

**The Exploration of the *Hijra* Cult's Hidden Ethnographic Aspects:  
Fluid Identities of the "Third Sex" in India**

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**Abstract**

*Transgender is an umbrella term that refers to individuals who have a gender identity or gender expression that differs from their biological sex assignment. Due to their independence from sexual orientation, they have frequently been referred to as the "third sex" neither male nor female. The hijra's are individuals of various physical and sexual characteristics, including transsexual, transgender, transvestite, homosexual, and asexual individuals, as well as hermaphrodites or intersexed individuals, and eunuchs. The majority of hijra are gender nonconforming individuals who have a long history in India, where they have played significant roles in Hindu society for over 2000 years. Although it is widely believed that Hijra's are bestowed with the ability to bless, the issues confronting these communities have not been adequately explored due to the community's hidden nature. An attempt has been made to illuminate the hidden truths about this ethnic community's way of life, as well as to investigate the community's unconventional traditions and unique cults. The ethnographic component of the manuscript will be examined in the first section of the manuscript, with a focus on delineating the theoretical frameworks within which hijra identity exists. The section that follows will go over the process of becoming a Hijra, as well as their religious and cultural practises. As a result, this article focuses not only on Hijra subjectivity, but also on Hijra perspectives and the process of being recognised as a third gender.*

**Key Words:** *Hijra, Third Gender, Sex, Community, Religion*

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## I. Introduction

The human body is not a given; rather, it is a historical reality that is perpetually mediated by human labour and interpreted by human culture. This is a dynamic process that continues today. In the case of *Hijra*'s, whose bodies legitimise a deeper examination of the human body as more than a 'biological given', this statement seems almost self-evident because it justifies such an examination. The body is located within this frame of reference and is surrounded by dynamic social forces that act on it. As a result, the body is susceptible to change as well as multiple interpretations across time and space. A perspective like this paved the way for a more in-depth comprehension of the *Hijra* identity, which is powerfully articulated through the *Hijra*'s emasculated bodies<sup>2</sup>. *Hijra*, is an Urdu term derived from Persian<sup>3</sup> are also translated to eunuchs, transvestites, homosexuals, bisexuals, hermaphrodites, transsexuals, and gynemimetics and if that wasn't enough, they are also referred to as people who are intersexed, emasculated, impotent, and transgendered. Some, but not all, *Hijra*'s are intersex people and transgender women, as well as people who were born male but may or may not get castration or other changes like breast implants<sup>4</sup>. In ancient Egypt (Middle Kingdom, 2000-1800 BCE) there were said to be three genders of human: men, sekht (sht) and women<sup>5</sup>. The Indian Subcontinent also refers to *Hijra*'s as *Aravani*, *Jagappa*, and *Chhakka* and the majority of transgender individuals prefer to refer to themselves as *Kinnaras*, a reference to mythological beings who are symbols of beauty, paradigmatic lovers, and musical instrument players<sup>6</sup>.

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<sup>2</sup> Swadha Taparia, *Emasculated Bodies of Hijras: Sites of Imposed, Resisted and Negotiated Identities* IJGS 167, 168 (2011).

<sup>3</sup> The term *Hijra* is derived from the Persian root word *hiz*, which means 'effeminate', or from *hich*, a person who is *hichgah* or nowhere.

<sup>4</sup> The *Hijra* community has evolved over time to include not only those born "incompetent" or as a eunuch, but also those who have castrated themselves or had surgery to be inducted into *Hijrahood*, as well as members of the trans community in general. See also Ina Goel, *India's Third Gender Rises Again* SAPIENS (Sept. 26, 2019). <https://www.sapiens.org/biology/hijra-india-third-gender/>

<sup>5</sup> The Third Gender in Ancient Egypt <https://people.well.com/user/aquarius/egypt.htm> (Last visited Sept.13,2022)

<sup>6</sup> Paige Michel, *History of The Hijra: Ancient India To Today*, WESSEX SCENE (March 17, 2019) <https://www.wessexscene.co.uk/magazine/2019/03/17/history-of-the-hijra-ancient-india-to-today/>.

The *Hijra* community shares a socio-religious foundation, and their identity construction is based on strong historical fairy-tale inceptions, most notably portraits of *Hijra* characters who play important roles in Indian mythology. *Khawaja Sara*<sup>7</sup> and *Hijras* were the most trusted people during the Mughal period, and many *Hijra*'s were sold as (eunuch) slaves to protect the royal harems and because of their trustworthiness and cleverness.<sup>8</sup> It is believed that such employment was desirable, and that "some parents actually castrated their sons to gain favour with the Mughal kings and secure employment for their children". There is also an extreme myth that *Hijra* was kidnapped and tortured in order to increase their community<sup>9</sup>. They are highly regarded in Hindu mythology, but they were vilified by British colonists. As a result, they are revered as demigoddesses by some and reviled as deviant victims of bad karma by others. They were neglected for more than a century, almost to the point of extinction. They are regarded as complete outcasts in a society that recognises and accepts only two genders: male and female<sup>10</sup>.

