited in Reddy 2005, 19). To understand this, one needs only to turn to the great epics, the Mahabharata and the *Rāmāyana*. The Mahabharata, categorized as both smriti (literal meaning 'remembered') and itihas (history), consists of 18 parvas (books) written between c. 400 BCE and c. 400 CE (Singh 2009, 18). These epics mention certain characters who have changed from female to male (e.g., Shikhandin) or male to female (e.g., Brihannala).

Shikhandin was born the daughter of Drupada, king of Panchala, but was brought up as a boy because the queen declared that a son was born to her (Pattanaik 2014). Before reaching puberty, Shikhandin was married to another girl, the daughter of Hiranyavarman, king of Dasarnaka, who was an extremely powerful ruler of the time. At puberty, Shikhandin's wife came to know that her husband was a woman. Learning of this deception, King Hiranyavarman became furious, and Shikhandin needed to prove that she was a man or her father would be killed. After Shikhandin fasted for days, the nature-spirit Yaksha Stuna appeared before her to solve the dilemma. The Yaksha, moved by the story, gave Shikhandin his own maleness on the promise of returning it back in time. Shikhandin returned to the Panchalas and told Drupada everything. King Drupada thus sent a messenger to Hiranyavarman saying: "My child is a man. May you believe my word" (Vanita and Kidwai 2008, 40). To verify whether Shikhandin was male or female, King Hiranyavarman sent several young women to him, who returned to give confirm his maleness.

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[1] I do not equate Hinduism with India, but since Hinduism is the dominant religion of India, I take up only Hinduism as the religion for my study. In addition, the specific area of my study—South Assam—in inhabited predominantly by Hindus.

When all these events were told among the Panchala, Kuvera—the lord of wealth—made a journey to Yaksha Stuna's place, which was well adorned and decorated just as a woman keeps her house adorable and tidy. However, Yaksha Stuna did not appear before Kuvera, which made the lord furious. At this the other yakshas replied, "O king, a daughter named Shikhandin was born to king Drupada. The yaksha has given his male attributes to her for some reason. He has accepted her womanly attributes, and having become a woman, stays at home" (Vanita and Kidwai 2008, 41). Kuvera demanded repeatedly that they should bring Yaksha Stuna, who finally "appeared before him just as a woman" (Vanita and Kidwai 2008, 41). Seeing this, the furious Kuvera vowed that Yaksha Stuna would forever remain a woman and Shikhandin a man.

After some time, Shikhandin went to Yaksha Stuna to return his maleness. To Shikhandin's surprise, Yaksha Stuna was cursed to be woman. Thus, Shikhandin returned back with maleness. While Yaksha Stuna had been permanently transformed from male to female (Bandyopadhyay 2012; Ganguly 1883–1896; Vanita and Kidwai 2008; Pattanaik 2014). In modern terms, this is a story of a transman and transwoman. This is not only a story of sex change from female to male, but also of same-sex marriage between Hiranyavarman's daughter and Shikhandin.

In another story, we see gender transformation in the opposite direction, as the warrior Arjuna became feminized by the curse of Urvashi in the *Virataparvan* (Ganguly 1883–1896; Goldman 1993; Peer 2016). After the Pandavas were defeated perfidiously by Duryodhan and Shakuni in Pasa, they were deported for 12 years and camouflaged for 1 year. Arjuna left his family and moved to Indralok to prepare for war, as sworn to Draupadi. On reaching Indralok, the heavenly concubine Urvashi wanted Arjuna to respond to her sexual advances toward him, but he desisted, saying, "I bend my head unto thee, and prostrate myself at thy feet. Thou deserve! My worship as my own mother and it behoveth thee to protect me as a son" (Kakar, as cited in Nanda 1999, 34). Arjuna refused Urvashi because his father Indra had had sexual relations with the concubine. Instead, Arjuna placed Urvashi in a motherly position. However, Arjuna's response was taken by Urvashi as a rejection of her beauty, which enraged her. Consequently, she cursed Arjuna, making him a napumsaka (Goldman 1993, 383) or shandhu, "an effeminate man who dresses and behaves like a woman" (Peer 2016, 6). At this, Indra intervened, and the curse was modified, so that Arjuna needed to spend only 1 year as a shandhu.

Arjuna left the heavenly palace to lead a new life with the name of Brihannala, moving to the Kingdom of Maharaja Virat, situated in the Matsya province of India. Beautifully dressed in "red silk," wearing "numerous ivory bangles, gold earrings and necklaces made of coral and pearls" with "long and braided" hair (Wilhelm 2004, 21), Brihannala looked beautiful and glorious enough to reflect the essence of the hidden warrior prince. So complete was the transformation that Brihannala was hired by the king as a teacher of "dancing, singing, and hairdressing" (Wilhelm 2004). After a year of feminine attire, Arjuna got back his male body, free from Urvashi's curse. What is important here is not only the curse that made Arjuna effeminate and a "eunuch transvestite" (Pattanaik 2014, 111), but also that

Brihannala wore the feminine attire that resembles the present-day clothing of male-to-female hijras in India.

The *Rāmāyana*, categorized as both smriti (literally ‘remembered’) and itihas (history), was composed between the fifth century BCE and the third century CE (Singh 2009, 18). This treatise includes stories that witness to the presence of hijras at that time. One such story is that of Rama, the seventh avatar of Lord Vishnu (Sharma 2009, 28; Michelraj 2015, 17; Tiwari 2014, 20; Pattanaik 2014, 171). During the course of his 14-year exile, Rama’s followers joined the journey. Pleased with these devoted followers, he turned back to and asked “all the men, women and children to go back” to the city. On his return from exile, he found that some people were still standing on the river side. Rama could not understand the reason behind this, and he asked them why they were standing there. The people replied that Rama asked only the two sexes to return but did not say anything to their particular group who were “neither men nor women” (Pattanaik 2014, 173). So they remained standing there, awaiting his instructions. Pleased by the love and loyalty of these people, Rama conferred on them a boon that “whatever they will say will come true” (Michelraj 2015, 17).

In addition to the story of Rama, the transformation of male to female is also found in the myth of Lord Krishna, the eighth avatar of Lord Vishnu, who took the form of the beautiful woman Mohini to destroy the demon Araka (Nanda 1999; Tiwari 2014). The demon could not be defeated by anyone and had become extremely powerful due to his chastity. Defeating Araka was possible only by breaking his chasteness. Thus, Mohini married Araka to break his chastity, after which Krishna killed the demon in battle. After the death of Araka, in a discussion with the gods, Krishna said “there will be many like me, neither man nor woman, and whatever words will come from the mouths of these people, whether good (blessings) or bad (curses), will come true” (Nanda 1999, 20; Tiwari 2014, 20). In both of these stories of the two incarnations of Vishnu, the group of people who are neither man and nor woman were given such powers that whatever they speak will become true. Even today, this belief is prevalent among the people of India, who seek hijras’ blessings and avoid being cursed by the group, because their blessing is considered as sacred and their curse as dangerous.

As we review references to individuals of the third gender in ancient Indian texts, we need to be attuned to multiple terms used to refer to these people. The contemporary use of the Urdu term “hijra” in the Indian subcontinent had its origins with the rise of the Mughals (Reddy 2005). Other terms for third gender individuals include kliba and napumsaka:

> In fact, as Wendy Doniger notes, the term kliba ranges in meaning from ‘eunuch’ to someone ‘who was sterile, impotent, castrated, a transvestite, a man who had oral sex with other men, who had anal sex, a man with mutilated or defective sexual organs, a hermaphrodite [intersex person], or finally, a man who produced only female children’ (Reddy 2005, 21).

Another major text that mentions the third gender is the *Arthashastra*, attributed to Kautilya, the minister of Chandragupta Maurya. The *Arthashastra* portrays the

Mauryan age, and it describes kliba and napumsaka as security guards[2] (Verse 1.21.1), spies, and the queen's attendants. The fact that kliba and napumsaka played such critical roles may account for the royal decree that prohibited insulting these people, under threat of punishment of 12 pans, a denomination of coin (Bandyopadhyay 2012, 84). This provides a stark reminder that during the Mauryan age, which started at around 324 BCE, people often repudiated the napumsakas or klibas, otherwise why would the king need to talk about punishment to protect anyone? In addition to verbal harassment of third gender individuals, they were also denied their share of property. Chapter V of Book III of the *Arthashastra* states, "Persons fallen from caste, persons born of outcaste men, and eunuchs shall have no share; likewise idiots, lunatics, the blind and lepers" (Rangarajan 1992, 415; Shamashastry 1915, 233). That is, the process of economic exclusion of the klibas and napumsakas, or eunuchs, began at an early time. Despite differences in terminology, it is clear that people belonging to a third category of gender did exist in ancient India. The most extensive description of these people can be found in the *Kamasutra*,[3] attributed to Vatsayana. Although the exact date of the masterpiece is unknown, scholars like American Indologist Wendy Doniger and Indian psychoanalyst Sudhir Kakar maintain that the text might have been written in the third century CE, at the start of the Gupta age. Vatsayana alluded to people belonging to tritiya prakriti because of the lack of genitals or unclear genitals, who lived on sex work. The tritiya prakriti people were described as "neither male nor female" (Doniger and Kakar 2003, 25), and they were of two types: woman-like and man-like (Bandyopadhyay 2012, 88). In Verse 2.9.1–10, Vatsayana describes the features of the tritiya prakriti woman in these words: "The one in the form of a woman imitates a woman's dress, chatter, grace, emotions, delicacy, timidity, innocence, frailty, and bashfulness" (Doniger and Kakar 2003, 65). Bandyopadhyay (2012) contends that since there was no mention of third nature people in social contexts other than sexual activities, they served as sex workers at that time.

5.3 The Shiva Lingam Myth of Castration and the Fertile Phallus: The Contradiction

(From Shivapurana and Lingapurana)

Hindu religious texts like *Shivapurana* and *Lingapurana* depict Lord Shiva's phallus as a symbol of universal fertility despite being castrated. This is in contradiction with the state of being of the hijras whose castration and lack of phallus become the main reason of their rejection in society. At the same time, when these castrated, infertile hijras bless a woman to give birth to a baby, they become accepted in Indian society. The belief that an infertile hijra has the power to ensure that a women will give birth, thereby inducing her compulsory fertility, becomes associated with the universal fertility of Shiva lingam.

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[2] The *Arthashastra* in its first book mentions that the King would be received by the eunuchs in the second chamber who were "personal attendants and dressers." See Rangarajan (1992, 152).

[3] The *Kamasutra* mentions the term "tritiya prakriti" meaning "third nature" to describe the sexual life of people belonging to this group.

Hijras are castrated males endorsed by religious beliefs and traditions. Traditionally the hijras of India go for castration (the emasculation operation) in front of Bahuchara Mata,[4] an idol of the Mother Goddess. In this tradition, there exist two important elements: one is the castration, and the other is that castration must be done in front of Mother Goddess, called Nirvan or lingached by the hijras. None of these acts emerged suddenly, and these acts have been legitimized by mythological stories and characters. There are multiple stories about the lingam (phallus) of Lord Shiva. One story as described by Serena Nanda (1999) relates to Shiva's self-castration of the lingam. In this myth, Lord Shiva, who is whole heartedly worshipped by the hijras of India, was once asked by Lord Vishnu and Brahma to create all the beings in the world. Shiva agreed and following a period of meditation, discovered that Brahma had already created the world. Finding that his lingam was no longer required needed, he cut off his lingam and threw to the Earth, saying that "there is no use for this linga" (Nanda 1999, 30). However, this act did not make Shiva asexual or impotent. Rather, as O′ Flaherty points out, his lingam became the source of "universal fertility" in place of "individual fertility" (as cited in Nanda 1999).

Another story of Shiva's lingam is found in the *Vidyeswara Samhita* of *Shivapurana* as well as *Lingapurana* by Manobi Bandyopadhyay (2017, 8), where the lingam or the phallic emblem of Shiva is described as a "huge column of fire" in Verses 10–11 of Chapter 7 (*Vidyeswara Samhita*), representing infiniteness and the generative power of Lord Shiva. Chapter 9 of the *Samhita* describes the lingam in these words: "The phallic emblem confers enjoyment. It is the only means of worldly enjoyment and salvation. Viewed, touched or meditated upon, it wards off all future births of the living beings" (Verse 20).

The description clearly acknowledges the phallic emblem as "pung jananendriyer pratik" (symbol of male fertility) (Manobi Bandyopadhyay 2017) and acknowledges its power to give "birth." Lord Shiva, in a talk with Brahma and Vishnu, acclaims himself as having brhatva, meaning "huge size" and brmhanatva, meaning "causing to grow" (Verse 37, *Vidyeswar Samhita*). The phallic emblem rose due to Shiva's brmhanatva (Verse 38–39, *Vidyeswar Samhita*). Lord Shiva is devolved with "anugrahadyam sargantam,"[5] where anugraha means "liberation" and sarga means "creation." This means that a good number of verses of the *Samhita* relate the phallic emblem of Lord Shiva—the lingam—to birth and creation. Moreover, the pedestal on which the lingam was placed resembles Parvati, the consort of Shiva (Verse

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[4] Goddess Bahuchara is one of the most important goddesses in the Gujarat region and is worshipped by an overwhelming population especially the hijras. For details see Nanda (1999).

[5] According to the translator, *Anugrahadyam Sargantam* should have been written as *Sargantam Anugrahadyam*, meaning creation to liberation, which has been correctly discussed in Verses 3–5 of Chapter 10, *Vidyeswar Samhita.*

22 of Chapter 11). Verse 23 of the chapter in *Vidyeswar Samhita* reads as, "Just as Lord Siva remains ever in close embrace of the Goddess Parvati, so also the phallic emblem holds on to the pedestal, forever."

The lingam is thus referred to as the male reproductive organ, which is intrinsically related to the yoni, the female reproductive organ, thus symbolizing the universal phenomenon of creation by the combination of male and female power. The lingam is symbolized as originating from the yoni, due to women's capacity to give birth, symbolizing the universal nature of motherhood. In both stories, however, the separation of the lingam from Shiva's body represents castration—the separation of the penis. Just as lingapuja is placed in a position of immense significance as it relates to creation, so too is the traditional method of castration of the hijras considered as a ritual of high religious importance, which makes the eunuchs very powerful hijras. Again, there is a general belief that women who worship Lord Shiva, especially during Shivaratri, will lead a happy married life. In Shivaratri, the Shiva lingam symbolizes Lord Shiva who is actually worshipped instead of the idol of Shiva. In other words, the castrated portion of Shiva—the lingam—is worshipped instead of the entire idol of Shiva. Although hijras are castrated, they are believed to give blessings to a woman about to give birth or to a newly born child. Castration is thus symbolically gifted by the power of blessing for creation in the myth of Shiva lingam, as well as through the reality of hijras.

5.4 Acceptance of Ardhanarishawr, Rejection of Hijras

Ardhanarishawr, also called Hara Gouri, is a Hindu God who is symbolized by the right half of the body as Shiva (also called as Hara) and left half of the body of Shiva's consort Gouri. The God symbolizes being half male and half female in a single body and is worshipped as an avatar of Lord Shiva throughout the country. Hijras also do not fit in a binary male/female category. Chapter 2 by Jayaprakash discusses how the term hijra has become an umbrella term for a number of gender identities like aravanis, jogappas, khusra, kojja, kinnars, akwa, shiva-shakthis, thirunangis, kothis, and many more. While the hijras of parts of Eastern and Northeastern India refer to themselves as kinnar and use it as surname, the word thirunangis is generally used in Tamil Nadu. Similarly, the term kothis is used not only in West Bengal, but in other states as well.

Gannon's Chap. 6 in this volume on the censuses of British India reminds us how all these varied gender identities were simply listed as castrated men during British rule in India. British policies were instrumental in constructing negative connotations to being transgender in India. In Chap. 8, Sriraam explores the role that the Criminal Tribes Act of 1871 played in not only crushing the heterogeneous and diverse nature of this group, but also in rejecting transgender people and pushing them outside of society and into total isolation. Jayaprakash, in Chap. 2, further examines this history of exclusion and rejection, which continues even today. Similarly, in Chap. 10, Pal and Sinha explore the marginal status of hijras, who are excluded from civil society. Due to their strong desire, hijras undergo the process of castration and opt to live like women by adhering to women's attributes. Hijras are a blend of both male and female, biologically and psychologically. Contradiction arises when, unlike the Ardhanarishawr who is worshipped throughout the country, the hijras are rejected by Indian society.

5.5 The Contemporary Experience of Hijras from Assam

Building upon the preceding historical and mythological analysis of transgender identity in India, to understand the contemporary experience of hijras in their own words, I conducted a series of interviews. I focused on the geographical area of the northeastern state of Assam, to complement prior studies that have primarily emphasized Southern India. Because the hijras are a closed community, I have interviewed Bengali-speaking hijras for two reasons. First, given that I am a Bengali woman, I was able to avoid any kind of communication gap. Second, my shared cultural background helped establish good rapport with the respondents so that they could open up comfortably. Since, the three districts of South Assam have been dominated by Bengalis along linguistic lines, I selected this area. Snowball sampling was employed to locate the respondents, beginning with a respondent from Tarapur Railway station. A total of 18 hijras from South Assam were interviewed multiple times between August 2018 and March 2019 as part of a broader study. Qualitative methods were used, and in the following discussion, respondents are referred to by pseudonyms to protect their identities. My conclusions provide insights into the lives of hijras of South Assam by understanding how gender is shaped by the concepts of fertility and religion.

The sense of exclusion experienced by hijras is reflected in these words from respondent Rai Kinnar (aged 25), a hijra from South Assam:

> People do not think that we are normal humans. When we walk by, people stare as if we are from some other planet. They think that being hijra is somewhat very different thing in society. When we are not even considered humans, how can we even expect to be respected? And equate us with God is just a dream which will never be fulfilled.

Another hijra, Mina Kinnar (aged 23), describes the sometimes-hidden disrespect that people feel toward hijra:

> Actually, people in our society have a dual character. Everyone has two faces, one outside and the other at homes. You see, you will find that many people talk so good in public, but when they go to home, their real face is revealed. They do the same with us. They worship Hara Gouri because Hara Gouri is God who can punish them if disrespected, but we are humans and then also hijras. What can we do if they disrespect us? Nothing. They know it very well, so they don't even think of respecting a hijra.

Mina is educated only up to primary level, but her understanding comes from her direct experiences. Her claim that people are dualistic in their character is based in the sometimes-hypocritical nature of people, whose public statements may differ from their private attitudes. These people may offer suggestions for advancing women's welfare and gender equality in their public speech, but may be accused of domestic violence at home. In the slums of Silchar, the second largest town of Assam where Mina stays, domestic violence is rampant. She compares a woman's life with that of her own and finds that in some respects, hijras and women are both victims of the prevailing social structure. But women are in a privileged position compared to hijras; at least women are considered an important part of society, while hijras are not. Her words also show her low self-esteem due to continuous rejection.

Raima Kinnar (aged 45 years), a hijra Gurumaa, amplifies this distinction between women and hijras:

> Women are considered important because they can give birth to a child. It is a woman who gives birth to a male or an intersex. But it is another thing that they face contrasting reactions. They are praised when they give birth to a male baby and cursed when they give birth to a female baby or people like us. Things have however changed now. In many families, female babies are welcomed open heartedly. But in case of the third sex, the case is completely different. Look at my mother. I remember my childhood days when my father, aunt, and grandmother used to curse her because she gave birth to me, a boy who always looked for chances to wear her sari and do make up.

According to Salima Kinnar (aged 32), people do not accept hijras as part of society because they cannot contribute by giving birth to a child. They are infertile and this is the basic reason for their rejection in society. Raima and Salima both emphasize that fertility is an important factor for social acceptance. Fertility, the ability to give birth to a child or the ability to contribute in the process of fertilization of a new life, leads to reproduction. Women's ability to reproduce has been viewed in starkly different ways across time and between individuals. In general, however, producing a baby is a "plus" and the inability to do so is a "minus" for women in Indian society. For men also, their ability to contribute to the process is praised. In case men are infertile, they are hailed as napumsaka or hijra. In this context, the terms napumsaka and hijra are sometimes used derogatorily to signify infertility in males because hijras are symbolically infertile and impotent. A number of scholars have claimed that sexual impotency is a vital factor for the social exclusion of the hijras in Indian society (Doniger and Kakar 2003; Nanda 1999; Reddy 2005). Salima Kinnar sees their infertility as the cause of their being rejected from society. This rejection has tremendous impact on the lives of hijras, because "rejection, isolation, and humiliation are some of the mechanisms that exclude people from full participation in society" (Silver 2007, 16).

Raima Kinnar sees this inability of hijras to reproduce as the cause for being denied basic relationships:

> People think that only born females have the right to have a boyfriend or husband. Hijras cannot have, and they should also never try to have. Hijras are low born in society; their birth is itself an insult to the mother and family. We are never considered part of this society. And if someone wants to be in some relationship with us, that person is also not spared. My boyfriend also faced much protest from his home, relatives, and neighbors. They have only one question to him: Couldn't he manage to have a girl? To the people, what can a hijra give to a man? Neither a child nor social position. They think that only reproducing is the ultimate thing. Our heart has no value. We cannot have desires because we cannot give birth to a child?

Despite sparking protests, Raima continues to be in that relationship. She intends to set an example for other hijras. She accepted her partner as her husband, and she is now a committed wife. Nevertheless, she still stays in a rented room near her husband's home. She hopes that people will understand their mistake 1 day and accept the relationship.

5.6 Infertile Hijras' Power to Bless Fertility

Hijras are infertile, which leads to their rejection in society. But it is this same society that believes that hijras have the power to bless a woman in preparation for childbirth, and it is reflected in a tale is about the first hijra, the Goddess—Mahamayaji,[6] as recounted by Nisha Kinnar of South Assam. In this story, once there lived a king who had no child. Mahamayaji was the hijra of Satyayuga, and she often visited the king's palace, where she would dance, play the dhol, and sing. One day, the king said to her, "You often come to my palace and dance; and I also give you dakshina. But what did you give me? You see that I have no child." The hijra responded, "I will become naked and sit in front of you and the queen. Your wife has to put five dots of sindoor near my thighs, and I will give you a blessing." The queen did as Mahamayaji said, and accordingly the queen received a blessing from the hijra. Soon after, the queen became pregnant. And thus, the story fostered the belief of people that hijras, though infertile themselves, can give the boon of fertility. Nanda (1999) suggests that this is due to the popular belief that hijras become pure after castration.

In Chap. 10, Pal and Sinha make the case that the act of self-mutilation brings a sense of purity and spiritual significance to hijras by recounting the myth of Bahuchara Mata, who is considered as Mahamayaji by hijras of South Assam. It so happened that once Bahuchara and her sisters were traveling to some place when they were confronted some dacoits, or armed robbers. When the dacoit leader Bapiya attempted to molest the women, Bahuchara cut off her breasts and self-immolated to protect her virtue. At the same time, she cursed Bapiya with impotence, which he could reverse in only one way: by dressing as a woman and worshipping Bahuchara. As Pal and Sinha note, the story recounts the interrelationship between bodily self-injury and fertility through an intricate series of events: Bahuchara's self-sacrifice to retain her femininity, elevating her purity; placing Bahuchara on the high pedestal of being a Goddess whose curses become true; Bapiya's worshipping Bahuchara after cross-dressing to get back his potency; and Bahuchara providing boons of potency to Bapiya. To simplify the message of this story, self-mutilation brings purity and divinity, the injured person's curse comes true, and a cross-dresser's worship in Bahuchara's temple is answered with potency. This sequence is imitated by hijras through the act of castration, bringing boons to others. This is reflected in the beliefs of contemporary hijras from South Assam, such as Hasina Kinnar, who says that if she blesses a child or a newly married woman with fertility, then it becomes true, providing a testament to the self-contradictory nature of castration and fertility for hijras.

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[6] Bahuchara Mata, whose temple is located in Gujarat, is called Mahamayaji in South Assam.

5.7 Conclusion

Third gender persons have existed in Indian society for thousands of years, and they are still treated with a complex combination of reverence, mortification, and exclusion. In South Assam, hijras are mostly visible in trains and markets collecting money with a kind smiling face. A deeper understanding shows that the life of a hijra is full of obstacles. Behind their smiles are anguish, hopelessness, and lack of confidence arising out of the insult, humiliation, and discrimination of society. At its core lies infertility and "sexual impotency" (Nanda 1999), which excludes them as daughters-in-law or wives, restricting their choices for partners. Men, women, and third gender individuals are placed in distinct locations on the social scaffold of power dynamics.

Strikingly, humiliation turns into respect when the hijra reveals her divine powers, in the process bolstering the strength of religion and its practices in Indian society. While prescribed norms in religious texts affect the lives of women and Dalits (formerly called untouchables), considering religion in relation to the hijras also brings forth contradictions. First, the castrated Shiva lingam signifies universal fertility, but castration leads to the rejection of third gender persons in Indian society. Shivaratris and Mondays (the auspicious day for Shiva puja) are designated for worship of Lord Shiva. On these days, women bathe the lingam (visibly the castrated portion of Lord Shiva) with water, milk, ghee, honey, Datura flower, and Bael fruit, and they wish to get blessed with fertility and a blissful married life. In absolute contrast, the hijras, who lack sexual potency, are cursed for their infertility. Moreover, people worship the Ardhanarishawr, and at the same time reject hijras. Finally, when infertile hijras bless a woman to be fertile, it is widely believed to yield positive results.

While such contradictions prevail, the universal fertility of the phallic emblem is concurrent with the fertility boon of the infertile hijras. In both these cases, castration does not affect power to give blessings and boons; on the contrary, castration brings purity. Again, it is this fertility/infertility duality that pushes hijras outside the mainstream social structure of India, as seen in the responses of interviewees in this study. It is fertility that has decided the life of Raima, who cannot give birth to a child despite being a committed lover, or Rai, who wishes to live a life with dignity, or Salima who understands the cause of her exclusion, or Anita who accepts the bitter truth that social rules are so strict that even her own parents are not ready to accept her.

Social rules spare no one, be it the highly educated Dr. Manobi Bandypadhyay, the first college principal of India (Manobi Bandyopadhyay 2017), or Joyita Mondol, the first transgender person to be a judge of India. There are however very few like Dr. Bandyopadhyay and Joyita Mondol, who can break social norms and reach prominent positions. This paradoxical condition needs to be changed, so that instead of a binary male/female, a triad of male/female/third gender is accepted in society.

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Chapter 6
The Colonial Censu(re/ses) of Transbodies in Nineteenth-Century South Asia

Shane P. Gannon

6.1 Introduction

The transgender population in nineteenth-century South Asia was a diverse one. The most popular representation of this class was the hijra, a group who the colonial administrators of the time thought were castrated men who wore women's clothes and begged for alms, engaged in sodomy and prostitution, sang, and danced. In fact, there was a law created—Part 2 of the Act XXVII of 1871, which was also known as the Eunuch Act—to criminalize this population (see Sangeetha Sriraam's Chap. 8 for more information on this Act, as well as other relevant legislation affecting this populace). However, in the nineteenth century, the heterogeneity within this group was erased, reducing it to a single and relatively monolithic category.

One way that transgender people were expunged is through popular accounts of the censuses in South Asia. These narratives can be seen in the writings of various British administrators who summarized the censuses for a non-specialist audience. In these descriptions, the transgender population was reduced simply to a category of castrated men. For example, in referring to the 1891 censuses, William Crooke (1999 [1896], ii. 495) described the hijra and mukhannas as a "class of eunuchs." Likewise, Robert Vane Russell (1969 [1916]), a census administrator in the 1901 censuses, describes various populations, including the hijra, gondhali, and khasua, as eunuchs. Reginald Enthoven (1997 [1922]), who was in charge of the censuses in 1901, also represents the hijra, fatada, and pavaya as castrated men. In addition, Horace Rose (1980 [1919]) states that the hijra, khunsa, khusra, and mukhannas were all men who had their penes removed. Finally, Denzil Ibbetson (1883), who administered the census of 1881 in Punjab, recorded that the hijra were eunuchs.

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Table 6.1 Aggregate data of gender make-up of hijra, khojas, and eunuchs in 1881, 1891, and 1902 Imperial censuses

Census year	Group	# Areas reporting	Males	Females	Percentage of females in transgender population
1881	Hijra	1	99	42	30%
	Eunuchs	1	95	0	0%
1891	Hijra	8	1458	519	26%
	Khoja	1	95	63	40%
	Eunuch	2	447	224	39%
1901	Hijra	8	1059	335	24%
	Khoja	1	301	152	51%

Yet, despite the accounts of the British authors, this transgender community was more diverse than their descriptions would indicate. When one looks at the census data, there were more than men counted in the ranks of these groups; some census returns indicate that 51% of these so-called eunuch groups were women (see Table 6.1). In addition, many in the transgender community, including the hijra, did not identify as males. In fact, many distinguished themselves from the two-sex model—an understanding of sex that only allows for males and females to exist—by identifying themselves as a third gender.

This notion of third gender is an important one. Several authors in this volume discuss this notion, including Sameena Azhar and Jason Vaudrey, Peter I-min Huang, Shalini Jayaprakash, Ruman Stradhar, and Tanupriya. This term captures a view of gender and the body that opposes the notion of there being only two sexes. Serena Nanda perhaps best captures how the third gender exists in opposition to the two-sex model in the name of her famous book: *Neither Man nor Woman* (1990); this situates people like the hijra as a third discrete sex/gender, one that is outside femaleness and maleness. While there is evidence of so-called women who perform masculinity in the history of South Asia, as discussed by Tanupriya and Agaja Puthan Purayil in the final two chapters of this collection, the most common understandings of this population are of non-binary individuals who perform femininity. The concept of a third gender is one that is based in local ways of knowing. It can be viewed as emerging from the Sanskrit term, tritiya prakriti, which is often translated as “third nature” (Gannon 2002), a conception that Sutradhar discusses in the previous chapter. Suffice to say at this point that this idea of a third gender was one that was suppressed by privileging the two-sex model.

A question emerges from the censuses: if the census data indicated that the transgender population consisted of other than castrated men, why did the popular accounts of these censuses represent them as only men? Why did they erase Indigenous ways of understanding gender and bodies—via the third gender—and, instead, insist that they were only males? This chapter explores this query. In order to arrive at an answer, it will first explore this contradiction in the censuses and discuss the justifications for it. Second, it will discuss two relevant ways that the transgender population was represented in the censuses. Third, it will bring these various themes together and explain how the erasure of transbodies in the censuses served as a form of colonial control. Specifically, it will be argued that the transgender population represented a site of contested meaning, one that challenged the British understanding of the social world. These people were subsequently erased from the censuses as transgender, instead reimagined as men. This maneuver reconciled their existence with the colonial worldview, thereby privileging the latter over the Indigenous perspective and justifying colonial governance in the region.

This chapter, then, explores how the transgender community was represented in the censuses. However, the term "transgender" can be a problematic word. As Jayaprakash explains in Chap. 2, there is a tension between the broader concept "transgender" and specific terms, such as hijra. The former captures a global way of understanding, while the latter speaks to the local context. Anna Guttman in Chap. 3 makes this relationship explicit: some hijras actively resist the term "transgender," maintaining that it does not capture the nature of their identity. Indeed, in Chap. 4, Huang explicitly connects this debate to colonialism. Valuing the two-sex model is a colonial practice, he asserts, especially when it degrades the conception of the ostensible third gender of South Asia.

