The ‘Third Gender’: A Study of their Problems and Livelihood in Basti District (India)

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Abstract

The 'Third Gender' as stated by the Indian government rules, ‘Hijras’ in local terms, and also called transgender, covers all these appearances under its domain. The term ‘third gender’ came under repetition by the Predict of Supreme Court of India on Apr15, 2014. Apart from the rules, it's essential to protect the rights of a particular group. Literature plays a significant role in declaring the human rights in society and helps to deep understanding to know about the social system, it's also an important tool to sensitize about the human rights in society. This study represents the basic problems of transgender in society, how they discriminated in the Indian social system? And people are not accepted them under the society. This paper will study and analyze some of the literary texts, autobiographies written by the transgender and movies about this issues from India in human rights perspective. The first part of this study gives a brief introduction and a historical background of the transgender in India. The second part of the study presents the Laws implemented by the government for the livelihood and rights for the particular. The third portion of this paper raises the question, why the ‘third gender’ socially excluded from the society? It is a brief survey of Basti district in Utter Pradesh and at last it can be concluded with the interventions of the basic difficulties of transgender need the individual approach.

Keywords: Autobiographies, Human rights, Laws, Social Exclusion, transgender.

1. Introduction

The ‘Third Gender’ or transgender have a recorded history of more than 4000 years. Asian countries have old histories on the gender issue in the Modern times are labeled as transgender. India has a long history of people with a wide range of the third gender and related identities, culture and their experiences. In the society, they are called by many terms such as Hijras, Aravanis, Kothis, Jogtas,
and Shiv Shaktis. Ancient myths present them with some special powers to bring luck and fruitfulness, even in current time also some parts of India. Kamasutra also provides a vivid description of the sexual lifestyle of people with the third nature (Tritiya Prakriti).

Despite the apparently certified place in Indian culture, the third genders face many severe discriminations and harassments in all respect in contemporary India and they are subjugated by the societal norms with bad treatment like Verbal abuses by people, Sexual Violence, denial their share in ancestral property, government services and public places. These siblings did by even their own parents, other family members, friends, community members and because of these problems they are become sex worker and try to make money by different illegal means for their survival. Although the initiative was taken by the central government, state government of India for the protection of their rights and introducing welfare policies, the first state was Tamilandu. The Supreme Court of India declared the transgender as “Socially and Economically Backward class with the right of reservation in education as well as in the government jobs. This law is a remarkable step towards transgender equality and gives them a decent image called ‘The Third Gender’.

History of the Third Gender (From Ancient to Modern) Indian transgender women community or Hijras, have been a part of the Indian subcontinent as long as civilization. A record of 4000 years ago they are part of our society for centuries. There was historical recognition of the transgender in beginning writings of ancient India. The concept of ‘Tritiya-Prakriti’ or ‘Napunsaka’ has been an important part of Hindu mythology, epic and early Vedic period. Even, the Jain text mentions the notion of “psychological sex”, which emphasized the psychological make-up of a separate, distinct from their sexual features. Lord Rama, Ramayana, when he was leaving in the forest upon being evacuated from the kingdom for fourteen years, turns everywhere to his followers and asks all the ‘men and women’ to return to the city. Among his followers, the transgender alone did feel certain by this direction and decided to stay with him. Impressed with their loyalty, Rama sanctioned them the power to deliberate blessings on people on auspicious occasions like marriage, and also at opening ceremonies which, it was supposed to set the stage for the tradition of Badhai in which transgender sing, dance and they give blessings. Aravan, the son of Arjuna and Nagakanya in Mahabharata, offer to be sacrificed to Goddess Kali to confirm the victory of the Pandavas in the Kurukshetra war, the only condition that he made was to spend the last night of his life in marriage. Since no woman was ready to marry one who was destined to be killed, Krishna assumes the form of a beautiful woman called Mohini and married him. The transgender of Tamil Nadu considered Aravan their ancestor and call themselves Aravanis.