M. Kay Martin and Barbara Voor coined the term "third gender" to refer to transgender people in 1975 to call the attention of feminists and gender theorists in the United States to conceive outside of a binary gender system, which had significant implications for social movements and political actors, as well as ethnographic evidence demonstrating that a two-gendered framework was insufficient to describe gender categories in some cultures. The term "third gender" was then given to acts that exceeded or defied male-female codes or standards. In addition, it was extended to communities that appeared to have institutionalised gender conceptions and practises<sup>11</sup>.

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<sup>7</sup> The term *khwajasaras* (now spelled differently) derives from the Mughal era and refers to eunuchs who were special advisors to the royal courts

<sup>8</sup> Ina Goel, *Hijra Communities of Delhi, Sexualities* 535 (2016). <https://journals.sagepub.com/doi/abs/10.1177/1363460715616946>

<sup>9</sup> *Ibid*

<sup>10</sup> Thilaka Ravi, *Eunuchs - Children of A Lesser God*, MEDINDIA.(August 18, 2008, 5:10 PM), <https://www.medindia.net/news/interviews/eunuchs-children-of-a-lesser-god-40726-1.htm>

<sup>11</sup> Evan B. Towle & Lynn M. Morgan, *Romancing the Transgender Native Rethinking the use of "Third Gender" concept*, 666 <http://www.policy.hu/takacs/courses/matters/RomancingTheTransgenderNative.pdf>

According to the 2011 Census in India, India has around 6 lakhs transgendered people currently. Transgenders have been treated with disrespect and disgust in the Indian society for a long time. With a lack of opportunities for education and employment, most are left with few options than to beg on the streets. However, our society has started taking baby steps towards the improvement of the situation.

## **II. Recognition as Transgender**

In the case of *NALSA v. Union of India*<sup>12</sup> The Supreme Court not only upheld the right to self-determination of gender identity, but also officially recognised a “third gender” category beyond the male-female binary, highlighting the ways in which a progressive judgement may nevertheless incorporate socially imposed concepts of gender. Further, it directed Union and State Governments to allow transgender persons to access reservations in public education and employment. Following the judgement, The Transgender Persons (Protection of Rights) Act, 2019 was passed. The petitioner seeks for the Court to strike down Sections 4, 5, 6, 7, 12(3), 18(a) and 18(d) of the Act as unconstitutional. In addition, they pray for the Court to issue a Writ of Mandamus that directs Centre and State Governments to provide reservations for transgender persons in public employment and education, as directed by the Court in *NALSA*.

## **III. India’s Historical and Cultural Legitimization of *Hijra*’s**

According to records, eunuchs have existed since the ninth century BC. The word ‘eunuch’ has Greek origins and means ‘bed keeper’ castrated men were in high demand to protect women’s quarters in royal households. Serena Nanda in her book ‘Neither Man nor Woman The Hijras of India’ maintains that the *Hijra*’s are rooted in Hindu beliefs and practices, but she notes that they paradoxically display a special bias towards Islam. *Hijra*’s, she reports, talked nostalgically about their greater social prestige under the Muslim rulers. Drawing attention to the Mughal patronage of eunuchs in the royal court as harem guards, Nanda further argues that Islam in the Indian context provides a practical/historical

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<sup>12</sup> Writ Petition (civil) No. 604 of 2013

model of accommodating the *Hijra's*<sup>13</sup>. In her quasi-historical account, Jaffrey<sup>14</sup> argues that *Hijra's* are the direct descendants of the Islamic institution of eunuchdom. She relies extensively from a report compiled by the Indian government, which indicates that castration became widespread in India only after the Muslim conquest. Similarly, Taparia<sup>15</sup> contends that *Hijra's* adopted Hindu rituals as a result of their loss of courtly reputation under the Mughal sultanate. *Hijra's* transformed the Islamic practise of emasculation into a culturally acceptable metaphor of idealised renunciation in Hindu-dominated India, from being a horrifically oppressed commodity under the Mughals<sup>16</sup>.

