

Sociological constraints in the inclusion of kinnar/transgender in the mainstream of society**Dr.Sunita Kumar****Associate Professor, Department of Sociology,
NariShikshaNiketan PG College, Lucknow**

Abstract: -

In India, the identification of transgender people is one of the most pressing societal issues. There is still a long way to go toward gender equality in India, where gender stratification permeates nearly every aspect of society, and the transgender issue has been a topic of conversation for more than a decade. Despite the Supreme Court of India's recognition of transgender individuals as a third gender, there are still numerous unanswered concerns in India. In this essay, the researcher explores the social and cultural exclusion and inclusion of transgender persons, as well as the attitudes of mainstream society toward them.

Key Words : Gender Equality, Social and Cultural Exclusion, Transgender persons.

Introduction

In India, the term "kinnar" or "transgender" can be referred to by a variety of terms depending on the location and groups, such as:

1. Kinnar, a regional version of the name "Hijras" used in Delhi, the North, and other regions of India, such as Maharashtra
2. The regional Hijras variant known as Aravani is utilised in Tamil Nadu. Some Aravani activists want the term "Thirunangi" to be used in the public and media to describe Aravanis.
3. Kothi, a naturally masculine person who exhibits variable degrees of "femininity." Not all Kothis self-identify as transgender or Hijras, while some Hijras may also self-identify as "Kothis."
4. Shiv-Shakti, or males who express their gender as female and are particularly close to a goddess, are typically seen in Andhra Pradesh.
5. Jogtas/Jogappas: Jogtas or Jogappas are devotees of the goddess Renukha Devi (Yellamma), whose temples are located in Maharashtra and Karnataka, and act as her servants.

The word "transgender" encompasses a variety of issues, including the battle with gender identity and the vast array of activities accessible to persons who do not identify as male or female. In this article, "transgender" refers to those who identify as transgender, as well as their associated behaviors and manifestations. Transgender individuals have lived in India from the thirteenth and fourteenth centuries. Once the British seized control of India, their image was ruined, and they are now considered as "a violation of public morality." Following the end of British rule in India, exclusion from society or a group resulted in everyday discrimination and abuse. Numerous international studies have examined identity, health, and social stigma. They have attempted to safeguard their rights and freedom by providing legal protection, and this endeavor continues to this day. The notions of what defines "masculine" and "feminine" conduct among Hijras may vary from individual to individual, but until 2011, the designation of Hijras as "others" in the Indian census and election commission was ambiguous. After a lengthy argument, the Indian Supreme Court, presided over by justices K.S. Radhakrishnan and A.K. Sikri, finally accepted the third gender category in 2014.. (NALSA V/S U.O.I. Case, 2014).

Literature Review

Hijras and their struggle for equality, freedom of expression in relation to socioeconomic situations and many dimensions of exclusion in the Indian context has been the topic of numerous studies around the world. It has been described and debated by academics with experience in related fields. To accept feminism and establish a separate and spiritual character within society's framework, the responsibilities of the Hijras in reference to the mother goddess are emphasised in "Neither man nor woman: The Hijras of India," written by Nanda Serena. To begin to grasp the differences between transgender men and women, we must first understand who these people are and how they define themselves. The year was 1990. (Nanda, 1990)

Regarding the pleasures of sexual relations: To represent the intricate interplay between Hijras in South India and their indigenous people, the author Gayatri Reddy has worked tirelessly. The author also focuses on the roles they played in enforcing their constitutional rights and duties, and she makes an effort to comprehend how their varied personalities contributed to the development of their individual identities. she asserts,

It is a magnificent depiction of the emergence of Hijra identity in Bangalore in terms of social, political, economic, and cultural boundaries in the "Monograph on clan culture of Hijras" by Tissy Mariam Thomas (Tissy). As a result of the widespread antagonism and discrimination directed at Hijras, he emphasizes the importance of educating the broader population about this minority group. Literature and media depicting today's world's problems and hardships have a tendency to be biased, as can be seen in any place that is the subject of such works.

