

**How to Cite:**

Mathai, J. K. (2022). Sex reassignment surgery and wellbeing of India's transgender community: A hijra culture. *International Journal of Health Sciences*, 6(S1), 5899–5918.  
<https://doi.org/10.53730/ijhs.v6nS1.6212>

## Sex reassignment surgery and wellbeing of India's transgender community: A hijra culture

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**Abstract**---The research focuses on determining "*the role of sex reassignment surgery in Hijra culture in India and what motivates people to undergo sex reassignment surgery.*" The transgender community that creates the shape of the body through gender reassurance relies on modern medicine. However, there are financial, physical, and institutional impediments to undergo sex reassignment surgery and transitioning into a woman or a man. The cultural background of the Hijra, the link between the ancient Hijra culture and modern transgender communities, and the policy implications for the protection of civil rights among transgender people are highlighted as significant subjects during the research study. The study draws on data from primary sources of transgender people, including MtF (Male to Female) and transgender (Hijra) activists, from various community-based organisations across India, implementing a qualitative research approach and contacting transgender people through primary and secondary sources. Intentional and snowball sampling techniques are used to undertake in-depth interview guides with the transgender community and for further research, evaluation, and data collection. Interviews involve transgender individuals who are not primarily involved in the organization. Secondary sources such as the Internet, newspapers, and NGO reports evaluate the content. However, some transgender individuals in India blame society, criticizing the Hijra culture and their lack of development. If the MtF matches the transgender person, traditional and socio-cultural values recognize as a woman's representation. However, in the absence of reproduction, they remain incomplete women. As a result, the transgender community faces economic and social challenges due to the female role. Acceptance of the third gender in India's religious and cultural contexts has made it simpler for transgender people to live outside of

the gender paradigm. The study focuses on the rigid structure of the biological body, the socio-economic flexibility of gender-body politics created in India, and the governance and legalities that form the boundaries of Indian culture.

**Keywords**---Sex Reassignment Surgery, Male to Female Transgender, Hijra Culture.

## Introduction

Transgender refers to an umbrella term that applies to different identities. Hijra relates to people whose gender is different from biological sexuality. There is insufficient data on the transgender community in India, although descriptive evidence estimates that approximately five million persons out of the total populace are transgender (July 2014). Hijra can be harsh today. When Hijra people's rights are violated, especially when they beg for money via traffic and have no money, the Hijra world is in turmoil. People in the community are frightened as a result of violence. Because of its social marginalization, it is frequently kept hidden. The Hijras have been systematically organised into internal hierarchical communities from ancient times. For example, 'gharanas are part of the Hijra culture. Gharanas exist in many parts of India. Hijras are common in Gharana and rely on their leaders for disputes, settlements, and delays. This, in turn, involves a responsibility to take care of the Guru.

Realizing that he is a Hijra, he finds life with his family impossible, reveals his personality, finds a guru to live according to their wishes, and becomes their victim. Rather than the biological parents, they abandon in the name of violence, social security, or the mother-child relationship (Guru, Chela) work inside these deep and multifaceted organisations. A Hijra Guru accepts a child in the tradition of discipleship. In the Hijra culture, it is referred to as "Jamaat." They are taken into the family network, but the Hijra gharanas are transformed into apprenticeship systems. The 'Gharana' system is a way of life that rejects many family concepts. While many transgender communities are calling for an end to this culture, Hijra cultures are not to be found, especially in the transgender community of Kerala. Before and after sex reassignment surgery in Kerala, the tradition is Mata Puja, Jelsa celebrations, and Varsha Puja one year after the surgery. Rather than the biological parents, they abandon in the name of violence, social security, or the mother-child relationship (Guru, Chela) work inside these deep and multifaceted organisations.

People have considered violence and stigma against the transgender community throughout their lives, even though these gharanas provide a safe space. Therefore, they feel that the despicable definition of 'family' is a threat to their culture, so they want to include the government-selected family in the 'family.'

<sup>1</sup> A hijra guru adopts a person and then they become part of the kinship network while hijra gharanas become apprenticeship systems, which defies the heteronormative idea of a family.

<sup>2</sup> If a hijra desired to take on another as a chela, new transgender had to place her request before the jamaat, which took a note of her wish and granted it.

<sup>3</sup> Transgender person's transition will not be complete without jelsa ceremony.

First, in Hijra culture, Hijras pledge to give the Guru their whole income rather than maintain them in an alternative home, with the majority of Hijras leaving or expelling their families. There are protocols for physical transformation, such as beginners not being able to cut or shave their hair because they have left the female form.

Traditional "pluckers" from the Hijra community pluck all beginners' facial hair, and they will then begin to identify themselves as street women (Mal, 2015 & 2018). Also known as <sup>4</sup>*Thirunagi* in Tamil Nadu, <sup>5</sup>*Mangalamugi* in Karnataka, <sup>6</sup>*Kinnar*, and <sup>7</sup>*Aravani*, they have similar meanings. The word *Aravani* is used in the southern Indian state of Tamil Nadu, but the word *Kinnar* is used throughout the country. When males are unrecognisable at birth, this word is used to describe them. Usually, many of the outfits worn by ladies are stunning items of makeup and apparel. Another crucial demand was to "*preserve the culture of the Hijra.*"

The 2014 bill, which made illegal begging as a form of trans culture in South Asia, provided a new definition of survival for the majority of transgender people. The Hijra community sought legal help to protect their traditional source of income, the <sup>8</sup> "*Basti Badai*". Such action by the court in the face of rising unemployment in India is strongly opposed by the backward Hijra communities. Also, "*Basti Badai*" is part of the culture of the Hijra community.