The Indian epics, and more generally, the vast body of literature encapsulated under the category of puranas, continue to provide the categories by which Indians order their world and shape their lives. The *Hijra's* are “deeply rooted in Indian culture”, and Hindu mythology contains a large number of transgender characters, verifying their existence and offering abundant evidence of their deep spiritual affinity to their feminine nature.<sup>17</sup> There are stories that tell of men who changed into women, women who morphed into men, or creatures who are neither this nor that but are instead a blend of the two<sup>18</sup>. The *Ramayana*, an ancient Hindu epic, references a “third gender”, as follows from the story: When Lord Rama went to the forest to leave his kingdom, people followed him from Ayodhya. Rama said that all men and women should leave, but he didn't say anything about people who weren't men or women.<sup>19</sup> Additional examples of male deities taking on female forms and vice versa can be found in other Hindu

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<sup>13</sup> 2 SERENA NANDA, *NEITHER MAN NOR WOMAN THE HIJRAS OF INDIA* 20 (Wadsworth Publishing Company 1999).

<sup>14</sup> 1 JAFFREY, JIA. *THE INVISIBLES: A TALE OF THE EUNUCHS OF INDIA* (Weidenfeld Publishing Group Ltd 1997)

<sup>15</sup> Swadha Taparia supra note 1.

<sup>16</sup> ADNAN HOSSAIN, *Beyond Emasculation: Being Muslim and Becoming Hijra in South Asia*, *ASIAN STUDIES REVIEW* 495, 498 (2012).

<sup>17</sup> Serena Nanda, *The Hijra's of India : Cultural and Individual Dimension of an Institutionalized Third Gender Role* *JOURNAL OF HOMOSEXUALITY* 35, 40 (1986).

<sup>18</sup> Dr. Rima Ghosh Patranabish, *Trans masculinity in Indian Mythology: Misinterpreted, Forgotten?* HEINRICH BOELL FOUNDATION (Feb. 28, 2022), <https://in.boell.org/en/2022/02/28/trans-masculinity-indian-mythology>

<sup>19</sup> Laura Gibbs, *Tiny Tales from the Ramayana*, <https://ramayana.lauragibbs.net/ramayana.pdf>

religious texts, such as the *Mahabharata*<sup>20</sup>. *Hijra*'s are believed to have divine skills of creation. It is accomplished by the practise of sexual abstinence and ascetic activities, which results in the power of Tapas or Tapasya. It is well-explained in the mythological account of Lord Shiva's self-castration by his extreme form of Tapasya. Shiva possessed the same desire for creation as Lord Brahma. However, the latter had already completed the creation procedure. Shiva felt that his linga or genitalia was useless as a result, and he hurled his castrated genitalia on Earth. His conduct spawned the cult of Linga worship, which represents the conflicting notion of creative asceticism. One of the other most popular images of Shiva, where his austerity changed him into *Ardhanarisvara*, "the Lord who is half woman", is shown with a feminine breast, long hair, and anklets on one side of his body in various tiny paintings and sculptures. Not surprisingly, the figure of Arjuna, who appears as a eunuch in the fourth book of the *Mahabharata*, the "Virataparvan", suggests this image of Shiva<sup>21</sup>. *Hijra*'s, like Bahuchara Mata, worship Shiva in his God/dress form because *Hijra*'s physically resemble Shiva, who is self-castrated and in permanent union with the goddess. Therefore, it can be concluded that Hinduism, Jainism, and Buddhism all recognise three genders within the Vedic culture<sup>22</sup>. As a result, *Hijra*'s acquire their significance in the modern world from references to Hindu mythology, and as a consequence, they continue to have a place of significance in the practices of blessing and worship that are carried out in the Indian community today.

#### **IV. Hijra Cosmologies, Emasculation (Ritual Practice of *Nirvan* ) in India**

In the process of becoming a Hijra, it is preferable for the aspirant to renounce sex and transform themselves spiritually and physically through Tapasya (Austerity). Thus, the emasculation operation represents rebirth as a God-representative. *Nirvana*<sup>23</sup> is evidence that women do not experience sexual desire

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<sup>20</sup> Section 377: *Hinduism Says Homosexuality Is Not A Sin*, HARPER COLLINS PUBLISHERS INDIA, <https://harpercollins.co.in/blog/asides/section377-hinduism-says-homosexuality-is-not-a-sin/>

<sup>21</sup> Vinay Lal, *Not This, Not That: The Hijras of India and the Cultural Politics of Sexuality*, SOCIAL TEXT 140, 141 (1999).

<sup>22</sup> Xari Jalil, *Activists of hope*, DAWN (Sept., 23 2018), <https://www.dawn.com/news/1434250>.