2. Methodological Aspect

The study is exploratory cum descriptive research design with a non-probability purpose sampling including snowball technique is adopted, to collect data from the transgender having given their oral consent for the interview in a long span of time. They are strictly enigmatic about exposing any information to them. The interview scheduled with closed and open-ended questions and focus group discussions. After that analyzed the data and explore that what is the main problem in society that they are not accepted.
3. Rights of ‘Third Gender’ and Status of Legislation in India

Human rights are fundamental rights for all genders either they are male, female or transgender. All the rights are assigned by the constitution of India, with the ratification of transgender as ‘third gender’ there laws and rights sanctioned in favor of them. Section 377 of the Indian Penal Code dating back to 1860 was announced by Britishers in India against the order of nature which criminalizes homosexual activities. This act discriminated by the High Court of Delhi on July 2009 but the judgment was upturned by the Supreme court of India on December 11, 2013. Finally, On Feb 6, 2016, T. S. Thakur, the chief justice of India decided that it will be reviewed by afresh five-member constitutional branch. This judicial committee saw the social condition of the transgender and analyzed that they are living in very poor condition. Most of the transgender work as a sex worker for their livelihood and they are just a symbol of satisfaction. For him sexual deviants who were meant to satisfy only the perverse pleasure of male clients. Though there is a legal respect for the gender identity of the transgender, the inconsistency faced by them is the criminal offense by section 377 of the Indian Penal code. It interrupts their right to life, autonomy, dignity guaranteed under article 21, right to equality under article 14, and their right to expression and freedom under article 19 as per appeal states. Further, the transgender protection of Rights Bill 2016 has been passed by the government1.

The Transgender Persons (Protection of Rights) Bill, 2016 seeks to

- Define a person as a transgender;
- Prohibition of discrimination against transgender person;
- Consult right upon transgender person to be recognized as such, and a right to self-perceived gender identity;
- Issue a certificate for identification of transgender persons;
- Provide that no establishment shall discriminate against transgender person in matters relating to employment, recruitment, promotion and other related issues;
- Provide a grievance redressed mechanism in each establishment;
- Establishment of a National Council for Transgender;
- Punishment for contraventions of the provisions of the Bill.

Apart from the regulations that are sanctioned for the welfare of the transgender individual, other issues that can be included for their upliftment in the society. The process of understanding gender identity is a more multifaceted task as the notions of gender are unlimited with the body, the psyche, wishes and passions of persons. The above distinctions related to transgender were entitled in the regulations for their enhancement but now the question arises; is it really benefitting them to catch a secure and reputable place in society.

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1 A Report submitted by UNDP in 2012 entitled, Legal Recognition of Gender Identity of Transgender People in India: Current Situation and Potential Options.
4. A Brief History of Basti District

Basti district situated between the parallels of 26° 23' and 27° 30' North Latitude and 82° 17' and 83° 20' East longitude. Its maximum length from north to south is about 75 km and 70 km from east to west. The district located between newly created district Sant Kabir Nagar on the east and Gonda on the west. The Ghaghra River near Almorah was previously known as Amorah Province or State of Raja Zalim Singh separates it from the Faizabad and Ambedkar Nagar. In the North, it is bounded by district Sidharth Nagar. The district is nearly 8 hours far from the religious capital of India, Varanasi. According to the census of 2011, it has a population of 2,461,056, and almost all of the population lives in rural villages. The district has a sex ratio of 959 females for every 1000 males, and a literacy rate of 69.69%. In the center of the city, there is a particular area where these transgender is living called “Randi Mohalla” and even now people speak very frequently. Previously this area was back of the Basti Railway station. The condition of transgender is still very hazardous and the places where they are living called ‘Kotha’. Here I am sharing own experience. “Once upon a time when I was at my shop and some of the transgender came to me and said ‘give the money for the festival’ I remember it was time Diwali. It was the first experience and I nothing know about them that who was they? Certainly, a worker told me that give him some money whatever you want. It was my first interaction with the transgender and after that, I read and experienced most of the time with them.” One of transgender is also from my hometown and later when I interact with him, I interested in about their lifestyle and why they are begging etc... then I know about the actual condition of transgender. Later this type of incidents happens in my life such as in train, railway station and so on.” They are living in very painful condition and society will accept them even after the so much amendment to the constitution. Later I interact with some of the transgender and converse with them some issues they are faced in society for their livelihood.