The Hijra community also demanded that the government suggest other ways if the culture could not be preserved. It became clear that every transgender person has the right to live with and join their family, as ordered by a competent court. However, the term "begging" for Hijra culture was removed from the current bill, which also means that support systems for bloodless relatives are not recognized as families.

## Review of literature

The literature focused on transgender welfare issues and selected studies that identified the relevance and general policy to understand the variables included in the study. The Hijra community demonstrates the socioeconomic, authoritarian, physical, as well as psychological health challenges faced by the Hijra, an ethnic minority in Indian society, and the major obstacles faced by people with disabilities in accessing affordable shelter, education, work opportunities, and protection under the law. In public locations and places where social services are given, the Hijra population suffers difficulties. Many of these constraints and problems are caused by social humiliation and discrimination against certain ethnic groups. People who have erroneous gender expectations based on what is allowed are punished by society for this.

Several other studies are being conducted to analyze gender reassignment surgery and the well-being of migrant communities in India. "Violence," according to

<sup>4</sup> The word 'Thirunangai' draws its roots from 'Thiru' means respect and 'Nangai' means transformation from man to woman.

<sup>5</sup> 'Mangalamukhi' is a term commonly used to refer transgender persons in Karnataka.

<sup>6</sup> 'Mangalamukhi' is a term commonly used to refer transgender persons in Karnataka.

<sup>7</sup> 'Aravani' is a term for hijras in Tamil Nādu and all 'aravanis' would prefer to be called 'Thirunangai'.

<sup>8</sup> Basti Badai is a term used to refer blessing activities of hijra communities in India.

Goldner (2011), is an ellipse that connects "division" and "embodiment." After a period of living in a state that inspires hate and anger, the genitals and breasts may become untouchable, and finally, one turns into an attractive and sexy body. When the body and the brain clash, the body must sometimes yield. Following emasculation, a person is "reborn" into the Hijra community as a legal Hijra, and they must perform several ceremonies and be introduced to the community. Emaciation is a twelve-day period of seclusion in the aftermath of previous years. This means an increased risk of ageing, and the risk of dying is more complicated than one may assume. While sexual activity is no longer viable in old age, changing careers is challenging.

As a result of this, the Chela left the gurus, leading in social isolation, illness, poverty, as well as economic exploitation of slavery's penalties. They are compelled to leave the Hijra culture. More Hijras faced exploitation, including humiliation. Charity work is both a necessity and a source of relief for them. Although Hijra corpses are punished and refused burial, the culture for males is rejected because it is genocidal, and there is a socio-cultural and spiritual opposition to seek a peaceful burial. Numerous studies have recognized the substantial obstacles that the Hijras face (Khan et al., 2009). Although they see no difference between the emigrant Hijras (called "*Chibri*") and the non-Emas (so-called "*Janana*"), people who can easily accept their physical and mental transformation are considered to be devoted entirely to their group. Non-emaciated Hijras can return to the community as housemaids and integrate easily with the Hijra community. In violent clashes between Gharana members, the Guru may punish them for not being faithful to their expenses. At the same time, the chimneys act against God's will, denying and injuring how they caused the Hijras.

Despite the healthy competition and punishment, it is ultimately the Guru and the Gharana who determine the personality and position of a hijra. It is the discipline and law of the Guru. Every time, Guru is the instructor, and a chela identification is the status of the Guru with whom they are studying and, for example, accompanying a commercial Hajj pilgrimage to Mecca. Khwaja Moinuddin's court significantly enhances the respect and dignity of a Hijra within the community (Hossain, 2011). The hijras here make a living by begging. Individuals have their assigned areas or locations based on the gharanas they visit on selected occasions.

According to the Hijra culture and the instructions of the Guru, the expenses are forced into sex work. In general, hijras are increasingly targeted for begging, visiting business owners, shopkeepers, street vendors, and ordinary men and women. It has been found that this behaviour may contribute to their daily geographical and economic sources (Mal, 2015). They often exploit their identities in order to gain the masculine form and behaviour to work in male jobs (Nanda 1999). Hijras are often seen as males who appear in city halls and threaten women with money (Prabhughate et al., 2012).

Many Hijras rejoice and give up life, thinking that a Hijra is, after all, part of a ritual empowered by the Goddess to bless society by avoiding discussions about her main occupation, which may be prostitution. Observers may mistakenly think

of pilgrims as beggars or prostitutes if they see them violently trying to catch a customer on the street. Others know the Hijras only as female entertainers and self-proclaimed judges, and the majority of visitors think they are destined to dance, sing, bless, or perform <sup>9</sup>badhai during marriage and childbirth (Reddy, 2005; Kalra, Gupta, Bhugra, 2010). Hijra's existence might be viewed as unexpected due to his ability to manipulate astrological energy, or as ugly and harmful because of transsexual infertility, which people perceive as a threat to their uncontrolled and excessive sex. The Hijras have preserved the traditions of their community, such as playing the *dholak* or *dhol* (a musical instrument like a drum) and dancing in exquisite style. These *Badhaiwala* hijras attend engagement, childbirth, and inauguration ceremonies to the guests' delight and they dance to the beat of dholak and hymns. (Mall, 2015). All these are Hijra cultures which are found in many parts of modern India. All around us are people who exploit Hijras and those who believe that Hijra cultures must be preserved in order to preserve Indian culture.

Within certain sections of the Hijra community, a traditional practice called "*Dai nirvana*" (removal of the male genitalia) is still practiced (Yadavendra Sinha, 2014). The progress of the Hijra community in the 2011 census is a testament to the nationalization of the Hijra community. The government's legal systems emphasize translating Hijras and transgender people (Vaibhav Zaria, 2019). The Hijra community has become a stumbling block in the developmental perspectives of society. The study aims to answer the question of whether modern sex poses a threat to the Hijra culture of modern India's modern regenerative surgery. Aside from that, it aims to show how the Hijras' journey from history to the present day has shaped and differentiated them as a people.