<sup>23</sup> The emasculation process is known as *Nirvan*, "which means attaining eternal peace. Serena Nanda explains the ritual of nirvana, in her work *Neither Man nor Woman: The*

or release like men<sup>24</sup>. The practise of removing genitalia is vilified in most Indian cultures; nonetheless, it is this act that provides them spiritual strength and affirms their social status. The emasculation is carried out in the name of Bahuchara Mata, one of the mother goddesses worshipped throughout India and the central figure of *Hijra's* culture. When a *Hijra* is castrated, their genitalia is traditionally offered to the Goddess, Bahuchara Mata, who transforms their reproduction sacrifice into the capacity to bestow fertility and good luck on others<sup>25</sup>. At births and marriages, the *Hijra's* confer fertility and prosperity on new spouses and their new born children. The goddess is said to call intersex people, transgender women, and infertile men to become *Hijra's*. If they ignore the call, they are said to be rendered impotent for the next seven lives on Earth. Castration was once thought to be a divine act that encouraged men to enter *hijrahood* and become legitimate and recognised members of society after making the ultimate sacrifice for their community<sup>26</sup>. The entire procedure is carried out in three stages, each of which includes an unique series of rituals:

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*Hijra's* of India as: The *Hijra's* call the emasculation operation *nirvan*. *Nirvan* is a condition of calm and absence of desire; it is liberation from the finite human consciousness and the dawn of higher consciousness. The Hindu scriptures call the beginning of this experience the second birth, or the opening of the eye of wisdom. The *Hijra's* too translate *nirvan* as rebirth. Emasculation is explicitly is a passage, moving the *nirvan* (the one who is operated on) from the status of an ordinary, impotent male to that of a *hijra*. Through the operation, the former, impotent male person dies, and a new person, endowed with sacred power (*shakti*), is reborn.

<sup>24</sup> Amba J.Sepie , *Gender Twists Mythology And The Goddess In Hijra Identity*, [https://www.researchgate.net/publication/276205190\\_Gender\\_Twists\\_Mythology\\_and\\_Goddess\\_in\\_Hijra\\_Identity](https://www.researchgate.net/publication/276205190_Gender_Twists_Mythology_and_Goddess_in_Hijra_Identity)

<sup>25</sup> Akshara Goel, *The Third Gender: A look into "Hijras of India*, LAW & ORDER (Feb 14, 2021), <https://www.law-order.org/post/the-third-gender-a-look-into-hijras-of-india> (Visited June 2,2022)

<sup>26</sup> Sapna Khatri, *Hijras: The 21st Century Untouchables*, 16 WASH. U. GLOBAL STUD. L. REV. 387, 399 (2017).

preparation<sup>27</sup>, operation<sup>28</sup>, and recovery<sup>29</sup>. However, the practice of nirvana (physical castration), is explicitly forbidden and fined among *Joggappas*<sup>30</sup>

## V. Religious and Spiritual Lives of Eunuchs

It is both problematic and paradoxical to say that there is no religion in the *Hijra* community, however, they do not keep the religion of their parents, preferring to accept the religion of their guru. The *Hijras*' religious roots are mostly based on Hindu and Islamic traditions. As per the *Hijra*'s clan there are numerous inter-religious hijra festivals and holidays observed in the community which are sanctioned by various *Hijra* gharanas.

### *Festival at Koovagam*

Every spring, in *chitra poornima* a special day in the Indian calendar in which all transgender, eunuchs and cross-dressers cis gender participate and grace the occasion from all over India and neighbouring countries flock to the southern Indian village of Koovagam, to take part in The 'Koovagam' a 18 days festival held at Koothandavar. In the greatest epic, *Mahabaratha*,<sup>31</sup> Arjuna and others to win in the war, his son Aravan has to marry a girl. Aravan is a charismatic personality with all 36 *Samuthrika Lakshanan*, the holistic traits of a good male. But the fate is if he is married, at once he will be dead. Knowing fully well, Krishna took avatar of a girl Mohini and married Aravan and at last won in the Great War. The next day after Aravan sacrificed himself she grieved like a widow, breaking her bangles and beating her breasts. Transgender perform 'rope

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<sup>27</sup>The person is encouraged to pray to Bahuchara Mata for divine approval of the procedure. If the Guru's coconut doesn't crack in half, the ritual is put on hold..

<sup>28</sup> Nirvan is performed in Dai Amma's home; no medical treatment or medicines are employed in this procedure.

<sup>29</sup> The recovery process might last up to forty days . Although this process is not legal in India, it takes place in the shadows.

<sup>30</sup> The Jogappas are one of the least known transgender communities and specific to the regions of north Karnataka and parts of Andhra Pradesh Maharashtra and west Telengana.