This chapter uses the term "transgender" quite intentionally. As will be clear through the following pages, the censuses attempt to erase local nuance and replace it with a monolithic conception of bodies. So, this chapter's use of the word "transgender" is not intended to erase the subtleties of local understandings of sexuality and the body—often understood under the umbrella of third gender—but to highlight how the erasure of such complexities is part of the colonial process. That is, this chapter seeks to highlight the very tension between so-called global ways of understanding transgender and the local ways of comprehending gender and sexuality in South Asia that Jayaprakash, Guttman, and Huang explore.

6.2 Contradiction in the Censuses

The first censuses that took place in British India happened in the early nineteenth century. These early censuses were designed to collect data on revenue and population for the East India Company. Of course, there were also scientific reasons for such data gathering; however, the use of the results was often to put into place new revenue systems (Ghosh et al. 1999). The first census of British India that took place was in 1801, when a resident of Benares, Mr. Deane, ordered Zulficar Ali, a Kotwal (or police officer), to conduct a census of the city (Prinsep 1832). Francis Buchanan carried out one of the first censuses of Bengal in 1807. The first attempt to gather numbers of the population in all of British India was in 1822, with subsequent attempts in 1836–1837, 1851–1852, 1856–1857, and 1861–1862 (Cornish 1874). However, throughout this period, several endeavors were made to establish the populations of specific areas, including Dacca in 1832 (Walters 1832), Benares in 1832 (Prinsep 1832), the North-Western Provinces in 1848 and 1853 (Christian 1854) and then again in 1865 (White 1882), Punjab in 1855 and 1868 (Miller 1870), the

Island of Bombay in 1864 (Leith 1864), Ajmere-Merwara in 1865 (Bhagram 1882), and Oudh in 1869 (White 1882).

The most relevant census data, however, is from the Imperial censuses. These censuses, which began in 1871 and 1872, covered all of British India and were carried out every 10 years subsequent to their establishment. It was in these surveys that the data revealed some patterns of the transgender community that were interesting. Tracking the transgender population through these censuses is dependent on the categories that each census sought to collect. In the pre-1881 censuses, nonbinary individuals were depicted as male eunuchs. Some census administrators (Hewlett 1873) argued that they were to be counted as an infirmity. In his *Memorandum on the Census of British India of 1871–1872*, Henry Waterfield (1875, 36) summarizes the 1871 and 1872 census, stating that: “The number of eunuchs and keepers of brothels recorded is 3,581, mostly in Oude, and the remainder in Bengal and the North-West Provinces.” From this, it can be seen that eunuchs were categorized with pimps, which captures the sexualized nature that they were thought to have. Moreover, in this census entry, the eunuchs were classified under the larger grouping of “indefinite and non-productive”; that is, they were thought to not contribute to the economic functioning of the state, together with gamblers, professional thieves, “budmashes” or bad characters, and criminals. This categorization links them to the themes of criminality and exclusion. Such a narrative frames this population in terms spelled out in the Eunuch Act. Through another framework, one could also see this group being linked to the metaphor of clowns, a representation explored by Vaibhav Saria in the following chapter.

Several patterns emerged in the censuses of 1881. The first was that the transgender population was constructed as being a caste. In fact, this is one of the first places that the most significant of this population—the hijra—became identified as a caste. Representing the hijra in terms of a caste is a product of the way in which the census was organized. That is, the enumerators had to determine the caste membership of all of the subjects of the censuses, thereby ensuring that caste became an important variable. However, the way that the hijra were included as a caste is significant; through the caste label, they were connected to certain qualities. They were a “mendicant and vagrant caste,” (Bhatavadekar 1883; Kitts 1882) a caste of “dancers and players,” (Baines 1883; Drysdale 1883; Plowden 1883) and a “miscellaneous caste” (Ibbetson 1883).

In the 1891 censuses, occupation was redefined in such a way as to make the transgender community less obvious. Whereas the 1881 censuses were concerned with workers only, the 1891 version was interested in “the supporting power” and thus cast an eye to “each means of livelihood” (Baines 1893: 88). Consequently, instead of categorizing work in terms of the specific position, such as “dancing eunuch,” the 1891 censuses grouped activities in terms of their larger economic function. With such de-emphasis of the social character of occupations and a focus on the productive role, the figure of the eunuch virtually disappeared from occupational statistics. In this way, the categories of the censuses changed how the transgender people generally, if not the hijra specifically, were represented in these official documents.

However, with their near obfuscation from occupational numbers, the position of this population as a caste became more apparent. Again, it can be seen how their characteristics were increasingly constructed through the very categories of the censuses. Yet, in 1891, caste was defined in functional terms, as a group's traditional occupation. Such a definition had the effect of continuing to represent groups like the hijra in terms of their activities—such as dancing, singing, and less reputable actions—while, at the same time, characterizing them as a coherent social group.

In the 1901 Imperial censuses, the operational definition of occupation was altered further. The main categories that were used were as follows: government; pasture and agriculture; personal services; the preparation and supply of material substances; commerce and the transport of persons, goods, and messages, and the storage of goods; professions, learned, artistic, and minor; and indefinite occupations, and means of subsistence independent of occupation. This restructuring of the category further expunged eunuchs from the data. In fact, whereas caste was linked to occupation in the 1891 censuses, it was, in this new series of censuses, associated with racial characteristics. In the words of Herbert Hope Risley (1903), the Superintendent of the 1901 census for all of India:

> An attempt is made in the following pages to show that the race sentiment ... rests upon a foundation of fact which scientific methods confirm; that it supplied the motive principle of caste; that it continues, in the form of fiction or tradition, to shape the most modern developments of the system; and, finally, that its influence has tended to preserve in comparative purity the types which it favors. (i. 489)

Consequently, in order to determine the ethnological characteristics of the various castes, he stated that two elements were important: indefinite physical characteristics, such as color of skin, hair, and eyes; and definite physical characteristics, or anthropometric characteristics. Through this perspective, race and caste became increasingly intertwined, which further reduced the visibility of eunuchs.

In this way, the censuses increasingly linked the transgender community with criminality and caste, while making them less visible. However, another fascinating aspect of how they were represented was that they were reduced to the category of men. During the censuses of 1881, 1891, and 1901, the enumerators of the censuses were told to count transgender people—via the category of eunuchs—as men. Specifically, in 1881, the instructions to enumerators were explicit in the Circular No 11, paragraph 6, column 4, which read: "Eunuchs or *hijdas*, *fatdas*, *pavaiyas* should be regarded as males" (as quoted in Bhatavadekar 1883, 29). Likewise, in the 1891 censuses, the instructions read: "*Column* 6. — Eunuchs should be entered as males. Every entry must be either *male* or *female*" (Stuart 1893, 407). Finally, in 1903, enumerators were provided with similar instructions: "Rule 5. *Column 5 (Male or Female)* — Enter here each person as either *male* or *female*, ... Enter eunuchs as male" (Risley 1903, 154). In other words, the instructions for the census enumerators were that there were only two sexes.

Because of this erasure of non-normative gender categories within these censuses, the transgender population was largely invisible. However, they did emerge in certain categories: hijra, khoja, and eunuchs. What is significant about their representation is their gender. Prior to 1881, all of the records of the transgender population pointed to them as males. With the 1881 census, the groups that were thought to capture eunuchs no longer consisted of just males (see Table 6.1).

The significance of these three groups—hijra, khoja, and eunuch—is that the British thought that they all referred to castrated men; such a representation erases the third gender. In the 1881 Imperial censuses (Plowden 1883), a logic of how to categorize so-called eunuchs emerged, a framework that largely continued through the later censuses. This categorization emphasized the occupation of these ostensibly castrated men. Eunuchs were of three classes: Class 1, Order 3, Sub-Order 7, who were entitled "Dancing Eunuchs" (96); Class 2, Order 5, Sub-Order 2, Group 17, who were described as eunuchs, serving in Female Apartments (98); and Class 6, Order 13, Sub-order 1, Group 3, who were thought to simply be a eunuch (121). Within this framework, the first classification of eunuch was the hijra, the second was the khoja, and third was a general category. Such a classification obfuscates the gender difference between the groups. While the hijras and eunuchs are represented as transvestites and gendered feminine, the khoja were thought to be masculine and to guard and serve the female-occupied areas (known as zenanas). To be clear, even though women were counted in their ranks, eunuchs were thought to be men.

It is within this context that one can see a contradiction. On the one hand, the British were clear that eunuchs, including hijras and khojas, were males. Not only were they thought to be men, but the administrators of the censuses explicitly instructed the enumerators to register them as male. Yet, these census-takers reported that there were significant women in their ranks. This presents a curiosity. In order to examine this inconsistency and flesh out how it represented a site of production of colonial knowledge, it is important to look at how the British authors justified their description of these groups as eunuchs in the face of evidence to the contrary.

6.3 Explanation for Female Eunuchs

The British were very concerned with whether these ostensible eunuchs were males or females. How did those who analyzed the data of the censuses understand the presence of females among the returns of the censuses of the eunuchs? Simply put: they ignored the data. In other words, they made a decision to represent the social order in such a way that reflected their perspective. While there was evidence of women in the ranks of the so-called eunuchs, the British administrators insisted—albeit unconvincingly—that eunuchs were males. This investment in the maleness of the eunuchs reveals, not just an attempt to understand this social group, but a concerted effort to eliminate deviation from the British perspective of the two-sex model.

The first author to attempt an explanation is Risley in his *The Tribes and Castes of Bengal* (1891). In this book, he argued that the female hijra represent a mistake on the part of "an ignorant enumerator" in Patna. The census-taker, it seems, wrote down that several people belonged to the caste of tijra. Since no such caste existed, the census clerk recorded hijra. When Risley looked into the matter, he found that the people in question belonged to the caste, Doshadh, a caste appellation that was more commonly known in Urdu as hajra. It was this that the enumerator incorrectly referred to as hijra. Risley's explanation allowed him to continue to define the hijra as a eunuch by explaining the deviation as an error.

Another way to account for this seeming inconsistency is by attributing the existence of women to a caste other than to that of the hijra. Edward Gait (1902) asserted that hijra are also a synonym for pawaria, who were a group of musicians and singers who perform outside of a house when a male child is born to its occupants. Women, according to Gait, belonged to this caste. Also, "[i]t is sometimes said that the women [of this caste] sing and dance in male costume, but so far as my information goes, it is the men who occasionally perform in female attire, and not the women in the garb of men" (i. 444). Thus, he asserted, one might count women in the classification of hijra, but, in doing so, they are misrepresenting the relationship between the two groups. That is, those hijras who are pawarias are still eunuchs; the women, then, are pawarias insofar as they perform at the birth of male children, but not proper hijras.

Finally, William Crooke (1999 [1896]) maintained that the women who were counted under the caste of hijra were not hijra per se, but depended on them. In his words, "[t]he Census Returns show that they have a considerable number of women dependent on them" (ii. 495). Like those discussed above, he insisted that hijra are eunuchs and that the census-takers made an error in counting women in their ranks. Like the other writers, Crooke maintained that hijra are males and any inclusion of women in the ranks of this class does not change this fact.

These explanations do not explain the phenomenon satisfactorily. While his justification might make sense in the area of Patna, Risley's analysis failed to explain why the other provinces continue to return women in the ranks of the hijra. Likewise, Gait's assertions were ungeneralizable. Many colonial authors, such as D. Baines (1893), argued that the pawaria caste is unique to Bengal. In associating the pawaria and the hijra, Gait cannot account for the existence of women who identify as hijra in provinces that do not include the former caste. Furthermore, Crooke's reason for this situation is flawed insofar as he maintained that hijra, as a social group, are eunuchs. However, if women identify as hijras, it is difficult to make the argument that they do not include women in their ranks. That is, he does not make a good case for excluding these women from their ranks. Instead of defining the social category of hijra in such a way that would account for the evidence, Crooke simply rearticulated a definition of hijra that is not backed up by the census returns. His argument, like those of Risley and Gait, is designed to maintain the definition of the hijra as eunuchs, in contradiction to the data.

What is significant in the justifications for understanding these so-called eunuchs as males, though, is that any deviation from this ostensible fact is what the administrators took to be evidence of the incompetence of the Natives. The British authors repeatedly blamed the Indigenous people of India for the error. Part of the reason for this blame is that the census organizers would hire locals—such as servants, religious persons, and "school boys"—who were not familiar with the logic used by the administrators. The reason for this enrollment is that the exercise of the censuses was a large endeavor and required more people than could be sufficiently trained to administer it. As an example, the 1901 census for the North-Western Provinces and Oudh utilized 1283 superintendents and 216,621 enumerators (Burn 1902). It was because of the ignorance of these local enumerators that women were counted as eunuchs, the British writers surmised. In fact, the census compilers often lamented the lack of "understanding" or "education" of the enumerators (Drew 1892; Gait 1902: iv. 30; McIvers 1883: iii. 83). In other words, the British argued that it was the locals who did not understand their own culture that resulted in women being counted in the class of so-called eunuchs. Such an explanation positions the colonial understanding of South Asian culture as more authoritative than the South Asian perception. This is problematic, since it assumes that the colonial administrators understood Indian culture better than those who live it.

6.4 Hijra as a Caste

Why did the British insist that these social groups were eunuchs, despite the evidence to the contrary? Bracketing their colonial logic—the argument that it was due to incompetent enumerators who did not understand their own culture—for a moment, it is useful to approach this question from a different angle. Specifically, it would be helpful to examine how the British administrators understood eunuchs in the censuses. Such a portrayal will reveal how the authors used the discursive site of the hijra to create a population that could be controlled. To unpack this representation, this section will investigate the themes through which eunuchs were examined in the censuses. To do so, two patterns will be examined: the connection of the hijra to caste and the emergence of the hijra as the primary signifier of the transgender population.

The first theme is that the hijra were increasingly associated with caste in the censuses. Caste was a contentious topic in the enumeration of the population. There was much debate over what constituted this variable. Yet, it was an important one: the census enumerators had to assign a caste to every person. However, caste was not a simple metric. There was significant variation in how caste was conceptualized between the censuses. In the 1881 censuses, caste was defined in terms of hierarchy. Despite this representation, the hierarchal nature of caste was contested. In the words of W. C. Plowden (1883), the Superintendent for the 1881 censuses of all of British India:

> It was originally intended that the castes should be classified by their social position, but great difficulty was experienced in carrying this out. Petitions were sent in to my office and to the offices of the Deputy Superintendents of Census in the Provinces complaining of the position assigned to castes to which the petitioners belonged; and the whole subject was shrouded in so much uncertainty and obscurity that the original arrangement was dropped. (277)

No alternate theorization of caste was suggested, thereby leaving it in the hands of the enumerator to decide whether or not the named castes "were merely synonyms in their Province, and these might be grouped together under one common title" (277). According to one official document, caste was deemed a confusing variable, one with no real analytic value (Drysdale 1883). Still, it was an essential part of the way that knowledge about the people of South Asia was collected. It is within this context of ambiguity that eunuchs were imagined.

By the 1901 censuses, caste was reconceptualized from occupation to something else. Risley (1903), who was in charge of the 1901 censuses, defined caste as:

> a collection of families or groups of families bearing a common last name which usually denotes or is associated with a specific occupation; claiming common decent from a mythical ancestor, human or divine, professing to follow the same professional calling and regarded by those who are competent to give an opinion as forming a single homogenous community. (i. 517)

While his definition is anchored in his larger assertions of the institution as being one of race, Risley still included elements of occupation, hereditary membership, and social status. With his rise in authority to Chief of the Imperial Censuses in India, he established the notion of caste as being linked to race.

As was discussed above, eunuchs were reimagined as a caste in the censuses. However, the complexities of caste became evident when applied to this transgender population. In the pre-1881 censuses, the hijra were depicted as Muslim male eunuchs. The 1881 censuses saw them being defined as a caste, but through the lens of occupation. These occupations were associated with specific characteristics, which conferred certain attributes onto the caste. Yet, they were still conceived of as eunuchs. In the 1891 censuses, the role of occupation became broader and less detailed; the function of caste became more important. While there was still attention paid to occupation, such a focus was subsumed under the understanding of caste; that is, one's caste was understood to capture one's occupation. With this move to the caste-basis for the hijra, there was accordingly greater attention to detail in describing the hijra in terms of specifics qualities; this is apparent in the minutiae of castes and sub-castes, described below. By constructing the category of the hijra to include formerly specific castes—which, in the British imagination, was the archetypical representation of Indian social structure—these censuses reified the hijra into a discrete social entity.

It is no surprise that some of the census-takers had difficulties when it came to recording the caste of the hijra. However, partially as a result of the way in which the censuses were organized, the hijra became depicted as a caste (complete with a variety of sub-castes, according to some census-takers). For example, D. Baillie (1894), complier for The North-Western Provinces and Oudh, discusses nine different sub-castes for only Muslim hijra: Banihashim, Gangarami, Hijra, Khuji, Khuwaja sara, Khwaja Zad, Pathan, Sheikh, and Tikalba. Edward Maclagan (1892), administrator for the 1891 census in Punjab, on the other hand, discusses 11 sub-castes, again of only Muslim hijra: Dhol, Hajel, Handam, Hasra, Makhans, Manhas, Moli, Moni, Pasawri, Qureshi, and Rai. As is evident with these two authors, there was little consensus on what sub-castes would construct the hijra caste. The hijra did not fit into the definitions of caste—and many of the compilers knew it. Charles O'Donnell (1893), for instance, counted the hijra under the category of occupation, rather than that of caste. Baillie (1894, 320), despite his attempt to incorporate sub-castes into the category of hijra, wrote that he does not consider the hijra to be "properly caste entries." This parallels Charles Luard's (1902) comments that the hijra are not a caste.

Given this challenge of fitting the hijra into the category of caste, why were the hijra represented as a caste? The way that the various censuses were designed predicated a particular conception of Indian society, a vision that could not but be replicated by the executing of the censuses. With the categories that were provided by the various censuses—sex and age; religion; occupation; infirmities; education; nationality and caste; or, alternatively, caste, race, and tribe—and that each person counted *had* to provide an answer for all of the questions, there were limited options for persons to pick from. That is, the organizing principles for the censuses determined what categories the enumerators would find. For example, since each individual had to indicate to which caste they belonged, the necessity of having a caste as part of the colonial framework of intelligibility emerged with the necessity of answering the question. The process of conducting the census created an ostensibly empirical reality that proved the existence of those aspects that the census set out to measure. This, of course, explains why the hijra came to be associated with caste only with the beginning of the Imperial censuses.

This association of the hijra with caste is significant because it located the former in the social framework of the Indian cultural milieu with which the British officials were familiar. For the colonial administrators, the caste system represented a classificatory schema within which all Indian social groups could be located and ranked (and, in the work of some writers, correspondingly associated with biological/racial types). By including the hijra in this system, the writers were able to understand them as a distinct Indigenous class that could be linked to their supposed degradation and disreputable nature, qualities that were established and criminalized in legislation. In fact, through the seemingly objective character of the censuses, such disdained qualities were situated, not in the attitudes and beliefs of the colonial administrators, but in the minds of the "Native" population. That is, the criminality of the hijra was not understood as a colonial invention, but an Indigenous one.

The defining of the hijra as a caste, then, functioned to construct the hijra as a distinct social class, even if it were an unintended product of the way in which the censuses were organized. Caste served to situate the hijra in a South Asian social context, one in which the poor ranking of this group was thought to be, not of a British invention, but of an Indigenous tradition. Furthermore, the language of caste allowed the colonial recorders of the censuses to discuss the group of people whom they called the hijra as an aggregate, with particular qualities. Thus, through this taxonomy of caste, the hijra were represented as a definite collectivity whose nature could be established and anchored. The logic of connecting individuals with caste became more predominant, to the point that many census compilers ceased seeing a problem in defining a group such as the hijra as a caste. To be clear, the framework of intelligibility that was constructed through the logic of connecting each person with a caste was such that caste seemed inevitably associated with all South Asian groups, including the hijra. Within this perspective, the different meanings of caste became associated with the hijra. Perhaps most significantly, insofar as caste represented a structure of an ostensibly Indigenous hierarchy, the caste system was understood in the British imaginary as a social organization in which the "Natives" ranked their population. If the British enforced such a system, in their minds, they were governing via the enforcement of local laws and not colonial ones. Within the contested meaning of caste within the censuses, an ostensibly Indigenous class was created, one that allowed the British to govern them by their own norms.

6.5 Hijra as Primary Signifier

A second and related theme that emerged in the discussion of eunuchs in the censuses was their reduction to a single group: the hijra. There was a struggle over how to imagine the variety of transgender groups in South Asia. Over time, as more census data was collected, eunuchs transitioned from being represented as a loose aggregate of men without penes to being portrayed as a particular class with specified traits. In the reification of eunuchs, one type became increasingly visible: those who were called the hijra. This collapsing of groups under a single umbrella allowed for the colonial understanding of what constituted transgender to supplant Indigenous understandings.

By subsuming many diverse castes under the category of hijra, the censuses privileged the hijra as the main way to imagine the transgender population in South Asia. The variety of formerly distinct subgroups that were captured under this main category included the fatada (also written as fathada, phathada, and fatdas), the pavaiya (alternatively spelled as pavaya, pavya, pawyu, pawariya, and parwaniya), the khusra (additionally known as khusre, khunsa, khasua, and kunjras), and the mukhannas.

This process of incorporating different social groups under a single umbrella had two effects. First, it collapsed all of the differences between the various social classes into one. This created a way of understanding eunuchs within the classification of hijra. Combined with the representation of hijra as a distinct caste, this situated the hijra as the primary signifier of the transgender community. No longer would the British have to explain all of the nuances between the various groups, since they are now understood as belonging to a single category.

Second, this mechanism connected the hijra with the varied attributes of the distinct social classes. Specifically, through the connection with these various groups, the attributes assigned to them became semiotically linked with the hijra. To illustrate this process, it would be helpful to provide some examples. In the second volume of his *A Glossary of the Tribes and Castes of the North Western Frontier Provinces and the Protected Territories of the North Western Frontier Provinces*, Rose (1980 [1919], 331) stated that a hijra is "a eunuch, also called *khunsa*, *khusra*, *mukhannas*." Likewise, in his chapter, entitled, "Pavayas in Gujarat populations, Hindus" in the ninth volume of *Gazetteer of the Bombay Presidency,* Kirparam Bhimbhai (1901) stated that fatdas is a synonym for hijda and pavaya. In both of these sections, the attributes of the various groups are collapsed into a single category, so that the classification comes to refer to the same characteristics. In this way, linking the hijra to these other groups—the fatada, khusra, pavaiya, and the mukhanna—effectively links the former with the meanings associated with these populations. Such a metonymical relationship imputes the meaning of the classes onto the hijra, effectively creating a semiotic field in which the hijra represents all of the characteristics of these formerly varied groups.

Moreover, these different groups were all subsumed by the two-sex model. These classes were imagined as men. Certainly, they were considered to be castrated men, but men nonetheless. Through being included within the category of the hijra, these castes—the fatada, the pavaiya, the khusra, and the mukhannas—were imagined as males. This reduction negates the understanding of these groups as both varied and part of the third-gender community.

This creation of a semiotic field can be found in writings of both the census administrators and others. Some of the authors of the censuses explicitly linked the hijra with these groups (Maclagan 1892; Plowden 1883; Risley 1903). By equating the hijra with these other social classes, the censuses implicitly connected all of the diverse characteristics associated with the different classifications to a single figure: the hijra. This can also be seen in the non-census literatures (Bhimbhai 1901; Crooke 1999 [1896]; Enthoven 1997 [1922]; Faridi 1899; Rose 1980 [1919]; Russell 1969 [1916]).

The semiotic field that was created, both in the census and non-census sources, was diverse. These different groups were originally associated with a variety of characteristics: the fatada were connected to impotency, begging, and performing; the pavaiya were linked with begging, performing, sodomy, and prostitution; the khusra were connected with performances and sodomy; and, finally, the mukhanna were identified with sodomy. By connecting the hijra with all of these groups, the former became a representative of a semiotic field that linked all of these characteristics, ones that were outlawed in the Eunuch Act. In other words, the hijra became a single caste that represented all of these criminal attributes.

The characteristics that were included in the semiotic field were not just criminal: they were also gendered. Through the site of the hijra, the transgender population was represented as impotent and effeminate males. They were portrayed as men who wore women's clothing and engaged in feminine pursuits such as singing and dancing. These qualities can be seen as being linked to these classes through the censuses. Of course, these attributes became criminalized through the Eunuch Act, but it is significant to note that they are, arguably at their core, gendered.

The result of creating a primary signifier and subsuming all of the different attributes of the formerly unique social groups under it had an effect. It anchored how the transgender population qua eunuchs was envisioned in South Asia. By collapsing all eunuchs into a single category, one that invoked all of the negative qualities—both criminal and gendered—that the British associated with South Asian eunuchs, the administrators of the censuses effectively created a category of transgender people that could be governed. Indeed, there was already legislation in place—the Eunuch Act—that was designed to punish eunuchs with the very qualities that were anchored in the signifier of the hijra. In other words, through discursively associating the larger body of eunuchs with the hijra, the British authors effectively linked the transgender population with criminal characteristics.

6.6 Colonial Foundations

How are these two pieces—the presence of women in a category defined as consisting only of men and the two themes of the representation of the hijra in the censuses—connected? By setting up the narrative in this way, this chapter seeks to link the masculinization of the transgender population to colonialism. Simply put: the reason that the transgender people of South Asia were represented as males was to advance the colonial project. Such logic is present in the two themes of the censuses discussed in the previous pages. This section ties all of these strands together to make the larger argument clear.

The administrators of the censuses struggled with how to understand and categorize the South Asian population. The way that they struggled with the variable of caste captures this confusion. This perplexity is also evident in the way that the hijra was constructed as a primary signifier to capture all of the complexities and diversity of the various so-called eunuch categories. Through grappling with this confusion, the organizers of the censuses created a way to understand eunuchs in South Asia: they were a single caste of men, consisting of the criminal qualities of castration, sexual deviation, and sodomy. All divergence from this understanding—including the representation of women in their ranks—was erased. Such a maneuver effectively made the Indigenous understanding of transgender invisible, instead privileging a colonial perspective.

The reason, then, that the architects of the censuses were so concerned with representing the hijra specifically, but the transgender population generally, as males was because it fit their framework of understanding. In the context of trying to grasp the culture of South Asia, the British imposed their ways of knowing—their "truth"—onto it. Given that this form of knowledge privileged a two-sex model, the administrators framed eunuchs as necessarily male. Any deviations from this representation were perplexing mistakes. Recall that that British blamed the recording of women in the ranks of eunuchs on the Natives. This move effectively blamed any deviation from the two-sex model on to the Indigenous people.

This struggle over meaning was not simply value-neutral. It did not merely represent a way to understand the culture in South Asia, but it was an active attempt to reframe it in terms that the British understood. In the context in which the census returns indicate a resistance to reducing the transgender population to the two-sex model, the census administrators responded with a corrective decree: all eunuchs must be counted as males. Any deviations to such a commandment were read as indicative of stupidity or ignorance, thereby positioning the colonial way of understanding as authoritative. This colonial logic was reproduced in the popular accounts of the censuses; these narratives were a misrepresentation of the census data that continued to represent the hijra specifically, but the transgender people in South Asia generally, as castrated males.

This attempt to replace the Indigenous ways of understanding sexuality and the body—as is represented by the third gender—with a colonial one is one of the hallmarks of colonialism. This ideological sleight of hand takes place when the colonial conception—in this case, the belief in the two-sex model—is presented as the objective reality. The global understanding supplants the local one in such a way as to make the latter seem inaccurate and backward. The censuses were then vital in actively attempting to replace the Indigenous model with a colonial one. In some ways, this process mirrors the earlier discussion of the tension between the terminology of "transgender" versus local terms, such as hijra, fatada, khusra, pavaiya, and muhkhanna.

This insistence that the so-called transgender population were men also belied another colonial concern. It pointed to the perspective that the Indigenous people could not govern themselves. Such an understanding was predicated on the way that this group of eunuchs was represented: as failed men. The hijra were constructed as not just men, but as men who performed femininity, cross-dressed, and engaged in sodomy. Many scholars have written on the link between the colonial Other and effeminacy (Banerjee 2005; Chowdhury 1998; Matar 1999; Rahman 1990; Reddy 2003; Rosselli 1980). This relationship takes on a subtlety with the hijra. They were not simply represented as being effeminate. Rather, they were portrayed as men who failed to be masculine. This notion of failure is significant, because it does not just evoke femininity, but the inability to perform masculinity. In other words, it is not just that the hijra were characterized as effeminate, but that they could not perform the qualities that the British associated with masculinity. This construction of hijra as failed men maps onto the various transgender groups through the construct of the hijra as primary signifier. In this way, the transgender classes of South Asia were conceived of as being failed men.

Not only were transgender people being represented as effeminate, but they were also being constructed as impotent. This impotence is often linked to their castration, although, as noted in Supriya Pal and Neeta Sinha's Chap. 10, many hijra are not physically castrated; rather, the castration is spiritual. Nonetheless, even if one were to discount castration, there is still a link of groups like the hijra to impotence. As Vinay Lal (2003, 187) argues, masculinity and impotence are linked: "[t]o speak of impotency, moreover, is to conjure up the image of masculinity, however deformed, dysfunctional, or deficient: only men may be impotent." This relationship between castration and impotence is evident in the Eunuch Act. The author of this legal work, James Fitzjames Stephen, writes that: "The term 'eunuch' shall, for the purposes of this Act, be deemed to include all persons of the male sex who admit themselves, or on medical inspection clearly appear, to be impotent".[1] In defining the eunuch in terms of impotence, Stephen expands the definition of eunuchs so that all of the relevant classes would be included.[2] In other words, the definition of eunuch in terms of impotency was intentionally designed to include groups that the British legislators wanted to criminalize. Impotence is central to the British representation of this criminal class of ostensible eunuchs. In this way, impotent men are not just men; they are failed men, associated with criminality.

The framing of the so-called eunuchs in terms of effeminacy and impotence was part of the colonial project. By representing the transgender population in terms of a failed masculinity, the British constructed the culture in which these groups were embedded as incapable of governing themselves. This maneuver demonstrates how masculinity is a powerful trope in colonial notions of governability. Several scholars have written on the link between masculinity and colonialism (Bacchetta 1999; Benton 1999; Nandy 1983; Sinha 1995). Perhaps the colonial understanding of the relationship between the two is best exemplified by James Mill (1826 [1817], ii. 133), who states: "In truth, the Hindu, like the Eunuch, excels in the qualities of a slave." That is, masculinity is associated with the capacity to govern.

Broadly speaking, the qualities that the British associated with masculinity—such as decisiveness, agency, and integrity—were ones that they associated with proper governance. From this perspective, those who were not masculine could not govern. As argued by Ashish Nandy (1983, 8), the British conception was such that effeminacy in men was "perceived as the final negation of a man's political identity, a pathology more dangerous than femininity itself." Indeed, Mrinalini Sinha (1995) maintains that the colonialists used the notion of masculinity to define the colonial Other as weak and effeminate. A particular type of colonial masculinity, one embodied by the British, was then thought to be necessary for proper governance. Any deviations from this masculinity were indicative of a failure to govern.

Not only were the South Asians represented as being unable to govern because they were constructed as effeminate—if not failed men—because of the portrayal of the hijra, but they were also characterized as criminal. Since the hijra were increasingly defined in terms of criminal qualities, the larger South Asian culture was colored with the same brush. That is, because the hijra emerged out of an Indigenous culture that allowed for such criminal activities, South Asian society was thought to be equally criminal. After all, as is clear from the previous discussion of caste, the hijra were represented as indicative of an Indigenous culture. Since criminality was thought to be incompatible with the ability to rule, the British used the figure of the hijra to justify a colonial belief that the so-called Natives could not rule themselves.