Many academics believe that the Hijras' social seclusion undermined their sense of self-esteem, civic obligation, and identity. If society and national growth are to progress, all citizens must be taught Hijra. (Gayatri reddy; 2005).

Methodology of Study

Participant observation and in-depth interviews with stakeholders, as well as the collecting of secondary data from the 2011 Indian Census and WHO publication, were employed in this study.

Identity Formation

According to legends and ancient literature, Satapatha Brahman is the progenitor of the Hijras, a tribe of people who are neither male nor female. Ancient and sacred literature include more proof of the Hijras' existence. Although the book's particular content may not always be clear, Hijrs refers to Satapatha Brahman as a scripture. The identity of the Hijras may likewise change depending on the concentration of myth.

This is a recurring theme in Greek mythology, and it appears in both the first and second stories. According to the Mahabharata, Pandava warrior Arjuna spent a year at King Virata's court disguised as a "eunuch" in the Bahuchara tale. As a result, whether the hero transforms or just clothes as another person, the transformation indicates how convincing the hero's disguise was and validates his masculinity in the viewer's eyes. Hijras may identify with Arjuna because of his transition into a "eunuch" and project their own identities onto one of Sanskrit literature's fiercest warriors and morally pure men. In the article, it is not stated if he or she is male, female, or

something in between. They used Hijras' gender uncertainty to describe their own identities while also emphasizing Hijras' enormous benevolence and heroic nature.

Because of their relationship with Arjuna, the Hijras benefit from his stature as a hero and holy person. Hijras often use the above story in order to demonstrate that they are a different ethnic group. Hijras use figures like Arnuna, Amba, and Sikhandin to demonstrate the diversity of gender roles in ancient periods and holy books. They may utilize this story to promote themselves as a historical character who had a good impact on ancient literature because of their ethical activities. (Simon Brodbeck, 2007).

Statistics

With 54854 children under the age of six and a literacy rate of 56 percent, India's 2011 census has an estimated 4.8 million transgender individuals. Uttar Pradesh and Maharashtra have the highest concentrations at 28 percent. The next five states are: Andhra Pradesh (with 9%), Madhya Pradesh (with 6%), West Bengal (with 6%), Tamil Nadu (with 4%), Rajasthan (with 3%), and Punjab (with 2%). (Census, 2011).

Occupation

What's being conveyed It is common for a person's career and social identity to be connected since they represent an individual's position in society and are defined by various roles they do. Consequently, in all of human undertakings, the relationship between a person's identity and their employment is dialectical, as the latter formed the former. The Hijras' occupation is still a bit of an open question. Due to a lack of literacy in the working population, only 45 percent of those employed are considered primary workers, while the remaining 55 percent rely on prostitutes for their income.

Socio-Economic Conditions of Hijras

There is no doubt that Hijras are a minority in the United States. The Hijras, whose ancestry can be traced back to ancient Hindu texts, held a special reverence for the mother goddess and saw themselves as a kind of ambiguous representation of Lord Shiva. Kama Sutra historians claim that the Indian subcontinent has been home to Hijra Muslims since antiquity. Gender luminal, spiritual, and survival are all intertwined in the subcontinental cultural roles depicted here.

Ancient Indian civilization held high regard for Hijras. The ancient Hindu texts known as the Vedas depict characters and eunuchs that exhibit both masculine and female characteristics. These animals were supposed to be extremely fertile and bringing good fortune.

The Mughal dynasty employed eunuchs as royal guards, which was an integral part of the court's rule. For millennia, they have performed badhai, or blessings, at weddings and births. During the colonial period, the British moved their position. Section 377 of the Indian Penal Code, however, has given them a fighting chance to reclaim their freedom and rights. For those who identify as transgender, the election commission has added a rule that makes it easier to vote. Discrimination and abuse from all sectors affects their quality of life because of their tiny population and gender variety, which makes them more vulnerable. These variables include a low literacy rate, a lack of income, and a perception of social disapproval.