## Method Study

### Sites

The qualitative study focusing on the seven major Indian cities was conducted in the last quarter of 2021: Kochi, Hyderabad, Delhi, Kolkata, Chennai, Bangalore, and Mumbai were the study sites. Each of the various transgender subgroups choose to record their own experiences and whether or not the Hijra community will use transgender services. We used the Snowball Sample Technique to collect the data and see whether the Hijra community could access the available healthcare facilities, what changes the Hijra community had undergone through sex reassignment surgery, and what legal tests were available for their upliftment. As a result, data gathering at the local level in India was based on a variety of locations, including urban and rural areas.

### Objectivities and Methodology

The study's primary purpose is to see why sex reassignment surgery significantly impacts the Hijra community. It differs significantly from the Hijras' Indian records. This paper aims to disclose the fundamental socio-cultural, economic, & healthy lifestyles of Hijras as a basic attempt to analyse, assess, and oppose this

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<sup>9</sup> Badhai: Hijra come with their troupe and start dancing and singing folksongs. They put the new born baby in their lap. They also check out the sex of the child later they bless the child with the hymns and throw enchanted rice grains.

ethnic group's culture. A group of 15 Hijras from various cities involved in in-depth observations and interviews with the researchers. We debated arguments and gathered information from this group. For the interview, which will take place in 2020 or 2021, there will be a year of data collecting and observation.

### Analysis

Transgender surgery is a life-altering experience that requires courage and openness on the part of the patient. Complexities occur in the transgender community's lives. A path that has been expanding in medical science for decades without end and that has grabbed the curiosity of many scholars is one that raises serious concerns among scholars. The study aims to surgically identify Hijra gender identity in India. This society has a more unexplored and new culture, including the culture and standard of living of the Hijras along with living within and outside of the traditional support system of the Hijras. This paper describes the personal experiences of Hijras who have been involved in the formation of gender identity among Hijras from childhood to adolescence, with adolescents undergoing amputation or recent surgery. In this way, the Hijras included:

- Gender identity
- Difficulties at work inside and outside the Gharana
- Changes in their work record

This study aims to provide insight into their quality of life later in life. This paper discusses the critical difficulties they face in society and seeks to understand them. The answer is two to how many genders there are in the old-fashioned way of thinking. That is, male and female. However, what if people ask the same question over and over again? The answer is three. That is, both men and women are transgender. In order to have a clear understanding of the ancient Hijra culture and modern transgender individuals, it is necessary to know about the ten genders of humankind. The above ten genders are male, female, lesbian, guy, bisexual, asexual, trans women, trans men, trans lesbian, and a trans guy. The Hijra culture and legends are mentioned in the Indian epics Ramayana and Mahabharata. It can be inferred that the Hijra culture originated as early as the 5<sup>th</sup> century. The Hijras began to form their conventions and practises later, and all of the Hijras were convinced of their validity. When a person accepts the Hijra culture, there are special poojas and ceremonies that must be conducted. Surgical procedures for gender reassignment are done with a sharpened knife.

In ancient times, the castration process was complicated by the use of no anaesthetics or painkillers. The wound was then scalded with scrap metal to prevent bleeding. In addition, various medicinal plants were used as wound dressings after castration. Such scientific operations have infected many Hijras, endangering their lives and causing loss of life. They were viewed and revered by the people of that time as Hijras who possessed <sup>10</sup> "*Tantric mantra*" techniques. Hijra cultures and poojas still exist in many parts of India and the villages. It is not possible to assert that such customs and behaviours continue to exist in

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<sup>10</sup> Tantric mantra is one that is used in puja (worship) and to help resolve problems

contemporary India. Additionally, the Hijra's presence is required for poojas and celebrations in several parts of India. In Hijra culture, there are numerous ranks. Due to their experience, the chela can advance from one position in the Hijra culture to the next when their present job promotes them. With the passage of time, modern society's faith in mathematical processes has waned. Despite this, it is difficult to imagine that scientific and immoral customs and practises persist in the modern era. Migrants, on the other hand, are frequently looked down upon and hated in modern civilization. Consequently, even Hijras have been compelled to sell their property and relocate to a crowded city. Although Hijras are frequently referred to as transgender, they are merely a subset of transgender persons. The Hijra culture does not include a single transgender individual. As a result, Trans Maine has remained independent of Hijra culture. To be more precise, all Hijras are transgender individuals, but not all transgender individuals are Hijras.

The voice of modern transgender people first arose in the late twentieth century. In the latter part of the twentieth century, people began to express their desire to say that they had the right to work and live as freely as men and women. The modern transgender community includes not only trans women but also the homosexual group and non-binary categories. Instead of running away from society, modern transgender people can face adversity with willpower and courage and, to some extent, live as part of society. Modern transgender people equate modern medicine with gender reassignment surgery. As a result, the present scientific world maintains that sex reassignment surgery is a complete success, except for a few isolated individuals. It is possible to compare Hijra culture to modern transgender people and find so many contradictions.

### Education

Those involved in the Hijra culture may have left home or been deported. However, a section of modern transgender people is educated. Therefore, even primary education may not have been possible.

*"I could not even do primary education. Because at a young age, he showed a feminine nature and wanted a lot to be a woman. I heard many jokes when I was in school. Cruel persecution by family members and inability to stay at home. My uneducated parents thought I had a mental illness and sought treatment. So, when there was no fulfillment, that's why I left the house." (Hijra identified person, Kerala)*

Some modern transgender people, on the other hand, pursue professional degrees such as engineering. To some extent, he has been able to get degrees and master's degrees while maintaining a good quality of living.