In this context, by associating the hijra with the failure of masculinity, both in terms of effeminacy and impotence, and framing them in South Asian culture—one that allowed for criminality—the colonialists effectively constructed South Asia as unable to govern itself. In the colonial view, any culture that would allow for such failed masculinity, especially one grounded in criminality, could not govern. The portrayal of the effeminacy and impotence practiced and supported by the South Asians, through the figure of the eunuch, was present in many different characteristics: sodomy; licentious sexual behavior; physical mutilations and castration; and other practices that were considered barbaric. However, through the censuses, these attributes were consolidated in the semiotic field of the hijra and made to be characteristic of the larger Indigenous culture.

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[1] British Library (hereafter B.L): IOR/L/PJ/5/14. Act XXVII of 1871, The Criminal Tribes and Eunuch Act: Section 24.

[2] B.L.: IOR/L/PJ/5/14. Statement of the Members of the Sect Committee of the Council of the Governor General for making Laws and Regulations 1871.

Transgender emerges as a powerful metaphor in colonial notions of governability. The British represented the transgender population through the trope of the hijra as a criminal and effeminate caste. By portraying the hijra as a deviation from the two-sex model, one which anchored the transgender population with criminality and gendered them in terms of a failed masculinity, the British represented the hijra as a site in which South Asian culture could be understood as requiring colonial governance. In other words, the hijra represented a larger figure than simply a castrated male: they came to embody everything the colonial regime detested about the South Asian context and provided a body which allowed the governing gaze to criminalize such attributes.

Through this overview, it is clear that the logic of erasing transgender bodies from the censuses was necessarily part of the colonial project. The popular accounts of the censuses demonstrate the way that the transgender population was understood: as men. By imposing a two-sex model onto the colonial population—especially at the expense of the Indigenous understanding of the third gender—and representing the figure of the hijra as a criminal caste of failed men, one that is a by-product of South Asian culture, the census administrators assured that the colonial way of understanding was made hegemonic. Any deviations from this understanding were blamed on an ignorant Native population. The characteristics that made up those in this caste were consolidated through the censuses so that the hijra, as a primary signifier, included everything that the British disliked about the South Asian culture, especially criminality. Through these representations, the transgender people became illustrative of the need for colonial governance.

6.7 Conclusion

In this book, several themes emerge. Two related topics with which this chapter engages are as follows: how the hijra connect to marginality; and what is the criteria of group membership for the hijra. The first of these subjects is the most common. In Chap. 9, Azhar and Vaudrey explore how those who identify as the third gender, including the hijra, are increasingly at risk of HIV. These researchers found that among the reasons for such vulnerability to the virus are stigma and prejudice. Indeed, in Chap. 8, Sriraam refers to this community as one of the most marginalized in India. She links such marginality to the colonialism that has served as an underpinning for the decrease in the status of the hijra.

The second theme was one of identity: who really were the hijra? In Chap. 10, Pal and Sinha provide an overview of how the hijra have been understood, an account that emphasizes their marginality. In Chap. 2, Jayaprakash presents a series of narratives of the hijra through their own eyes. She captures how the hijra have become an "umbrella term" for non-binary people in India. In the previous chapter, Sutradhar adds to this exploration by investigating how the hijra were understood within the context of religion, a perspective also shared by Pal and Sinha.

One aspect of the hijra identity that this chapter explicitly engages with is that of the role of castration. Sutradhar and Jayaprakash, for example, represent castration as a necessary part of the hijra identity; for them, the contemporary hijra are castrated males. Pal and Sinha also explore castration, but they note that it is not always a physical removal of the testes, but can be understood as a spiritual one. Yet, even in this account, the hijra are portrayed as men. Such an understanding demonstrates how the colonial two-sex model has become hegemonic. This colonial understanding is one that represents the world as either males or females—a portrayal that sits in opposition to Nanda's description of the hijra as "neither man nor woman"—and erases the Indigenous understanding of the third gender.

These two themes of marginality and identity were explored in this chapter in such a way as to illuminate their history. That is, this chapter indirectly asked: why were the hijra marginalized and their identities forged? In exploring this history, this chapter focused on how these themes were consequences of colonial processes. In this way, the positionality and oppression of the hijra can be traced back to how the colonial administrators created the identity of the hijra, one that erased local understandings of them and privileged a version—one that continues to this day—that enabled a colonial hegemony.

The censuses, then, demonstrate how a consensus on who the hijra are was being constructed, one that understood them as a distinct social group, anchored in South Asian culture, with a range of specific attributes. Ignoring local understanding of sex and the body, the administrators insisted that the transgender population were men. All accounts of women were erased. This erasure was part of a larger process of constructing the hijra as a caste and primary signifier, emphasizing their effeminacy, impotence, and criminality. By positioning them as marginal citizens, a portrayal that continues to this day, the colonial authorities represented them as indicative of a culture unable to govern itself. In this way, the censuses directly constructed the transgender population as a justification for the continued colonial project of the British.

Put another way, the social group that is constituted by these censuses is one that enabled British governance in the region. The transgender population, through the figure of the hijra, was constructed by the censuses as devalued and criminal, not through British attitudes, but through local culture—or so the colonial writers would have us think. Exemplifying the necessity for political, if not moral, intervention, the unmanly hijra demanded the end to the social evils of South Asian traditions.

In this way, the erasure of transbodies in the nineteenth-century South Asia Imperial censuses is more than a methodological misstep. It serves as way to examine how the colonial project was justified and continued. It also reveals how the larger trope of transgender—in its link to a “global” culture—was used in colonial processes. In the end, it is clear that the hijra justified the Imperial endeavor, by constructing South Asia as a land demanding of governance; that is, the figure of the hijra legitimated colonial rule in the region. The hijra served as a site in which those aspects that were considered deviant from the British conceptual framework were made governable. This was accomplished through the censuses. They served to construct the hijra as a figure and a body worthy of governance. Yet, in doing so, these governable attributes became criminal, thereby making the specific traits illegal; that is, through making the hijra—and by its semiotic field, all transgender people in South Asia—criminal, the associations that the hijra have are also criminalized, allowing for a particular form of governance to be justified.

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Part III
Law

Chapter 7
Differs in Dignity: Shame, Privacy, and the Law

Vaibhav Saria

7.1 Introduction

Current legislation in India surrounding hijras and other third-gendered populations pivot around the notion of dignity. Legal redress aspires to give dignity to hijras, a majority of whose lives are marked by poverty. Yet, the notion of dignity is not transparent and has a very different trajectory in the domain of religious selfhood. Claims of religious importance that hijras make—through myths, livelihood, personhood—qualify them as ascetic-erotic figures. This self-cultivation of asceticism is dependent on a non-secular imagination of one's relationship with the world. Both, eroticism and asceticism, for hijras are achieved through publicly displaying transgressions without accounting for social perceptions of dignity and shame.

Therefore, policies designed to absorb hijras into nationalist agendas through a discourse on dignity—which hinges upon giving hijras respectable employment, morally policing public spaces, and asserting control over clothing—is, I argue here, a rehearsing of the gendered anti-caste movement. Perhaps it would be helpful to remind ourselves that devadasis and joginis (women who are ritually married to the goddess)—a population that overlaps with hijras, third-gendered, trans feminine people through jogappas (men who become brides of the goddess)—were taught by the men heading the anti-caste movement to wear saris and cover their nakedness. The critique of nudity by the hijras reveals not only the continuing gendering of respect but also a different response to the subjectivation—or a different form of resubjectivation—that refuses and breaks with the binary of pride and shame.

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7.2 Two Contrasting Scenes of Confrontation

To address these issues with specificity, I want to begin by describing two scenes that stand for two different ways in which hijras/trans women and the Indian state confront each other. The first scene took place in 2018 shows naked hijras or "transgenders" as reported by the newspaper article protesting on the road against the police's crackdown on soliciting and begging in the Green Park area of Delhi. This protest was recorded and circulated on various hijra/TG WhatsApp groups. The protest brought the traffic to a standstill and the naked feminine bodies seemed to have frozen the police and the onlookers into inaction and helplessness. Hijras were protesting against the Delhi police's drive to expunge hijras' sexual presence in the public space. Hijras had been, in this instance, like many others, taken into custody and unsuccessful efforts made to provide them with legal jobs under Yuva Scheme, a national employment program for the youth. A beleaguered police officer is quoted as saying, "Whenever we ask them to move and not carry out the activities, they strip and create a ruckus."[1]

In this scene, I argue, displaying the naked body disavows dignity and forces a confrontation over matters that the routine channels of dialogue, comportment, and appeal have not resolved. For, as historians of colonialism know well, the display of the naked body has borne multiple meanings in the different sites of history. The nakedness of the racialized body, irrespective of gender, was indicative of racial backwardness and the eventual clothed native was seen as a success of Christian missionaries to convert and civilize.

The second scene is from another part of Delhi, the satellite city of Noida. The Noida Metro Rail Corporation in October 2020 decided to dedicate the Noida sector-50 metro station to the transgender community. This dedication was materialized by employing six trans people, painting the metro station in bright rainbow colors, and renaming it the Pride Metro Station. This move was meant to shore up the effort of the Transgender Persons (Protection of Rights) Act (2019), passed by the central government for the protection for the rights of transgender people. The trans people told journalists that their new job experience was helping them lead a dignified life. The employees reported that they took this job because of a variety of reasons: (a) they could not get a driver's license; (b) they were fired from their other jobs when they came out; and (c) the previous work in the NGO sector was not paying a regular salary. The employees want to show the world that they are just like cis people and are capable of doing hard, honest work. The executive director of the government transport corporation, Praveeen Mishra, stated that this particular metro station was chosen because a lot of trans people live nearby and they wanted to make the trans people feel "elevated." The job was meant to "protect the dignity" of trans people. Mishra hoped that this pilot would be successful and soon trans people would be employed in these working-class positions all across the national region.

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[1] https://www.dnaindia.com/delhi/report-transgenders-strip-naked-in-south-delhi-s-green-park-bring-traffic-to-halt-2651564

Another employee remarked that this new job opportunity puts in practice the adage, "Give respect and take respect."[2]

There are several contradictions that appear when we juxtapose these two scenes. In the first scene, it is not hijras who are helpless but the state; it is not the dignity of the hijras that is at risk but the state's police. The difference between the two scenes is the naked body. Dignity appears as something that the state can take away in places where one gets driver's licenses, workplaces, and then deign to give it in places like the Pride Metro Station. Dignity thus conceived establishes an unequal relationship between the state and the citizen, where the latter is made vulnerable to the state's power of giving and taking away this ambiguous status and the protesting nude body confronts and challenges this inequality.

Concerning the second scene, interventions by the Indian government to provide employment to trans persons have labored under the goal of disincentivizing traditional occupations of begging and asking for alms. The difference between begging and respectable employment has multiple implications for trans people, one of which is that begging and poverty is evacuated of its religious importance. While trans/hijra/third gender people had been a site for policing during colonial governance, an important difference needs to be critically evaluated in the contemporary moment. The colonial regime sought to evict trans people from the public space through penalizing various citations of transness—clothes, occupation, community, and obscenity—but left begging outside the criteria of criminality (Hinchy 2014). As Jessica Hinchy writes, "Although Hijras' collection of alms was legal under the CTA [Criminal Tribes Act], the bawdy speech and actions of 'begging' Hijras undermined colonial efforts to erase Hijras' 'obscene' public presence" (Hinchy 2019, 41). The current government, conversely, purports to accommodate all performative aspects of trans ness except begging. While sanitizing the public sphere might be the common goal of both these moments of governmentality, comparing the two yields important insights into how the state seeks to press hijras into becoming governmentalized citizen subjects.

7.3 Constructions of the Naked Body

Colonialism across the world constructed the naked racialized body as evidence for the condition of being primitive; hence, clothing was seen to be the mark of civilizational superiority and also of Christianization. As Philippa Levine writes, "For the eager missionaries who, from the late eighteenth century, made the trek to the Pacific, lack of shame was a problem to be solved, its presence an index of heathenism, underlining the deep link between nakedness and savagery, a link that kept whole populations from knowing the embrace of the Christian God" (2017, 22–23). The production of pornography in the mode of scientific enquiry by colonial officials and scientists when compared to the "female nude" in Victorian and classical art was constitutive in defining legal and juridical notions of obscenity as well as in distinguishing public and private. Levine writes, "Rituals around clothing and its absence were central to the configuration of public and private in imperial sites. The extension of the public sphere of proper dress at a dinner for two at home suggests the dangers from the naked hordes just beyond the door" (2008, 210). In short, if privacy is a privilege that the state offers, and in return receives the public from its citizenry, public nudity brings to a halt that economy with all its implied infrastructure—hence public nudity serves as a strategy of protest. The colonial regime produced "women involved in pornography, African women, and women willing to share their bodies with an unknown viewer; [these] were all women, such pictures suggest, for whom shame was immaterial" (Levine 2013, 15).

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[2] https://www.youtube.com/watch?v=50Uj2ZoELX4 See also Chap. 10 in this volume by Supriya Pal and Neeta Sinha.

The most ferocious contestation in India over nudity has been with regard to the custom of bettale seve or nude worship by Dalit women. This ceremonial nudity of worshippers has been a site of forceful policing, reform, and has been made into a discursive marker of civilization progress. Dalit women have been fundamental to how caste reform is imagined because they were the site where Dalit masculinity could be recuperated and presented as equal to the masculinity of the upper caste men. Anupama Rao (2009) writes about a speech given in 1936 by B. R. Ambedkar, the Dalit thinker, scholar, and reformer: "Thus linked to women's degradation, Dalit masculinity was simultaneously positioned as wounded and vulnerable. Importantly, however, the onus was on Dalit women to reform themselves and play a central role in modernizing the community. They had to resignify the gendered habitus: "You should wear your sari in the way that upper-caste women wear their saris. … On one hand, like upper-caste ideologies, they symbolically associated women's status with community status. On the other hand, they emphasized the significance of clothing, jewelry, and the right to ceremonial display as aspects of self-fashioning vigorously policed by upper castes" (68).

Contestations over the naked female body continued post-independence, with the state and Dalit men trying to break the link between women's nudity and religion, reworking it as a site of community honor, state policing, and civilizational status. Linda J. Epp addresses the sensationalized 1986 Chadragutti incident when devotees protested the violent attempts made by the state and the Dalit reformers and activists to prevent nude worship. The Dalit activists humiliated the nude worshippers and attempted to clothe them. Epp summarizes the complex intersection of caste, gender, the state, and the naked body when she writes, "Female nudity, in the context of a shared discourse about barbarism and civilization, provides a symbolic rallying point for all reformers. The DSS [Dalit Sangharsha Samiti], the state and other reformers all agree that nude worship, like other superstitious practices, presupposes that Indian society is not fully civilized. … Not all nude devotees were women, nor were all low caste, yet the Chandragutti incident was referred to entirely in these terms. Hence, the social discourse on female nude worship reveals the following quasi-symbolic logic: (i) clothing and covering of women represents modesty, unclothing represents shame; (ii) denuding and re/clothing women in public is not an individual act but a communal one. Hence, a community's modesty and/or shame is represented and made vulnerable" (Epp 1992, 162).

Customs such as nude worship, when they are reworked as a marker of the backwardness of Dalit individuals, communities, and consequently the nation, attempt to seize women from the possession of the goddess they worshipped in the nude to become the property and site for the honor of men, communities, and the state. Anupama Rao reminds us that the violence against Dalit women in modern India entailed parading them naked. This resignification of nudity from one that is "given to the goddess" by Dalit women themselves to one enacted by violence at the hands of one's own community, by other communities, by nation, and state reveals that being clothed is a way of making one vulnerable to being shamed (Ramberg 2014). The contestation over the power to denude the body is integral to the enactment of violence and shame. Veena Das writes that violence gets written on women's bodies through stripping and marching them naked in the public. Das sees this violence as linking language and the matter of bodies to suggest that "violence of the kind that was witnessed in the Partition riots of India calls into question the very idea of life—we reach not the end of agreement but the end of criteria" (Das 2003, 304). Comparing these various sites of nakedness, with the various forms and charges of violence in them, we see hijras' display of their naked bodies as surely marking the end of agreement. Bodies when denuded themselves no longer agree to be vulnerable to being shamed. Instead of allowing the state to have the weapon to shame them by denuding them, they denude themselves instead—and as a consequence it is not their modesty that is outraged, but the state's.

The hijra's naked body is a form of protest that refuses to allow the state to run roughshod over them, irrespective of what laws might be in place, colonial or otherwise. The shedding of clothes by hijras were not always dramatic events but constituted as a weapon of the weak that could be deployed every day. Hijras in Odisha, where I conducted fieldwork, when not allowed to beg on trains or not allowed to solicit, or when arrested on the whims and fancies of the policemen that evening, would often resort to denuding themselves in a moment when pleas and negotiations yielded no results. The policemen of the Railway Protection Force (RPF) in India would often be flummoxed as to how to proceed after hijras would strip naked; they would walk away mumbling about how hijras have no shame. If the naked cis women's body are the sites where shame accumulates and becomes inextricable from her sexuality, it is because she remains caught in the traffic of exchange and the web of kinship; in other words, she is given a very narrow berth outside the family's, the community's, and the nation's honor (Mitra 2012, 2020a). For example, Nayanika Mookherjee's *The Spectral Wound* (2015) is a painful exposition of the fact that regardless of the national discourse that valorized the women who were raped during the Bangladeshi independence as birangona or "war heroines" they were still vulnerable to aspersions and accusations of illicit sexuality at the level of the community. Agreements about the moral value of women who had been raped competed with each other at the level of the everyday.

A similar competition over the body denuded outside the private sphere is emerging for hijras because they are at once made into vestigial evidence of liberal Hindu nation that must be renewed and at the same time an obscene sexual presence in the public sphere (Mitra 2020b). The asceticism that is qualified by stepping out of kinship and projects of family, which also renders hijras' sexuality unattached to honor.

Gayatri Reddy has noted the anxiety that not having "honor" or izzat causes among hijras, resulting in a never-ending contest among themselves of trying to prove who has more izzat than their counterparts (Reddy 2010). The naked hijra's body and sexuality are delinked from the notions of honor—of family, community, or nation—of which cis women's bodies are repositories. This delinking makes hijras difficult to shame over their naked bodies, and consequently ineligible for restorative practices like those that aim to return cis women to kinship. It might be helpful to remember at this point that hijras flash their genitals at men who do not give alms, or do not give appropriate amounts, or generally to men who create trouble for hijras, like the police. The sight of hijras' castrated genitals, which are believed to cause infertility/impotence in men, make hijras into figures like Medusa.[3] Wendy Doniger remarks in her comparative study of ancient Greek and Indian myths that the male gaze is threatened by blindness, which stands for castration, at least mythically. She writes of the concatenation of this symbolic logic that connects sight, genitals, and impotence: "Some texts view blinding as a kind of welcome castration that leads to enlightenment, turning the gaze away from sex to what is really important. For this same reason, blindness is what is wished upon people whom one wishes to make free of all further sexual impulse; where there is no sight, there is no desire" (2002, 109). The freedom from sexual desire is not welcomed by everybody, obviously, but Doniger's analysis makes clear the symbolic relationship between hijras' nude bodies, sight, and impotence. Looking, which scholars of Hinduism have informed us is a form of contact, is made into a weapon by hijras, who by revealing their genitals strike men impotent.[4]

Thus, these two aspects of hijra bodies—their capacity to curse the onlooker and their position outside the web of kinship—make the self-display of nudity troublesome for the Indian state. In other words, the state's lack of control over the naked hijra bodies results from the delinking of sexuality and the honor that differentiates hijras from cis women—and, I would argue, also from trans women. The notion of dignity is inserted by the state in place of honor to make hijras amenable precisely to the kind of control through which cis women are rendered legible.

7.4 Queer Theory, Shame, and Hijras

Returning to the scene in which hijras freeze the police, stunning them into inaction and impotence with their nudity, allows for a very particular practice of obscenity in the public sphere and an ability to create disorder as a challenge to sovereignty and state power. Shame is crucial in queer theory for the making of the queer subject. The argument goes that the insults heaped on the queer person make them irreparably ashamed of being queer. Reading shame as an affect allows also for the project of queer pride. Ruth Leys (2017) offers a helpful summary of shame in queer theory when she writes, "For Sedgwick the shift away from questions of meaning and intention in Tomkin's approach to the emotions produces as one of its important consequences an emphasis on the attributes of a subject who can incidentally attach itself to object but who had no essential relation to them. The effect is to replace the idea of one's intentions toward objects and situations or the meanings those objects and situations might have for one with the idea of the singularity of one's affective experiences, which is to say with the idea of one's difference from all other subjects" (336). Leys is critiquing the anti-intentionality that is implied by affect and hijras illustrate precisely that one's orientation to objects and situations can be changed through pedagogy, practice, strategies, and tactics. By learning to refuse shame to be attached to their being—and instead attaching pride—the queer person can overcome the damage that the world has inflicted on them. Hence, the political project of "gay pride" is to heal from that shame, and legal projects are meant to offer dignity to the queer individual.

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[3] Castration is an approximation here but is the best suited term in English because it carries with it the affective charge that is missing in "Gender Affirmation Surgery."

[4] For the importance of sight in Hinduism, see Diana Eck, *Darsan* (1981) and Jan Gonda, *Eye and the Gaze in the Veda* (1969).

Didier Eribon (2004) has convincingly argued that gay pride by its very instantiation is a failed project because it points to the irreparable damage shame has done. I am not arguing that acquiescing to the logic of gay shame which can be a possible reading of the public nudity undertaken by hijras is an evaluatively better or successful project. Instead, I am showing how hijras reveal a different way of responding to shame, operationalizing it to bring forth questions of guilt and accountability, and justice rather than redemption. This difference from pride in response to shame, I mean to argue, is because the relationship to the state is always differentialized for the marginalized. As queer of color scholars have long argued, the gender and sexuality of racialized bodies was always shamed regardless of their being queer or not (Cohen 1997; Nash 2014; Snorton 2017). Gender and sexuality, when seen through analyses of power, reveals gay pride to be racialized in its reparation, hence ineffective in addressing the state's violence and tactics of shaming. To bring the state into the conversation around sexuality and shame, or in other words, to make hijras not just sexual subjects, but citizens, I turn to Veena Das's (2020) remarks on torture within democracies:

> I think here is the fundamental problem of violence within democracies: if we imagine the uses of a mythic past in instituting the state to which we voluntarily submit ourselves so that instead of the war that in this mythic past is seen as the state of nature we might become a political community ruled by law, then the problem that torture reveals is that this community, which we are now powerless to opt out of, has become one in which talk of allegiance to law reveals the 'anti-legal stance' of those who refuse to be shamed by the revelations of how they evade, in fact use, the law to justify lawlessness in the infliction of torture. As Lear says, instead of blood guilt we as citizens now inherit this shame. So then, part of the turning of the soul would be to be to relearn the meaning of shame. (211)

Hijras in their naked protest teach a different meaning of shame, one that does not call upon pride as a response, but shame weaponized against the state as well—not refuting the shame that frames the queer subject but consenting to its logic only to target the state and the police with it. When we look at the multiple meanings of the naked body in India, we see a different route from emerging from shame, one that does not lead to pride necessarily but to protest and accountability—perhaps pointing to the history of caste and class that are inextricable from queer existence, at least in India, as Guttman has argued in Chap. 3. Hence, the logic of shame over one's body can also be undone to create guilt in another body. Like the naked hijras protesting the ordinary cruelties of the state, and the naked worshippers of the bettale seve, the feminine bodies denuding themselves in protest, the logic is not just to refute the logic of shame but also to ask for accountability. Shame does not need to be redeemed through pride but asks for accountability through protest.

For another example of how the nude body weaponizes shame against the state rather than resolving it or redoing it as pride, let me turn to another incident when the cis women displayed their naked bodies to the state. Rukmini Sen (2018) points to the way in which women bring the logic of the state to a collapse by displaying their naked bodies. She asks, "When Dopdi or the Meira Paibis of Manipur say 'You can strip me, but how can you clothe me?' or 'Come Indian army rape us'—what is the way in which the meaning of (non)consent is overturned? When women, out of anger and sadness, as a mark of protest and as a last resort stand in front of the Senanayak or in front of the army bastion in Manipur, how do we as feminist sociologists want to understand these acts of challenging the juridical? Can these women consent to rape? A legal provision which is necessarily based on the action/performance of non-consent, how can the state respond to it when women come out of their homes naked and march across public streets in rage and remorse against the violence perpetrated by the army?" (213). This short-circuiting of the legal logic of gendered violence is achieved by the naked body in protest.

The critique that the protesting naked body makes is one that has been made against affect theory as well, that in foregoing intentionality it also foregoes accountability, and consequently does not leave a margin of negotiation between the subject and their structuring affect. The protesting naked bodies are not confronting shame with pride but revealing that the latter cannot be substitute for justice and equality (see Jayaprakash's Chap. 2). Leys is uncomfortable with the postmodernism that is implied by shame, she had previously written, "For Sedgwick, the further attraction of Tomkins's affect program theory seems to be that it conforms to the postmodernist critique of the idea of the sovereign subject: by defining the individual as lacking a consolidated core personality and constituted instead by relationships between a multiplicity of affect and other assemblies of various degrees of independence and dependence" (2009, 185–86). The naked protesting body which sets up a confrontation between the sovereignty of the state and its subject reveals Leys's critique that the subject does not completely concede to their affect.

7.5 Dignity Versus Respect

The legal affordance of dignity attempts to fit obscene hijras who critique the state into a respectable globalized category of transgender that are vulnerable to the state. The "I am not a hijra" campaign is an example of this attempted transformation and has been critiqued as such.[5] Liz Mount's remarkable ethnography among trans women in India shows how they distance and differentiate themselves from hijras precisely by aspiring to respectability and disavowing the shameless practices and presence of hijras in the public sphere. Hijra and trans can overlap only when the latter keep the former's capability for obscene presence intact. But when trans means respectability and hijras are coerced through vague gifts of legal dignity, then we are witnessing a Machiavellian trick of security, policing, and governmentality. Hijras take shame and fashion it into a critique of norm, order, state, and law (Mount 2020).

Dignity and respect are not the same but are conflated when it comes to feminine bodies and sexuality. Carol Hay (2013) posits through a reading of Kantian ethics that, "even someone who fails to fulfil the obligations she has to herself does not become unworthy of respect. It is simply not possible for someone to degrade herself to the point where she is no longer worthy of the respect that forbids this degradation" (168). Tying respect to humanity and dignity to personality, Hay argues that even if someone loses their dignity because of their behavior, it does not annul our obligation to treat them with respect. Dignity in liberalism then is something that can be gained and lost but respect that is due to people "is not contingent upon their actions, because people are ends in themselves in virtue of their humanity rather than their personality. Because of this, we can retain the intuitive thought that our behaviour toward others is constrained regardless of how they act" (171). This reading of respect and dignity is helpful to understand the conflation of the two that is taking place in the Indian state's set of actions against the hijras. The respect that hijras—like everyone else—are due is now contingent upon dignified behavior. This is what the trans woman working in the metro station meant when she said, "give respect and take respect." What was previously already owed to people is now increasingly dependent on conditions, such as, to protect the public sphere from indecency.

Hijras, in some ways, are not the direct target of the state's attempt to sanitize and desexualize the public sphere. Their co-opting in the discourse of Hindu liberalism and nationalism which celebrates them as tokens of "gender diversity" belies the fact that the state is using their shoulders to aim their guns at somebody else. That somebody else is the Muslim man in India, whose sexuality is mythologized as excessive, violent, and threatening. The sexuality of the Muslim man in political and electoral rhetoric has been well studied since it has long been presented as a threat. A threat to the state with overpopulation and a threat to the Hindu nation because their tactic to seduce Hindu women into sex, marrying them and coercing them to convert—the latter is now shorthanded as Love Jihad in political discourse (Gupta 2001, 2009; Jeffery and Jeffery 2002; Strohl 2019). The sexual excess of hijras cannot be permitted because it is being closely linked with the Muslim male. Global trans politics and the discourse of human rights then offer the perfect opportunity for the Indian state to make hijras respectable, absorb them in the discourse of Hindu liberalism, and keep the myth of Muslim male sexuality intact. Recent efforts to further make citizenship conditional lends credence to the idea that respectable sexuality is an upper-caste, middle class, Hindu sexuality, digressing from which will justify the state's revocation of citizenship. This explains the emphasis on dignity and respect for the hijras by the state because they can be brought back into the fold of the nation while keeping the Muslim male out since they can never be Hindu regardless of how respectable they make their sexuality.

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[5] https://www.vagabomb.com/I-Am-Not-a-Hijra-Campaign-Reeks-of-Privilege-and-Hatemongering/. See also http://www.catchnews.com/gender-and-sex/i-am-not-a-hijra-a-damaging-offensive-transgender-india-photo-campaign-1471618717.html

By forcing hijras to take on respect and dignity, which has a long precedence in the self-respect movement associated with Dalits, the state is robbing hijras of the capacity to critique. By making them into transgender subjects with dignity, the state is transforming a religious figure with some autonomy over their sexuality—if not ascetic power over shame—into secular figures who are colonized by law. The Indian state is invested in the production of respectability as an index of empowerment; this helps us to see what is going on in the first scene, namely a deflection of shame onto the (respectable) viewer and indeed onto the state. The reparation that pride aspires to does not take into account the necessity of protest given the impoverished hijra realities, as Azhar and Vaudrey show in Chap. 9. Respectability and shame ground the parallel between the absorption of hijras into the nationalist agenda and the social reform efforts of male anti-caste radicals. Respect was central to the South Indian anti-caste Dravidian movement founded by Periyar; Suyamariyathai Iyakkam was about redefining the criteria by which respect and self-respect are judged: championing intercaste marriage and dispensing with priests, rituals, and jewelry. This self-respect was, as Anupama Rao reminds us, dependent on persuading women who were married to gods (muralis) to abandon them and marry men. Women who resisted replacing gods with men as husbands were further stigmatized and shamed. The conflation of respect with dignity for hijras has happened before for Dalit cis women. Even while citing the evidence of hijras' position in Hindu cosmology, notions of legal dignity and respectability hope to do away with what that position affords—namely a certain autonomy over the naked body. The dissolving of the difference between dignity and respect in effect also dissolves the difference between cis women and hijras. Global trans politics that pushes forward respectability is tactically used by the state to achieve this.

It is perhaps the signature of our times that the supreme court of India has utilized the particular quality of dignity—that it can be given and taken away depending on the person's behavior—to pronounce judgments that mitigate the threat that the citizen can pose. Lawyers and legal scholars have remarked that the concept of dignity was invoked more than a hundred times in the decision that upheld the Indian citizen's right to privacy and in the decision that read down the anti-sodomy law as not being applicable to consensual gay sex. Baruah and Narayan (2018) write on the contradictory work that dignity does for the court:

> In Francis Coraile Mullin, the Court held dignity to be a part of the right to life, which implied that the limitations on the right [to life] applied to dignity. However, in other decisions, including *Puttaswamy* (privacy), dignity was held to be absolute. Even in the privacy decision, the court makes mysterious claims: First it held that dignity is the core of all our rights, and later that privacy is the core of dignity. The court also states that dignity cannot exist without privacy. Though one can infer the intention of these statements, clarity demands a nuanced elucidation of the relationship between constitutional values. It is conceivable that issues such as manual scavenging or caste-based humiliation concern dignity, but not privacy. Indeed, protecting dignity requires sacrificing traditional privacy protections, as in women and child rights cases.