5. Result of the Study

The respondents I met nearly 50 in numbers and out of the 60 percent have migrated from the rural areas to urban areas and out of 30 respondents, 33 percent have migrated in search of jobs, only 4 percent for receiving education, 30 percent are migrated due to harassment by friends and relatives and 6 percent were migrated because of disowned by the family member.

5.1 Social exclusion

The nature of the pester included verbal abuses, beating; mistreatment, sexual violence etc. the impact was social restrictions which caused in massive psychological disturbances in mind. At last the outcome was migration, no appearance in society, avoiding social institutions such as colleges, marriages, festivals, and even temples. The nature of migration is permanent for 34 percent transgender and 30 percent want to back to their birthplace. Rest of related to the either very poor family and don’t want to go home or some of don’t want to go . 20 percent of respondents is a 17-22 age group, 6 percent have 22-30 age group. Most of the transgender who migrated are youth (in the age group of 18-25) because in that age group they are much demanded in such places where they working as a sex worker. Very few percentage in the age group who are the more than forty in age. The graph shows the main causes why the third genders excluded from the society.
5.2 Education

35 percent respondents never saw the school, 45 percent have to complete their school education but after that, they have not perused education because colleges not given him admission. Only 10 percent respondents have completed their matric education, 4 percent have completed their intermediate, only one percent had completed graduation and not a single completed tertiary education. Till very less number of percentage in an educational institution, they have faced harassment at the school level. Many types of harassment faced in educational institutions like physical harassment, sexual harassment, verbal abuses, some of harassed by physically and sexually both. Some of told that they were harassed by their teachers, students and classmates. What are the possible causes of not continuing studies?

5.3 What They Do for Livelihood

Majority of respondents are unemployed and this is the main cause they are working such kinds of things for their livelihood. The respondents I analyzed 35 percent are unemployed, 16 percent are into matchmaking, 14 percent are dancing in marriage parties and other ceremonies like the birth of child etc. 4 percent are working as a sex worker, 21 percent are working as domestic helpers. There are no single respondents are working in government or private jobs. And everyone claims that many problems whatever they want to work. Some of the claims that when they are going in marriage ceremonies the others are mistreated with them when they dance in parties people are sexually and verbally abused
them, and hatred. The transgender who are work as sex worker say that they are mistreated by the clients, as well as police, has an aggressive approach towards them. Domestic worker claims that they are exploited by the low wages and workload.

5.4 Age Group for Career Choice

Very few respondents made their career choice below 15 years, but after that, to 15-20 years 45 percent have made their career choice. Fifteen percent of respondents made their career between 20-25 years, and thirty percent have 25-30 age group. Only 15 percent of respondents are satisfied with their career choice and thirteen percent are a lesser amount of satisfaction. 25 percent are not satisfied with their profession but they have to do. Half of the respondents are not satisfied with their career choice it may be partly attributed to the nature of occupation and because of the annoyances at their workplaces.

5.5 Income

The source of income is very low these transgender and they are living in very hazardous condition, even some of have earn below 1500 and their income depended upon the customers. Fifty percent respondents have to earn below RS 1500. Twenty percent of respondents have monthly income is RS 1500-3500. Ten percent monthly earning is 3500-7000. Eight percent of respondents have monthly earned is 7000-12000. Seven percent of the monthly income 15000 and only five percent of respondents have to earn 15000 above.
5.6 Participation in Society

The lifestyle of the transgender depends upon what they earn from society by their career choice like dance, working etc. They have not their own property only 4 respondents have property and rest of the denied by their property rights or their property share not given by family. Most of them living in the rented house some of life with their partners. And nearly half of respondents live with other transgender in a particular place which called ‘Kotha’. Only three respondents live alone in their personal shelter. They are socially excluded from social participation.