*"My parents are well educated. At first, I was scared when I told my mom about my problems. But the parents understood. He accepted and supported my interests. So, I was able to complete my degree with courage. Transgender people have problems that can be solved if all transgender people have the opportunity to prove their abilities with support within the family. If the family accepts, society will surely accept us." (Transgender identified person, Kerala)*

### Transgender Education Policy in India

The 2011 census for transgender communities indicates that the literacy rate in transgender communities is only 46 percent. The literacy rate is 74% of the general population. Kalki Subramaniam, transgender activist and sothari founder after Census-2011 data foundation, India, commented that *"this is a start and we are proud that census has been able to bring out a part of the truth."* With this Census, India has pointed out that a transgender community exists, and their literacy rate is lower. They also established that they have transgender children. A community can only create awareness about transgender people with a complete education. Higher education can change the quality of life for transgender communities and those living in the Hijra culture.

The Karnataka government issued the *"State Policy for Transgender People, 2017"* in Oct. 2017 to increase public knowledge of transgender people in all educational establishments around the state. Aggression, assault, and prejudice against transgender people will be addressed at educational establishments. It also formed a monitoring group to evaluate accusations of discrimination. It was established in Feb 2019 by the Maharashtra government as the *"Transgender Welfare Board"* to provide health programmes, formal learning, and career prospects to transgender people. The Board offers employment training programmes and free lodging to qualified scholarship applicants. Gujarat, a neighbouring state, formed a similar board the same month. He attempted to help the transgender community. The Gujarat Board offers a variety of welfare programmes for jobs and education, and it works with state agencies to guarantee that the transgender population has access to government benefits.

*"An educational campaign was also set up to create awareness among the public. Children should be aware of transgender people, gender, and sex in all curriculum programs. Tomorrow's society will still respect and recognize transgender people. Alternatively, they may still be vulnerable to exploitation." (Transgender identified person, Tamil Nādu)*

While the total number of trans women enrolled in women's colleges across the country is unknown, the response to the altered entrance standards over the last four years has been mixed. Mills College, the first women's college to admit transgender students, reports that approximately 8 percent of its 700 graduate students self-identify as transgender. Additionally, the day-to-day administration of the policy, the provision and implementation of trans-inclusive admission rules at these institutions, and the availability of necessary academic and residential facilities for trans students all contribute to an inclusive and welcoming collegiate atmosphere. On traditional college campuses, trans students may face physical harassment as well as other forms of discrimination. They have an unfavourable attitude about such organisations.

*"We have children who do not even have primary education. Now it is up to the government to come up with policies. Like any other child, we need to develop a policy that says that transgender children should not be discriminated against but that they can enjoy equal rights. There should be a government legal system that promotes higher education with scholarships, vocational education, and the skills of transgender children." (Social Activist key informant, Karnataka)*



## Employment

Those from the Hijra culture make a living by practicing sex work and begging, and those who participate in rituals using matrix tactics. The idea of being equal to God was also considered in ancient times. Therefore, all the Hijras were full saints for the temple rituals, ceremonies, and poojas.

*"According to Hindu belief, we are <sup>11</sup>Ardhanareeswari. Beliefs still exist in some places. People look at it with fear. People believe that it will be possible if we know the mind and bless it. It is blessed by rubbing the head with lemon. In addition, people will give one rupee as a blessing. We dedicate it to God. Similarly, there is a belief that if you curse, it will work." (Hijra identified person, Bangalore)*

Modern transgender persons can support themselves by employing a small group of people in a highly professional industry. Transgender persons in the current period can express themselves and flourish through the arts and athletics. Despite this, the vast majority of transgender people are still compelled to work in prostitution, begging, and blessing, which is discriminatory to governments and the legal system.

## Transgender Employment Policies in India

According to the 2011 Census, India has a population of 490,000, and only a handful of them are employed. There have been several attempts to change this description, but to no avail. For instance, a Chennai-based start-up is attempting to socially integrate the transgender community, but in its 14 months of operation, it has only engaged 42 trans people. The Transgender Persons Act of 2018 is an important step towards recognising transgender people's rights in India. The policy aims to train Indian firms' workers and to create a friendly environment for transgender workers. The Transgender Persons Act prevents 'institutions' from stereotyping transgender people in employment concerns such as recruiting, promotion, as well as other occupational decisions.

As a result, most employers meet the criteria of an 'institution.' An 'institution' is broadly described as any firm or body, corporate or establishment, cooperative, foundation, agency, or other similar organisation. Discrimination might take the form of rejection, dismissal, enjoyment of the job, or illegal workplace behaviour. Furthermore, the Transgender Persons Act raises awareness in "institutions." The National Human Rights Commission first research on transgender rights, published in 2018, presents a detailed description of the nation's transgender situation. Studies show that 92 percent of transgender persons have no legal right to participate in any business activity. Those who do qualify for employment face discrimination and mistreatment on the job.

*"We go through many pains and sufferings in life. Many would say that men's care and woman's mind are ten times more powerful and intelligent, but why*

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<sup>11</sup> Ardhanarishvara: ("lord who is half woman") composite male-female figure of the Hindu god shiva together with his consort Parvati.

*deny us opportunities in the workplace. Hence the need of the hour to focus on trans work in the workplace.” (Transgender identified person, Tamil Nādu)*

Thirty-three transgender people were employed by Kochi Metro Rail Limited in Kerala in 2017. However, eight of these employees abandoned their positions within a month as various landlords denied to provide them with housing.