<sup>31</sup> Shiva Prakash Srinivasan, Sruti Chandrasekaran, *Transsexualism in Hindu Mythology*, 24(3) INDIAN J ENDOCRINOL METAB 235,236 (2020). <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7539026/#:~:text=Ardhanarishvara%20form%20is%20an%20androgynous,and%20female%20principles%20are%20inseparable>



function' and the post death rituals like mourning, weeping the death of Aravan.<sup>32</sup>. In addition to observing rites and traditions, the Koovagam festival evolved into a hub for community gatherings and a place to celebrate transgender culture. In order to educate the community about concerns such as numerous STDs, AIDS, and optimal sexual health, there are education and awareness programmes organised as well as blood donation camps and Swachh Bharat drives.

### ***Yellamma Devi fair***

Shri Yellamma Devi Fair is one of the most important fairs of Karnataka, India. Transgender community from Maharashtra and South India that are known as the Jogti, Jogtin or Jogappas gather in the annual *Yellamma devi's* jatra where devotees of the Goddess Renuka, also known as Saundatti and Yellamma gather in the Saundatti in the Belgaum district of Karnataka. The festival is celebrated many times in the year between the months of October to February. But the one which is held on Full moon day, owes to Margasira is of great importance. The festival is celebrated to honor the Yellamma Devi or Renuka deity, town named after the goddess, at the Yellamma temple located at Saundatti in Belgaum district. The temple is situated at the top of the Yellammagudda hill having the shrine of Yellamma Devi or Renuka, wife of Sage Jamadagni. Apart from Karnataka, people from all over India especially from Goa, Maharashtra, Andhra Pradesh and Madhya Pradesh visit the state on Full moon day of Margasira to celebrate this religious festival. The full moon day is considered very auspicious and sacred. Neeramanavi Yellamma jatra is taken out in the fair on the holy day of Bharat Hunnime. The goddess Yellamma is worshipped with all rituals on this

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<sup>32</sup>To act out the story of Aravan, the transgender devotees come each year and in a symbolic ritual, the participants take on the role of Mohini. The bride takes a ritual bath in the pond on the wedding day. Then she puts on make-up and a group of brides help each other deck out before their wedding. The bride then proceeds towards the temple and get married to Aravan by the temple priest. Then the next day, they mourn Aravan's death near Koothandavar Temple in Koovagam village by participating in ritualistic dances. Priest cuts their mangalsutra and breaks their bangles and embrace white clothes to symbolize widowhood. See also Riddhi Tyagi, *This Transgender Festival In South India Is The Only Chance They Get To Be Married* ED TIMES (May 26, 2022) <https://edtimes.in/this-transgender-festival-in-south-india-is-the-only-chance-they-get-to-be-married/> .

day in the form of Shakti Puja. Another practice during the fair of becoming Devadasis or slaves of God is also practiced during the Yellamma Devi fair. After this, they devote their lives to Yellamma and her worshipping. Jogtis and Jogtins traditionally dress like a married woman, with all the traditional jewellery and muttu necklace, they apply Bhandara and kumkum on their forehead and carry a handwoven straw basket known as Pardi in which they accept giving that they ask for door to door in their neighbourhoods. People offer them grains, clothes, and money in exchange of blessings, the offerings are called Jogwa<sup>33</sup>.

### *Urs*

*Urs* is an annual festival which is held for over six days at Ajmer in the north western state of Rajasthan, commemorating the death anniversary of thirteenth-century Sufi saint Moinuddin Chishti, known as Khawaja Sah Chishti. Ajmer Sharif Dargah is renowned for its 'inclusive' nature, as it is not divided according to gender, religion, or caste. At some dargahs, hijras are required to conduct the pilgrimage (ziyarat) in male attire (such as during the hajj pilgrimage to Mecca), however they are free to visit Ajmer Sharif Dargah in female attire. From across the subcontinent hijras are deeply attached to the saint. Celebrating his (re-)union with God at death, the *urs* festival and marriage feast revolves around his resting place, the oldest tomb of the Chishti Sufi Order in South Asia, which is attended by *hijras* from all over the subcontinent and beyond. Attending the *urs* during the first six days of Rajab, the seventh month of the Islamic calendar, is seen by many as a substitute for the hajj, the sacred pilgrimage to the Kaaba in Mecca. Ajmer Sharif serves as gaddi, the place or seat where *hijras* meet from all over India and beyond and where they forge new or nurture existing ties, discuss new policies and formulate solutions to social problems. Just as they do not commit to any particular gender, most *hijra*'s, as per Ms Devika Transgender Activist do not follow a particular religion. They are, however, especially attracted by the *Khawaja*'s teachings on compassion and love of God, his service to humanity, and his concern for the poor and the marginalized. During the *Khawaja*'s *urs* *hijra*'s also gather to offer sacred silk cloth *hijra* community that they are the first to perform the *chadar-laying* ceremony, the central ritual of the *urs*. a local tradition which stipulates that unless a *hijra* places the first *chadar* on the

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<sup>33</sup> Alms in the name of the goddess

Khawaja's cenotaph, "the stove will not catch fire, nobody will be able to make the fire burn for the feast" . The performance of a crucial ritual of chadar during the *urs* thus attributes an important role socially, culturally, and spiritually to the otherwise marginalized *hijra* community<sup>34</sup>.