These contradictions show that by tying dignity to privacy the court risks making gendered crimes private and beyond the reach of the law—and caste-based exploitation a matter that cannot be legally redressed. Dignity allows for interpretations of law and pronouncements of judgment that exacerbate vulnerability and abdicate responsibility.

By employing hijras in poorly paid positions, the state is using "respectability" and "dignity" to redefine what hijras are and of what they are capable. Hijras have historically escaped the enumeration and surveillance of the state, and the recent efforts to give them employment, identity cards, and certificates of authenticity is an attempt to enroll them in the bureaucracy of citizenship that renders them vulnerable (see the preceding chapter by Shane P. Gannon). It is a strategy for rendering harmless the threatening citizen. The seduction of trans respectability is multiple; it trades in the currency of tolerance and the diversity of queerness, which are crucial to what is now called homocapitalism (Rao 2020). The fault line of diversity and identity is caste, and by promising it only to hijras who "behave" in certain ways—hijras for whom this language of respect itself is a resource—the state defers the value of such respectability into the future.

7.6 Nervous Sovereignty

Let me turn then to this clash between the sovereign state and its citizen. While the law courts offer dignity, this is an alibi for making private matters of sexuality and shame, which is also a way of eroding older forms of critique, namely that of the clown. Gay pride defies the logic of shame, refutes it, refuses to accede to it, whereas the clowning of the hijras undoes the power of sovereignty by pointing to its guilt, and hence susceptibility to critique and demands for accountability. The critique of the state that is effected by the clown or by clowning and the challenge that the clowning subject poses to the state's sovereignty can be illustrated in the final scene I now describe. On November 4, 2018, the government of India inaugurated a spanking new bridge in Delhi called the Signature Bridge. The bridge was part of the optics of the Indian state meant to signal its prosperity, wealth, and success, even if it was caught in the middle of electoral politics. Within 2 weeks, four hijras had been detained by Delhi police for videotaping themselves holding a strip dance atop the bridge. The video, which was widely circulated, shows the hijras having a fun time by distracting young, male drivers of motorbikes and cars by dancing naked and showing their breasts. The hijras were quite amused by the effect of their performance on these young men and caused a traffic jam as the motorists could not tear their eyes away from them and parked their cars and bikes in the middle of the road to enjoy the performance.[6]

Hijras in rural Odisha where I did my fieldwork for 10 years (Saria 2021) would also be expected to strip dance as part of the scheduled days-long entertainment that is planned for the worshippers. The sexual clowning of hijras pokes fun at the politics of respectability that the sovereign insists upon and needs to wield power to enact control over. The sexual clowning is made possible because the sacred temple and the sexual marketplace is not neatly divided for many (Saria 2021). Let me recount one such instance of sexual clowning from the field that shows how the public sphere is made obscene because of the religious role that hijras play. During the carnivalesque festival of Sital Sashti in the district of Sambalpur, hijras dance seductively and denude their bodies for hours as part of celebrations organized honoring the marriage of Shiva and Parvati. Hijras from all over Odisha usually go to Sambalpur to take part in these celebrations but in the year 2011, when I was doing fieldwork, the hijra guru in the district of Jajpur decided that instead of going to Sambalpur she was going to celebrate in Jajpur itself. Her argument was that the people of Jajpur who cannot go to Sambalpur need to see how hijras dance, celebrate, and take part in worshipping the marriage of the gods. She put up huge posters all around the village (see Fig. 7.1):

> Hijra Mahasangha. Jajpur Road. Guru Gita Kinnar.
>
> The reason for writing this is that every year we go to Sambalpur for the Siva Parvati puja but this year we will remain in Jajpur Road. On this auspicious day kinnar beings will worship. Those brothers and sisters look at us with disgust, to them, the kinnar family wholeheartedly requests that they should not treat us with disgust. On this year's celebrations, those who take our blessings will gain fame as a good person.

That night's celebrations entailed a procession in which the hijra guru sat in a cart cradling the god and goddess while her disciples danced around her, flashing their breasts to the onlookers (see Figs. 7.2 and 7.3).

This nude body is neither the protesting one that makes the state feel accountable, nor the violated one that produces shame in the Other, but is one that allows for a confrontation between the two forms of sovereignty—very much like the nude worshippers of bettale seve. I read these stripteases in the public space as clowning because of the close links between hijras, clowns, and the sovereign in

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[6] https://timesofindia.indiatimes.com/city/delhi/delhi-police-detain-question-four-transgenders-for-stripping-on-signature-bridge/articleshow/66639058.cms also see https://www.indiatvnews.com/news/india-delhi-signature-bridge-transgenders-stripping-obscene-video-482848 and for the video, see https://www.youtube.com/watch?v=RmsFOzCdkZo and https://www.youtube.com/watch?v=Pa0x1sRdpnc

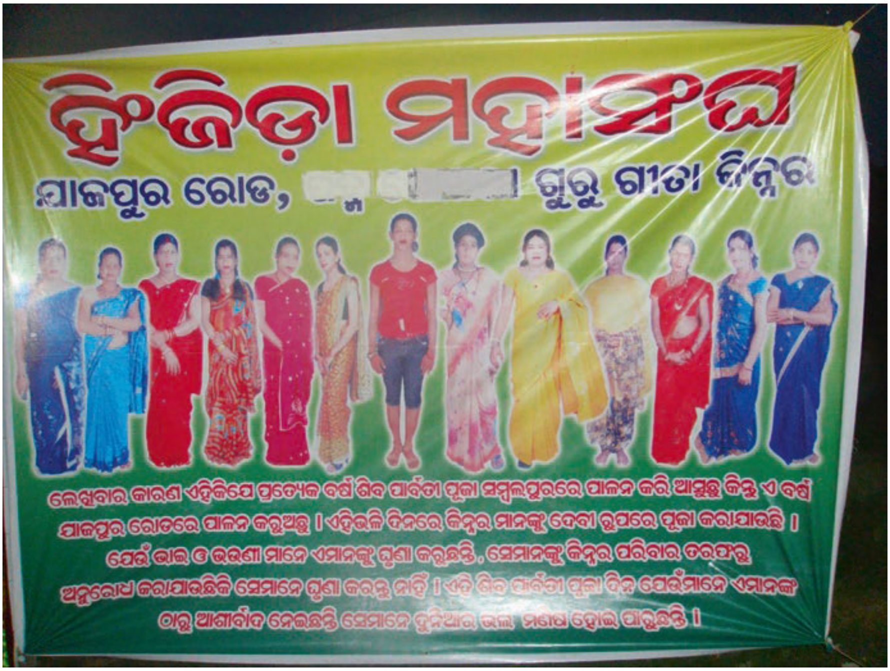
ହିଜିଡ଼ା ମହାସଂଘ
ଯାଜପୁର ରୋଡ, [redacted] ଗୁରୁ ଗୀତା କିନ୍ନର
ଲେଖିବାର କାରଣ ଏହିକିଯେ ପ୍ରତ୍ୟେକ ବର୍ଷ ଶିବ ପାର୍ବତୀ ପୂଜା ସମ୍ବଲପୁରରେ ପାଳନ କରି ଆସୁଛୁ କିନ୍ତୁ ଏ ବର୍ଷ
ଯାଜପୁର ରୋଡରେ ପାଳନ କରୁଅଛୁ । ଏହିଭଳି ଦିନରେ କିନ୍ନର ମାନଙ୍କୁ ଦେବୀ ରୂପରେ ପୂଜା କରାଯାଉଛି ।
ଯେଉଁ ଭାଇ ଓ ଭଉଣୀ ମାନେ ଏମାନଙ୍କୁ ଘୃଣା କରୁଛନ୍ତି , ସେମାନଙ୍କୁ କିନ୍ନର ପରିବାର ତରଫରୁ
ଅନୁରୋଧ କରାଯାଉଛିକି ସେମାନେ ଘୃଣା କରନ୍ତୁ ନାହିଁ । ଏହି ଶିବ ପାର୍ବତୀ ପୂଜା ଦିନ ଯେଉଁମାନେ ଏମାନଙ୍କ
ଠାରୁ ଆଶୀର୍ବାଦ ନେଇଛନ୍ତି ସେମାନେ ଦୁନିଆର ଭଲ ମଣିଷ ହୋଇ ପାରୁଛନ୍ତି ।

Fig. 7.1 Poster put up by the hijra household in Jajpur

Indian thought. The history of the clown or the vidushak in South Asian thought has played the role of reminding sovereignty that their authority depends on an agreement between the sovereign and their subject. Hijras, by denuding their bodies in public, remind the state that rules, exceptions, and consensus is not the same as following the letter of the law and the difference between the two makes possible life and living.

David Dean Shulman (1985) has written on the history of the relationship between the king and the clown, and though his analysis does not benefit from the queer scholarship that has come since, it yields valuable insight on how sovereign power is kept in check. He writes: “The clown’s natural affinity with the androgyne, or the transvestite, derives from his habit of dissolving, boundaries and categories—including those of sexual identity—and of producing incongruous combinations. As we should by now expect, this kind of play, with all the concomitant effects of blatant impropriety, inversion, and reflexive commentary upon the supposedly ‘serious’ norm, finds its most intense symbolic expression in the portrayal of the king” (265). Reading the denuding of bodies by hijras as clowning, I am emphasizing that this is a protest and it is a response rather than a reaction; it is a strategy that is taught by elder hijras to their disciples, rather than an instinct. To be comfortable to resort to such a strategy is a tactic that is taught as a practice that qualifies the ascetic quality of hijra existence. This tactic or strategy is meant to comment on the serious norms of the king, the sovereign. This commentary is often obscene, critiquing the

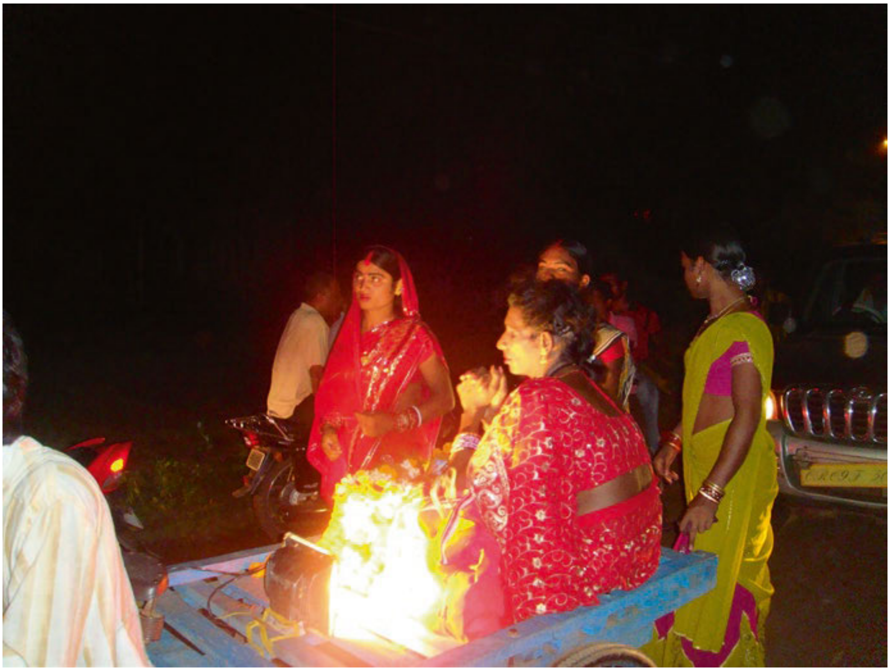

Fig. 7.2 Guruma on the cart with the deities in the middle of the procession

pretensions of respectability and dignity that the sovereign claims. In short, it makes the point that errors that inevitably accompany life and living must be accommodated by the rules, laws, and norms of the state.

The difference between trans and hijra can also be measured in terms of respectability, with the former aspiring toward it and the latter learning to live without it. Respectability when desired and given to trans people by the state robs them of the capacity to critique with the naked body. The active disavowal of dignity and respectability by hijras and the active demand and aspiration toward respectability by trans people is seen most clearly in the "I am not a hijra" campaign. The campaign was organized by a group called Transgender India and consisted of a photo series which had individual trans people carry placards covering their faces which stated they were trans and then their profession or something about them—and that they were not a hijra. So for example, a trans person who is a surgeon carried a placard that read, "I am trans* & I am a Surgeon. I am not a hijra" and another person carried a placard that read "I am Trans* and I am brave enough to accept it. I am not a hijra." The campaign was immediately lambasted for its respectability politics that was dependent on trans people joining the cis community in looking down upon hijras. While many trans people distinguish themselves from hijras by way of employment, profession, income, and other

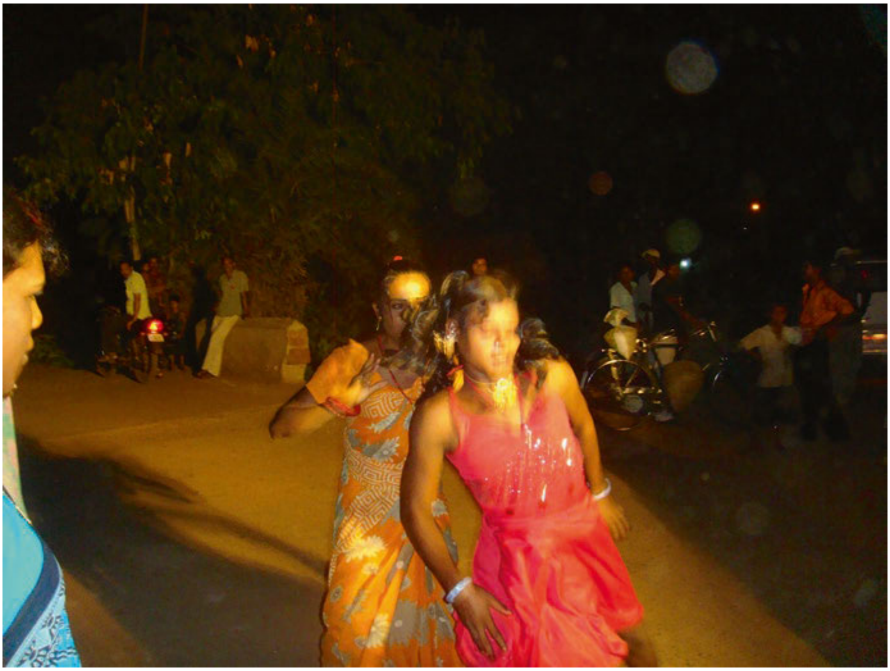

Fig. 7.3 Guruma's disciples and guests from other households dancing in front of the cart

class markers, the distinction between the two ultimately boils down to a respectable manner of inhabiting of the public sphere.[7]

Dutta and Roy remark on the change emerging between hijras and trans women that they have observed over their cumulative decades-long fieldwork. They write:

> This intensification of social stigma against gender liminality by holding up (middle class, upper caste) womanhood as a more desirable and respectable ideal of self-fashioning may be paralleled by a hierarchy between castration-penectomy (called chhibrano in the subcultural language) and the achievement of what trans women like Tista have termed their "complete" (*sampurna*) womanhood through "sex change" surgery. Over the last few years, both of us have encountered kothis who identify as (trans) women and deride chhibrano, saying they would never settle for anything "less" than "full" SRS (sex reassignment surgery). Such equations between transition, womanhood, and completeness (sampurnata) perpetuate the stigmatization of hijras and non-transsexual kothis as less than human and heighten the challenges faced by those who cannot afford, or do not want, "complete" womanhood or "full" transition. (2014, 331)

Dutta and Roy warn of the dangers of trans people increasing the stigmatization and marginalization of hijras and call for decolonizing the term.

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[7] See also Claire Pamment, "The Hijra Clap in Neoliberal Hands: Performing Trans Rights in Pakistan" (2019), for a similar campaign in Pakistan.

7.7 Conclusion

The lived realities of hijra lives show that they are suspicious of the forceful persuasion of the state to become respectable as a way to remedy the shame attached to queer subjects—canny political actors as they are. Mangu would often say, “I have no shame, I can remove all my clothes in a second, even the railway police know this about me, when they try to stop me from getting on to train [to collect alms] they are scared that I will remove my clothes in front of everybody in the station, in broad daylight. That’s why even when they stop other hijras, they cannot stop me.” What Mangu was presenting was not shame, or pride, and certainly not respectability but what Elizabeth Povinelli has identified as stubbornness. Povinelli helpfully articulates the inadequacy of hope as a political affect to carry the weight of all the commitments at every level to a better world. Stubbornness does not stand in opposition to hope or even in support of hope; rather, as Povinelli puts it: “Not hope. Not not hope. Stubborn doesn’t care—or stubborn isn’t seduced by this question. What stubborn does is remain no matter whether things progress or not” (Povinelli & Johansson 2018,12).

The discourse surrounding hijras and respectability is transacted in the currency of hope—that hijras will become proper, productive citizens of the nation-state—but instead what we see Mangu articulating is a certain unrelentingness that reveals the shortcomings of discursive identity formation and even counter-discursive identity formation. Mangu, along with the naked hijras protesting in front of the police station and the ones seducing motorists on the bridge, was not convinced by the discourse of respectability, not invested in transforming shame into pride. They are just stubborn, unrelenting, reminding the state that its project remains unfinished. For the trans people working in the Pride Metro Station, I suspect, the state might be surprised by their transformation back into hijras when respect is not given. One trans woman told me, “Sometimes, I don’t control the hijra inside me.” I smiled and she continued, “Note, I did not say I can’t control.” What this trans woman implied was that she could behave respectably, pass, or go stealth in a fashion, but when need be, she could also give up her side of the bargain of dignity and bring the state to a standstill. The state might prefer all hijras to become respectable trans women and hijras might even accede to this demand, but this transformation will not be complete. The state might translate hijras as trans and enact policies that hope to erase the difference between the two, the stubbornness of the hijras ensure that they remain embedded as a possibility within trans. They might emerge threatening the sovereignty of the state with their denuding when the situation demands it and their clowning reminds us of this ever-present possibility.

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Chapter 8
Time to "Act": Guaranteeing Full Citizenship of Transgender Persons in India

Sangeetha Sriraam

8.1 Introduction

Transgender people are one of the most marginalized communities in India. Historically, people from the transgender community led a decent standard of life (Michelraj 2015, 17). It was during the British era that their status deteriorated. Transgender persons lost their right to pass their land and gifts through inheritance (Biswas 2019). The situation only worsened with time as the colonizers actively took measures to erase their identity (Gannon's Chapter 6; Biswas 2019). The administration criminalized the community through the draconian Criminal Tribes Act 1871 and took away all their civil rights and their avenues of livelihood. Transgender persons were barred from cross-dressing, performing in public, or rearing children. The infamous Sec. 377 of the Indian Penal Code (1860), which criminalized all non-penile-vaginal sexual activities, was also used as an instrument of harassment against the transgender community (Queen Empress v. Khairati 1884). Though the Criminal Tribes Act was repealed in 1949, it influences the vulnerable circumstances of transgender people in India and the society which once treated gender non-binaries as a part of the society and employed them in positions of respect (Sriraam 2020), now imbibed the colonial disgust for the community.

A transgender person in India struggles to survive starting from a very young age. They often are compelled to not embrace their gender identity out of fear of severe repercussions and backlashes from the society in general and their families in particular. Once they do "come out," they habitually face abandonment from their families, which opens a pandora of problems for transgender youth. Without

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familial support and financial security, they lose out on a chance at formal education. Even those who get to pursue it face bullying and discrimination, thereby limiting their job opportunities. Even with the best qualifications, institutions willing to employ persons from the transgender community are far and few. India is a transphobic society, and this reflects on issues like housing, healthcare, and access to public places. With no family backing, lacking education, employment, housing, and right about every other basic facility, the life of a transgender person is nothing short of a living hell. Battling stigma and multi-layered forms of violence, ranging from the sexual to the physical, they are often left with no livelihood options other than begging, sex work, or badhai, that is, the collecting money from families celebrating weddings or the arrival of a newborn (Pal and Sinha's Chap. 10; Singh 2019).

When people find themselves in a highly vulnerable social position, the law is expected to come to their rescue and help them secure their identity and rights. But not much has changed in the socio-legal status of transgender people in India. The year 2014 was a watershed moment in recognition of the transgender identity. The NALSA judgment (National Legal Services Authority v Union of India and Ors 2014) was viewed as a vindication of the long drawn fight for the rights of transgender persons. The Division Bench of the Apex Court consisting of K.S. Radhakrishnan and A.K. Sikri JJ acknowledged the centuries of discrimination against the community. They also acknowledged that thus far, no legal measures had been taken to afford persons from the transgender community any recognition, legal status, or provisions to cater to their needs. The Court went on to issue directions asking the State to include the third gender in documents, to provide for reservation for transgender persons, to work out welfare schemes, among others.

NALSA was followed by the decriminalization of Sec. 377 (Navtej Singh Johar v. Union of India 2018). But the rights of the transgender persons could have been truly secured only by a legislation. To effectively protect transgender people from violence and discrimination, and to promote their equality and to explicitly provide for their rights, legislative effort is mandatory. This is because, even though human rights are inherent and universal, it is only when one is legitimized through the conferral of legal status that they can begin to claim rights.

India is not without a law. The Transgender Persons (Protection of Rights) Act 2019 (2019 Act), was passed to secure transgender persons their rights. However, barring provisions pertaining to healthcare, the Act can be deemed to be a failure. It not only fails to secure the identity, social position, and rights of the transgender people but has reversed several guarantees that the NALSA put forth (Sriraam 2020).

The community deserves a comprehensive legislation that ensures that transgender persons enjoy full citizenship in India, that is, enjoy all the constitutionally guaranteed rights to the fullest extent and participate in the socio-economic, political, and cultural life as equal members of the society. To fulfil this objective, the law that is enacted must not only promote their equality and explicitly provide for their rights but must also proactively attempt to reverse centuries of marginalization.

8.1.1 Methods

While the 2019 Act has been sufficiently criticized, the literature with respect to what the Indian law ought to provide for, is lacking. The topical policy briefs by Center for Law and Policy Research (2018, 2020) are useful, but not comprehensive. *Transgender Equality: A Handbook for Activists and Policymakers* (2000) seeks to guide those involved in trans-issues to address critical areas concerning transgender persons such as defining transgender and intersex persons, hate crimes, and bathroom access, through examples of successful trans-inclusive laws. However, as the guide is entirely from the US perspective, its utility is limited to aiding in the understanding of the foundation on which laws with respect to transgender persons are to rest.

This chapter seeks to draft a progressive legislation that respects, protects, and promotes the rights of the transgender persons, by analyzing trans-inclusive laws from across the world, inter alia Malta (Gender Identity, Gender Expression and Sex Characteristics Act, 2014), Argentina (Gender Identity Law, 2012), as well as judicial precedents, especially from India. The analytical and comparative research will bring out the various rights that must be explicitly provided by law in India. While the author firmly believes in the right of transgender persons to be allowed to serve in the armed forces with the same rights, responsibilities, and privileges as other genders, without discrimination, the issue is beyond the scope of this chapter.

8.2 What the New Law Should Include

The rights of transgender persons in India not only stem from the Constitution of India but also from her binding international human rights obligations. The Constitution of India, in Part III, lays down the fundamental rights of every person and citizen of India, and the same applies without discrimination (Constitution of India, 1949). On the other hand, obligations under International Human Rights Covenants like ICCPR and ICESCR are a part of domestic law. The Protection of Human Rights Act, 1993, also recognizes these international human rights instruments as a part of Indian law. This has also been held by the hon’ble Supreme Court of India in inter alia Jolly George Verghese (1980), Vishaka (1997), Apparel Export (1999), and Gita Hariharan (1999). Pertinently, the Court in NALSA held that Yogyakarta Principles (2007) must be recognized and followed. The constitutional mandate and the international human rights mandate impose on India multifold obligations to:

- Remove barriers to the enjoyment of the rights of the transgender persons.
- Prevent abuse from not just State officials but also private actors.
- Remedy and punish violations.

Most importantly, interferences imposed by law, in the recognition and enjoyment of their rights, must be proactively and urgently done away with. This would be possible only by bringing into force a progressive legislation.

8.2.1 Definition

"Transgender" is an umbrella term that is used to describe a wide range of identities and experiences, inter alia transsexual people who might or might not have transitioned, and those who may choose not to transition: cross-dressers or drag queens/kings (UNDP 2010, 4). To ensure the full citizenship of transgender and intersex persons, it is imperative that the law has a clear, inclusive, comprehensive definition of transgender persons.

The 2019 Act defines a transgender person as "person whose gender does not match with the gender assigned to that person at birth and includes trans-man or trans-woman (whether or not such person has undergone Sex Reassignment Surgery or hormone therapy or laser therapy or such other therapy), person with intersex variations, genderqueer and person having such socio-cultural identities as kinner, hijra, aravani and jogta" (The Act, sec. 2(k)). While this definition may be lauded for not using biologically deterministic terms, it is grossly insufficient. It clusters all gender non-conforming persons into one group, without accounting for key concepts such as gender identity and gender expressions. This perpetuates the colonial mindset of treating transgender persons as a homogenous group, as has been noted by Shane P. Gannon in Chap. 6. Need of the hour are definitions that are worded in clear, inclusive, and comprehensive terms, and cover as wide an array of gender minorities as possible.

A suggested definition of a "transgender person" may be "a person whose gender identity and/or gender expression is different from the sex assigned at birth or the gender they are socialized with, wherein gender identity refers to a person's internal, self-perceived experience of gender, regardless of the sex assigned at birth and includes one's personal sense of body, and gender expression is the external perception of a person's gender identity. It may involve freely chosen expressions of gender such as mannerism, name, dressing, speaking, and extend to modifying one's bodily appearance or function through surgical, medical or other means."

The understanding of intersex persons may also be improved upon. Sec. 2(i) of the 2019 Act defines "person with intersex variation" as "a person who at birth shows variation in his or her primary sexual characteristics, external genitalia, chromosomes or hormones from normative standard of male or female body." The reference to gender binary in the definition may be dispensed with. Instead, a person with intersex variation may be understood as "a person whose congenital sexual differentiation whether in their anatomy, reproductive organs, hormonal, and/or chromosomal pattern is atypical in whatever degree."

8.2.2 Right to Gender Identity

The first right that law must guarantee not just to transgender persons but to all persons is the right to gender identity, bodily integrity, and personal autonomy. As is the case with Argentina (Gender Identity Law, 2012, sec. 1), everyone must have the right to recognition of their gender identity, and to be allowed to freely develop their person in accordance with their gender identity. Further, law must mandate that all persons must be treated in accordance with their gender identity, and that includes the right to alter one's first and last name, image, and sex in one's identity documents.

8.2.2.1 Identity Documents

As Busisiwe Deyi states, identity documents are the documentary DNA of a person in the modern world (2017, 130). It secures not just socio-economic benefits, but also basic political rights (voter ID, passport, etc.). Thus, it serves as the legal recognition of one's full citizenship. It is the port to access public and private services, and the importance of the correct gender identity being reflected in these documents cannot be overstated.

The 2019 Act requires transgender persons to obtain a "Certificate of Identity" from a district Magistrate to be identified as the "third gender" (The Act, sec. 6). The Certificate is intended to "confer rights and be a proof of recognition" (The Act, sec. 6(3)). This is not just unfortunate but also regressive. Rights, by their very nature, are inherent. Only privileges are conferred. Gender is at the core of one's identity and an integral part of one's privacy, autonomy, and dignity. The right to self-determine your gender is a statement, a refusal to live one's life on the terms set by another, or for the enjoyment of others; it is intrinsic in the freedom of speech and expression of an individual (Constitution of India, art. 19(1)(a)). One's recognition of gender identity therefore cannot be dependent on the issuance of a certificate (Constitution of India, 1949).

Perhaps the more problematic provision is Rule 6(1) of the 2020 Rules (Transgender Persons (Protection of Rights) Rules 2020), which permits a transgender person to be identified as male or female only if they undergo the gender affirmation procedure. Such abusive conditions, known as the medical model of gender recognition, have been declared to be violative of the physical and psychological integrity of transgender persons (Special Rapporteur on Torture, 2013a, pars. 36–38, 76–79, 88; Human Rights Committee 2008, par. 8; Human Rights Committee 2013, par. 10; Committee on Economic, Social and Cultural Rights 2011, par. 26). International human rights institutions have repeatedly called on States to abolish any requirements of medical or psychological assessments, diagnostic, treatments, or surgeries (Committee on the Elimination of Discrimination against Women, 2010, par. 46–47; Committee on the Elimination of Discrimination against Women, 2014, par. 45). The ECtHR (Goodwin v. United Kingdom, 2002, par. 83; Garcon & Nicot v. France, 2017) has denounced the medical model. Even the NALSA had precluded the right of transgender persons to identify as male or female, it had advocated for the right to self-identification. The Madras High Court had furthered the said right, and categorically held that gender identity cannot hinge on a medical certificate (G Nagalakshmi v. Director General of Police 2015). India recognizes the right of all to refuse medical treatments or interventions of any kind, including life-saving ones (Aruna Ramachandra Shanbaug v. Union of India 2011). Then how can an intrusive and invasive medical procedure be a legitimate prerequisite to carry out simple changes in documents?

The 2019 Act makes the District Magistrate the custodian of the right to identity transgender persons. It gives the medical officer the power to decide whether the transgender individual has sufficiently transitioned to their self-identified sex. The entire system put together allows the State to recognize some transgender persons, reject others, and thereby dictate or regulate access to welfare measures. In other words, it would result in the institutionalizing socio-historical marginalization faced by the persons from the transgender community.

Thus, India must thus follow the lead of countries like Malta, Denmark, Norway, Belgium, Ireland, and Luxembourg (van den Brink and Dunne 2018) and demedicalize gender recognition procedures.

Whenever the gender in identity documents does not correspond to the self-perceived gender identity of an individual, law ought to allow them to correct it, along with their first and last name, and photograph, through a simple procedure, which does not require additional certification. State must facilitate the same through a simple, quick, free, accessible, transparent, and hassle-free procedure, through a single-window system.

A suggestive process for India can begin with the aadhar, the numeric, biometric-enabled identifier system used here. An application, stating that they wish to change their first name, last name, photograph, and gender, or any of them, may be submitted to UIDAI, the body which facilitates aadhar. The application must be accompanied by a self-attested affidavit declaring themselves to be a transgender person, and that they wish to be identified as male/female/transgender. No medical or other formalities must be imposed. Upon processing the request, UIDAI must notify other bodies such as the concerned Registry of Births and Deaths, Passport Seva, Election Commission (for changes in voter ID), and Income Tax Department (for changes to PAN card). The entire process must be carried out within 30 days, and the amended documents must reach the applicant at their address of communication without requiring any further action on their part. Those transgender persons who do not possess an aadhar card must be allowed to apply for amendments directly in their other documents.

Another huge initiative that the State must undertake is the removal of the "gender" column in forms and certificates where gender is insignificant. For example, school leaving certificates, degree certificates, and bank documents need not have a gender column. As Faithful (2010) asserts, moving forward, we must reduce the impetus placed on gender as a means of legal identity, and celebrate gender variations. As a corollary, all documents, forms, and certificates that retain a gender column must mandatorily permit three options: Male, Female, Transgender, something that public institutions have failed to do despite the NALSA mandate (Atri Kai v. Union of India 2017; Mx. Alia SK v. State of West Bengal 2019).