To make ends meet, many people turned to prostitution, which is a major risk factor for the spread of diseases like AIDS and HIV. Another alternative is to solicit alms in public places like temples, or to accept payment for the care of infants. Female employees have a lack of possibilities because of their gender differences, which makes it difficult for them to showcase their abilities and innovative ideas (Jennifer loh, 2011). Physical and verbal abuse is also widespread, and this can lead to a number of long-term physical and mental health difficulties.. Discrimination and injustice could befall them due to their marginalization. Because they are being evicted from their families and communities, they are forced to work as sex workers or beg on the streets.

They now enjoy better access to education, health care, and other services as a result of the official recognition of the third gender on April 14, 2014. In order to attain racial equality, efforts are currently being made to enhance the socioeconomic status of this population. Having the ability to vote is a symbol of our society's dedication to individual freedom and free speech. "transgender people should be treated consistently with other minorities under the law, allowing them to access jobs, healthcare, and education," Justice Radhakrishna correctly stated. Transgender individuals in India now have the same legal protections as other Indian citizens, according to a law passed by the Indian parliament that guarantees them the same rights as SC/ST citizens... 2014's Nalsa v. U.O.I. Case.

Social Exclusion of 'Hijras'/Transgender

Framework for Women's Social Exclusion is a useful tool for raising awareness about oppressed and marginalized groups' challenges. Focusing on both the causes and consequences of socioeconomic inequality is a multifaceted approach. When it comes to addressing the Millennium Development Goals' issues of social exclusion, it is widely felt that the Social Exclusion Framework will be especially helpful. One may see how Hijras/TG women have been excluded from meaningful involvement in social and cultural life, the economy, politics, and decision-making processes by adopting the Social Exclusion Framework. Persecution of Hijras/TG groups is described in this section within the context of this framework. It goes like this (UNDP, 2010).

Exclusion from Social and Cultural Participation

The Indians tolerate, accept, and respect a wide range of cultural, religious, language, and practice differences, despite their isolation from their family and communities. People in India appear to have little understanding or familiarity with same-sex couples or those whose gender identification and expression varies from their biological sex despite the widespread acceptance and tolerance. Indian human rights abuses, notably against transgender individuals, have been documented multiple times against those who identify as sexual minorities. Families struggle to accept when a guy starts acting in ways that are considered unsuitable for his gender. A family member's kid or sibling's appearance or demeanour can lead to a hostile reaction from other family members.

Depending on the culture, parents may decide to expel and disown their own children if they don't behave as expected of a boy in society's gender roles. Because of the humiliation and dishonor the family may suffer from having only one male offspring, some parents choose to have only one son because they fear that their child will not be able to support them financially in the future. Because of this, transsexual women may have difficulty claiming their rightful inheritance or property in the future. Bigotry in the home can lead young people to leave their families and find a better life elsewhere. Some of them may end up in towns resembling those of the Hijrah. Hijras who are either ignorant or undereducated have a hard time finding work as a

result. In addition, finding Hijras/TG staff is a challenge. Some elements of society may make fun of or even be unfriendly to those who identify as either male or female. Many victims of human trafficking have been subjected to physical and verbal abuse as well as sexual exploitation and various forms of extortion.

Ruffians view Hijras/TGs as easy prey for extortion and sexual objects since they lack police protection. In a 2007 poll, 46 percent of MSM and 31 percent of Hijras reported incidents of sexual assault, physical assault, verbal abuse, extortion for money, and threats to one's life. Hijras have also faced discrimination in healthcare facilities because they are Muslim. It is typical for healthcare practitioners to face obstacles related to their lack of information regarding the health issues faced by sexual minorities. Prior to receiving either public or private health care, transgender individuals (TG) must overcome a number of obstacles.

Antiretroviral medicine, HIV testing and contraception are all extremely difficult to acquire. The dearth of medical personnel who are sensitive to the requirements of transgender patients and who have received particular training in providing care and treatment for them has been cited by patients and families of transgender patients as a reason why they are treated unfairly in hospitals. Hijras have also complained that they have been denied medical care because of the usage of male pronouns while addressing them, being classed as "males" when they register, and being admitted to male wards.. HIV status, sex job status, or transgender status are all examples of factors that can lead to discrimination. (UNDP. 2010).