Only three transgender have their own voter card and rest have not but who have voter card they are not cast the vote. Six have a ration card and only 2 have bank account. The reason they share attributed to the low economic status, lack of awareness and education.

5.7 Health Issues

Four candidates have claimed their health is very bad. The common health problems as they share were skin problems, diabetes, joint pain, respiratory infections, Urinary treat infections etc. The transgender who worked as a sex worker, they have less knowledge of sexually transmitted diseases and Condom. No one has gone for the screening of sexually transmitted diseases. Because of the lack of knowledge about this they faced a high risk of HIV.

Source- Primary observation by researcher
All the transgender claims that they are totally socially deprived, even the laws implemented by the Supreme Court of India they feel politically alienated. They always say that there is no position in the political system and no place in the mainstream. All the respondents claim that if there is no place in mainstream it is because if they are accepted by the society. When the family and the community came to know about their gender identity their attitude is not helpful, even family not favorable to them. They claim that the normative character is always imposed on them by their family or the other people.

The respondents give their opinion that if there should be a ‘community support group’ or ‘transgender welfare board’ so that their issues are addressed and their voice heard by this particular system.

6. Autobiography and Gems

Literature always plays a prominent role in establishing human rights in society and it discloses the diverse form of lives and helps in a deep understanding of the social system. With the initiation of time, autobiography to expose the hidden lives of women in just one example of the use to which category can be put. Autobiographies written from the ancient times but it started by women to reveal her actual position and lifestyle in society. An autobiography written by Ras Sundari Debi named “Amar Jeeban”² in Bangla language describes how she was married in little age and fought against so many problems in the 19th century. She was not a transgender but she faced too much problem in her life because at time girls married in a child. Autobiographies can be often is about an individual, but as well as being either by or about a separate, it can also be a collective subject.

In present time transgender are also came into existence but in less number. By the autobiographies, they express the feeling towards the social system and why they feel always regret. “I Am Vidya” written by Living Smile Vidya³ a transgender from Chennai detailed about the very painful journey in her life. After a lot of complication in her life, she is currently working for volunteer organizations engaged in serving deprived in Chennai. She describes the significance of literature to fight depression and fear and writes, “Literature and solitude were my companions”.

She expresses her feeling through autobiography tries to communicate her confusion of being a woman in a men body followed by her terror of coming out as a female in society. She saying “I had no problem with people recognizing my femininity but despised it when they made fun of me on that account”. Because if this she tried to hide her femininity due to the non-acceptance of a transgender in the societal system and said it is not only about the acceptance or non-acceptance of the third

² It was the first autobiography written by an Indian woman and also first written by any Bengali male or female published in 1876.
³Living Smile Vidya is an India Trans woman actor, assistant director, and writer from Chennai. She was the subject of the award winning Kannada documentary Naanu Avanalla...Avalu, based on her autobiography of the same name. Vidya holds a postgraduate degree from Tanjavur Tamil University in applied linguistics, and started her career as an electronic data processing assistant. Her autobiography I Am Vidya was written in Tamil, and translated into seven languages.
gender in the society but it’s the way treated them by his hatred eyes. She wants to hide her femininity but she could not be and that is why considered of shame by her classmates and friends. She mentioned in her autobiography, “I was a girl. Unfortunately, the world saw me as a boy. I wanted to be a girl, but I made every effort possible to hide my femininity from society. I took the specific trouble to remain unremarkable at college, my unpleasant memories of my bitter experience at school still afresh in my mind. I tried to lead a false life of energetic attempts like a man and speak like one.” She was the sixth child in her family, born after years of prayers for a boy. Four girls followed tow of yielding to unknown diseases. In my childhood, I feel whatever joy I want must have brought my parents. But the problem spread up in the family when I have aged and the activity by me.

Being a transgender, A. Revathi in her autobiography ‘The Truth about Me’ brings up the duties that are expected of a male child in the family. Due to the approach to the society and family, she cannot get a job and not even go outside of the home sometimes with her friends. She did every effort had to undergo to be accepted by the family as she built. She feels that it is a step in the assertion of rights of the transgender to have the right to own property.