8.2.3 Discrimination and Hate Crimes

Abuse and maltreatment of transgender persons around the world is well documented, particularly in detention centers and healthcare settings (Committee against Torture 2002, par. 5(e); Committee against Torture 2004, par. 6(g); Human Rights Committee 2006, par. 25; Committee against Torture 2006, par. 17; Committee against Torture 2008, par. 21; Committee against Torture (Paraguay) 2011b, par. 19; Committee on the Elimination of Discrimination against Women, 2011, par. 40; Committee against Torture (Germany) 2011a, par. 20; Special Rapporteur on Violence against Women 2012, par. 98; Special Rapporteur on Violence against Women 2013b, par. 58; Committee against Torture 2014, par. 21,26; Committee on the Rights of the Child 2015, paras. 42–43; Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment 2016d, par. 49, 60; Committee against Torture (Honk Kong) 2016b, par. 28–29; Special Rapporteur on Torture 2016c, pars. 13, 34–46; Committee against Torture 2016a (Austria), par. 44–45;). India is no exception. The Equality Code of the Indian Constitution (arts.14–18) mandates that the State eliminates all forms of discrimination against everyone, and that would include gender minorities. NALSA clarified that discrimination on the grounds of gender identity is categorically prohibited under art. 15(1) of the Constitution which prohibits discrimination, inter alia on the grounds of sex.

India has in the past, put in place stringent prohibitions on discrimination in other cases involving persons with protected characteristics such as the oppressed classes (Protection of Civil Rights Act 1955) and persons with HIV (The Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (Prevention and Control) Act 2017). In comparison, the 2019 Act is a feeble attempt at addressing the severe discrimination faced by the transgender people.

Chapter II of the 2019 Act enlists and prohibits the common forms of discrimination against transgender persons. These include discrimination in education, employment, housing, healthcare, custody, access to public places and facilities, and standing or holding public office. The Chapter, however, does not prescribe any punishment or remedy for violations, thus making the Chapter a mere moral code. This could be one of the factors as to why the respondents in Azhar and Vaudrey's study felt that their complaints to abuse in public places were not being taken seriously (see the following chapter by Azhar and Vaudrey). At the outset, to make the law prohibiting discrimination against transgender persons more effective, three additional issues require focus.

8.2.3.1 Insurance

Exclusion of transgender persons from gaining medical or life insurance, or discrimination against them by charging higher premiums, exclusion of medical conditions such as gender dysphoria, or prescribing a more extended period of exclusion for pre-existing conditions merely on the grounds of gender identity by insurance providers must be prohibited. Similarly, law must insist that health insurances cover the cost of sex affirmative surgery, hormonal therapy, counselling, etc.

8.2.3.2 Restrooms Discrimination

The right to sanitation is a universal human right available to everyone (UN General Assembly 2016). The lack of safe toilets is a key issue plaguing India even today. But the concern is much worse in the case of transgender persons, as they face additional hurdles in accessing restrooms globally. In the absence of legal protection, transgender persons may be forced to use bathrooms of their sex assigned at birth. Transgender persons are often subjected to taunts, harassment, and fear violence while accessing public restrooms (UN General Assembly 2016). Taking serious note of these issues, NALSA ordered the government to provide separate public toilets to transgender persons (NALSA 2014, Para 129.6). Unfortunately, the Supreme Court in NALSA failed to guarantee the right of transgender persons to access the male and female restrooms in accordance with their self-identified gender. The 2018 case filed by Myra Grace Bandikalla highlights the need for such a guarantee. Myra Grace was not allowed by the Airport Authority of India, a State entity, to use the female restroom facility as she had not transitioned (Myra Grace Bandikalla v. Airport Authority of India 2018). It was hoped that the 2019 Act would address and prevent these discriminatory practices. Unfortunately, it neither talks about building separate toilets nor does it ensure that transgender persons have access to public toilets of their choice.

Law must mandate that the State build public restrooms for all three genders within a pre-set timeline. Institutions and establishments with more than 100 employees must be mandated to include restrooms for all three genders. Establishments with less than 100 employees may be encouraged to build gender-neutral restrooms. Additionally, law must guarantee the absolute right of everyone to use the male, female, or other gender restroom, as is appropriate to their gender identity. It must further clarify that transgender persons cannot be denied access to restrooms of their choice, in public spaces, or places of employment or education, merely on the ground that they have or have not transitioned.

8.2.3.3 Hate Crimes and Speech

Hate crimes are acts of violence motivated by one or more of the victim's protected characteristics. Other than injuring the victim, they also terrorize others who identify with the victim. These crimes must be met with enhanced penalties.

Transgender persons in India are very often victimized and subjected to violence. Studies in the early 2000s reported that over 50% of transgender persons in India have faced violence, that too mainly at the hands of the police (Lombardi et al. 2002, 96). The extent to which targeted violence affects members of the transgender community can also be evinced from the Jayalakshmi case, which involved the suicide of a transwoman due to protracted custodial violence. Pandian, a transwoman, was routinely interrogated over her alleged involvement in a theft case. Despite bail, the police would retain her in the police station and subject her to physical and sexual assault. Her family tried to intervene, but they were also subjected to harassment. The custodial violence and torture pushed Pandian to immolate herself (Jayalakshmi v. State of Tamil Nadu 2007).

Regrettably, not much seems to have changed despite NALSA. They continue to be subjected to physical and sexual abuse at the hands of the police. They are also subjected to financial harassment (Lalwani 2018). Further, the negative portrayal of transgender people in mass media not only perpetuates the stigma against them but also adversely affects their mental health (Thaker et al. 2016, 403–404). Therefore, except in case of bona fide academic, scientific, or critical enquiry, any publications in the form of words, either spoken or written, audio-visual representation, signs, gestures, images or any speech or expression, in any media, with the intent of promoting oppression or to offend, abuse, insult or humiliate or with the intention to cause fear, alarm or hatred toward any transgender, gender non-conforming or intersex person or persons, or the community in general, must be prohibited.

For the prohibition to be truly effective, law must impose a penalty of imprisonment of 1 month to 6 months or a fine or both for discrimination against transgender persons. Hate speech must be punished with a prison sentence of 3 months to 2 years or fine or both. In case of hate crimes or violence against the person or property of a member of the transgender community, minimum imprisonment of 2 years, which may be extended to 7 years must be imposed. Sexual offences against transgender persons must carry the same punishment as those imposed in the Indian Penal Code (1860) for sexual offences against women. Enhanced penalties must be prescribed where these acts are committed by persons in authorities. Due compensation to the victim transgender person must also be given.

8.2.4 Intersex Persons

Despite the distinction between intersex persons and other gender minorities, there is a lack of recognition of the same. Even the much-lauded NALSA judgment grouped intersex persons with other transgender persons. This is particularly disappointing because the High Court of Gujarat in the Mulla Faizal case recognized the difference between transgender persons and intersex persons over a decade before NALSA (Mulla Faizal v. State of Gujarat 2000).

While the 2019 Act provides for a separate definition for persons with intersex variations, (The 2019 Act, sec. 2(i)), the substantial provisions group intersex persons with transgender persons. This leads to their invisibilization. While it is well known that intersex persons are stigmatized and encounter prejudice regularly, empirical data regarding the lives of intersex persons' and the kind of discrimination they face is lacking (Human Rights Watch 2017). Though intersex persons face discrimination in ways that may sometimes be similar to that faced by transgender persons, they have certain unique concerns that differ from the concerns of other gender minorities. For example, while several trans-persons may wish to undertake elective surgeries to attain the body they are comfortable in, intersex persons often lament the body they had and was lost due to the unnecessary "normalization" surgeries they were subjected (Butler 2004, 4–7). Intersex persons' right against forced surgery is one that is rooted not just in human rights but also in child rights, and needs specific recognition in law, which is missing in the 2019 Act.

8.2.4.1 Intersex Genital Mutilation

Intersex genital mutilation (IGM) is a surgery often performed on infants or young children with the aim of normalizing intersex variations, and thereby makes the child fit into the gender binary. Intersex infants may be deemed to require multiple surgeries involving clitoral reduction, removing sensitive erectile tissues to reduce the clitoral size, gonadectomies, and sterilization. In addition to social stigma, the compulsion to register the infant's sex as either male or female in the birth certificate, pressurizes the parents and doctors to resort to IGM. But IGMs are invasive, risky, harmful, immensely painful, traumatizing surgeries that are rarely medically necessary, based on nothing but prejudice toward gender binary (Human Rights Watch 2017).

As the intersex child grows up, they might identify with a gender other than their surgically assigned sex. Intersex persons, who have undergone IGM, have reported to have a troubled relationship with their bodies. They may have trouble relating to their body or feel inadequate and violated. IGM also reiterates the notion that sexual ambiguity is shameful and must be perceived as a medical disorder (Human Rights Watch 2017).

There is a clarion call to put an end to IGM (International Commission of Jurists (2017). IGMs on minors have been prohibited in Malta (Identity, Gender Expression and Sex Characteristics Act, 2014, sec. 14). In India, the state of Tamil Nadu (GO No. 355 (TN) 2019) has banned it. Taking a cue from the same, the Indian law protecting the rights of transgender persons must stringently prohibit IGM, sex assignment surgeries, and treatments on persons below the age of 18 except when medically necessary. Any sex affirmation surgeries must be deferred until the intersex person can decide for themselves (World Health Organization 2015). It is equally important that law permits parents to register as an infant's gender as "intersex" in the birth certificate.

8.2.5 Conjugal Rights

The right to marry, found a family, inherit property, etc., are not rights expressly guaranteed in NALSA, but rights that flow from the right to gender identification. Further, Puttaswamy (2017) recognizes these rights to be a composite part of the right to privacy, and rightly so. Unfortunately, Indian law on marriage, adoption, inheritance, succession, even taxation laws continue to operate within the paradigm of gender binary, and the 2019 Act did nothing to rectify it. Consequently, transgender persons do not enjoy any rights which flow from marriage, inter alia, making health decisions for their partners, even in life-death situations, adopting as a couple, accessing assisted reproductive technologies, opening joint bank accounts, taking family health insurances, claiming accident benefits under Motor Vehicles Act or other labor laws, in case of accident of the partner, tax benefits, and joint ownership of assets.

The Madras High Court, in Arunkumar’s case (2019), held a marriage between a male and a transwoman to be valid under the applicable personal law despite the gender binary groom-bride requirement. The Court achieved this by reading the phrase bride in the Hindu Marriage Act to include transwoman. As laudable as this may be, piecemeal approaches will not work for long. A consolidated legislative effort to recognize the conjugal rights of transgender persons, along with other allied rights must be undertaken. Moving forward, law must at the earliest:

1. Recognize equal marriage rights for all. This would include within its ambit recognition of the rights to divorce, maintenance, inheritance, and domestic violence.
2. Ensure that the rights of transgender persons as parents of their children are not affected in any manner by virtue of them disclosing their gender identity or by opting to correct their gender in legal documents.
3. The Juvenile Justice Act, which is the principal legislation dealing with adoption in India, talks about the rights of men and women to adopt. In order to be inclusive of gender minorities, the Act must be made gender-neutral except where necessary.
4. At a time when US states like Texas are going back to the “fetal heartbeat” rule for abortion, India’s abortion laws deserve appreciation. Albeit its imperfections and limitations, the Medical Termination of Pregnancy Act, 1971, permits abortions till the 24th week of gestation. However, the law is intended toward women, thus excluding gender minorities. Same is the case with maternity leave laws in India. India grants maternity leave from 24 weeks to a year, depending on the applicable law, and also grants substantial leave in cases of miscarriages. It is well known that menstruation, pregnancy, maternity, and child-rearing are not limited to women and that transgender persons also need reproductive rights. Therefore, the term “woman” in the Medical Termination of Pregnancy Act,

1971, and Code on Social Security, 2020, and other maternity rights laws, should be amended to cover any person who is/has been pregnant irrespective of their gender identity or gender expression.

8.2.6 Kinship

Kinship or chosen families are a significant part of the lives of transgender persons. Purayil brings out the nature and importance of these kinship bonds excellently in Chap. 12, titled "'Families We Choose': Kinship Patterns among Migrant Transmen in Bangalore, India." As transgender persons are often abandoned by their biological families, they get together and form their own "chosen family." Unlike traditional families which are formed within a procreative framework, these kinship bonds among transgender persons are a practical necessity and also a cultural reality of queer individuals. These "alternative families" are a robust support system that enables transgender individuals to survive in our transphobic society.

Some forms of kinship are much more formalized than others. Hijra kinship is based on the traditional guru-chela relationship. Hijras sever ties with their biological families and become bound to their guru who is the head of the family. The guru commands respect and the hijras under the guru, known as chelas, must serve the guru and by extension, their household. The chelas do household work and give a part of their income to the guru. Disobedience could lead to expulsion. In return, the guru provides shelter and protection, look after the chelas, and also gives them a sense of community (Purayil, Chap. 12).

The 2019 Act does not acknowledge the kinship bonds that prevails among the transgender community. In fact, the 2019 Act implicitly denies them any legitimacy. The Act allows transgender individuals two broad options: staying with their family or moving into a rehabilitation center. A transgender child can leave its family, as defined in Sec. 2(c), only on the orders of a competent court. In other words, the child must either be with their biological, adopted family or family through marriage or in a rehabilitation center. This is yet another attempt at invisibilizing the ways and means of the transgender community. The State seems bent on fitting the peg into the hole which forced them to choose such alternative families in the first place. There is no right way to live. There is no limit to who or what can constitute a family. There is absolutely no reason for the State to deny the transgender community recognition of their kinship bonds. Law must award legal recognition to these chosen/alternative families.

The guru-chelas structure has extensive customs (Purayil, Chap. 12). These customs include inheritance rules wherein, on the death of a chela, their property is inherited by the guru. This traditional customary inheritance is recognized by Indian courts (Ilyas v. Badshah aka Kamla 1990; Sweety v. General Public 2016). Legislation must also recognize this customary inheritance under the guru-chela structure.

8.2.7 Education and Employment

8.2.7.1 Educational Institutions

Transgender people are not only one of the most socially marginalized groups socially, but they are also marginalized educationally and economically. As a consequence of abandonment and bullying in schools, formal education of transgender children is most often disrupted. This emerges as the first stage of marginalization.

The 2019 Act prohibits discrimination in education. In particular, it prohibits discrimination in admissions, expulsion, equal access to institutional amenities, scholarships, awards, other benefits and opportunities. Nonetheless, a few more specificities need to be incorporated. Law must mandate that the gender identity of candidates not be revealed without their consent. Educational institutions must be encouraged to put in place mechanisms that would make persons from the transgender community feel safe to report bullying. Most importantly, the anti-ragging affidavit/undertaking, which is mandatorily collected from graduate students, must include a clause wherein students and their parents affirm to not indulge in ragging, bullying, or teasing transgender students and staff.

8.2.7.2 Employment

Marginalization in economic opportunities is yet another major area of concern. Pal and Sinha in Chap. 10 shed light on the different jobs and professions that transgender persons, in particular hijras, engaged in through time. Traditionally, hijras relied on the social belief that transgender persons had the ability to bless or curse others. This is known as badhai. Consequently, they were invited to important occasions such as the birth of a child and wedding, to endow their blessings. Thus, their livelihood stemmed directly from their identity as a transgender person, rather than from their skill or labor.

With the criminalization of their identity under the Criminal Tribes Act during the British era, badhai was no more viable. This led to socio-economic marginalization. Left with no choice, transgender persons have been forced into begging and prostitution. Today, despite the scrapping of the Criminal Tribes Act, the marginalized transgender communities continue to engage in begging and prostitution.

Economic opportunities in India stem either from formal education or by being a part of a family enterprise such as agriculture. An abandoned transgender youth is unlikely to have either. Efforts by the State at providing employment have not always been successful (Saria, Chap. 7). Further, caste barriers and financial and social taboos make it very difficult for transgender persons to gain lucrative or steady employment as has been expounded by Azhar and Vaudrey in Chap. 9.

This is not to state that no member of the transgender community has had any opportunity at mainstream employment. Dr. Trinetra Haldar Gummaraju is a transwoman doctor (Indian Express 2021). Laxmi Narayan Tripathi is a popular

Bharatanatyam dancer and actress. She has authored three books, one of which, *Me Hijra, Me Laxmi*, has been analyzed by Shalini Jayaprakash in Chap. 2. Sathyasri Sharmila is a practicing advocate (India Today 2018), Padmini Prakash was the first news anchor from the transgender community, and Rose Venkatesan was a talk show host and radio jockey (Thomas 2016). Dr. Manobi Bandyopadhay holds a doctorate and is India's first college principal from the community (Roy 2015). Shabnam Mausi Bano, Madhu Kinnar, Devika, etc., also hold public offices (O'Connor 2015; Trivedi 2018; Times of India 2020). While these are incredible examples of exceptional people, the fact remains that none of them had it easy. But as Pal and Sinha note in Chap. 10, there are undeniable class distinctions within the transgender community in India. While some transgender persons coming from better-off economic classes manage to achieve a certain degree of economic agency, certain communities—especially the hijras—lack opportunities. Even those who are qualified face discrimination and prejudice.

Transgender persons encounter bias in hiring policies, compensation, terms of service, promotion, privileges, etc. The illustrative cases of Nangai I (2014), Nangai II (2014), Nangai III (2014), Faizan Siddiqui (2011), and Prithika Yashini (2015) stand testimony to the fact that despite NALSA, employment discrimination continues. The three Nangai cases deal with police constable recruitment in the state of Tamil Nadu. Candidates who identified as females were denied opportunities on the ground that they were transgender/transsexual. The Faizan Siddiqui case concerned a female candidate who was born male, with congenital anomalies and a Disorder of Sexual Differentiation (DSD). She underwent medical treatment and was medically certified to be akin to any other female barring natural pregnancy. She applied for the post of a female constable of the Sa shastra Seema Bal but was rejected on the ground that as she cannot become naturally pregnant, she does not qualify as a female. Prithika Yashini is a celebrated transgender woman who became the first police officer from the community. But at every stage, right from the application to the final appointment, she had to knock on the doors of the judiciary to counter the discrimination she faced as a transgender person.

In all these cases, courts have had intervened and ensured that justice was done to these candidates. But will this piecemeal approach suffice? Presumably not. Government initiatives like hiring transgender persons by Kochi Metro and Chennai Metro Rail are widely published (Sekar 2021). But in reality, highly qualified persons, including those with postgraduate and engineering degrees, are employed in ticketing jobs on contract for limited wages and benefits (Nidheesh 2017). This leads Pal and Sinha to conclude in Chap. 10 that these initiatives are mere tokenism. The unwillingness of house owners to lend houses to transgender people only makes it worse (Varghese 2020). Further, bullying faced by transgender persons at work is not only underreported, but also an issue without any redressal mechanism. This makes it very difficult for these employees to sustain themselves in the job.

Bullying and workplace harassment are not faced by transgender persons alone. The harassment of women employees, especially sexual harassment at work has led to the passing of the Sexual Harassment of Women in the Workplace (Prevention, Prohibition and Redressal) Act 2013. Under the said Act, a grievance redressal procedure has been put in place by constituting a forum called the Internal Complaints Committee. The Committee receives complaints relating to sexual harassment, conducts enquiries, and makes appropriate recommendations. An easily implementable solution to harassment faced by transgender employees at workplace would be to expand the mandate of the existing Internal Complaints Committee to receive complaints by transgender employees as well.

But addressing bullying and harassment would only improve the situation of transgender employees. It does not in any manner increase the entry-level opportunities for transgender persons. That would require targeted affirmative action.

8.2.7.3 Reservation

One of the legal mechanisms used in India to overcome centuries of socio-economic oppression faced by persons from scheduled classes (SC), scheduled tribes (ST), socially and educationally backward classes (SEBC) is affirmative action in the form of reservation of seats in higher education and public employment. NALSA recognized the systemic subjugation of the transgender community and furthered reservation for them under the SEBC category. While the intention behind the approach is laudable, the approach itself is not in the best interest of the transgender community.

India addresses caste-based discrimination through vertical reservations for SCs, STs, and SEBCs, and reservation for women, disabled, displaced persons, and others who might suffer disadvantages on grounds other than caste, through horizontal reservation that cuts through vertical reservation. By treating the transgender community under the SEBC category, the Hon'ble Court has treated the discrimination faced by the transgender persons as being similar to the discrimination due to caste. This would amount to treating their transgender identity as a caste. This approach is similar to the one adopted by the British during the colonial census (Gannon, Chap. 6). In consecutive censuses, the British listed hijras as a caste and not as a gender identity. Shane P. Gannon argues in Chap. 6 that the colonizers' association of hijra identity with caste helped them identify their status in the society and account for their social degradation. This also helped the British shift the onus of their social degradation on the indigenous caste system instead of admitting that the acts of the British such as the enactment of the Criminal Tribes Act, contributed to it. While the hon'ble Court's approach seeks to improve the condition of the transgender community in India, it unfortunately, fails to appreciate the intersectional discrimination that transgender and intersex persons may face.

If transgender persons are granted reservation under vertical categories, it would force them to choose between their caste and gender identity. Further, such a scheme would also assume social homogeneity among transgender persons, which is not the reality. The class distinctions among transgender persons have been excellently elaborated on by Pal and Sinha in Chap. 10.

The 2019 Act completely ignores the need for affirmative action for transgender persons and does not provide any measures to improve the educational and economic opportunities of the transgender community. Therefore, it is suggested that law must grant transgender persons horizontal reservation of 2–2.5% in public higher education as well as in State employment.

8.2.8 Healthcare

The stigma and discrimination against transgender persons are not limited to social and economic settings alone. It has also penetrated deep into the medical field (Feinberg 2001, 898). The fact that the World Health Organization had listed "gender incongruence" as a psychological disorder right until 2019 reflects on the level of callousness that possibly prevails in the healthcare sector toward transgender persons (BBC 2019).

Surveys of LGBT and intersex people indicate disproportionately high levels of stigma, discrimination, and even violence when accessing health services, less access to health insurance, and lower health outcomes (United Nations 2016, 72). Income instability, lack of reliable and accessible information, systemic social service barriers, and lack of accessible trans-inclusive healthcare services are among the many barriers to accessing quality healthcare. In the following chapter, Azhars and Vaudrey highlight the need for greater attention to mental health support and medical care for transgender persons. More importantly, attention must be paid to the identification and elimination of all those social conditions and contexts that exacerbated diseases.

The need for greater focus on understanding gender variations, particularly in the context of HIV interventions cannot be overstated. Transgender persons are undoubtedly at greater risk of contracting the virus owing to the nature of work, they are forced to engage in. Further, the insensitivity of medical professionals when they treat transgender persons who are living with HIV, as evinced from Azhar and Vaudrey's study, is a major hurdle to quality healthcare. Thus, in addition to the creation of alternative employment, it is imperative that the State focuses on research on medical issues concerning transgender persons. Efforts to sensitize healthcare professionals on the physiological and psychological needs of transgender persons, the need to employ the correct pronouns, etc., must also be given urgent focus by the State (Azhur and Vaudrey, Chap. 9).

The 2019 Act prescribes that the State take measures to set up separate Sero-surveillance centers for transgender persons and to provide for the medical facility including sex "reassignment" surgery, hormonal therapy, pre-operative and post-operative counselling, to improve the curriculum for doctors, and to come up with a comprehensive insurance policy to cover the expense of surgeries. These are however suggestive and are not time-bound. Under such circumstances, there is absolutely no reason to believe that the fate of transgender persons dealing with the healthcare industry would improve. In fact, the recorded instances of discrimination against transgender persons trying to get their COVID19 vaccine (Choudhary 2021; Jahan 2021; Rajaram 2021), the lack of data at the hands of the government on the number of transgender persons who have taken their vaccine (Murali 2021), etc., show that the callousness, stigma, and discrimination in the healthcare sector continue even after passing of the 2019 Act and the 2020 Rules. Thus, a stricter and unambiguous guarantee of rights of transgender persons vis-a-viz is an urgent requisite.

Right to health is viewed as an integral part of art. 21 of the Indian Constitution (Municipal Council, Ratlam v. Vardhichand, and Ors. 1980; Mahendra Pratap Singh v. State of Orissa 1997). Law must recognize that the constitutional right to health would include the right of transgender persons to be in a body that they are comfortable in. Thus, in line with the Argentinean law (Gender Identity Law, 2012, art.11), India must guarantee the right of all to transition and provide free access to total or partial surgical intervention and/or comprehensive hormonal treatment. Further, these treatments must be provided to them without requiring any judicial or administrative authorization and solely on the basis of informed consent. Moreover, revision of the medical curriculum and sensitization of healthcare professionals on trans-health-related issues must be done in a time-bound manner, preferably within 3 years of coming into force of the new law (Constitution of India, 1949).

8.3 Conclusion

The Indian society has ill-treated transgender persons for centuries and law has done little to nothing to correct it. The law that was finally brought in is also full of potholes that run the risk of worsening the status of transgender persons. What is needed is a legislation that would explicitly guarantee a host of rights and put in place mechanisms to dismantle historical structures built purely oppress, invisibilize the identities and rights of transgender persons. Arguably, law cannot resolve every problem plaguing the transgender community. But a legislation, as envisaged in this chapter, would bring about a sea change in the system and in the way in which the society perceives transgender persons. We must, as a State, realize that no amount of discourse and debate is going to be enough unless they fructify into effective laws that help transgender persons lead their lives as full citizens of India.

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Part IV
Health and Employment

Chapter 9
Exploring the Psychosocial Needs of Third Gender People Living with HIV in Hyderabad, India

Sameena Azhar and Jason Vaudrey

9.1 Introduction

HIV remains a pressing public health concern throughout South Asia and particularly for third gender people. UNAIDS estimates that there are 2.11 million [95% CI: 1.7–2.65 million] people living with HIV (PLWH) in India, with a national adult prevalence of 0.26% (UNAIDS 2013; National AIDS Control Organization [NACO] 2016). Prevalence is particularly high in South India with the states of Telangana and Andhra Pradesh bearing the highest adult HIV prevalence rate for the country at 0.90%, a rate that is three times that of the national average (NACO 2012). There are about 500,000 PLWH [95% CI: 424,000–596,000] in the states of Telangana and Andhra Pradesh, accounting for 20% of all HIV infections in the country (NACO 2012). Given the high prevalence of HIV in this region of South India, Hyderabad was selected as our research field site.

Existing research suggests that minority stress is a major driver of health disparities for people living with HIV. PLWH in India are at greater risk for anxiety and depression (Nyamathi et al. 2011). Chronic depression, stressful events, and trauma can negatively affect HIV disease progression in terms of decreases in CD4 T-cell counts, increases in viral load, and greater risk for clinical decline and mortality (Kemeny and Schedlowski 2007; Leserman 2008). In a study of 362 PLWH who were receiving antiretroviral therapy at a government clinic in Kolkata, gender disparities occurred in their experience with depression (Swendeman et al. 2018). Frequently seeking instrumental support was protective for men at all income levels, but only for high-income women; additionally, having a partner was protective against depression for men as they aged, but not for women (Swendeman et al. 2018).

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Third gender people in India are also more likely to experience mental health issues (Landolt et al. 2004; Safren et al. 2009; Thomas et al. 2009; Logie et al. 2012). The rate of depression among men who have sex with men (MSM) in South India has been reported to be three times higher than the general population (Safren et al. 2009; Thomas et al. 2009). Third gender people may also experience long-term psychological distress in adulthood (Landolt et al. 2004). In a study of 200 MSM in India, gender nonconformity was significantly associated with depression with 55% of the sample reporting moderate to severe depression scores (Logie et al. 2012).

The category of third gender people in South Asia includes the subgroup of hijra, a culturally embedded term that is often roughly translated into English as transgender, eunuch (Lal 1999), transvestite, homosexual, bisexual, hermaphrodite, androgynous, or transsexual. As reported by Shalini Jayaprakash in Chap. 2 on re-writing the subject and the self, gender fluidity has historically been sanctioned within both South Asian Hindu and Muslim communities. While previously provided an exalted space in Moghul and Rajput courts and known in some parts of South Asia as khwaja sira, hijra now find themselves to be at the bottom of the social hierarchy, often being forced to earn their livelihoods through sex work and panhandling (Aziz and Azhar 2019; Azhar et al. 2020a). Other modes of mainstream unemployment are often unavailable to gender-nonconforming people in contemporary India. As Jayaprakash notes, traditional narratives of an upper caste, Hindu male who became a khwaja sira have been replaced with narratives of poverty and dissent, exemplified by the persona of the hijra. The experiences of third gender people in India are lived, experienced, and performed in ways that are more complex than what was permitted in the heteronormative, gender binary system offered by British colonialism during the Victorian period. Contemporary framings of hijra communities as “progressive” or “modern” misinterpret gender and sexuality through an inappropriate sociocultural lens. Such framings also do disservice to the historical presence and influential narratives that gender-nonconforming people in South Asia have long occupied. Drawing from the autobiographical accounts of Laxmi and Revathi, Jayaprakash notes how the body of a hijra becomes both a site of coercion and pain within the confines of a patriarchal society.

These themes regarding narratives of gender fluidity, poverty, and social marginalization also relate to Anna Guttman’s analysis of Arundhati Roy’s book, *The Ministry of Utmost Happiness*, in Chap. 3. Guttman focuses on the central character in the novel, Anjum, and her coming to terms with her gender identity as a young person. Anjum creates her own community which includes a “chosen family” or kinship system that falls outside of traditional patriarchal and heteronormative paradigms. Anjum feels uncertain about using Western language to describe the spectrum of labels that can be used to describe fluidity in gender identity and sexual orientation in Hindi and Urdu. She contrasts the ways in which she describes herself as a hijra to younger people, like the character Saeeda, who is more quickly able to adopt the contemporary language of “transgender,” “transgender woman,” or simply “trans.” For Anjum, being hijra and using the term “trans” means to engage in a Western way of being, an ontology that entails speaking English, wearing Western pants and shirts instead of a salwar kameez, and generally adopting a Western identity. These differences in the social construction of gender and sexuality in the South Asian context, and the meanings they connote for users of these terms, are embedded in notions of culture and authenticity, and have important implications for our own findings.

9.2 Theoretical Framework

In this chapter, we applied the theoretical framework of minority stress theory (MST), which states that prejudice and stigma toward sexual and gender minorities bring about stressors that result in adverse health outcomes, including mental and physical disorders (Meyer and Frost 2013). Minority stress focuses attention on conditions of stigma and prejudice that can cause or exacerbate health disparities (Meyer 2015). The greatest sources of minority stress are rejection, discrimination, and violence that minority persons experience because of their stigmatized minority position within society (Garnets et al. 1990).

Meyer describes two types of stressors that sexual and gender minorities face: distal and proximal stressors. Distal stressors refer to experiences that occur outside the individual, and proximal stressors refer to experiences for which the individual internalizes particular cognitive processes. Distal stressors could be life events, chronic strain, and daily discrimination, while proximal stressors could be internalized shame, negative social attitudes, or an expectation of rejection or transphobia (Meyer 2015).