Exclusion from Political Participation

These tribes and groups' civil and political rights were curtailed in 1871 by the British government because they were 'addicted to the systematic conduct of non-bailable offenses' A culture of lawlessness that had been passed down through the generations was seen as a threat by many of those groups. Following medical testing, every man who admitted to being or appeared to be impotent according to the Criminal Tribes Act of 1871 was designated as a "eunuch." Children's identities and addresses must be kept on file with the local administration in India if eunuchs are "reasonably suspected" of kidnapping or castrating children, according to Indian law In addition, "any registered individual who appears on a public street costumed or ornamented as a lady" is included. Section 377 of the Indian Penal Code threatens criminal action against

anyone who engages in any public display, such as dancing or playing music, while on a publicly accessible path (UNDP, 2010). The Delhi High Court decided against same-sex marriage in July 2009, despite the fact that Indian law permits private same-sex unions without violating anyone's rights.

India's Supreme Court has heard appeals to the judgement, but no formal response has been issued by the Indian government. People who are transgender or who change their sex may face legal difficulties. Legal recognition of transgender people's gender identification, same-sex marriage, adoption, inheritance, estate planning, and access to government and private healthcare facilities are also crucial for transgender persons. Legal acknowledgment of gender identification as a woman or as a transgender woman is extremely challenging. Legal residency status can make it difficult to open an account at a bank or apply for a credit card at a retail establishment (food-price subsidy). Many transgender voters can now cast their ballots in the gender of their choice, whether that is "woman" or "other". A voter identification card can be used to determine a person's gender identity, although the legality of this is still up in the air. Elections have traditionally been handled by the Hijras. It is well-known that transgender candidates' elections have been thrown out because they ran as "female," which is both illegal and misleading. As a result, the right to run for public office has not yet been fully fulfilled. More than 100 transgender-friendly organizations and networks exist in India, according to a recent mapping study. Collectivization and the establishment of communities face numerous obstacles.

Only 46/103 of the organizations in this category are community-owned. Hijras/TG people should have little issue founding and maintaining their own groups because of the government's emphasis on community-based organizations (CBOs) in guiding HIV responses.. This is in direct opposition to everything these communities have gone through. The registration of various groups and the mobilization of the general people have been difficult tasks. A Hijras/TG organization may face difficulties in registering under the Indian Trust Act and the Societies Registration Act because both statutes allow groups of people to form legal entities. In order to be formally registered as a member of an organization, verification of the addresses and identities of the members is required. Most Hijras/TG do not have paperwork establishing their identity, such as evidence of gender or residency, and this is a common problem. Additionally,

their association's money transactions must be processed through a single bank account. Empathic public sector workers As a result of the above challenges, many Hijra CBOs in India were unable to meet the registration requirements.

However, Hijras appeared to have had issues with the government personnel who were in charge of registering them; they were interrogated in a useless and irrelevant manner, and undue delay occurred. For the legal association, finding an office place is quite tough. Regardless of whether or not they manage to find a tenant, landlords charge extortionate rent. The lack of financial aid There are very few outside sources of funding for Hijras and TGs in general. Investors, as well as potential investors, prefer to support initiatives to stop the spread of HIV. It appears that several organizations in the TG/Hijra communities that asked for financing through the National AIDS Control Program were rejected.. Our towns' infrastructure needs to be improved. Hijras/TG groups already in existence typically lack the basic processes required to run a successful company.

Improve these organisations' ability to mobilize and deliver high-quality services to the community (UNDP. 2010). Refusal to Take Part in the Market a shortage of Social Security benefits Many problems exist when it comes to Hijras/TGs being able to receive their social security benefits. Do not anticipate long-term aid from your family if you are a Hijra.. They suffer a number of difficulties as a result of these and other issues, particularly if they are unable to work owing to ill health or old age. Hijras/TG citizens have a number of significant difficulties with regard to social security policy.