*“Transgenders struggled to make ends meet as his salary was low. Not only that, they had no choice but to quit their job because the employer had no legal obligation and / or motivation to help them fight such discrimination. Although new jobs are being created, they are legally confined to the pages of books. We still live by begging and sex work. How long do we have to wait for the legal system to change?” (Transgender identified person, Tamil Nādu)*

Policies such as equal opportunity tasks, infrastructural facilities such as restrooms for third genders, action against misdeeds and inappropriate behaviour, insurance coverage, and policy proposals for all employees should be implemented in order for transgender people to grow and prosper in the workplace. Furthermore, the govt. should do more to integrate them into our culture by accepting them as equals.

### **Beliefs**

Hijra culture is fundamentally based on the concept of faith. Those who follow the Hijra faith are perfect believers in God, adhere to stringent rites and traditions, and are superstitious in their beliefs. There are several customs associated with Hijra culture that are comparable to those associated with Hinduism.

*“I am a Muslim transgender young woman, yet I still practice Hindu customs and beliefs. I believe that God is ‘Sandhoshi Matha’. We worship and pray to the matha before and after the surgery.” (Hijra Identified person, Mumbai)*

Modern transgender people, on the other hand, are a mix of believers and atheists, depending on their perspective. The vast majority of transgender people today do not adhere to a shared set of beliefs or customs. The vast majority of people trust in the validity of scientific findings.

*“I do not believe that we are the only ones in the universe. It may also be caused by our genetic disability or how multiple genders are created.” (Hijra identified person, Hyderabad)*

### **Socio-cultural Groups Protection Policies in India**

The dance form “Jogathi” is an ancient art form. Manjamma Jogathi is the first Transparency President of the Karnataka Janapada Academy. The 60-year-old, who specialized in various art forms such as Jogati dance and folk songs performed by the Jogappa community, is known for her melodious sonnets in Kannada that sing praises to female deities. This art form is still practiced in North Karnataka, and the beliefs and customs of the Jogappa communities have been preserved since ancient times. When Manjamma received her fourth highest civilian honour in the country for her work, she exposed to the community her

own experience of the struggles she faced as a trans woman and how she survived them and reached the level she is today.

Although the Trafficking Bill 2019 (prevention, protection, and rehabilitation) was passed, it is still argued that it does not provide a fair opportunity for the transgender population to live a good life. Devotees of Yellamma's Jogappa communities wear turmeric (*Haldi*) as well as vermillion (*kum-kum*) on their foreheads as a sign of their devotion. Their bodies aren't covered with expensive stones or other ornaments. Their crowns, earrings, and necklaces, on the other hand, are shaped like cows. Yellamma Devi has "caught" or taken control of these male Jogappa worshipers, whom she has dressed up and treated as holy women. The goddess enters them and convinces them that they are members of an ancient priesthood. Several members of the Jogappa transgender community, one of the ancient and least-known transgender societies in Karnataka, have stated that the transgender community is as old as Indian civilization.

*"I am a Jogappa dancer. It was my parents' belief that led me to this. Although I am a full man, Jogati performs in female form. Being a devotee of Yellamma, she feels adored with female roles. That is why we belong to the transgender community". (Hijra identified person, North Karnataka)*

Nonetheless, modern India appears to deny the existence of transgender people as a social structure within the country. For decades, the transgender, Hijra, or Kinnar, Jogappa community, which has long been pushed to the margins of Indian society, has been begging and singing at birth and marriage. They are commonly seen begging at traffic lights, and their thunderous cheering is both frightening and deafening. It is regarded as a form of isolation from society as a whole, with the conviction that it is not just their means of subsistence but also a part of the culture's beliefs. People often share their money because of this. The truth is that the Hijra community doesn't have many other ways to make money right now. They don't look for ways to make a living that aren't based on changing the government.

They had no fundamental human or health rights until recently, and they were not protected from the violence they face at every stage of their lives, whether from the state, the law, or interrelationships. We are well aware that many Hijras participate in sex work for a living, and that during these transactions, women are regularly raped and tortured, both of which are regarded fundamentally illegal. Instead of making their lives better, they make them worse by breaking a statute prohibiting sex work. The transgender community is challenging a bill that isn't really clear what it accomplishes, but it makes begging and sex work illegal. As a result of the bill, the government has increased employment opportunities while also restricting begging and sex work.

*"Under the government bill, begging and sex work are criminalized. Why does the government not think about how we will live now? Who will give us a job? Society still looks down on us." (Social Activist person, Kerala)*

Despite the fact that it appears to be a bill attempting to eliminate inequities caused by begging and sex work, the rehabilitative component of this policy has not been researched. Before taking away their beliefs, practises, and means of

subsistence, it is the government's role and obligation to discover lucrative ways to transition from begging and sex work to other vocations open to society.

### **Family**

Hijras are mostly migrants with no family ties. Moreover, Hijras rarely get married. Therefore, they will not have life partners.

*"In the old days, trans mans could be seen. Now a lot of genders are being created. People are afraid of us because they see us as gods. There are still similar conditions but very few. It has become a charm for people to harass us." (Hijra identified person, Hyderabad)*

However, modern transgender people are more likely to stay with their families and seek family support. Some modern transgender people enjoy their family members' love, acceptance, and affection, as transgender people are not the only transgender people. They are also part of them. Therefore, it is now a common sight for trans women and trans men to get married and lead a happy married life. In addition, trans females and trans males can be found in modern times.

*"I live with transgender communities. My family will not accept me. So, he had to go through many bad conditions in the society. I could not even get a matriculation pass as I did not have the help of educated families. So, begging and sex work had to be taken up as a job. If all transgender people had the support of their families, they would never have become isolated in society. It was coming that no one would be exploited." (Hijra identified person, Mumbai)*

### **Transgender People - Family Laws and Marriage Policies in India**

As a social right acknowledged by all members and citizens of the country, the marriage system has evolved into a national and worldwide idea that is recognised by everyone. Many people feel that a person's legal and financial personality is shaped by his or her marital status. The institution of marriage, which is a legally recognised and legally defined relationship between two people, is very important to society because it gives people rights and responsibilities, such as property, inheritance, and related rights, which arise from the institution of marriage.