As Shane P. Gannon points out in Chap. 6 on colonial censure of transbodies in nineteenth-century South Asia, sources of transphobia have significant roots in the criminalization of cross-dressing and gender nonconformity throughout South Asia. These were processes that were legalized through the passage of the 1871 Criminal Tribes Act during British colonialism (Azhar 2019) and became further criminalized through the passage of Section 377 of the British Penal Code, and then eventually the creation of the Indian Penal Code. Such surveillance systems simultaneously categorized and avoided gender-nonconforming populations. As Gannon notes, subsequent rounds of the census effectively ignored trans populations by reducing all groups of gender-nonconforming people, including khoja, khusra, zenana, and several others, into the monolithic category of hijra. The diversity within these sexual and gender minority communities was far greater than the census category of "hijra" could effectively describe. The failure to account for third gender people in the gender-binary system of Eurocentric demography, as operationalized by the census, is another demonstration of the social marginalization that members of this community have perpetually faced. Indeed, as Gannon argues, the transgender community represents a site of contested meaning that challenged British understandings of gender and sexuality. Often being inaccurately described as male eunuchs, hijra were further classified into various sub-castes. Through the British taxonomy system, the notion of "hijra" became reified into a discrete identity category of caste, a category that simultaneously encompasses notions of occupation, gender, class, and legal access.

Applying MST's constructs of resilience and coping (Meyer 2015), resilience can be viewed as being dependent on the identification of adaptive functioning during distress (Masten 2007) from having been socially excluded from family members, institutions, and employment. Resilience can occur at both the individual and community levels. Individual resilience involves mastery through personal agency, a process which can help or hinder a person's ability to cope with stress (Turner and Roszell 1994). Community resilience explains how communities can assist in developing and sustaining well-being (Hall and Zautra 2010) or how minority communities cope with their multiple marginalized identities (Meyer 2003).

An important application of MST is the intersection of minority stress on sexual and gender minorities of color (Meyer 2010). Meyer hypothesized that sexual and gender minorities of color are both more stressed and more resilient than their White counterparts. Meyer hypothesized the study of sexual minorities of color would provide answers to core questions about social stress as a cause of mental disorders. Sexual minorities and racial/ethnic minorities are exposed to greater stress and have less support and resources as compared to heterosexual and White sexual minority people (Meyer et al. 2008b). Nonetheless, sexual and gender minority people of color are not more likely than their White counterparts to have mental disorders (Meyer et al. 2008a), demonstrating a resilience to stress from communities of color.

MST has also been applied to populations of MSM in South India to test cross-cultural applicability. Discrimination, violence, and stigmatization have been documented in social, legal, and healthcare settings in India (Chakrapani et al. 2008). Meyer applied MST to sexual minority mental health with a focus on sexual stigma (Meyer 1995, 2003). Forms of this stigma are intimately tied to forms of gender identity expression. In India, MSM with more feminine gender expression were found to experience more stigma and discrimination based on their gender nonconformity than those MSM who did not have feminine gender expression (Narrain and Bhan 2005).

Additional stress may also originate from intersectional sources, for example, HIV serostatus (Logie et al. 2012), occupation, marital status, or caste. Intersectional stigma through the lens of MST highlights the devaluing of people who are living with HIV and the negative impacts that stigma has on their physical and mental health (UNAIDS 2007; Logie and Gadalla 2009). To date, few studies have examined the lived experiences and psychosocial needs of third gender people living with HIV in South India. To address this gap in the extant research, we conducted a qualitative study, exploring how minority stress affects the lives of third gender people living with HIV in Hyderabad.

9.3 Methods

The analytic sample was defined as third gender people living with HIV in Hyderabad, India. Inclusion criteria for the study were as follows: (1) self-report as living with HIV, (2) a resident in Hyderabad or Secunderabad, India; (3) proficient in speaking Hindi/Urdu or Telugu; (4) between the ages of 18 and 50; and (5) identify as third gender, hijra, transgender or otherwise gender-nonconforming (Azhar et al. 2020a, 2020b, 2021).

9.3.1 Data Collection and Recruitment

Purposive and snowball sampling techniques were utilized to recruit study participants. For purposive sampling, participants were recruited through existing collaborations with local non-governmental organizations (NGO) serving individuals living with HIV in Hyderabad. We partnered with four NGOs in Hyderabad for recruitment of study participants. A local research assistant posted recruitment flyers at the collaborating organizations in Hindi and Telugu. Our research team then regularly visited each of the four organizations to recruit and interview participants. To include those who were not currently linked to NGOs, we additionally utilized snowball sampling. Individuals who were initially recruited from the four collaborating organizations were asked to share information pertaining to the study to eligible peers in their social networks. Those who successfully referred another participant received an additional incentive.

The four organizations with whom we collaborated are briefly described below. (1) Avagaahana is an NGO in the Lal Darwaaza neighborhood in Hyderabad, whose mission is to support the hijra community of Hyderabad through health education, crisis intervention, and resource advocacy for social entitlements. (2) HOPES+ is an NGO in Padmarao Nagar in Secunderabad, working to improve the quality of life of people living with HIV. (3) NHP+ is an NGO dedicated to serving the needs of PLWH in Hyderabad with a focus on homeless children and adults. (4) Calvary Counseling Society, operating in the Ramnagar area of central Hyderabad, provides education, health, and psychological services to the local community by applying principles of Christian fellowship.

Interviews were conducted at NGO sites in both Hindi and Telugu by a local research assistant and digitally audio-recorded. For individuals who were illiterate, the interviewer read questions aloud and recorded the participants' answers by hand. For illiterate individuals, a thumbprint was used as a signature for consent documents, which is a commonly accepted legal practice in India. Following completion of interviews, interviews were translated and transcribed into English, then analyzed using thematic content analysis.

9.3.2 Incentives

All participants who completed a 90-minute survey were compensated 200 Rupees, an equivalent exchange rate at the time of data collection, to approximately $3.14 USD. If a participant assisted in recruiting other individuals through snowball sampling, the recruiter received an additional incentive of 100 Rupees for each completed referral. These amounts were deemed to be fair after consulting with local staff members at community-based organizations, who informed our team of appropriate incentive amounts for research participants in Hyderabad at the time of data collection.

9.3.3 Gender Identity Constructs

Gender identity has been described as being the private experience of gender roles; gender roles have been described as being the public expression of gender identity (Money and Ehrhardt 1972). In Western systems, gender identity is often characterized in binary terms, that is, male and female. As previously described in this chapter, in South Asia there are a myriad of gender identity options outside the traditional binary that include hijra, khwaja sira, kothi, kinnar, aravani, khusra, kojja, zenana, and many others. Due to the more fluid nature of gender identity and sexual orientation in South Asian culture, we did not exclude individuals in the study who did not solely identify with one gender identity over the course of a day or over the course of their lives. The intrinsic gender fluidity, or queerness, of gender identity and sexual orientation is a defining feature of the ways in which these identities are culturally constructed within the South Asian context.

9.3.4 Ethics Review

Informed consent was obtained from all participants, following Institutional Review Board (IRB) approval from the University of Chicago School of Social Service Administration/Chapin Hall in September 2015; the internal ethics committee at our collaborating research institution in Hyderabad, SHARE India, in November 2015; and Fordham University for ongoing data analysis in October 2018. All participants' names and other personally identifying information have been removed or changed in this manuscript to protect participants' confidentiality.

9.4 Results

Four key themes regarding the psychosocial needs of third gender people emerged from the data analysis of the transcripts: (1) limited economic opportunities outside of sex work; (2) lack of accountability for complaints regarding abuses against third gender people; (3) limited access to gender-affirming HIV medical care; and (4) resilience against social stigma.

9.4.1 Limited Economic Opportunities Outside of Sex Work

Throughout the interviews, third gender people reported they were often relegated to panhandling and sex work for their livelihood as they were unable to obtain other employment in the formal labor sector. Many reported being harassed and assaulted for engaging in panhandling. One participant reported:

> When we beg, people will scold us and in turn, we scold them. I don't like that. If we were normal, we would do our jobs and it would be a satisfactory life.

As reported by this participant, hijra who come from lower castes often engaged in panhandling and sex work because of limited alternative employment opportunities. This theme is similar to that reported by Supriya Pal and Neeta Sinha in Chap. 10 regarding the lack of employability of hijra in Gujarat. For hijra living together in guru-chela households, kinship is created through both the sharing of living quarters and gender identities, but also through the existence of mutual economic ties that provide a collective livelihood. Due to the cyclical nature of apprenticeship and debt within these kinship systems, many hijra become locked into systems of perpetual social marginalization and poverty, often earning a subsistence level of earnings and never being able to save or become upwardly mobile. In both contexts of Hyderabad and Gujarat, the hijra identity is intimately tied to experiences of sex work, panhandling, and badhai or the performance of ritualistic blessings offered by hijra to newborns, newlyweds, and travelers. Limited work opportunities create additional forms of social marginalization for hijra and other gender-nonconforming people as reported by the following participant in our study:

> The husband role is very easy. I can do it. As a hijra, it's only sex and it is only for money. I feel bad being a hijra in my daily life. I might have at one time been able to earn money, but now that I am old, I cannot do anything. I think if I was like a man, I would be able to have a job and earn money.

Because of financial and social taboos regarding the acceptability of being a third gender person, many participants were unable to obtain employment in the formal labor sector. This led them to lead double lives: one as a cisgender man with a wife and children and another as a hijra or third gender person among their social and occupational circles. This conflict of having multiple selves, entailing one gender identity that is portrayed among their family and another gender identity among their friends, can potentially contribute to psychosocial distress.

Even for those individuals who always identify as a third gender person, limited work opportunities offer an additional source of financial stress. Many hijra rely on earnings from summer weddings, childbirths, and public performances to maintain a standard of living throughout the year. In this passage, we hear the story of a participant who was offered a potentially lucrative job opportunity at a local news station. But when their gender identity became known to their potential employers, the opportunity was rescinded.

> Once I was offered a crime episode on V6 channel because they saw my photo with makeup and they thought I was a woman. I told them I was a hijra and they rejected me. The

> watchman did not allow me to go inside. The manager said that I was only fit for sex, not fit for this. When I heard those words from him, I felt very bad. It was the saddest in my life I had ever been. Yes, madam, I like anchoring. I got an opportunity in V6 channel on a crime episode. When they saw my photo with makeup, they thought I was a woman.

Because of the stress caused by the limitations in opportunity due to their gender-nonconforming identity, third gender people may attempt to hide their identity in employment settings, thereby also running the risk of being discovered by their coworkers and being subsequently fired by their employers.

9.4.2 Lack of Accountability for Complaints Regarding Abuse Against Third Gender People

Many third gender people also report that there is no accountability when they attempt to file police complaints regarding the abuse they endure in public spaces. This experience is recounted by the following participant, who talks about their experience of being raped at a festival.

> A situation occurred when I was walking on the roadside. There was a festival going on and a crowd of people approached me. They closed my mouth and they raped me. When I went to the police station to file a complaint, the policeman said that I engage in sex for work and that this was my job. He did not file my complaint. From that time on, I have thought very little about my life.

From this passage, we witness how injustices against third gender people are often minimized and ignored by the systems that are purported to protect them. Further, the veracity and integrity of third gender people is often questioned because they are believed to be immoral. Regardless of their employment, they are often assumed to be sex workers and are told that rape should be expected for their social position. Like their experiences in other aspects of their lives, accounts of sexual abuse and rape are questioned by police officers, who often refuse to report these crimes through the completion of a forensic First Information Report (FIR) (Tripathi and Azjar 2021). This leaves third gender people feeling inferior and ignored by the law. Because the complaints of third gender people were not taken seriously, violent assaults were not investigated and violence against these communities persisted. Of course, a belief that the criminal justice system could adequately resolve issues regarding sexual assault requires a reliance on the integrity of juridical systems that protect human rights. In reality, such institutional protection of third gender people has rarely existed throughout time and space.

Probing similar themes, in Chap. 7 Vaibhav Saria describes the confrontations that can occur between hijra and the state. He describes how in 2018 hijra engaged in protest against the police enforcement of soliciting and begging in Green Park, New Delhi, with the protestors being naked. The protest was a result of the Delhi police's motivation to remove hijra from engaging in the solicitation of sex work in public spaces. Appearing at the protest was a defiance not only of the banning of sex work, but a defiance against social norms about the body, sexuality, and decency. Hijra were taken into custody and an unsuccessful effort was made to provide them with "respectable" jobs under the Yuva Scheme, a national youth employment program.

On the same theme, in Chap. 8 Sangeetha Sriraam discusses the Transgender Persons (Protection of Rights) Act, which was passed in 2019. The act was framed as a means to secure transgender rights, but Sriraam reports that the Act failed to deliver on this promise of social inclusion. The act reversed reservations that the National Legal Services Authority of India (NALSA) had placed regarding representation in reserved seats for scheduled castes in local elected bodies (panchayats) as well as access to education, employment, and other social entitlements. Sriraam states that comprehensive legislation is needed for transgender people to have full citizenship in India, in order to ensure that their human rights are guaranteed and to reverse the social marginalization that has been in place for centuries. Full social inclusion would also allow for an accountable process where third gender people have an accessible means to report hate crimes against them and expect a just institutional response.

9.4.3 Limited Access to Gender-Affirming HIV Medical Care

The main themes in this cluster are related to experiences of limited access to gender-affirming HIV medical care. While there have been international medical advancements in HIV prevention and treatment, HIV remains a highly stigmatized disease in India as it continues to be associated with behaviors deemed to be illicit and immoral, namely, sex between men, injection drug use, and sex work. One participant revealed how they felt that it was inevitable that they would become infected with HIV, given that they were hijra:

> I don't know the exact date, madam—in 1982 or 83. It is written on the walls in the railway station that if we have sex, we will get HIV. I did not know about HIV in Hyderabad. When I went to Bombay, I learned about HIV. But I thought that we wouldn't get this in India. I thought only foreigners could get this disease.

This participant reports a paradox, with the proverbial "[writing] on the walls" of a railway station. They perceived that "only foreigners could get this disease" and also believed that, as third gender people, they would inevitably get HIV.

In light of their treatment by medical care professionals, police officers, and general society, third gender people often internalize shame regarding both their gender identity and their HIV status. The devaluation of self is clear in the following passage:

> People in my community will be rude toward people who are HIV positive. They will keep things separate from us, not touch us, and we cough or sneeze, they will step away from us. They treat us badly. They will make a "small show" of HIV positives. They will not keep all their things separate from that person. They will not touch the person. If the person coughs or sneezes, they will tell them to go away. They will treat the person very badly.

Despite widespread HIV awareness, discriminatory practices against people living with HIV still persist with people publicly ridiculing or making a “small show” of PLWH. This experience of being demeaned in public was repeatedly described by our participants. Coupled with the shame they experience from their HIV status, third gender participants in our study often carried a high degree of stigma throughout multiple spheres of their lives, a stigma that is innately connected to their minoritized status.

> When we go to hospital, they ask, “Are you an MSM? Are you MSM?” They will ask so many times. They ask, “Why did you do this? And how did you do this? And why did you become infected with HIV?” They will ask all these questions. Especially when we go to a STD clinic, they will ask us. It is happening every day. Senior doctors tell junior doctors, “See: he is an MSM. Wear protective goggles and take precautions.” They will ask us to show our private parts, but there is no other goal. We need to take this maltreatment and accept the way they talk to us. We feel very badly.

PLWH are often questioned and judged in regard to their HIV status, their gender identity, or their sexual orientation and asked to show their genitalia in order to “authenticate” their identity as hijra. This “medical” authentification most often relies on the healthcare provider confirming the absence of a penis and testicles. These discriminatory experiences hinder third gender people from seeking routine medical check-ups, leading to the avoidance of healthcare until their medical issues have escalated.

> Society thinks that we got HIV due to our bad sexual behavior. They think that if they talk to us, they will get our diseases. They see us like a dirty insect. Though there is a lot of awareness, there is no change in society… People think that we will go wherever we want and that is why we got this disease. And we won’t be able to rent a house for ourselves. If they give us a place to stay, they are afraid that we will corrupt their children. They have that fear. Moreover, they will look at us suspiciously every day.

Here the participant reports a common trope of how people fear that third gender people will “corrupt” their children. Taken together, these passages highlight that discrimination and prejudice have prevented many third gender people living with HIV from securing stable housing, permanent employment, inclusive social interactions, and gender-affirming medical care.

9.4.4 Resilience Against Social Stigma

Multiple participants reported how they had to conceal their gender identity in various public spaces for fear of negative social consequences. Rather than taking these experiences to be reflective of the stressful forces of a minoritized status, we view participants’ reluctance to share their gender identity or HIV status publicly as an act of resilience against potentially destructive social forces.

> I won’t talk too much with that person if he doesn’t know that I am MSM. I will greet him and not shy away, but I fear that if I engage with him too long, my true feelings will be

> revealed in front of that person. I will not talk with that person much. I will just say hello and leave. I fear that if I stay too long in that place, my identity will be revealed.

Hiding one's sexual or gender identity can help protect third gender people from experiencing verbal assaults or potential violence, but may also contribute to a sense of internal shame or embarrassment regarding their stigmatized identities. In this final passage, we see that the participant decides that she will continue to live her life fully, despite what others may think of her or the negative social consequences she may endure.

> I am living a bold life and now have a meaningful life. I do not fear my death. By seeing my friends regularly, I started being courageous and bold. Now I am bold because I am living this life with meaning. Why should I fear my death? By seeing all these friends like me, I started living a bold life and became courageous.

In this passage we also witness how social support from other community members can help to buffer the marginalization experienced by third gender PLWH. Resilience is exemplified here in the form of "living a bold life and becom[ing] courageous." But this social support remains insufficient to completely protect people from the negative social impacts of both HIV and gender-nonconformity stigma.

9.5 Discussion

Meyer (2010) concluded that minority stressors require group-level resources because only the group can change gender norms and values that influence societal prejudice. It is only through social change that the group can promote an affirmative support system (Crocker and Major 1989), potentially through the inclusion of role models and peer leaders. The limited opportunities that were available to third gender people outside of sex work, coupled with the robust social support networks upon which they rely, contribute to a sense of community mastery, a concept that posits that "individuals can overcome life challenges and obstacles through and because of their being interwoven in a close, social network" (Hobfoll et al., 856). In light of this perspective, social interventions should be aimed at enhancing resilience, community-building, and social support at the individual, group, and community levels (Meyer 2015).

In our study, participants reported limited access to gender-affirming HIV medical care. The minority stress perspective views social conditions as a direct source of morbidity and distress for minority persons (Meyer 1995). However, social support may be insufficient in reducing depression in confrontational environments (Logie et al. 2012). By better understanding the obstacles that third gender PLWH face in being able to achieve psychological well-being, we can tailor social interventions and health policies to better suit the unique needs of this population. For example, given the limited work opportunities that so many our participants reported, vocational training programs and job placement schemes can be an important means of structurally changing the employment opportunities available to third gender people. For example, in Saria's Chap. 7, they recount how the Noida Rail Corporation in October 2020 dedicated the Noida Sector-50 Metro station to the hijra community. Six hijra were employed by the Rail Corporation to paint the metro station in bright rainbow colors and rename the station, the Pride Metro Station. This effort was intended to demonstrate the efforts made by the passage of the Transgender Persons Act of 2019 and to encourage more employers to hire third gender people in the formal labor sector.

Our study also found that at least some members of the third gender community were well connected to HIV services and reported being in good physical and mental health. These individuals may be trained to serve as peer counselors or patient advocates in their community, thereby navigating their peers into achieving greater inclusion within the health continuum of care.

9.6 Limitations

Given the diversity within South Asian culture, there are problems regarding generalizability of these findings outside of South India, or perhaps even outside the city of Hyderabad. The context for third gender people in India is not likely to be comparable to other sexual/gender minority populations outside of the South Asian subcontinent, making global generalizations regarding gender-nonconforming PLWH difficult to make. Given the diversity of language, culture, and gender norms in South Asia, the context for PLWH in Hyderabad may also not be generalizable to that of PLWH in other locations, even within South India.

In terms of the sampling method for the study, using an exclusively organizational recruiting method may have created a source of sampling bias (Watters and Biernacki 1989). People living with HIV who are recruited from social service organizations are by definition more connected to resources, so this may be eschewing the very population that we are seeking to find—namely those individuals who are *so* stigmatized by their HIV status that they are avoiding medical treatment altogether. Though we additionally utilized snowball sampling and online recruiting to identify other respondents, this method may also be considered biased because it is not random and selects individuals on the basis of social networks, who are likely to be more open regarding their HIV status or their gender-nonconforming identity (Browne 2005).

9.7 Conclusion

Our findings support previous research that greater attention needs to be paid to fully engage third gender people living in HIV in medical care and mental health support. Especially in the context of HIV, it is necessary to identify those socially created conditions and contexts that exacerbate disease. As Pearlin (1982, 368) notes, "The eventual control of disease caused by stress depends on understanding the social etiology of the stress." Understanding the variation between gender groups will assist in better tailoring interventions in the South Indian context for subgroups of PLWH (Satyanarayan et al. 2015; Ezell et al. 2019).

Our research highlighted the need for increased gender-affirming HIV medical care and psychosocial support. We also noted the importance of creating vocational and employment opportunities outside of sex work, namely, for those who are interested in exiting that profession. Finally, we note the need for sensitization training for medical staff, law enforcement officers, and social service providers in offering gender-affirming healthcare, legal aid, and social services to PLWH in Hyderabad, particularly in publicly funded settings. Ultimately we find that the psychosocial needs of third gender people living with HIV in Hyderabad, India, remain largely unaddressed and will require social and structural intervention to rectify these gaps in service provision.

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Chapter 10
Employability Issues of Transgender Individuals in Gujarat, India: An Analysis of the Origin

Supriya Pal and Neeta Sinha

10.1 Introduction: Who Are Hijras?

In the Indian context the primary source of employability for transgender individuals is their hijra identity, especially in the case of individuals coming from the lower socio-economic strata. Individuals coming from the higher socio-economic strata have in several instances achieved high levels of education and work as activists, lawyers, academicians, models, artists, and authors (Ashoka University n.d.; Kunihiro n.d.; Mazumdar 2018; Narayanan 2019; Sathyendran 2016; The Butler Banner Project n.d.). There are cases such as Assam Swati Bidhan Baruah, India's first transgender judge, who transitioned only after completing her education (Mazumdar 2018). This is also the case of Kalki Subramanium, who comes from a family of academicians (Kadapa-Bose 2016). Finally, there is the life story of the author A. Revathi, who joined the guru-chela system but eventually rose above her circumstances to become a writer of world renown, whose autobiography is taught in universities across the world, including India (Deeksha 2019; Glasberg 2019; The Butler Banner Project n.d.).

There exists a strong class differential within India's trans community (Deeksha 2019; Kapada-Bose 2016; Shah 2015). While transgender individuals coming from middle class or upper middle class with access to English-medium education can achieve a degree of individual agency on their own, it is the members of the hijra communes that are in most need for state initiatives of upliftment through access to

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education and employment opportunities (Chak 2018; Shah 2015; Kumar et al. 2016; Narayanan 2019; Subramanium 2016 Tabassum 2020). However, as the Kochi Metro initiative has demonstrated, hijras are often used as tokens to connote progressiveness of organizations and institutions, when in fact, discrimination pervades the workplaces where they are employed (Deep 2018; Masoodi 2017; Rajeswari 2019). The hijra identity—with its enactment of traditional roles of performing in various festivals that celebrate fertility, childbirth, and marriage—as a means of employment is essential for transgender individuals who are unable to complete their education and secure employment in the mainstream sector. Often it is the stigma attached to transgender identity that keeps these individuals from securing gainful employment. They have no option but to take recourse to the guru-chela system, wherein they acquire an identity that locates them in the societal matrix, which both facilitates them and marginalizes them from mainstream society (Kanodia 2016; National AIDS Control Organization (India) 2017). It is this identity that provides them with sources of employment and locates them within a network of familial relationships that satisfy their need for a community and safety (Kunihiro n.d.; Nanda 1999).

The hijra identity in the Indian context, by which we remove it from the modern connotations of the term transgender and specifically refer to transgender individuals living in hijra communes, bases itself on mythical sources such the Ramayana and Mahabharata, which vary from state to state (Loh 2011; Nanda 1999). In the case of the state of Gujarat, the hijra identity is based on the legend of the Goddess Bahuchara Mata and Lord Shiva (Kanodia 2016; Nanda 1999; Sheikh 2010).

10.2 The Birth of the Hijra Identity: The Myth of Bahuchara Mata

Bahuchara Mataji's main temple is located in the Becharaji town in the Mehsana district of northern Gujarat. There are, however, temples of the goddess throughout the state of Gujarat (Kanodia 2016). The importance of the temple at Becharaji is highlighted by the fact that nearly 100,000 hijras gather there for annual fairs (Kanodia 2016; Kunihiro n.d.). There are guesthouses around the temple to accommodate them during these fairs (Kanodia 2016).

Bahuchara Mata is a goddess of the Charan caste. The Charans are a pseudo-divine Brahman caste. The myth is that Bahuchara and her sisters were going on a road, when the looter Bapiya attacked their caravan. It was then that Bahuchara cursed Bapiya with impotence and cut off her breasts and self-immolated. The curse could only be undone if Bapiya worshipped Bahuchara Mata by dressing and living as a woman in his present life (Kanodia 2016). Since Charans were considered a divine caste, shedding their blood was a sin.

In excising her breasts, Bahuchara discarded her femininity and thus became a goddess. She gets her power from being from the Charan caste (Kanodia 2016). She has the power both to bless and to curse, and in going through the process of voluntary self-castration, hijras re-enact the original action performed by the goddess, becoming a Bhagat or devotee in the process. It is by going through the process of ritual castration that hijras acquire the capacity to bless and to curse. The belief is that if they do not self-castrate, they would be impotent for the next seven lives. The act of physical castration is based on fear, not on devotion to the goddess (Kanodia 2016). The worship of the goddess thus has a punitive character to it. It is based on the goddess's capacity to take away the fertility of an individual and punish him with impotence for his next seven lives. This was the case with Bapiya who experienced the goddess's power in the form of a curse. Prince Jetho, on the other hand, experienced her powers as a blessing. Prince Jetho was born impotent, so the goddess asked him to self-castrate and live as a woman. In return, he was spared of impotency in the next seven lives. Self-castration is thus the price paid for the devotion to the goddess, for the acquisition of the same powers as the goddess herself. The hijra identity is thus based on "emasculation, impotence and commitment to sexual abstinence" (Kanodia 2016, 103). The use of the self-castration ritual in the birth of the hijra identity is also based on the Lord Shiva's castration, which rendered him incapable of playing a role in creating the world (Kanodia 2016, 104). Thus, the act of castration in the birth of the hijra identity is legitimized by two myths: that of Bahuchara Mata and that of Lord Shiva (Kanodia 2016).

There are, however, also uncastrated hijra. Castration is more of a spiritual choice rather than a compulsory social demand for the hijras. The act of emasculation mirrors the act of Bahuchara Mata, cutting off her breasts (Kanodia 2016, 101). The ritual is of relevance within the community and not outside of it. This is why the ritual has greater spiritual than social significance (Kanodia 2016, 102). It is the castrated hijras that are considered "real" by the hijra community. In order to be considered a "real" hijra within the community, to show allegiance to the goddess, castration is a must. But to mainstream society, even an uncastrated individual would still be considered a hijra. Nanda (1999) corroborates this in her book *Neither Man Nor Woman: The Hijras of India*, as she affirms that it is difficult to determine whether a hijra is castrated or uncastrated without a medical examination. However, given the veil of belonging to a particular marginalized community, to mainstream society the difference does not matter or even register. Thus, the castration ritual has more spiritual significance within the hijra community and more social significance outside of it (Nanda 1999; Kanodia 2016).

There are two versions of Bahuchara Mata—one Brahminical, which is worshipped by mainstream Gujarati society, and the other the hijra version, which is worshipped only by transgender persons. Thus, Bachuchara is a goddess both for mainstream society and for the marginalized hijra community (Kanodia 2016). Furthermore, even within the temple at Becharaji, worship is carried out by Brahmin priests, with the exception of the public part of this worship, which is carried out of by the hijras (Kanodia 2016). Hijras do not oppose the worship of the goddess by Brahmin priests, because according to them, it gives their community legitimacy in society (Kanodia 2016).

10.3 The Hijra Identity and its Economic Function

The endowment of the ability to bless or curse is what gives hijras the source of their livelihood, especially through their traditional role of performing badhai at weddings and celebrations following childbirth (Kanodia 2016; Nanda 1999). It is their gender identity, therefore, that is foregrounded in the traditional occupations that hijras take up as members of their community. The hijra identity, however, was criminalized and stigmatized during the British rule, leading to a decline in the social status of the community. The professions engaged in by hijras today are begging and prostitution, in addition to performing badhai (National AIDS Control Organization (India) 2017; Nanda 1999). Such occupations though have reciprocally pushed them further out to the margins of society. Marginalization is, therefore, built into the hijra identity of today, which at the same time allows them to earn a living (Kanodia 2016; Nanda 1999). This, however, is the case only in urban areas. In the town of Becharaji, hijras own properties around the temple, and the local population does not dare to refuse them anything because of the fear of being cursed by them (Kanodia 2016; Kunihiro n.d.)

As such, prostitution is considered the lowest form of profession for the hijra, with badhai or the traditional dance performances in marriages and instances of childbirth the highest of professions (Nanda 1999). This is so, because prostitution violates the code of celibacy of Bahuchara Mata, on which the hijra identity is based. Nevertheless, with Westernization of Indian society, belief in the efficacy of badhai has diminished, and hijras are usually not welcome in marriages or after childbirth. The loss of traditional sources of livelihood means that hijras have to take up the secondary professions of begging and prostitution.

10.4 The Hijra Household as an Economic Unit

The hijra community in India is divided into seven houses, each of which is headed by a naik. A house is a form of organization of the entire hijra community in India, and members from different houses may live together as a family in a single hijra household, which usually comprises five to 15 members. The house connotes a symbolic entity within the hijra community. Each house has a specific dress code. The household, on the other hand, is the spatial structure in which the hijras live (Nanda 1999).

The admission of a new entrant is carried out through a ritual in the presence of a jamat, or a meeting of the seven naiks. It is the ritual enacted by the jamat that marks the starting point of the economic enslavement of the new entrant. During a jamat a plate with paan (beetel) leaves is placed on the floor, around which the naiks sit, covering their heads with their saris. The jamat is called to order in the name of the entrant for whom the event has been organized. The name of the new entrant is announced, and he is asked if he is willing to become a chela. If he answers in the affirmative, then he is declared by the jamat as the chela of the sponsoring guru and is given a female name (Nanda 1999).

The new chela is supposed to pay a dund or fine amount of 150 rupees to the jamat to be considered for admission under the tutelage of his sponsoring guru. In reality, this amount is paid by the guru who is sponsoring the new chela's entry into the hijra community to the jamat, who shares the amount among themselves. The new chela thus owes the sponsoring guru the fine or dund amount and is therefore obliged give part or whole of her earnings to guru to repay this debt. Thus, the entry point of an individual into the hijra community is based on a system of credit, with the chela being constantly caught in the cycle of debt. If things do not work out between the guru-chela pair, and the chela wants to move to another guru, then the new receiving guru has to pay double the amount initially paid, that is 300 rupees to the relieving guru. This represents the cost of training and apprenticeship that the chela has undergone with the first guru. The chela then owes this new amount to her new guru which she has to make up by sharing her earnings with the new guru.

While a guru-chela pair is supposed to last a lifetime, the option of changing gurus does exist within the hijra system, albeit at a price to the chela requesting the change. This practice, however, is discouraged, and a chela who changes too many gurus is considered inconsistent. Furthermore, every time she changes a guru, the amount of debt she owes to her new guru increases, and she is forced to work harder to repay the debt. At virtually every step from admission to changing gurus within the hijra community, a chela is effectively reduced to a subordinate commodity that gurus exchange between themselves. This is clearly a form of economic bondage, providing the chela with safety and a sense of community (Nanda 1999).