Failure to make a living Transgender people, despite their skills and qualifications, are often overlooked by potential employers. Some states are home to successful Hijras who own restaurants or organize cultural events. A few exceptions exist to this rule, however: There are numerous reasons why transgender people choose or continue to work in the sex industry despite the high risk of contracting HIV and other illnesses that are associated with it. The Life Insurance Corporation of India has recently provided a number of mainstream employment to women who are certified to act as salespeople. Barriers to accessing social assistance services, as

well as a lack of specific programs. Welfare agencies offer a wide range of services for the benefit of the underprivileged.

A few circumstances in which Tamil Nadu provides land to Aravanis are the only exception to the general rule that Hijras can no longer take advantage of any special programs. In order to help the "Hijras," the Andhra Pradesh Government authorized the Minority Assistance Department to create social programs for them. Even the most deserving persons are unable to benefit from a wide range of programs because of the demanding and time-consuming application processes necessary. They are also largely uninformed of social assistance programs that could help them. No other organizations in Tamil Nadu, India, are working to meet the needs of transgender women except from the newly formed "Aravanis/Transgender Women Welfare Board." Until now, no other state has taken this step. there is a paucity of health and life insurance options Because of a lack of understanding or inability to pay premiums, the vast majority of Hijras do not have life or health insurance... As a result, even though widespread prejudice is a reality, most people rely on government hospitals (UNDP. 2010). The socio-economic marginalisation of Hijras from society is illustrated in Fig. 1.



Figure 1 depicts how Hijras are socially, culturally, economically, and politically excluded from society.

Political Field

1. Shabnam Mausi Bano

She was the first openly transgender elected official. She represented the Sholapur seat in Madhya Pradesh as a state member from 1998 to 2003. (Hijras were granted voting rights in 1994 in India.) Because her father worked as a police superintendent, she was brought up in a Brahmin household. Due to her extensive travels, she is proficient in a total of 12 languages. She's dedicated her life to eradicating hunger, unemployment, and corruption in her own community, and she's made significant progress in the process. Additionally, she utilized her influence to speak out for the rights of Hijras and to create awareness about the HIV/AIDS crisis. For a large number of Hijras, she was a major source of inspiration for becoming active in Indian politics and "mainstream activities." JJP (Jeeti Jitayi Politics) was created by Hijras in 2003, which translates to "politics that has already been won." She was the subject of the 2005 film "Shabnam Mausi," which is loosely based on her life story. After leaving public service, Shabnam Mausi has continued to work with AIDS/HIV groups and gender activists in India to promote awareness about the illness.

2. Laxmi Narayan Tripathi

She is the Kinnar community's Hijras Guru and spokesperson. She hails from Uttar Pradesh, a state in the country of India. She is well-known for her knowledge of Hijras, both as a performer and a teacher. To be honest, she's a well-known campaigner who also happens to be the epitome of style. She also brought into her family two children who had grown up. This is the first time a transgender person has served as a United Nations representative from Asia. Several non-profit groups that advocate for LGBT rights were on my board of directors. She was chosen to serve as the first president of the DAI Welfare Society NGO when it was formally created in South Asia in 2002.

3. One of the Hijras in Chhattisgarh was chosen to lead the Zillah Parishad in 2013.

Welfare schemes

Individuals who identified as transgender (Hijras/Aravinis) in Tamil Nadu, India's first transgender-welcoming state, were given financial aid. There is a free sex-reassignment surgery (SRS) policy for transgender people in all government hospitals in addition to free housing and various forms of citizenship documentation, admission to government colleges with full financial aid for higher education, and the creation of self-help groups for saving and the launch of

income-generation initiatives for transgender people, according to this policy (IGP). Transgender people were elected to serve on the first transgender welfare board in the state of Tamil Nadu.