*"For many years after I left home, I lived with the conviction that there was no going back. My parents tell people who know me that I'm not alive." (Hijra identified person, Delhi)*

Aside from property rights for transgender children and adoption rights for transgender children and couples, it appears that this demographic is underrepresented in a number of other areas. They are frequently rejected and reintegrated into society, and many end up surviving by begging and dancing. Because it is human trafficking, transgender people may be forced to work as sex workers if they do not have any other means of support. Their own families do not accept those who are transgender and feel ashamed about having an intersex child, and their parents force them to have gender reassignment surgery or intersex genital surgery (IGM) without giving them or their children a chance.

Society has alienated the transgender people in unpredictable ways. There is a need to integrate them into the mainstream of society via law enforcement and appointed authorities. Increasingly, parents' disapproval of their son's behaviour when it deviates from the anticipated or suitable gender is a growing problem in today's culture. Family members may abuse or criticize a person for acting like a girl or a lady because of this. Some parents may not want their child in their family because he doesn't comply with the regulations of society or because he doesn't do the things boys are supposed to do. People who are transgender can also make their families feel bad about themselves because of the way they act. However, parents can justify doing so for a variety of reasons, including reducing the possibility that their child would marry a woman in the future and therefore alleviating their anxiety that their child (if not a male) will inherit property from other family. Therefore, it would be difficult for deceased women to claim or legally claim their share of the property.

In rare situations, a transgender child or adolescent may choose to leave a family that doesn't accept discrimination or wishes to embarrass their family. Some may eventually become ignorant and find it challenging to obtain work. On the opposite sex, some individuals in society are mocked for being "strange," and "aggressive." Forced sex, theft, and detention have all been used against him by the authorities; he has been detained on false accusations and tortured.

In addition, the Indian Penal Code, 377 abolished and paved the way for legalizing sexual relations between people of all sexes. The next level of society required a law allowing them to officially register their marriages, thus legalising the concept of third sex marriages, which was the first significant advance in India's history following this decision. Furthermore, the phase of law enforcement has not yet concluded. Indian family law is very complicated, and it may not be worth it for society to just recognise same-sex marriage through a court challenge to specific provisions.

*"We are a trans couple. Even if I send a woman through surgery, my desire to be a mother will not be fulfilled through my body. The law does not allow for the adoption of a child. Family law cannot be viewed in terms of marital rights alone. Many other issues will be relevant in the context of state control of the family, such as succession, parenting, financial dependence, and protection from intimate partner violence." (Transgender identified person, Tamil Nādu)*

In India, marriage often becomes the entry point into such rights because the perspective on marriage still pursues the heart of family law. The legal framework for succession, parenting, and related matters operates on a male-female binary, and transgender families are considered the norm. Therefore, if specific provisions of marriage laws such as the Hindu Marriage Act are declared unconstitutional or include same-sex marriages, the provisions of other legal laws will continue to exclude same-sex marriages. When it comes to homosexual acts, the existing Hindu Marriage Act in India cannot be liberalised. Even if a secular law, such as the Special Marriage Act, is founded on marriage rights, religiously motivated personal law will remain relevant. This is because India's secular and religious systems of personal law are inextricably linked to various areas of personal law, even if individuals opt for secular law.

Thus, two Hindus who marry under the Special Marriage Act are liable to both the Hindu Succession Act's inheritance obligations and personal regulations based on patronage and other similar religions. These regulations make no changes to the law that governs voluntary transgender or same-sex weddings.

### Healthcare System

Hijras face discrimination even in health centres. The treatment methods of the people involved in the ancient Hijra culture were entirely dependent on the Ayurvedic treatment system.

*"It was performed by senior Hijras. Complex surgeries and subsequent treatments were performed according to their rituals. It is believed that all Hijras belong to our caste. We call it Nirvana. In the eyes of the general public, we are caste men. But that is not always the case. Castration is strictly optional and each Hijra can decide for themselves whether or not to undertake it. That is personal interest. Castration cannot be forced on a Hijra." (Hijra identified persons, Kolkata)*

*"The world believes that only the Castrated Hijra is the real Hijra, but we do not accept this. I do not belong to the caste. I did not choose it and my guru did not force me into it. Most of my chelas are casteless like me. But yes, many of us have had breast implants. There are also those who have had sex reassignment surgery. Surgery is expensive, but without it our transformation would be incomplete. However, like many other Hijras, I did not go for hormone therapy in my desire to look feminine. Although I do not belong to a caste, the Hijras see me as one of them. I'm happy about that." (Hijra identified person, Kolkata)*

However, modern Indian health centre settings include the intended use of male pronouns in the treatment of Hijras in the forms of discrimination reported by Hijras/transgender communities. Discrimination includes registration as 'human' and denial of entry to human wards, as well as the humiliation of waiting in line for a male. Verbal abuse directed against hospital personnel and patients. Surgery, treatment, or care for sex reassignment, including rejection of medical services. Additionally, gender reassignment surgery is exploited at private facilities due to a shortage of competent health care workers. Discrimination can happen because of transgender status, money, sexual orientation, HIV status, or any combination.