Vidya’s autobiography gives illustrations about the violence being inflicted on her and on transgender as a whole and there is no one to raise voice against to provide the protection to them. Being a transgender doesn’t mean the society live their life barren of the basic human rights? Vidya mentioned in one place, “Now four or five people encircled me again. One of them held my arms and tangled them between the stairs of the ladder to upper berth. Another pulled my hair. A third brute belted me with the buckle end hitting my face. His wild swing of belt found my cheekbone and I started bleeding.”

She is saying, if someone beats me, I hurt. I long for respect and want a life of dignity. I want a life like many women lives in her family but who gives us this respect? She shared an experience while staying in the hostel during college, “I had share room with my roommate named Madurai, at that time fear dominates my thought. I was not a male and that made me nervous, the night was like hell because the fear of the students lived there. This fear in the mind of a transgender because of the mindset of society to treat them in very ill manner.

As a transgender, she gets pushed to the fringes of society, and also some time work under sex worker. But the aim of the writing to introduce to the readers the lives of transgender their culture, dreams, and desires. By this autobiography, she just wants to say, ”I hope now that by publishing my life story, larger changes can be achieved and will make people see that transgender are capable of more than just begging and sex work. I don’t want sympathy from society or the government but just show that we transgender do have any rights to live in this society.
7. A Brief Summary of Movie

The theater plays a prominent role to show the live picture of society. Very less number of movies produced on the life of transgender in that I watched one named “Bol”4 directed and written by Shoaib Mansoor and acted by Atif Aslam and Humaima Malik, Mahira Khan and others. It is Pakistani Urdu language social drama film released on the screen on 31Aug 2011 in India. This movie concerns a religious Muslim family faced a too much financial problem because of the many children and changing times. The owner of this family is a Hakeem but changing in times the dispensary is not much running. With a major plot involving the father desire to have a son and refusal of his existing transgender male assigned at birth daughter and later this movie become highest grossing Pakistani films of all times. The movie depicts the early life of a transgender and what kind of problem facing in society as well as in family and at last cause of too many complications her father kill them.

The drama starts with showing the character, Zainab (Humaima Malik), about to be suspended. She wants to share her story with media right before when she going to die by police. She starts her story, she grew up with six sisters, a mother and a father in the family. The father always wanted a son so that the son could help with the financial issues of the family may be by patriarchal thinking; he doesn't believe in women being employed. They have a transgender child named Syed Saifullah Khan or Saifi (Amr Kashmiri). The father (Hakim) doesn't like Saifi since born because he is transgender. Saifi is deeply attached by the rest of her family. Zainab is married to a guy who keeps distressing her cause not able to giving birth. Henceforth, Zaineb comes back to her father's house. Zainab's mom keeps having babies that are born dead. Zainab arranges a tubal ligation for her. When the father (Manzar Shebai) knows, he becomes very angry.

One day in a room, Zainab sees Saifi dressed in women's clothes and gets very bothered. Hakim has a small traditional pharmacy and is approached by a man who asks him to teach The Quran to his children since Hakim is a very spiritual man who has pledges with the mosque. Hakim primarily refuses because the man, Saqa (Ishaq), is running a brothel family. Meanwhile, the mosque authority gives him some money to keep, since they have faith in him to be very trustworthy. Mustafa (Atif Aslam), a neighbor, gets Saifi a job at a place where they paint trucks because Saifi only knows the painting very well. There, Saifi is stressed by other workers because they discriminate against her identification.