## **VI. Analysis of Discipleship-Lineage Bond and Social Structure of *Gharanas***

Kinship is the identification of a link between persons based on descent or marriage, in which people are considered to be consanguineal (blood) or affinal relatives. It is usually conceived in anthropological inquiry. Linda Stone goes on to say that kinship is also "an ideology of human relationships," involving cultural ideas about the nature and meaning of human beings' biological and moral connections to others, and that a "kinship system" encompasses the rules, rights, and obligations defined by a particular society, such as ideas about reproduction, relations between kin or groups of kin, linguistic classification, and norms relating to marriage, descent, and resistance<sup>35</sup>.

### **A. Construction of Hijra Identity and Kinship Ties**

When an individual decides to become a hijra, must go through initiation ceremonies in order for the kinship link to be formed. Rituals are an integral part of any society. *Hijra* kinship, on the other hand, functions as a nonbinary familial network that does not emphasize bonds developed *via* the process of conception, but rather relies on a non-biological discipleship-lineage structure to ensure its continuation. For centuries, trans-women and intersex and genderqueer individuals who have been abandoned either leave their natal families by choice or unwelcome by their families as their presence appears to be problematic in a society. They seek out existing transgender communities under the patronage of gurus within the system: senior members of the hijra community with social and financial clout, who typically assume the role upon the insistence of junior

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<sup>34</sup> Sara Kuehn, *In Any Case We Are Sufis': The Creation of Hijra Spiritual Identity In South Asia*, 11 ISLAMOLGY JOURNAL, 39, 43 (2021) <https://islamology.in/journal/article/view/226>

<sup>35</sup> Jennifer Ung Loh, *Relations that give us the strength to Live: Relatedness Among Kinnars in Madhya Pradesh, India*, 35 Intersections: Gender and Sexuality in Asia and the Pacific (2014) <http://intersections.anu.edu.au/issue35/loh.htm> (Visited June 2, 2022)

members of the community.<sup>36</sup> However, Nanda<sup>37</sup> briefly mentions that *hijra* “houses” function as divisions between different *hijra* groups to facilitate intracommunity organization, replicating the patterns of the Indian caste system.

*Hijra* is adopted by a guru through a ritualistic ceremony, he or she must go through a christening ceremony known as a *reet*, which is similar to the Brahmins' thread ceremony known as *janwa* in several ways, along with renouncing the perceived male gender assigned at birth, there is also a renunciation of the caste assigned at birth. As a result, most *hijras* drop their surnames to hide their caste at birth identity. These dropped surnames are often associated with those caste identities that need hiding in order to protect them from caste-based discrimination in India.<sup>38</sup> The ceremonies are performed by the guru, who also introduces the disciple. Guru also described to him the community's mandate of rules and regulations, such as how a *hijra* must walk and how he must give water to a visitor. While serving water, the glass must not be held at the top or the middle. Instead, the glass must be balanced on palms joined together. The *pallu* of the *hijra*'s sari must not touch anyone as he moves around. One should not lie with his feet facing the guru. The guru's clothes mustn't be worn by the chela, nor should the latter utter his guru's or gharana's name. The *hijra* should not talk back to his guru and so on<sup>39</sup>. Some scholars also believe that *hijras* lie “outside” stratification systems of caste in India because *hijra* kinship contrasts with heteronormative assumptions of family.<sup>40</sup> Although, there is no written constitution that the *hijra* gharanas have to abide by. there is, however, an ideal “expected” *hijra* behavior and unwritten rules to meet those expectations. This ideal of a “good” *hijra*, based on behavioral expectations and an unwritten code of conduct, is similar to how gender roles are imposed in any

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<sup>36</sup> Binjal Shah, *Family bond or bonded labour: What ails the guru-chela relationship in the hijra community?* NEWSLAUNDRY (14 Apr, 2021) <https://www.newslaundry.com/2021/04/14/family-bond-or-bonded-labour-what-ails-the-guru-chela-relationship-in-the-hijra-community>

<sup>37</sup> Serena Nanda *supra* note

<sup>38</sup> Ina Goel *Supra* note

<sup>39</sup> Interview with Lakshmi Narayan Tripathi, a transgender-rights activist, HARPER'S MAGAZINE <https://harpers.org/archive/2013/08/lakshmis-story/>

<sup>40</sup> Kira Hall, *Commentary I: 'It's a Hijra!' Queer Linguistics Revisited*. 24 *Discourse & Society*, 634, 635 (2013).

society—though always in the process of transition but often based on unspoken norms. There are three key aspects of performative kin relatedness within the hijra community: respect, livelihoods, and embodiment<sup>41</sup>.