*"The crises faced by transgender individuals in the health sector continue. Is it not enough to live at the birth organ door? Many people have asked me if sex resection surgery is not the only cause of health problems. But this surgery is the greatest desire of any trans person. Because the organ we are born with is not the part of the body that we want it to be. We want the body to be the way the mind wants it to be. He even tried to raise money for surgery by doing sex work and begging." (Transgender identified person, Tamil Nadu)*

### Traditional Castration of Hijra Culture

There are two groups in the Hijra community: the non-caste known as the Aqua Murat. Second, the castrated nirvana moor. In addition to anaesthesia, the

emulsification process and a 40-day procedure (Kalra, 2012; Mal, 2015). Either the person is reborn as a Hijra, or a change occurs to the level they want. This system is called "*Nirvana*," which means "rebirth." A person born as a man is reborn as a woman through Nirvana, and a person born as a woman is reborn as a man through Nirvana. There are two types of castration, viz. Nirvana, i.e., castration, is performed by a Hijra. This ritual, and many other poojas, are performed before an experienced Hijra Nirvana. However, the operator calls Nehra, who performs Nirvana, "*Dai Amma*" (Midwife). Hence, this function is called Die Nirvana, also known as "*Dhayammakkai*." Nirvana is usually completed at the mother's home, and no medical care or medication is provided during the procedure. Dai Amma is requested to perform Nirvana on the first day of the Hijra Murat, ready to be castrated. After examining the physical conditions of the Murat, Dai Amma settles into Nirvana. Murat is allowed to castrate and is prone to many accidents. Moreover, in the past, surgery was practiced in many parts of India and other parts of the world.

### **Dhayamakai Method**

Dhayamakai is a castration system in the Hijra tradition. Dhayamma is a person who can perform surgery or Nirvana on a family that pays for the teacher, the dog, and their expenses. It is said that they are pleasing to the hand. Activity in Nirvana varies according to the changes in the family. They choose a good day for Hijra Nirvana as they prepare for their Guru Nirvana. Santoshi worships his mother, smashes the coconut, and splits it in two, thinking it is inappropriate for Nirvana. Dhayamma prepares for Nirvana with heating oil and a sharp knife prior to the league. Black rope is used to secure the arms and legs. After an hour of preparation, the man entered and cut it tightly with a sharp knife, circling culverts and daisies.

### **Significance of Castration in Hijra Culture**

The experience of Hijra castration is different outside of Hijra culture. Castration is one of the most critical milestones in a man's life, from woman to trans sexual, and many Hijras remember it with mixed feelings. Transgender people all have their own painful experiences. Although transgender people have a traditional castration method, a skilled person in Gharana calls them Dhayamma and operates by hand. The castration process is fraught with dangers, including loss of life. While some pilgrims underwent this procedure because of their respect and high status in the community, some pilgrims preferred the formal medical procedure of surgery because of the many risks involved in traditional methods. The castration experiences of the Hijras inside and outside the Gharana are different in their style. Participants decided to castrate before entering the Saranya Gharana system.

*"She explained, 'I decided to become a woman because I wanted to be a woman more. On the other hand, I'm reluctant to go because of fear. There will be a pit the size of ours.'"*  
*Hijra person said: "I decided to become a woman. I cast myself as the safest option; some friends paid for my operation and I saved the opportunity to have surgery with my money. I became a woman and after my operation I went to Gharana." (Hijra identified person, Delhi, September 28, 2021).*

### **Modern Surgery or Sex Reassignment Surgery under Hijra Culture**

A medical supervisor supervises castration; modern medicine calls it gender reassignment surgery. The diet of Nirvana will be the same. Transgender surgery is associated with activities that help individuals change their gender. Many people nowadays adopt the terms "*gender confirmation*" or "*confirmation surgery*." Heterosexuals can undergo surgery to change their body shape to match their gender identity. Transgender people do this because they experience sexual depression when their gender does not match their gender at birth. The length of nirvana varies depending on the procedure. Transgender people may choose to have facial surgery, top surgery, lower back surgery, or a combination these operations. If you are a transgender person (at birth or AMAB), surgeries may include Adam's apple reduction, breast implantation, breast augmentation, penile and testicular removal (penectomy, orchiectomy), vaginal and labia formation (feminizing genioplasty). If you are a transgender person (or AFAB at birth), you may have breast augmentation or mastectomy and removal of the ovaries and uterus (oophorectomy, hysterectomy).

### **The Cost of Gender Reassignment Surgery in India**

The cost of SRS depends on the number of surgeries and the surgeries a person chooses. Major surgeries in India can cost up to Rs 1 lakh, and other surgeries are avoided as they involve further complications that last a lifetime. At present, surgeries costing between Rs 2 lakh and Rs 3 lakh are being performed. The lack of modern treatment in government hospitals, waste, and lack of experience lead to the costly treatment of transgender people in private hospitals.

### **Jelsa Celebration (Occasional Hijrah Ceremonies)**

In a new caste, Hijra, Jelsa devotes himself to the deities Bhojraji Mata, Bahuchara Mata, and Santoshi Mata. There are Hijras from every walk of life who come to the Nirvana-Hijra. The castrated distance of 40 days concludes with a full-day ceremony that includes Jelsa celebrations. It represents a significant turning point in their lives (Kalra, 2012). On this day, all the Hijras are invited to the Hijra Jelsa celebration. After the surgery, the Hijras apply Haldi (turmeric) and mehndi (henna) on their bodies, bathe in hot water, wear a green sarong blouse, and adorn themselves with Nirvana silver. Gold jewellery and green bracelets like the bride and groom. At the same time, a framed photo of Amma Bhojraji is adorned with lots of flowers, fruits, and sweets, and a bowl full of milk and fruits is placed in front of the photo of the goddesses adorned with flowers, haldi, and amethyst (minimum). All of these arrangements will take place throughout the night. At 4 in the morning, Hijras perform pooja with camphor and oil lamps and carry a bowl of milk on their heads. They are leaving the milk jug in a nearby river or sea. Through this ceremony, their desired gender is happily adopted and God-pleasing. In addition, transgender people believe that they will receive prosperity, good fortune, and God's blessings in later life. They are an essential part of the Hijra culture and are very common in modern and transgender communities.