The government of Tamil Nadu set up a transgender welfare board in April 2008 to deal with the problems experienced by transgender individuals all throughout India. The board's chairman was chosen as the next social welfare minister when the time came. Transgender persons are now eligible for special food ration cards provided by the government, which are said to be India's first, if not the world's, effort. Transgender rights for males and other gender variations have recently been taken into account by the transgender welfare board, despite its initial concentration on trans women alone. As a result of efforts made in May 2008 to increase the educational options for transgender students, they are now eligible to enroll in public schools and universities. The government conducts a census to offer identification and ration cards to transgender people, making them equal to the rest of the population and giving them a sense of agency. There have been recent increases in the number of constable jobs in the police force of Tamil Nadu.

A transgender policy with particular reservations and equal opportunity was introduced in Kerala's government in 2015, as well as in Tamil Nadu. In June 2017, Kerala's government generated more than 500 new jobs for "kochi metro railways ltd." Andhra Pradesh's state government began paying transgender individuals a Rs. 1500 monthly pension in January 2018..

Conclusion

According to a review of the scientific literature, those who identify as transgender reject traditional gender preconceptions. As previously said, transgender persons are recognized by a number of names depending on where they reside. They are called eunuchs because of the emasculation procedure they go through to become Hijras. The name "Hijras" is more often used in India to describe transgender people. In spite of their efforts, Hijras face social, cultural, and genetic hurdles that cause them to feel ashamed, frustrated, and even pose a danger to other societal concerns. In a patriarchal society like India, it might be difficult to acknowledge the existence of different gender roles.

Hijra concerns have been studied by academics for many years, and many different viewpoints have been provided in the hope that they may improve and provide justice for the Hijra community. Non-governmental organizations (NGOs) and state governments around the nation have been fighting for the rights of Hijras. Transgender policies have been introduced in the nation as a means of preventing exploitation, hardship and social isolation. Since then, we've seen a number of transformations in the film industry and in other sectors of the commercial and public sectors.

People's increased feeling of comfort, belonging, and self-confidence in other social settings is often overlooked by research on the benefits of relationships on their sense of identity (mass). As a potent weapon for fostering social harmony and peace, it would be one of the greatest human contributions to the notion that equality speaks for everyone if we could accomplish this.

References

- Census 2011, Govt of India
- Craddock E (2012) Altered Bodies and Alternative Lives: Thirunangi Communities in Tamil Nadu. Presentation American Academy of Religion Annual Meeting 2012, Chicago.
- Custodi A (2007) Show you are a Man! Trans-sexuality and Gender Bending in the Characters of Arjuna/Bahuchara and Amba/Sikhandin (I) in Simon Brodbeck and Brian Black (eds.) Gender and Narrative in the Mahabharata, London: Routledge, 208–229.
- Gayatri R (2010) With respect to sex: Negotiating Hijras Identity in the south. Chicago. University of Chicago press, EBook library.
- Hildebeitel A (1995) Dying Before the Mahabharata War: Martial and Transsexual Body-Building for Aravan. The Journal of Asian Studies. Association for Asian Studies. 54(2): 447–473
- Hildebeitel A (1999) Chapter 12: Barbarika, Aravan, and Kuttanavar: Furthering the Case of the Severed Head. Rethinking India's oral and classical epics: Draupadi among Rajputs, Muslims, and Dalits. University of Chicago Press

- Jennifer loh (2011) Borrowing Religious Identifications: A Study of Religious Practices among the Hijras of India the SOAS Journal of Graduate Research, Vol. 3, and March 2011.
- Nanda S (1990) Neither Man nor Women: The Hijras of India Belmont, California: Wadsworth publishing company
- Simon Brodbeck (2007) Gender and Narrative in the Mahabharata. Routledge.
- Tissy TM (2013) Monograph on clan cultural of Hijras: An exploration to gender identity and status of Hijras inside and outside Gharanas. Centre for research-projects. Christ University Bangalore.
- UNDP V (2010) Hijras / Transgender Women in India: HIV, Human Rights and Social Exclusion. UNDP, India 1-15.