After entering the guru's household, the individual is given a new feminine name and abandons their original masculine identity. Due to matriarchal in nature, the new relationships are known as nani. (grandmother), dadnani (great grandmother), mausi (mother's sister), didi (older sister), gurumai (leader of the [home] band), gurubhai (disciples of the same guru), chela (disciple of disciple), natichela (disciple of disciple), or amma or ma (mother)<sup>42</sup>. The woman in the guru makes him feel motherly toward his chelas, but the man in him makes him authoritarian and dictatorial<sup>43</sup>. While the gurules were ridiculed for their lack of affiliation, the celaless were unable to build a reputation if they failed to adopt disciples to continue their legacy. Hence, the guru-cela bond was both essential and mutually beneficial. There are some other aspects of kin relatedness that often appear to be contradictory to its gendered status within the *hijra* community. For instance, those *hijras* who share a common guru continue to be “brotherly” related to each other, even if they rise higher up in the *hijra* hierarchy. Therefore, they may be addressed as ma (or mother) by their disciples lower in rank but as “brothers” by those who share the same rank. The ambivalence of simultaneously using both male and female gendered pronouns for addressing the kin relatedness to the same person within *hijra* community creates a unique way to embrace the androgynous nature of *hijra* kinship.

There are also many descriptive ways and terminologies to identify the same kin relation within *hijras*. An example of multiple descriptive terms to refer to the bonding between two ranks of *hijras*—guru and chela—are teacher and student, master and disciple, husband and wife, mother and daughter, and mother-in-law and daughter-in-law, respectively. An example of how the affective bonds between gurus and chelas are formalized by the government of India is through

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<sup>41</sup> NADINE T. FERNANDEZ AND KATIE NELSON (EDS.), *GENDERED LIVES: GLOBAL ISSUES* (State University of New Press 2022). <https://milnepublishing.geneseo.edu/genderedlives/chapter/chapter-5-understanding-caste-and-kinship-within-hijras-a-third-gender-community-in-india/>.

<sup>42</sup> *Ibid*

<sup>43</sup> *Supra note 38*

voter ID cards. ‘Guru’s’ residence is proof enough for ‘chela’ to get voter I card also name of gurus written in the column that required either their father’s or husband’s name<sup>44</sup>.

### B. Hijra’s Clan/ Gharanas

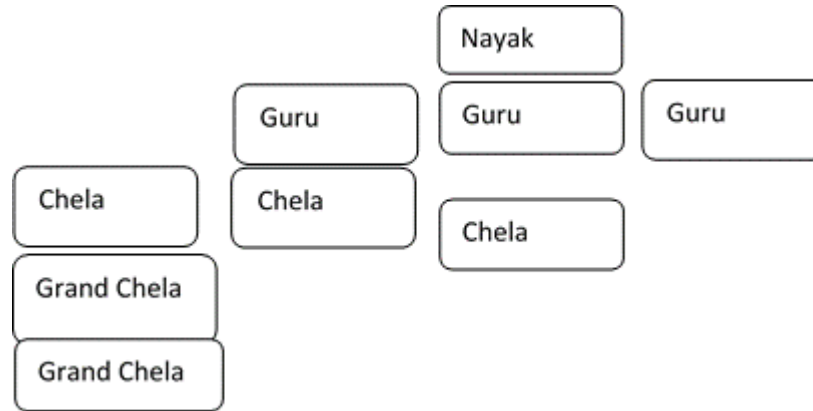


Figure: 1

Source: Gurvinder Kalra, “Hijras: the unique transgender culture of India”, International Journal of Culture and Mental Health, doi.org/10.1080/17542863.2011.570915

*Hijra* communities in India are organized into ‘Gharanas’ (means ‘houses’ or ‘clans’) and Guru-Chela relationship is the basis of social structure of the community. Each of these Gharanas has a key person called Nayak, a senior hijra. Under each Nayak, there are many Gurus (Master or Teacher), and under each Guru there are many Chelas (Disciples). A person can be Chela of a particular Guru as well as Guru for some other persons (that is, have their own Chelas) Mother, father, sister, role model these are the some of the roles guru assumes in the enunch community. The chela chooses the guru and lives with the guru throughout her life retained upon the guru’s death. They give all our earnings to