### The Relevance of Gender Reassignment Surgery in Hijra Culture

Most Hijras outside the Gharana undergo formal medical procedures, and unlike the Hijras in the Gharana, the Guru arranges the casting once the Guru has taken over the value of the ritual and the rituals that follow it. The experiences of the Hijras who underwent traditional procedures within the Gharana are considered below. Hijra practice is followed by nirvana or castration surgery, and Jelsa plays a significant role in the lives of every woman and man, recognizing and licensing femininity.

*"Participating Sita recalled, "It was painful ... it was over, I became a woman ... for the first time in a long time, I felt normal ... my long-held desire came true." (Personal Communication from Sita, Hijra identified person, September 20, 2021).*

Sita's involvement illustrates the importance of Nirvana in her life, which ultimately helped define her as a Hijra. As a result, for many transsexuals, nirvana acts as a licence to become feminine.

Many individuals described their encounters with Nirvana and the complex method used to achieve it. All transgender groups have been able to become transgender because of modern gender reassignment surgery, but that's not true now. Today's scientific world can adapt hormone therapy methods and body composition to individual interests. All these changes are now possible through gender reassignment surgery using modern technology.

*"My desire to be a woman of the same sex has come true, I have to start a life with my partner, I have changed in a way that no one says I am not a woman, so I am sure I will get a woman. Good job possible too. (Transgender identified person, Kerala)*

Gender reassignment surgery is one of the most expensive surgeries in India. Transgender individuals who belong to the Hijra community or are not part of the Hijra culture choose the method of surgery according to their logic and financial capacity. Some people choose sex reassignment surgery to reconcile their bodies with their souls. But not every transporter can afford to go for this surgery. Why should they go? Why are they not able to lead a dignified life in society?

On the one hand, they worship *Ardhanareeswara*. On the other hand, the real *Ardhanareeswara* begs in the street and sells himself on the streets. Why this hypocrisy? The change in modern legal systems requires the advancement of society.

### Discussion

In modern India, hijras are considered social outcasts. However, they formed an ancient social group recognized for about 4,000 years and depicted in Indian epic literature, the Upanishads, and temple sculptures of all religions. Unfortunately, the status of transgender women in India deteriorated during the colonial period, and the laws and their status as criminals have not improved since India gained independence in 1947. The modern immigration experience is social inequality, and Hijra communities are uncultured. Transgender communities have become economically backward. Data shows that begging, dancing, and sex work are the

most common means of livelihood for pilgrims. They are still financially backward as they engage in occupations like this. Multiple reports indicate that the transgender community in India is experiencing high levels of HIV infection, and numerous reports suggest that the police are harassing transgender people. Many fundamental legislative and cultural changes will improve the transgender community in India. At the first policy level, laws guaranteeing immigrants' rights will help improve their security, and confirmation programs will help raise their socio-economic status. In both cases, they support the Transgender Persons Bill, which the Union Cabinet approved in July 2016. The transgender community emphasizes the importance of implementing the new legal framework. There must be a big difference between modern and expensive medical procedures, like gender reassignment surgery, which are very expensive.

In addition, the government should ensure that all medical institutions provide fully accessible and free medical care. Transgender surgery, which can be used to address the psychological problems of the transgender community, should not create further complications other than giving transgender people the confidence to become full-fledged women and increasing employment. There is a growing need among transgender individuals for the government to provide better gender reassignment surgery for the transgender community to enable them to participate in the workplace. The law declares particular oppression or discrimination to be punishable offenses, forcing transgender people to beg, deny entry to public places, or leave their homes or villages. It also seeks to amend the Indian Penal Code to include sexual offences against transgender people. The proposed law also calls for the creation of a National Council that would provide scholarships, textbooks, and college housing for transgender students, as well as help them find jobs.

Aside from the Bill's many advantages, it has numerous severe flaws. It's critical to keep pushing forward for positive change in the transgender community, even while we see many shortcomings in raising its profile and broadening its range of options. The Government of India and NGOs can launch advertising campaigns in newspapers and on television channels to create awareness about the daily struggles of the transgender community. Similar campaigns in India can raise awareness about girls' education and consumer rights. Sex reassignment surgery does not end a woman's perfection. Family life with a partner, becoming pregnant, and becoming a mother is their dream, but it requires advanced modern medical technology. Failure to do so may result in adopting a legal system for adoption. We hope that this paper will provide insight into the plight of Hijras and motivate some readers to engage with government agencies and NGOs working to improve the status of transgender individuals in India and around the world. Significantly improve the living conditions of the Hijra community in India through a holistic approach aimed at social thinking leading to discrimination and the consequences of discrimination. As individuals, we believe that our most significant contribution to this goal is to stand up and speak up whenever social norms do not conform to our morals.

## Conclusion

Hijras are an essential component of the local community so no celebration can be complete without their presence and blessings. Hijras play a business role as a unique language and ethnic community in their interactions with human beings in daily life. If hijab-wearing women and transgender people are recognized as community members in Western countries, why not India? Although the Indian government has recognized Hijras as the third sex, this recognition does not guarantee social acceptance. In order to eliminate significant prejudice against a significant section of the population and help ordinary individuals avoid unconventional activities, we must turn to their history or future. Consider the fact that they also contribute financially to India's growth. Hijras' persecution in society and anti-discrimination laws should be taken seriously. However, Hijras are among the lowest castes. There must be the right to be protected from violence and discrimination, as well as the right to equality under the law. In the long-run, it is expected that a socioeconomic and legal system will evolve in which the next generation can enjoy equality, freedom, and pleasure for people of all genders and sexual orientations.

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