One day Saifi is raped by her colleagues and left him in a truck. Another transgender person (Almas Bobby-who in real life is a transgender person), finds her and takes her home at late night. Hakim snoops Saifi telling his wife and Zainab what happened to her. Later on, when everybody is sleeping in the night, Hakim suffocates Saifi to death with a plastic bag. He must enticement the police inspector to keep it a secret with two lakhs rupees. Hakim is forced to take money out of the Mosque funds. The masjid members ask for the funds which they gave him, but they have not enough money. He is forcing himself to go to the Saqa's house to get the money and teach Quran. He started

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4Bol is a Pakistani Urdu language social drama based on a transgender story, directed and produced by Shoaib Mansoor. It was a critical and commercial success, and became highest grossing Pakistani films of the all-time.
teaching Quran but not enough for the fund, and Saqa gives him another option—Hakim has to marry his daughter and have a baby with Meena (Iman Ali), one of the prostitutes and oldest daughter of Saqas. Hakim retains having girls, and Saqa tells him that it is the men who generate the sex. Meanwhile, Zainab gets Ayesha (Mahira Khan) and Mustafa married since the Hakim creates another man at the masjid and wanted to get Ayesha married to that man. Simultaneously, Hakim married Meena. When Hakim knows about Ayesha's marriage, he gets angry but can't do anything about it. Meena and Hakim have given birth a girl child, and it is a girl meaning Saqa gets to preserve it. Hakim told Meena to give him the baby because he knows later Saqa gets her into prostitution. One night Meena gives the baby to Hakim house but Saqa comes to receive baby and but lots of problem at that time Zaineb hit a rod on her father head he shot died. Later they started a café in her house and time by the time it becomes very famous.

Back in the present, a TV reporter keeps trying to prove that she is innocent, it's a very challenging task and at last she unable do it. Zainab ends by asking that why is only killing a sin. Why isn't giving birth, without any family planning, a sin? Then she is hanged. The drama gives a brief message about the society and problems faced by a transgender people, even sometimes her family wants to kill them.

8. Conclusion and Suggestion

Finally it can be concluded that the poor condition of the transgender is all because of the discrimination done against them by the society. They are discriminated by their own society members where they take birth. First, they are not accepted by his parents and it is starting of the painful journey of a transgender. The social system needs to take off their humiliation and works towards accepting them as a part of the societal system. They have rights to implemented in society. The laws implemented by constitution and literature can cover the way to the social change. A Revathi’s poetical lines' A Life in Trans Activism' that figure there and continue to struggle not for activism but for an understanding and establishing their gender identity. The first of transgender to deserving the right given in the constitution under Article 14, 15 about the prohibition of discrimination on the ground of caste, religion, sex, and place of birth. It also provides the fundamental right to the equality, Article 21 provides to the right of privacy and personal dignity to the citizen of India.

Transgender are mostly called 'Hijras' or ‘Chakras' in Basti which is also a symbolic word they feel, discrimination among them, even most of the people don't know about the term transgender or the ‘third gender'. They faced the harassment in every aspect of the life of employment, life standard and education. They face discrimination, don't have the take confidence to come in social ceremonies. The there low educational level is disturbed them to come in white color jobs. And because of this more than transgender are facing low economic problems. In a democratic country, transgender has never cast the vote and there is no participation in politics except Shabnam 'Mausi' Bano elected member of the Madhya Pradesh state legislative assembly during 1998-2003. With the effort of her transgender were granting voting right in 2004.
Through the literature, social media, and movie want to aware the society for the right about these particular group, but lots of amendment and laws by government and awareness program they are facing the livelihood problem and fight for their rights. The autobiography 'I Am Vidya’ speaks about, how she started the facing problem till her birth and still in present for their rights in society and work for a livelihood. If we see the movie ‘Bol’,is also saw the life of a transgender born in a Muslim family and loving by the whole family except by her father and at last her father was kill them. It was the problem of society where she not accepted, and for living in this society, she killed my father. In my study area as I saw, these transgender are only for harassed, the people who are gone to these ‘Kotha’, think only for sex, and transgender has no choice except becoming asex worker for their livelihood. Now a ‘Mohalla’ established in the center of the city where they lived.

By this paper I just want to give this suggestion that the people who are thinking that a ‘transgender is just for a source of enjoyment’, they have to think that transgender is also a human being, they have heart, they feel, also have to right to live in society with their own dignity.

9. References

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