The guru-chela system is an extremely hierarchical system, where chelas cannot question the gurus at any cost. Apart from the economic bondage the chelas are subjected to, they are also required to serve the gurus by doing household chores and taking care of their physical, material, and often sexual needs (Kunihiro n.d.; Nanda 1999). In fact, young chelas often complain about the restrictions placed on them by the hijra way of life (Nanda 1999). The territories for collection of alms are controlled by the gurus, and this ensures that the earnings eventually come to them. This is also true in the performance of badhai. The territories for prostitution are usually not controlled by gurus but by senior chelas. The social networking between the gurus ensures that their chelas stay under their control and remain captive and confined to the territories they control. Thus, the agency of the chelas is subordinated to the whims of the gurus. In fact, gurus can often become controlling and abusive in their relationships with their chelas.

The traditional role of hijra identity is prone to marginilization and abuse both by the mainstream society and the hijra community itself. It would of course be an excessively negative view of the guru-chela system to state that it is only a site of abuse. Clearly, while the hijra system facilitates such abuse, it also creates a space for individuals who have no means of developing individual agency on their own and who are caught in the cycle of marginalization because of both poverty and their gender identity. Therefore, it is all the more necessary that affirmative action be taken to bring them into mainstream society, allowing them opportunities for self-actualization. Gender dysphoria as a psychological condition does not discriminate between individuals coming from lower or upper economic strata; it can occur to anyone. Those who can access education and find some means of developing individual agency can achieve dignified social existence to a certain degree. But for most members of the transgender community born into poor or lower middle-class backgrounds, with little or no access to English-medium education, affirmative state initiatives are the only option available. It is in this respect that society at large, and educational and employing agencies in particular, must become sensitized to the plight of the hijra community, and it is imperative that transpersons have the option of mainstream employment.

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Part V
Transmen

Chapter 11
Female Masculinities and Women of Third Nature: Analyzing the Gender and Sexual Politics of Identity and Visibility of Alternative Masculinities through Indian Mythologies and Literary Narratives

Tanupriya

11.1 Introduction: Contextualizing Tritiya Prakriti

The patterns and conventional models of gender/sexuality identity formation are unevenly established, marginalizing performances of gender non-conforming, trans identities, and sexualities. In Indian discourses on gender and sexuality, the association of masculinity to maleness presupposes the negation of any form of femininity and attributes of femaleness, restricting modes of enactment, performance, and production of identities and embodied experiences of trans and non-binary individuals.

According to West and Zimmerman, “Masculinity is a way of ‘doing gender’ in relation to, and in tandem with, other individuals in particular spaces and social settings” (West and Zimmerman, 1987). It is not restricted to performances associated with maleness or masculine attributes. R.W Connell’s conceptualization of hegemonic masculinity considers masculinity relationally and discursively. Further, the interconnections among different social locations and vectors of identity mean that to “understand [masculinity]… we must constantly go beyond gender” (Connell, 76). In the Butlerian and Foucauldian constructions and formulations as well, gender is produced discursively, which suggests alternative and multiple performances.

“Masculinity is a contingent and iterative self-fashioning that takes shape via discursive structures and practices of everyday life,” write Gopinath and Sundar (2020, 2). In Indian public discourses, intersections of caste, class, sexuality, and gender form fashion practices and norms. Rigidity around masculinities and notions

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of "masculinity by men" produce a version and sense of otherness and invisibility around alternative masculinities and masculine women. Eve Kosofsky Sedgwick (1992) suggests that, sometimes, masculinity has absolutely nothing to do with men. This becomes the entry point to a discourse on masculinity without men and establishes the argument that "the best place to find masculinity is actually the least obvious; that is, not with men at all. Masculinity … cannot and should not be reduced to the supposedly self-evident male body and its effects" (Halberstam 1998, 1). Such a contention recognizes alternative masculinities to perform and enact.

This chapter centers on female masculinity and alternative forms of masculinities that are performed, enacted, and embodied by female individuals by looking at Indian's past and its mythology. Moreover, we identify histories and representations of female masculinities in Indian culture and literature to promote academic discourse on the topic.

The otherness of alternative sexualities in Indian public discourse is located and contextualized through a colonial past that criminalized and systematically marginalized "deviant" behavior and mannerisms under the Criminal Tribes Act 1871. In Chap. 6, Shane P. Gannon shows how caste was a contentious topic in the censuses. There was debate over what constituted caste, as the census enumerators had to assign a caste to every person. Caste was undoubtedly the primary category of segregation in the colonial imagination; hijras were classified and registered along with other "criminal castes." This became a new category of being within the discourse and polity of colonial India. Such an account focuses on assigning the criminal categories to any deviation from the dichotomous frameworks of gender and sexuality. Gannon explores how popular accounts of these censuses represent the eunuch population as men, and he looks at how the transgender population was represented in the censuses. Gannon explores the erasure of trans bodies in the census as a form of colonial control which was practiced. Following the promulgation of the Criminal Tribes Act (act 27) of 1871, the "registration, surveillance and control of certain tribes and eunuchs, hijras were officially included under this rubric of dangerous outlaws" (Srivastava 2001, 4). As hereditary castes, their bodies and their labor were to be regulated, surveilled, and controlled, in effect made into what Foucault (1995) would call docile bodies.

Given the heterogeneous nature of their identity, trans communities in India have been identified and described in past studies as eunuchs, androgynes, transsexuals, intersexed, and gynemimetics. As individuals with diverse cultural identities, which often include trans feminine identities, these people are also described as emasculated, impotent, castrated, effeminate, sexually anomalous, or dysfunctional. The essence of criminalization and marginalization is nurtured by a colonial regime that dehumanized their status globally. In the Indian legal context, transgender individuals were accorded the status of third gender by the Supreme Court of India in 2014, which defined the term transgender as:

> …an umbrella term for persons whose gender identity, gender expression or behavior does not conform to their biological sex. TG also takes in person who does not identify with their sex assigned at birth, which includes hijras/eunuchs who, in the writ petition, describe

> themselves as "third gender" and they do not identify as either male or female (Supreme Court of India 2014, 9).

The same document elaborated on the use of this word:

> 'Transgender' in contemporary usage, has become an umbrella term that is used to describe a wide range of identities and experiences, including but not limited to pre-operative, post-operative and non-operative transsexual people, who strongly identify with the gender opposite to their biological sex; male and female (Supreme Court of India 2014, 10).

The term third gender was introduced in 1975 by M. Kay Martin and Barbara Voorhies to denote transgender individuals. They used the term to draw attention to the ethnographic evidence that gender categories in some cultures could not be adequately explained with a two-gendered framework. This evidence had profound implications on feminist and gender theorists, as well as for political activists in the United States, as it allowed them to think outside a dichotomous gender system. Third gender then began to be applied to behaviors that transcended or challenged male—female codes or norms. It was also applied to societies that provide institutionalized intermediate gender concepts and practices. In India, the term third gender came to practice after the verdict of the Supreme Court of India on April 15, 2014, recognized the transgender individuals as third gender.

Eunuch is the term generally used in translation for the term hijra, which has Urdu origins. The term hijra is used all over South Asia to define a category of people called "neither man nor woman," as defined by American anthropologist Serena Nanda, who also used this phrase as the title of her book (Nanda 1990). The Writ Petition defines hijras as follows:

> Hijras are not men by virtue of anatomy appearance, and psychologically, they are also not women, though they are like women with no female reproductive organ and no menstruation. Since hijras do not have reproduction capabilities as either men or women and claim to be an institutional 'third gender' (Supreme Court of India 2014, 10).

Indian mythologist Devdutt Pattanaik emphasizes key elements of hijra identity:

> To be Hijra, the crucial step is to take the vow of Hijrahood and become part of the Hijra clan, which almost functions as a caste with its own specific inner workings, rules, ritual, and hierarchy. One has to accept a senior Hijra as one's guru and join the guru's household or gharana (Pattanaik 2012, 23).

11.2 Masculinities without Men: Female Masculinities and Women of Third Nature

Judith Halberstam (1998) popularized the term "female masculinity" in the book with the same title. By Halberstam's analysis, alternative masculinities are often seen as rejected shreds of dominant masculinity so that male masculinity may appear to be the real thing. Halberstam advocates the notion of female masculinity as masculinity without men, arguing that it is important to look at masculinity as something which can be produced *by* and *across* both male and female bodies. Female masculinity has been blatantly ignored both in cultural contexts in India and West, and in academia at large, because the dominant form of masculinity is wedded to maleness. “In the field of critical studies on men and masculinities, trans-men have not been considered particularly significant for the understanding of masculinities, even when research and theorization show an increased interest in subaltern masculinities vis-à-vis the hegemonic,” contends Sophia Aboim (2016, 225). Aboim notes that “trans-men have been seen as if located in a no man’s land” (Aboim 2016, 226). Noble (2004, x) also used the phrase “No Man’s Land” and mentions that “it is a stretch of contestatory and discursively productive ground that no man can venture into and remain a coherently ontological subject, where a thousand versions of himself, both like and unlike him, fight for the supposedly singularly ‘authentic’ position on that field.” This explains the rigid and singular grounds on which the constructions of masculinity are embedded, insofar as anything that deviates from the norm is rendered non-conforming to the set practices. Agaja Puthan Purayil in the following chapter provides accounts of trans individuals who migrated from their native city to Bangalore because of the unhealthy physical and mental conditions faced by them in their family structures. To escape cisnormative expectations and violence, they chose to migrate to different city in search of an identity. In the similar vein, gender critic Jason Cromwell (1999, 9) argues that:

> Female-to-male transpeople constitute a prime subject for feminist thought and methods, if for no reason than being born biologically female or assigned at birth as female. Feminists should be concerned that male-dominated discourses have made female-to-male trans people virtually invisible.

Such a scholarship is relatively absent in the academic discourses, as noted by Aboim (2016, 226): that “trans-men have also received less attention from the field of trans studies when compared to their female counterparts, which have gained far more visibility.” In the South Asian context, “while the role of hijra may be recognized, what is notably absent in most present-day South Asian cultures is a masculine ‘third gender’ role for women” (Penrose, 2001). Indian public discourses about masculinity exclude notions of femaleness.

Connell’s concept of hegemonic masculinity becomes unavoidable, given its prominent place in the field of men and masculinities. Connell (1995, 71) definition masculinity as:

> […] simultaneously a place in gender relations, the practices through which men and women engage that place in gender, and the effects of these practices in bodily experience, personality and culture. (Connell 1995, 71).

Aboim (2016) also emphasizes masculinity’s connection to place: In this perspective, masculinity can certainly be defined as simultaneously a practice, a place, and an effect (Connell, 1995). “Individuals embody masculinity from a particular place, enact masculinity as it is embodied and live with the effects of the masculinity they contribute to reproducing and shaping at the interactional and structural levels of society” (Aboim, 2016). Alternative masculinities are seen as the lesser version of masculinities, in comparison to the established version of heroic masculinities.

Many of these heroic masculinities depend on the subordination of alternative masculinities. This chapter attempts to reimagine masculinity and foregrounds the existence of alternative masculinities through critical analysis and numerous examples of alternative masculinities through historical, mythological, and public discourses. To explore this third gender role of women and identities on masculine continuum, it is important to look at the historical and cultural references situated in the Indian past. "Women of third kind" and female masculinities are inclusive of a continuum of identities and "a range of subject positions drag king, butch, female-to-male (FTM) transman (both operative and non-operative), trans-gendered man, stone butch—simultaneously constituted by irreducible contradictions between (de)constructions of 'bodies' misread in a certain way as female and yet masculine" (Noble 2004, xi).

Gilbert Herdt, an American cultural anthropologist, challenges the prominence of sexual dimorphism in the Western sex and gender discourse. His work *Third Sex, Third Gender* (1994) is a collection of essays that analyzes the social and cultural context of gender identities, drawing on the studies of the American Indian berdache, Indian hijras, hermaphrodites in Melanesia, and third gender in Indonesia. Europeans also described gender variant natives with the French word berdache, derived from the Persian root. Will Roscoe in his work *Changing Ones: Third and Fourth Genders in Native North America* (1998) identifies that there is no single concept of berdache among the Native Americans; rather, he notes that "the diversity of their languages, ideas, and culture resulted in the use of many different terms for berdache. He classifies male berdache as a third gender and female berdache as a fourth gender" (Roscoe 1998, 71). Will Roscoe (1998) emphasizes the native American diversity and mentions that berdaches were not failed men or women; they occupied distinct gender roles and behaved according to cultural expectations for those roles. "The evidence of multiple genders in North America offers support for the theory of social constructionism, which maintains that gender roles, sexualities, and identities are not natural, essential, or universal, but constructed by social processes and discourses" (5). Roscoe also recounts contemporary lesbian and gay natives, who have adopted the term "two-spirits" to reflect the non-Western roots of their identities, and their efforts to revive alternative gender traditions (6). Such an account offers on native gender roles the existence of alternative and multiple gender roles, which calls into question the parameters of gender categories which restrict itself to binaries. Anne Bolin mentions a special class of North Piegan women, so-called the manly hearts. In her study, Bolin concludes that these women did not constitute a supernumerary gender but rather had a variant role similar to that of the Western tomboy but without the age restrictions (Bullough and Bullough 1993, 4). Halberstam in their work extends arguments to tomboyism, Halberstam describes it as an extended childhood period of female masculinity.

> Tomboyism is tolerated as long as the child remains prepubescent; as soon as puberty begins, however, the full force of gender conformity descends on the girl. Gender conformity is pressed onto all girls, not just tomboys, and this is where it becomes hard to uphold the notion that male femininity presents a greater threat to social and familial stability than female masculinity (Halberstam 1998, 6).

In A Revathi's work "A Life in Trans Activism", she mentions the accounts of trans man Gee Imaan Semmalar:

> As I masculinise over the years, I have come to realise that I have also become the child that cannot be 'explained' to many. When you medically transition the joke is over. The child can no longer be indulged as a tomboy, the 'daughter' will never get married and give you chubby grandchildren… your erasure is written into family histories as blank spaces where your photograph once was. (Revathi 2016, 198).

Another female gender variant role for lesbians who are comfortable with their masculinity is "butch" (Halberstam 1998, 120). Gayle Rubin in "Of Catamites and Kings: Reflections on Butch, Gender, and Boundaries" states, "Butch is the lesbian vernacular term for women who are more comfortable with masculine gender codes, styles, or identities than with feminine ones" (Rubin 1992, 467). To interpret and provide clear differences between identities, Halberstam formulates a masculine continuum based on lesbian and transgender masculinities, that is "Androgyny—Soft Butch—Butch—Strong Butch—Transgender Butch—FTM not Masculine—Very Masculine" (Halberstam 1998, 151).

The threat of alternative masculinity and third gender roles of women is hence marginalized in a global and local setting as well. Not only in the Western setting, but the accounts of non-conventional roles are evident in the Indian cultural and historical past. Agaja Puthan Purayil in this volume's final chapter maps the invisibility of trans men and FTMs in India and have discussed how migrating from their birthplaces have rendered them freedom and anonymity in the city spaces. Purayil also develops the argument and mentions that over the period of time, they have developed informal networks, relationships, and kinship patterns that have helped them to develop a feeling of "home."

Looking at the marginalization of lesbian identities, the term lesbian in Indian context arrived in the mass mediascape much later than the term gay in 1987 and its popularity was due to the "sensational accounts of lesbian marriages, suicide and sex changes rapidly overtook the emerging fascination with male homosexuality" (Dave 2012, 43). Dave notes:

> The first stories about lesbianism dealt with the marriage of two policewomen, Urmila Srivastava and Leela Namdeo, in Madhya Pradesh. Leela—perpetually described as "sari-clad" in newspaper reports—was a widowed mother of three; Urmila—always "sporting" men's clothes" (Dave 2012, 43).

These stories "did not inspire but rather repelled" (Dave 2012, 43), and showcased the public opinion on same-sex desiring women who faced social and familial rejection, abjection, and otherness. In the West, the concept of sex change and sex transformation existed much before the term transsexual was executed in medical discourses. The term transsexual was popularized only after Jorgenson's sex change surgery which was a widely read and published headline during that time. The publication of Jorgenson's autobiography *Christine Jorgenson: A Personal Autobiography* in 1967, came as a reply to a storm of hysterical press coverage about her sex change. Jorgenson's autobiography was a turning point for transsexuals, and Bernice Hausman in his essay "Body, Technology and Gender in Transsexual

Autobiographies" mentioned the impact of Jorgenson's autobiography on transsexuals. Mario Martino, a female-to-male transsexual, in his autobiography *Emergence*, mentions that "as Marie, she was the first in her town to buy Christine Jorgenson's autobiography when it came out in 1967" (Hausman 2006, 336). In 1977, Mario Martino published *Emergence: A Transsexual Autobiography*, the first female-to-male autobiography, did not gain much readership and popularity like Jorgenson's and Morris's autobiography. Perhaps, the possible reason could be, "transsexuality was no longer such a shocking idea or because the public had much less interest in the phenomenon of biological females becoming men" (Califia 1997, 38) as the "gender transition from female-to-male allows biological women to access male privilege within their reassigned genders" (Halberstam 1998, 143). In this context, Judith Halberstam in *Female Masculinity* describes the gripped and rigid structure of masculinity and mentions:

> We have little trouble recognizing it, and indeed we spend massive amounts of time and money ratifying and supporting the versions of masculinity that we enjoy and trust; many of these 'heroic masculinities' depend absolutely on the subordination of alternative masculinities (Halberstam 1998, 1).

Carrie Paechter in "Masculine Femininities/Feminine Masculinities: Power, Identities and Gender" mentions that masculinity in general remains a somewhat out-of-focus concept, but hegemonic masculinity becomes some sort of ideal-typical construction of what men do that may not fit what is found empirically. (Patcher 2006, 255). At the same time, there is an understanding of femininity which in some ways parallels hegemonic masculinity, but in others is more a mirror image of hypermasculinity: emphasized femininity (Connell, 1987), or femininity as supergirly. Butler (2004), for example, talks of drag queens who could "do femininity much better than I ever could, ever wanted to, ever would… Femininity, which I understood never to have belonged to me anyway, was clearly belonging elsewhere" (213). Here, "doing femininity well" means to enact a hyperfemininity that many women, possibly the majority, do not themselves perform, at least much of the time.

11.3 Presence of Women of Third Nature in Indian Lore and Mythological Structures

In India, the term transgender covers a plethora of other culturally affiliated terms which are used as variations to describe a community of people known as hijras. Hijras, aravanis, jogappa, khusra, kojja, kinnar, napunsaka, and akwa are the variations of their names. Aravani refers to transgender communities in Tamil Nadu and is considered a dignified term for transgender individuals as compared to derogatory terms such as ali, ombodh, pottai, and kattawandi. The term aravani means one who worships Lord Aravan. The term aravani does not have direct significance or relation with the sex/gender binaries and has more of a religious-cultural background.

Moreover, the term is widely used across Tamil Nadu and does not have any significance in the West, north Indian states, and neighboring south Indian states. Individuals of the third kind in Tamil Nadu are also referred to as thirunar, thirunangai is for transfeminine people, and thirunambi for transmasculine people. "The reason for socially acknowledged gender metamorphosis varies from place to place" (Pattanaik 2012, 22). While the role of hijra is gradually recognized, the role of masculine third gender role is notably absent in South Asian cultures. "Women who never marry are exceptionally rare throughout rural India. Among Hindus and Sikhs, both sexes popularly consider it an unfortunate and demeaning eventuality for a woman to remain unmarried" (Phillimore 1991, 331). Walter Penrose in "Hidden in History" mentions that "one exception to this pattern is the *sadhins*, who live in northwest India among the *gaddhi*, a pastoral people who inhabit the foothills of Himalayas" (Penrose 2001, 7). They are committed to celibacy and chastity for life, and their "only renunciation is of marriage and by extension sexuality…" (Phillimore 1991, 332). They retain their female names and are referred to as females, but they do men's chores and dress like men. Like sadhins, some Buddhist nuns, called jomo, continue to live with their families rather than in a monastic setting (Phillimore 1991, 342). Giti Thadani, an Indian gender critic and writer, has mentioned about "lesbian invisibility" in South Asia and the South Asia diaspora, and routes frightful tales of women who identify as lesbians but whose families force them to marry (Thadani, 1996). An inquiry of ancient, mythological, and historical texts suggests the existence of women who belonged to a third kind or gender.

There are numerous linkages established between the hijras and their presence in the myths and folklores of Indian religious texts that provide them a supernatural status. Hijras in India also have social and cultural roles to perform. This inheritance of power of the hijra community is the result of various portraits of hijra characters depicted in Islamic mythology, Hindu mythology such as puranas, and popular Indian epics like *Mahabharata* and *Ramayana*. Hindu mythology makes references to queerness, the idea that questions the notions of maleness and femaleness. There are portrayals of male-to-female and female-to-male transgender individuals in these ancient texts. It also mentions creatures that are ambiguous like makara. Makara is neither fish nor an elephant but a combination of both. It is also the emblem of Kamadeva, the god of lust and desire. Yali is a combination of a lion and an elephant. It is a mythical creature seen in Hindu temples, often sculpted onto the pillars. It has been widely used in south Indian sculptures. As Devdatt Pattanaik in *Shikhandi and Other Tales They Don't Tell You*, mentions that "there are also many words in Sanskrit, Prakrit, and Tamil such as *kliba*, *napunsaka*, *mukhabhaga*, *sanda, panda, pandaka, pedi* that suggest a long familiarity with queer thought and behavior" (Pattanaik 2014, 12).

As a popular tale and a part of Indian mythological structures, the story of Shikhadini (female) from the epic *Mahabharata*, who transformed into Shikhandi (male) and her transformation is referred to as a female-to-male transsexual according to modern queer vocabulary, as her body undergoes specific change genitally. This story includes a cluster of motifs associated to rebirth, a girl raised as a boy, the cross-dressed girl, same-sex marriage, her desire to be a man to satisfy her wife, lent manhood by a yaksha and later permanence of the change granted by Kubera, king of yaksha. "Myths in this sense transmits a traditional culture-specific understanding of the world" (Pattanaik 2003, 11). But Pattanaik also mentions in *The Man Who Was a Woman and Other Queer Tales* (2012) that there are more tales of male-to-female transformations than male-to-female transformations (biologically or socially) in Hindu lore.

> Even the third gender is dominated by biological males/social females. The concept of biological female/social male or the female-to-male transvestite/transsexual is not popular. Perhaps patriarchy silenced women who sought to oppose biological contours imposed by birth and erotic desires imposed by society (Pattanaik 2012, 25).

Pattanaik also provides an example of the same from the India state Kerala of a woman who behaved like a man (indicated by her attraction for women) was dismissed as a hysterical woman possessed by a Gandharva, a celestial spirit, who takes over the body of the mortal woman he found attractive. Pattanaik's interesting and less known account from the Sanskrit epic Valmiki *Ramayana,* about the women in the Rakshasa king Ravana's harem, are described as making love to one another to taste the essence of their lord on one another's bodies. In a later day Purana, following the death of the king, two queens make love to each other to create a child (26). The highly marginalized and invisible position is located in relation to the women who identified as third kind even within the network of discourses on alternative sexualities.

Sweet and Zwilling (1993) have contributed in locating evidence of same-sex desire in classical medical texts in reference to Sanskrit medical compendia that form the basis of the traditional Indian medical system (ayurveda), the *Carakasamhita* (*Caraka*) and the somewhat later *Susrutasamhita* (*Susruta*), both of which date from approximately the first two centuries C.E. They suggest that:

> Several of the *Susruta* and the *Caraka* categories would seem to correspond, at least partially, to contemporary Western homosexual types who appear in the medical literature and in popular beliefs: that is, the fellator; the anal receptive; the effeminate homosexual male; and the mannish lesbian (594).

Looking at the archaeologies located by Sweet and Zwilling (1993), Dave suggests that:

> Such archaeologies have uncovered a host of vernacular terms denoting same-sex sex, gender non-normativity, and their practitioners. Among those terms predating the colonial era are the *tritiya prakriti* (third nature) as defined in Indian medical texts in the sixth century BCE (Sweet and Zwilling 1993); *samlingbhogi* (enjoying, eating of the same sex) (Thadani 1996, 78); *dogana*, as an Urdu term from the early nineteenth century for a woman's female lover (Vanita 2005, 62); and *chapti* (rubbing, clinging) to describe what those lovers do (Vanita 2005, 62).

These accounts are suggestive of the references and presence of homosexual love in Indian ancient past and language. While looking at the presence of such lores, Dave also points out that, "Under the guise of a liberal cultural and gendered sensitivity, it is often taken for granted that "the average Indian woman"does not have the wherewithal to even imagine herself outside her assigned roles, and certainly not to act in pursuit of such radical imaginings (Dave 2012, 40).

Peter Phillmore in "Unmarried Women of the Dhaula Dhar" offers accounts of women on the fringes of the Himalayas in Kangra, where the status of sadhin offers a small number of women an unconventional but respectable alternative to the accepted female roles of wife and mother. "However, the saddhins' renunciation is only of marriage-and by extension sexuality-for they continue 'in the world,' either living at home with brothers or living alone after inheriting on terms of equality with any partition of the family" (332). Instead, they wear the clothing of men, perhaps slightly feminized, and keep their hair close-cropped. Most sadhins are gaddis and seoks, gaddis are more numerous, having migrated in large numbers the middle of the nineteenth century from their homeland in Chamba, which remained a princely state after the British brought Kangra under direct rule in 1846.

Naisargi N Dave in *Queer Politics in India* mentions that same-sex-desiring feminists in India have historically had a difficult task: to make a community based on the commonality of their desires while being careful not to imperil Indian feminism with Western, bourgeois taint of lesbianism. Among the debates was the debate and advent of the phrase "single women (ekal aurat)" by a group of Delhi-based activists associated with a women's NGO Jagori. The category of "single women"was meant partly to provide a community framework for women-loving women, but through a language that refused the Western politics of lesbian identity out of deference to non-English-speaking women in urban slums (bastis) and villages (Bacchetta 2002, 960). Women thought to be of a third gender, can be identified in erotic treatises, ancient Sanskrit texts and a host of other works written by South Asian, Chinese, and even European authors. Penrose mentions the "male anxiety" surrounding such women appears to be more a modern phenomenon than an ancient one. Catherine-Clementine Ohja in "Outside the Norms: Women Ascetics in Hindu Society" (1988) also mentions the marginalization of female ascetics and defines "a female ascetic is thus seen as a person who has adopted a behaviour intended for males and has therefore left the orthodox norm behind" (35).

Gee Imaan Semmalar in their essay "Unpacking Solidarities of the Oppressed: Notes on Trans Struggles in India" (2014) mentions:

> trans men here, in comparison with trans women, are a smaller group, not organized politically or socially, and living isolated lives. This might be because in such an intensely patriarchal and misogynist society, we, who are raised as girls, are by and large not allowed to occupy chosen genders. We have no visibility, which leads to our not being mentioned in any government policies but also enables us to be guerrilla fighters and escape some of the intense public violence and transphobia that our trans sisters face (288).

There is marginalization and invisibility of women of third nature and female masculinities. Philmore mentions women referred to as Sadhin and becoming a sadhin has to be a girl's own choice at a very early age, and the girl who becomes a sadhin should be a virgin (kanya). The step she takes means she is renouncing her sexuality and not gender. "The direct transition from child (presexual) to *sadhin* (asexual) permits a complete denial of sexual identity" (Philmore, 335). Philmore also mentions that as the sadhin grows old, a sadhin may act in a variety of characteristically male ways, but despite her appearance, she is never classified as a male.

In Sanskrit religious and medical texts, the concept of third gender can be identified. In *Kama Sutra*, the mention of tritiya prakriti, a third nature which is described as neuter bereft of either masculine of feminine nature. Richard Burton employed the term eunuchs when translating tritiya prakriti in the *Kama Sutra*. "There are two kinds of eunuchs, those who are disguised as males, and those who are disguised as females" (Burton 1963, 154). Few critics such as Artola mentioned that eunuch is a mistranslation and that in Sanskrit literary works tritiya prakriti literally means third nature (Artola 1975, 57). Sweet and Zwilling provide a third interpretation, asserting that the two forms of the third nature described in this passage were both male—one dressed like a woman, the other like a man (Sweet and Zwilling 1993, 600). Sweet and Zwilling note that the category of "masculine lesbian" is subsumed into the idea of a third gender in other texts and most of these Sanskrit treatises which dealt with gender and sexuality were by a group of male scholarly elite. They found the female-female sexual activity as something which is a situational behavior found among otherwise normative women in a sexually segregated environment rather than as an essential characteristic or pathology of certain individuals (Sweet and Zwilling 1993, 600).

Women thought to be of third kind, can be identified in erotic treatises, medical texts, and a host of other words and aspects of their sexuality can be recaptures. The male anxiety surrounding such women appears to be more a modern phenomenon than an ancient one. Kama Sutra describe activities of women of third mind and virile sexual activities. It also discusses the active and passive roles in women, the penetrator was called svarini and was translated as lesbian. Svarini is described as a liberated woman who refuses a husband and has relations with their own kind and others.

According to Zwilling and Sweet (1996), individuals belonging to third nature, transposed genders, and sexual masquerades abound in the Hindu mythological and folklore narratives. Even in early Vedic/Puranic literature, third natured individuals are found mostly among Jains, a minority religious community which has an ancient history and a distinct corpus of literature. The speculations on the nature of third-sexed individuals were elaborated through constituting "the single richest source for knowledge of the third sex, as well as for speculations on sex and gender, to be found in India from the ancient to medieval periods" (Zwilling and Sweet 1996, 363). By a "pan-Indian acceptance of a third sex," they argued that this category has "served as a focal point for speculations that ultimately resulted in the formulation of an idea of sexuality" for the Jains (Zwilling and Sweet 1996: 365). There were three distinct views on the essential characteristics by which an individual could be assigned the genders, that is, purusa, (male) stri, (female), and napumsaka (impotent) by the third century CE. The first view was Brahminical which described gender by the presence or absence of certain primary and secondary characteristics. This view was also endorsed by Buddhists and they assigned gender by the presence or absence of procreative ability, and impotent individuals were seen as individuals of the third kind or napumsaka category. The third view offered by Jains rejected both these Brahmanical and Buddhist views for differentiating masculine and feminine markers. "The Jain system of thought is the only Indian system to differentiate between the term 'biological sex' and *dravyalinga* (material [sexual] mark), distinguished by primary and secondary sexual characteristics, and 'psychological gender,' or *bhavalinga* (mental [sexual] mark), referring to the psychic makeup of a particular individual" (Sweet and Zwilling 1996, 359–84). Given this additional marker of gender assignment in the Jain literature, determinations based on primary and secondary sexual characteristics alone were deemed insufficient. After the fifth century CE, Jains rejected the second marker of the Brahmanism/Buddhist gender assignment. It was the criteria of reproductive ability as prepubescent, and postmenopausal women would not be characterized as a woman by this criterion. In the late canonical as well as the early exegetical Jain literature (from approximately the fifth century CE, there appeared a fourth sex (the masculine napumsaka or purusanapumsaka). The difference between the feminine napumsaka and the masculine napumsaka, with their similar physical appearance, was their sexual practice. Merely being receptive partners in sexual intercourse shows their feminine characterization, and both penetrative and receptive nature shows the masculine characterization. Penetrative behavior determines their masculine characterization.

According to Zwilling and Sweet (1996), napumsaka in Jain texts went from being characterized by and through their desire exclusively for men in the early canonical period (fourth century to the fifth century), to being characterized by their desire for either men or women. A differentiation was made between masculine napumsakas (purusanapumsaka) and feminine napumsakas (pandaka or kliba) in the late canonical period, to ultimately being characterized by the desire for both men and women in the exegetical literature. Jains maintained the separation of sexuality and sexual object choice from biological sex and gender and identified third sex sexuality as primarily hyperlibinal and bisexual.

The existence of such accounts mentions the presence of women of third sex in the Indian public discourses, historical representations, and mythological terrains as well. The lack of frequent representation is because of the association of masculinity with biological maleness and thus marginalizing everything that goes beyond the set paradigms.

11.4 Analyzing the Gender Politics of Visibility through Literary Narratives from India

Representations of hijras are found across a range of texts written by cisgender authors. The texts range from colonial legal acts, to ethnographies, to travelers' accounts, to postcolonial fiction, from the hijra's literary constructions. The earliest text is a nonfiction account by Zia Jaffrey who wrote *The Invisibles: A Tale of Eunuchs of India* (1996) on the lives of hijras in India. She goes on a journey to explore the lives of hijras and the reasons for the subject to be a taboo in India. Another important ethnographic study in this respect is *Neither Man Nor Woman:*

The Hijras of India (1990) by Serena Nanda, on the hijras in India. It summarizes the history, traditions of hijras and actual conversations, and interviews conducted by her in Hyderabad city. It gives a critical analysis of her discussions with the hijra community. William Darlymple's *City of Djinns* (1994) centers on the accounts of eunuch history during the British Raj, and eunuch dancers that he had encountered. There are depictions of the eunuchs in the Mughal courts in earlier times and elucidates the dual traditions of eunuchry in Hindu and Muslim religions. Women autobiographies are a part of Indian English Writings and literary canon, and in the twenty-first century emerged the phenomenon of hijra autobiographies which was the first of its kind in India. Writing as a medium, and autobiography as a genre, was used by hijras to depict their social life, surgical transformation, and experiences of their body as a male and female.

I Am Vidya (2007) is the first hijra autobiography published in India. Vidya's autobiography is the first ever published account by a hijra describing her personal experiences of being a hijra and of being a part of the hijra community. It depicts her struggles with her sexuality, social norms, and coming into terms with her identity as a woman. Though the autobiography was first written in Tamil, it has been translated into English, Malayalam, Kannada, Marathi, and Assamese. Through her autobiography, she has provided a literary space and set a literary canon, that is, hijra autobiography which described her journey of social and physiological transformation. *Nannu Avanalla Avalu* (2015) is a Kannada movie based on the autobiography of Vidya, directed by B. S. Lingadevaru. It has also won two awards in the 62nd National film festival.

Shalini Jayaprakash in Chap. 2 looks at two hijra autobiographies from India with respect to interconnections between marginality and diverse aspects of their identities. Jayaprakash contends that there was a sudden explosion in the Indian popular literary market for life narratives during the 1990s and 2000s, especially from the marginalized sections with voices of dissent. These life narratives changed the way one approached sexuality, gender, and intersectionality studies in India.

After the publication of Vidya's autobiography, hijra autobiography as a literary genre encouraged hijras to write about their lives. A. Revathi's autobiography, *The Truth About Me* (2005) was first written in Tamil and was translated by V. Geetha to English. Revathi's book *Unarvum Uruvamum* (*Feelings of the Entire Body*), which is in Tamil, is a collection of real-life stories of the individuals' belonging to the hijra community. She cites a very prominent Tamil Dalit writer Bama as one of her inspirations. *The Truth About Me* is about her everyday experience of discrimination, ridicule, and pain. She shared her personal experiences about being a hijra and of doing sex work for a living. Her other prominent work *A Life in Trans Activism* was also published in 2016 which accounts her life, lives of hijras, and also mentions a few narratives of transmen. Her work *Our Lives, Our Words: Telling Aravani Lifestories* translated by A Manglai looked at the aspects of parents and society, hijra mothers, cultural practices, and nirvanam.

Another example of this new wave in writing autobiographies is the activist, Hindi film actress, and dancer from Mumbai, Laxmi Narayan Tripathi who wrote two autobiographical accounts in 2015 and 2016, respectively. Her autobiography

Me Hijra, Me Laxmi was first published in Marathi and later translated into English by R. Raj Rao and P.G. Joshi in 2015. In her autobiography, Laxmi talks about her experiences as a child, as a homosexual man, a drag, and later as a hijra. Her recent autobiography, *Red Lipstick: The Men in My Life* (2016), deals with her struggles of being a boy and behaving in a girlish manner. It further deals with existential questions such as "Is Laxmi both a man and a woman? Or, perhaps, neither a man nor a woman" (Laxmi 2016, 1)? In her other autobiography *Me Hijra, Me Laxmi* she writes, "Hijras are normal people, just like others. We're not extraterrestrial. We have emotions, just like ordinary human beings and perhaps more sensitive than them" (Laxmi 2015, 125). In 2017, the first transgender college principal Manobi Bandyopadhyay also published her biography *A Gift of Goddess Laxmi*.

Peter I-min Huang in Chap. 4 mentions hijra autobiographies from India and discusses the aspect of gender variance in relation to South Asia. The published accounts of female-to-male transgender individuals or hijrins are still not a part of the Indian literary canon; the female gender variants hence remain as an unexplored subject. There is an invisibility of female gender variance, and most anthropological and literary works draw attention to hijras with some exceptions. Nandini Krishnan wrote *Invisible Men: Inside India's Transmasculine Network* (2016) which was strongly criticized by trans men, A Revathi's account *A Life in Trans Activism* uncovers poignant narratives of five trans men. The accounts mention:

> The intimacies of social and cultural relationships that create and nurture personhood are being taken away from trans persons. We're losing lovers for not being man enough or woman-enough, both in straight and queer relationships (211).

Revathi mentions that, unlike trans women, who have an alternative social support system, like jamaat, trans men have no such support structures. They find it nearly impossible to find a suitable partner who accepts their identity as a trans man. The work also mentions the legend of Aravan, the son of Arjuna in the *Mahabharata*, which is well known.

> Equally well known is the half-man, half-woman representation of Ardhnarishwar. If God assumes a gender variant form, you worship and venerate him/her. But if one of your own is a transgender person, you consider us aliens (225).

There are representations of trans feminine identities and gender variant identities by Indian writers and in context, such as in *Narcopolis* by Jeet Thayil, Dattani's *Seven Steps Around the Fire*, Arundhanti Roy's *The Ministry of Utmost Happiness*, and so on. Anna Guttman's Chap. 3 discusses the absence of the word queer from the discussions and analysis. Guttman provides an interesting analysis of *The Ministry of Utmost Happiness* (2017) where the character Anujm is uncertain about the Western language of gender. Guttman also provides distinctions between the Western identity of a trans individual and hijras of India, where she locates instances from Roy's work. "To be hijra means a clearly audible, deep, distinct, rasping, coquettish giggle of a court eunuch" in contrast to western trans identity which is English-Speaking, attired in Western Clothes and therefore other than Anjum's self.

There is a need to look at the idea of gender diversity by focusing on the experiences and identities of gender non-conforming, gender variant individuals, and also to understand their experiences and historicities as challenging the existing gender norms and dichotomies in Indian context.

11.5 Conclusion

The representation of women of the third kind is spread over histories and mythology and yet they are marginalized and underrepresented sexual and gender identities. This disappearance of gender variant roles of women from the Indian public discourse is largely due to the association of masculinity with biological maleness, rendering invisible gender variant women on the continuum. In Indian discourses on gender and sexuality and in public discourses, the association of masculinity to maleness also presupposes the negation of any form of femininity and attributes of femaleness which also establish strict regimes against the body and identity. It restricts modes of enactment, performances, and production of identities of embodied experiences of trans and non-binary individuals. Trans woman identities have been discussed in the academic and public discourses in India and West, but less visibility to other forms of gender variance, thus occupying a relatively narrow space in gender, masculinity, or even trans discourses.

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Chapter 12
"Families We Choose": Kinship Patterns among Migrant Transmen in Bangalore, India

Agaja Puthan Purayil

12.1 Transmen: The Invisible Population

Transmen or FTMs (Female to Male transgender individuals), terms I will use interchangeably in this chapter, are people who are assigned female gender at birth, but who disidentify with this assigned gender and desire to live instead as men. Jaison Cromwell (1999) discusses four levels of marginalization and invisibility faced by transmen and FTMs. The first level comes from discourses like anthropology, psychology, and history, where the discourses purposefully invisibilize transmen by maintaining that these individuals are actually women, as the truth of their gender identity lies with their female bodies. The second level comes from medical and popular discourses. In Cromwell's view, these discourses articulate transmen and FTMs as pathological women. Third, many FTMs chose to be invisible by living as men. Hence they are invisible as transgender people, but visible as men. Fourth, if society finds out that a particular person is a transman, he will be treated as less than fully real. This may contribute to the loss of partners, friends, and employment opportunities. Hence there is always a danger associated with their trans identity.

As Tanupriya points out in Chap. 11, female masculinities have received inadequate attention in both Indian and Western academia. Transmen are highly invisible in India. Scholarship on transgender people in India discusses extensively the lived experiences of transwomen or hijras (e.g., Reddy 2005 and Nanda 1999). Transmen are invisible in all these writings. Being born female, leaving their biological

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Families we choose is a term used by Kath Weston (1997). This term is used by her to indicate the alternate families formed by lesbians and gays in the Bay area of San Francisco. Here this term is used to denote the chosen families formed by the migrant transmen in Bangalore.

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families, and forming groups akin to the groups formed by hijras have been relatively difficult for transmen. Hence, they have remained invisible.

This chapter explores the experiences of transmen who migrated from their birthplaces in villages or towns to Bangalore, the capital of the Karnataka state in India. They built solidarities between themselves. They supported each other, cared for each other, and slowly built a home in the city. Their family consists of transmen brothers and their female partners, providing them with their strongest support system in the city. Some of them call it a family, while others avoid calling it a family for fear of going back to the same system that rejected them. This chapter thus examines the dynamics of kinship patterns among migrant transmen in Bangalore, drawing on field data from transmen who have moved from towns and villages of Kerala, Tamil Nadu, Telangana, and rural areas of Karnataka state.

While having a conversation with one of my respondents, he suddenly told me that whenever he reads any research on trans persons, he always finds that the writers argue that transgender persons are suffering. He then suggested to me, “Why don’t you say to your readers that we are trying to find meaning and happiness in this city, despite difficulties and challenges in life.” This was the starting point for thinking about the concept of Bangalore as a home for its trans migrants. Other chapters in this volume articulate the multiple levels of discrimination transgender persons encounter in their everyday lives. To live a transgender life is difficult in a cisnormative society, as suggested by all contributors to this volume. This chapter focuses on two key questions. First, how do the dynamics of kinship patterns formed by transmen serve as the basis for a strong support system in the city? Second, how do migrant transmen find meaning and happiness despite the marginalization and discrimination they encounter in their day-to-day lives?

12.2 Marginalization and Discrimination in Natal Homes

From villages and towns in South India, a large number of transmen migrate to Bangalore to escape the violence and discrimination they encountered in their birthplaces. Bangalore is characterized by a large population of migrants from across the country. This helps transmen build a safe space in the city, where anonymity helps them avoid frequent questions about their gender and sexual identities, while providing the freedom to express their identities as they wish. Suresh is a 36-year-old transman. (To protect the identity of respondents, all names used in this chapter are pseudonyms.) He migrated to Bangalore in 2003, and he recounts his childhood in Kerala.

> When we grow up, we recognize the changes in the body. I hated being a girl. But society keeps on reminding you that you are a girl. They will always demand you not to do this. I hated to obey. My parents were angry with me. They started harassing me physically and mentally.

Starting in childhood, he used to wear boys’ clothes at home. But when he reached fourth class, his parents asked him not to wear boys’ clothes anymore. He played cricket at the time and was part of a cricket club, so he tried to convince his parents that since he played cricket, he preferred to wear boys' clothes. His parents were dissatisfied with him, and when he did not obey them, they beat him and even mentally tortured him. However, he could never be happy with his assigned gender. Despite being tortured, he continued to wear the kind of clothes he wanted to wear. He hated wearing girls' uniforms, which was required as he advanced in school, and ultimately he stopped going to school. Many transmen have encountered the same problem, and one of the major reasons for the high rate of dropout among transmen is their inability to conform with expected gender norms.

The physical and mental harassment Suresh received from his parents forced him to leave his hometown. He initially contacted a child helpline for assistance, and the helpline authorities introduced him to a Kerala-based NGO working with sexual minorities. This NGO had contact with a Bangalore-based NGO that I will refer to by the pseudonym Saheli. Through Saheli, Suresh migrated to Bangalore in 2003.

Saheli was formed in 2001 to ensure the rights of sexual minorities. During the early 2000s, it formulated a funding program with the help of a foreign donor to help runaway transmen and their partners. When transmen and their partners came to Bangalore, Saheli provided a variety of support, including food, shelter, protection, legal support, and employment assistance. The organization is not currently providing shelter for migrant transmen, but during its initial stages the support provided by Saheli helped transmen build their own space in the city. Those who came and settled earliest started providing shelter to later migrants, and with Saheli's support they could survive in the city. Many of them are no longer associated with Saheli, but instead are connected to different NGOs in Bangalore. However, those who received initial support from Saheli remember its critical role in helping them surviving in the city.

My respondent Ebin described a similar experience. He is an adopted son of a hijra mother from Mumbai who was a sex worker. She used to visit him only during festival times, so he was fostered by her sisters. His mother never liked him behaving like a boy. She wanted to marry him off and see him grown into an ideal woman. When he disappointed her, she started beating him continuously to correct his behavior. He says that:

> My mother's view was no different from the public. So she knew only three types of gender: hijra, male, and female. This was new to her. So she never accepted me. She started asking questions to me like: Is that possible? How will you get a penis? How will you be able to provide for a child? So I fought a lot with my mother. Hence, she put me under house arrest, and I had to face lots of restrictions. My mother used to gift me pants and shirts on special occasions. Since I behaved like a man and never showed femininity, she thought that I was behaving like this since she gifted me pants and shirts to wear. So she burned all my pants and shirts. She gradually reduced my freedoms, one by one.

Since he could not live under such restrictions and harassment, he tried to commit suicide twice. In 2004, he ran away from his home and moved to Bangalore.

As these respondents tell their stories, they always experienced a conflict between their mind and their body. Heteronormative expectations further accentuate their tensions and conflicts. As Shalini Jayaprakash argues in Chap. 2, transgender bodies defy societal expectations by not conforming to established definitions of gender and sex. Non-conformity is seen as a threat to the system. This in turn leads to the unleashing of violence against transgender persons.

When transmen choose to run away, they look for anonymity and freedom to escape from the frequent questions about their gender and sexuality. Transmen who run away with their partners look for a safe and comfortable space to live. City spaces provide such anonymity and freedom. The existence of a large migratory population increases the heterogeneity of city spaces. Thus, many transmen choose to migrate from their villages or towns to metropolitan areas, and in South India, many transmen choose Bangalore for migration. The next section examines how Bangalore became the migratory destination of transmen in South India.

12.3 Transmen Migration and Bangalore

Janaki Nair (2005) has tried to examine the growth and development of Bangalore through a historical lens, as she studies the growth and evolution of Bangalore from a small town to a metropolitan city. She argues, “Bangalore has suffered from the general neglect of urban studies in the Social Science disciplines” (17). Nair describes the history of Bangalore as consisting of eastern and western parts. The western part is five centuries old, while the eastern part—also known as the cantonment area built by the British army—dates back only two centuries (25). In her view, the Bangalore region started developing with the invasion of the local chieftain Kempagowda (28). Fortified settlements developed by him attracted artisans and merchants.

In 1949, the Bangalore corporation was formed by bringing together Bangalore and the cantonment under one roof (77). In Nair’s view, it took only a few decades to witness the growth of Bangalore from a small town to a metropolitan city (79). Bangalore was the home of large-scale public sector industries, and more recently, it has become the center of information technologies and private electronic industries (81). State-led industrialization during the post-independence period transformed the economy of Bangalore. Later the city started developing as a center of computer software and hardware, earning it the moniker of the Silicon Valley of India. Also, it became the center of skilled labor in the public sector, and simultaneously engineering colleges started mushrooming in the city. All these led to the city’s growth as a center of attraction for Indian and multinational firms. Hence the city slowly became the IT hub of India (86). The city grew into a metropolitan city. This invited an increasing rate of migration, and the city started accommodating people from across the country, which led to the heterogenization of the population in the city.

Anand is one of my study participants. He was born and brought up in Bangalore. In his view, Bangalore is a very heterogeneous space, and that is the one reason for the city can accommodate migrants across the spectrums. As Anand describes the city,

> Bangalore has a history. Bangalore is not a Kannada kind of space. Bangalore was a hill station. It was not culturally a Kannadiga-dominated space like Mysore. British liked Bangalore very much. British made it the capital of Karnataka. In the entire Karnataka, the best agricultural land was in Bangalore. However, it was destroyed because of the development. The city employed multiple kinds of people, including sex workers. You will get the best anonymity here.

The anonymity of the city is a major factor that attracts transmen, who fear that if people find out their trans identity, they will be questioned and pushed aside. Anonymity will help them to invisibilize their transgender identity and to live as men. Along with anonymity, the specific queer activism and politics developed in the city have also helped transmen migrate and settle in Bangalore. Anand says, "Bangalore earlier did not belong to queer people. They fought and transformed it into a safe space" According to Sunil Mohan, Rumi Harish, and Radhika Raj (2019, 109), "We are arguing that the few public spaces we access without fear have not existed naturally but have been built, nurtured and cultivated under great risk, with great compromise and creativity."

12.4 Kinship Patterns among Transmen in Bangalore

The migrant transmen could develop strong bond and intimacy between them. Some of them preferred to stay together as a collective. Later these bonds translated in to loosely developed kinship system. Elizabeth Freeman (2007) has argued that the most relevant contribution of anthropologists of kinship is that they have started recognizing that kinship is not a matter of biology, but rather it is a cultural fact. However, the gender and kinship studies in India have yet to expand to incorporate alternate families (Kumar 2020). In this section, I will discuss how loosely formed kinship patterns serve as the basis for a strong support system for migrant transmen in Bangalore.

According to Kath Weston (1997), "chosen families" are the families that lesbian and gay men choose, in contrast to their families of origin. Chosen families are created by queer people who are rejected by their blood ties. Weston explains, "Gay or chosen families might incorporate friends, lovers or children in any combination organized through ideologies of love, choice, and creation" (27). She has also called this an "alternate family" (35). She argues that through chosen families, gays and lesbians can create their own families outside of a heterosexual procreative, reproductive framework.

As Weston puts it, family is a contested concept. The traditional model of the family does not accept alternative desires and sexual orientations. Transmen either chose to migrate or were forced to migrate due to rejection and violence from their families. However, in the city, transmen cannot live alone; they need a support system. The rate of survival of migrant transmen in the city depends on their access to resources, and this access is determined by the specific social locations of the transmen. As Ken Plummer (2020, 158) suggests, "Human sexualities are grounded in intersectional inequalities. Always shaped by class, gender, ethnicity, age, nation, and other human differences." As Andeep, one of my respondents, explains, "There is a loosely formed kinship system among transmen, and it is stronger amid working class folks." The basis of such a kinship pattern is solidarity and shared politics. The friendship and bond between them transform into a strong relationship that substitutes for heterosexual families. Unlike hijras, transmen do not have customs or norms for living with a community. They are scattered here and there in the city. Those who need support live close to one another, with some calling this kinship arrangement a family. Others are afraid to call it a family, as they do not want to go back to the same system that abandoned them. Therefore drawing on Weston, I would argue that Kinship formed by migrant transmen in Bangalore is a chosen family which replaces the biological ties. However unlike in the West, queer people in India do not have the right to adopt and hence they can not form families through reproduction technologies or adoption as Weston mentions.

Bourdieu (1977) in his groundbreaking work titled *Outline of Theory of Practice* has differentiated between official kinship and practical kinship. Official kinship is related to genealogy, and it is the basis of legitimizing the kinship order. In contrast, practical kinship is based on "utilization of connections" (32) and is "non-official" (35). He further defines practical kinship as being based on the practical interests of individuals. Thus, the basis of practical kinship according to Bourdieu is not genealogical, rather is practically motivated. His argument comes from his fieldwork on traditional Arab marriages. However, Bourdieu's practical kinship can be applied to understand queer kinship, which is formed by individuals for a very practical purpose. Migrant transmen who were abandoned by their blood families find an alternative family among their close friends and partners. These kinship ties challenge genealogical assumptions and also serves as the basis of a strong support system for transmen. Thus I would argue that, chosen families formed by transmen come under Bourdieu's practical kinship.

Kinship among the transmen in India is under-explored. There is vast literature on hijra kinship (Reddy 2005; Nanda 1999). Gayathri Reddy (2005) has examined kinship among the hijras of Hyderabad and Secunderabad, detailing ways that hijra identity is constructed through kinship based on guru-chela (master-disciple), husband, and daughter relationships (144). She argues that hijra kinship does not conform with the procreative framework that operates under the caste system in India (145).

Reddy (2005) also points out that hijras' houses include gurus, mothers, and chelas as the crucial kin bonds through which they constitute a lineage and reckon kinship and descent (150). Hijra rules say that the real hijra is the one who renounces sexual desire after nirvana (castration). Once they join the hijra community, they are supposed to break all ties with their natal families. Otherwise, they will not be given due consideration within the hijra family (147). Chelas are bound to respect their gurus, do all the domestic-household work, and also have to give a part of their daily earnings to their gurus. In return, gurus are obliged to look after and protect their chelas, provide them with food and clothes, and train them in the rules and customs of the hijra community (157). If chelas cannot please their gurus, gurus can disown them and expel them from the hijra family. Nanda (1993) argues that guru-chela relationships provide a substitute for the family system that hijras have renounced to live with their chosen identities**.**

Once part of the hijra system, it is difficult for a hijra to get out of the system even if she wishes. As the hijra Aliya who resides in Bangalore told me, “I am stuck under this system. I wanted to run away. But they won’t allow you.” I have seen her ruling her chelas, wielding her power as a guru to discipline her chelas. She has also adopted daughters, who are very obedient to her. But still, she is not happy as she has to obey her own gurus and other elder gurus in the household. Hijras try to build a family alternative to their blood ties, and even though their hijra family gives them shelter and protection, it is hierarchical and following every rule is mandatory. The rules are an imitation of the heterosexual framework, where the younger ones are supposed to obey their elders on every matter, even though they do not want to. When the younger ones disobey, they are threatened.

Since the hijras are male-bodied, leaving their house and forming a community was relatively easier. Hijras also connect their stories with the culture of India to validate their historical existence. (For more on the presence of hijras in ancient Indian literature, see Chap. 2 by Jayaprakash and Chap. 5 by Sutradhar.) But being assigned the female gender at birth, for transmen it is not so easy to leaving their houses, making it difficult to develop a kinship and family system like that of the hijras.

I have also met transmen who are accepted by their families. They migrated to Bangalore in search of employment. These transmen did not want to stay under the kinship pattern, but they were connected to other transmen in the city. They invisibilized their trans identities to claim the privileges enjoyed by cisgender persons. Among these groups of transmen, the most privileged ones sought independent life in the city, as their privilege gave them access in the city, and hence they were not in need of a support system.

Some transmen who were initially rejected by their families are now accepted by them. But they do not wish to go back and rejoin their families. Because they cannot live as their true selves when they are with their blood-related families, they create a new family with fellow transmen in a kinship structure that not rigid, lacking the mandatory rules and regulations and the kind of hierarchy practiced by hijras. Suresh describes how this chosen family serves as a support system for runaway transmen in Bangalore:

> At the time when we migrated, the internet or Facebook or WhatsApp was not that widespread. Physical space was important for us. So we had developed a space where people migrated from different places and formed collective solidarity. Today also I would say that such a physical space is important. We built such solidarities. I am having years old connection with Vinu. I have a similar connection with many people here. Even though we stay in different rented houses, we have a relationship that is beyond friendship. If you ask me that, shall we call it a family, I am a bit nervous. Because it will bring us back to the same system which denounced us.

For Vinu, his family in Bangalore consists of transmen brothers and their partners. Vinu migrated from Kerala to Bangalore in 2004, and both of his parents have died.

His relatives abandoned him due to his decision to transgress gender norms. Hijras have started adopting transmen as their sons, and Vinu was adopted by a hijra woman named Nivedita. Vinu's friend Ebin is Nivedita's partner, and Vinu used to visit Nivedita along with Ebin. Slowly Vinu became close to Nivedita, and she adopted him as her son and he later became a member of the hijra family. His other transmen friends know about this, and they do not have any problem with him being part of the hijra family. As Vinu summarizes;

> I have felt that Bangalore is a home for me developed out of friendship networks. Another home is that part of hijra culture. Inside it is part of their family. My father and mother have died. My family consists of my friends. My partner Bhama was Nivedita's friend. After Bhama's death, I had no space to stay. So I lived with people from different communities. I became close to Nivedithamma through Ebin. At that time I did not consider her as my mother. She was a good friend. After that, only she accepted me as her son. Here among friends, I have another family. Let it be Niranjan or Maya [a transman and his female partner]. I consider Niranjan as my elder brother. Pointing out Maya, he says, I am considering her as my sister-in-law. I call her nathoon [a Malayalam term for sister-in-law]. That is another form of relation. Friends are another kind of relationship. Suresh is my friend. For me, his partner is like a younger sister. I also have relationships beyond the community. Some people call me a bhava. Bhava in Kannada means sister's husband. Heterosexual people who work for the community call me bhava. But I have a family in the community. This family consisting of transmen is my favorite.

Pranav is a transman who migrated to Bangalore from a village in Tamil Nadu in 2008. Pranav has a different opinion on this. Pranav says that transmen are imitating hijra kinship. In his view, such solidarities exist only among working-class transmen. He believes that privileged transmen do not need such a support system and hence mostly prefer individual life in the city. Like Pranav says, the transmen who live like a family mostly come from marginalized social backgrounds. They need support and solidarities to survive in the city as they have access to only limited resources in the city. Privileged transmen might be connected to these transmen families, but they do not stay under a family or kinship framework because they do not need a support system like transmen from marginalized backgrounds. The privileged transmen I met preferred independent life. They could also access the wider networks and resources in the city. Thus a family out of shared solidarities was not a necessity for them. He emphasizes,:

> Recently onwards a loosely structured kinship system has developed among the transmen. But you cannot see such a kinship system among urban privileged transmen. They mostly prefer individual life. There are many transmen in the city. But those groups of transmen stand together always. Since they are not privileged that kind of a family unit is very much needed for them.

However it is evident from the narratives that traditional kinship system like that of Hijras is absent among transmen. Pushpesh Kumar (2020) argues that most queer persons in India live a hybrid existence, which means they are connected to their natal families, while simultaneously secretly sustaining their alternate kin networks. Hijras persons; he has studied mention about this hybrid existence. They are married to heterosexual women, and they find it challenging to give up these ties out of fear of losing the honor and dignity of their natal families. However, they secretly maintain homoerotic relations and follow a ‘hybrid’ life. Therefore in Kumar’s view chosen families advocated by Weston does not exist in India and even if it exists, it is more prominent among elite queers. His argument is limited, because his conclusions are drawn from fieldwork conducted among hijras and he has ignored the existence of transmen. As I emphasized earlier, the kin network found among transmen has replaced biological families, not merely supplemented them as Kumar contends for queer Indians more generally. Moreover as demonstrated earlier most of the transmen who were part of such a kinship, belonged to lower socio-economic locations.

12.5 Bangalore as ‘Home’

Alison Blunt and Robyn Dowling (2006, 10) differentiate the concepts of house and home. Whereas a house is just a dwelling, “home is a series of feelings and attachments, some of which, some of the time, and in some places are connected to a physical structure that provides shelter.” While you might live in your house, you may never feel an attachment with your dwelling, and thus not feel like your house is also a home. The reverse is also possible. A home does not need to be a house. The sense of belongingness that comes with being at home is not restricted to a specific physical enclosure. This is necessarily attached with the concept of home.

Blunt and Dowling (2006) have identified three defining characteristics of the home. First, it is material and imaginative. Second, it is related to identity and power. Finally, home is multi-scalar. Home is material and imaginative because home is an emotional space, with a set of attached feelings. Home does not simply exist; it is created and re-created continually. Second, home is related to people’s sense of self. Identities are produced through relations of power, so for example, home may be more closely associated with feelings of isolation for women than for men. Finally, to say that home is multi-scalar means that the home is more than a mere dwelling. As Blunt and Dowling (2006, 29) describe home, “It can be a suburb, neighborhood, nation or indeed the world.” Drawing on Blunt and Dowling’s conceptualization, I argue that Bangalore is a home for the migrant transmen and their female partners who were forced to migrate to Bangalore from their villages or towns.

While a city is a space that accommodates heterogeneity, it is also a space of marginalization and exclusion. These transmen also have faced issues and confrontations concerning their identities. They find constraints in getting shelter and jobs due to their gender identity. Even though the anonymity of the city spaces provide freedom, before transition transmen encounter many difficulties. Suresh shared with me that while he was traveling in an auto before his transition, the driver quarreled with him and asked him to prove whether he was a man or woman. Similarly, Vinu told me that during the initial stages of post-migration he had searched for employment at various shops. Shop owners used to advise him to come by wearing a saree if he wanted the job. After Vinu’s transition, he is able to hide his identity and hence he manages to escape from such humiliation. Transmen in Bangalore also find difficulty in getting jobs outside of NGOs.

Apart from that, the new trans act passed by the government of India poses a major challenge to the entire transgender community, including transmen. Previously transmen were able to change their name and gender on their identity cards once they managed to get their psychiatrists to certify that they met the criteria for Gender Identity Disorder (GID). But the new trans act gives the district magistrate the power to decide the gender of transgender persons. As Sangeetha Sriraam contends in Chap. 8 of this volume, this is a violation of the 2014 NALSA judgment, which gave transgender individuals the right to self-identification of gender. As Sriraam reminds us, this change could lead to the institutionalization of socio-historical marginalization of transgender persons. Transmen face multiple forms of marginalization and discrimination in their lives, but they have learned to question it, and they are trying to find happiness in the face of challenging circumstances.

Compared to their natal homes, where transmen were born and brought up, Bangalore has accommodated them, it has provided shelter for them, and the anonymity of the city has given them the great freedom to live with their gender and sexuality. Along with it, the language of queer politics in the city has given them a kind of boldness to question the status quo. The bond between transmen brothers and their partners constitutes a family for them that replaces their biological families. All my respondents told me that Bangalore is a safe and comfortable space for them. The anonymity and the specifically migratory nature of the city have helped them to build a home here. None of them want to go back; they feel that Bangalore is their home. As Blunt and Dowling (2006, 10) argue, home is a feeling of “being at home.”

12.6 City and Politics of ‘Hope’: Toward a Conclusion

Bangalore is a migratory destination for many transmen and their female partners in South India. They leave their natal homes to escape the violence and harassment from their natal families. Bangalore has helped them to develop a safe space despite many challenges. Bangalore is a home that they create and re-create continuously. Bangalore is also a space that marginalizes and excludes many of its inhabitants, where access to resources is a determining factor. But compared to the places they were born, Bangalore gives transmen the great freedom to live. It gives them a family based on shared politics. The city of Bangalore has given a ‘home’ and ‘hope’ to its transmen migrants.

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