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<sup>44</sup> Anuradha Mascarenhas, *Voter cards for transgenders: ‘Guru’s’ residence is proof enough for chela*, THE INDIAN EXPRESS (Oct. 24, 2015) <https://indianexpress.com/article/cities/pune/voter-cards-for-transgenders-gurus-residence-is-proof-enough-for-chela/>

their guru, who uses them for our welfare<sup>45</sup> Those not affiliated with a *khwajasira* family lacked not only an identity but also access to the material and social privileges of membership into this system. Social order within the *Hijra* community is maintained by the *Nayak* through regulation of internal councils, called the *Hijra panchayats* or *Jamaats*. The *Nayak* has the authority to order punishment, include or expel *Hijras* from the houses when rituals are not followed or for unexpected behaviors. Punishments can include fines, additional work, or isolation in a room. Expulsion of *Hijras* from the communities is called “*huqqa-pani band*” (meaning cast out or ostracize). During the expulsion, an outcast *Hijra* finds it difficult to re-initiate themselves into the *Hijra* community in any city. The *Hijra* tradition has strict rules that control every aspect of the members’ lives and these are a source of distress for many of the *hijras*. This can be seen in the requirement that each member surrenders their earnings from begging to the *guru*, and a meager monthly allowance is allotted to the members, which is regulated.

The social stratification prevalent within the *Hijra* community stems from its own internal system of classifications based on ‘ordered rankings’ called *gharanas*. When analysing *Hijras* from the Delhi Region, Ina Goel states that the *Badshahwalla* and *Wazirwalla* *gharanas* are thought to have been the basis of the current *gharana* system.<sup>46</sup> and these *gharanas* were further subdivided to form the existing four *Hijra* *gharanas* in Delhi. The senior *gharana* is assigned to the *Hijras* belonging to the *Badshahwallas*, which in Hindi or Urdu languages refers to the men belonging to the *Badshah* or the king. Subordinate to these are the *Wazirwallas*. The *gharana* systems that emerge from this are:

Sujani gharana	Sujani, whose derivation is a combination of the Hindi and Urdu languages and refers to someone who is good at judging things
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<sup>45</sup> *Hijras: India's third gender*, MUMBAI MIRROR (Oct. 23, 2009) <https://mumbaimirror.indiatimes.com/communities/hijras-indias-third-gender/articleshow/15964795.cms>.

<sup>46</sup> Two of the most prestigious families among the *hijras* are called the *Badshahwallas* and *Wazirwallas*- the king’s men and the minister’s men, respectively.

Rai gharana	The term Rai was used as a highest honor for Indians who were considered trustworthy while working under British colonial control. Furthermore, in Indian society, where the caste system serves as a system of social stratification, "Rai" is the name of an existing caste lineage assigned to persons working as landlords.
Wazirwallas	which in Hindi or Urdu means the men who work for the wazirs or the king's ministers.
Kalyani gharana	In Hindi, the word Kalyani refers to someone who looks after the well-being of others.
Mandi gharana	In Hindi and Urdu, the term Mandi means "market." Though no link has been established between the meaning of these names and the social positioning of Hijra gharanas, it is indicative of a power disparity that may exist within and between Hijra gharanas.

Figure 2

Source: Ina Goel, *Hijra Communities of Delhi, Sexualities* DOI: 10.1177/1363460715616946

## VII. Burial Rights

*Hijras* belong to different religions, and last rites of burial or cremation depend on their religion which takes place without any fanfare. Not many have witnessed the death of a eunuch. Last rites of *Hijras* are carried out in a normal way. In the ulti language, the *hijras'* funeral ceremony is called "roti chatai," and it lasts for forty days. However, roti chatai ritual separate from other Hindu funeral practises, such as shradh. They do this because they believe that shradh is connected to reincarnation and the cycle of life and death. The ritual of roti-chatai commemorates the salvation of the soul or mukti (liberation) from the hardship and the misery of being a *hijra*. However, Muslim *Hijras* perform the ritual of roti-chatai by adhering to the Islamic customs and rituals. *Hijras* from all across India are invited to observe and celebrate the ceremony of mukti, or the salvation of the departed *hijra*, during the forty-day period. However, before to the roti-chatai funeral ritual, the departed *hijra* is buried in a kabristan. (muslim burial



ground) and her body is ceremonially bathed and wrapped in clean, mostly white cloth and jewellery, is removed. Similar to gendered Hindus in India, Hindu eunuchs too are cremated in open grounds upon wooden pyres. When carrying the corpse of a dead hijra to the graveyard, they shed women's clothing and dress instead in shirts and pants, or in a kurta and pajama pants. They do this to hide the fact that the deceased is a *hijra*<sup>47</sup>. Water from either the Ganga or from any other holy river is poured into the mouth of the deceased. Before cremation, any strings etc that tie the body are removed, symbolising the severance of all ties of the deceased with this world. The body is to be set alight by the male blood relative of the deceased (if present) or the senior most member of the band. Once the skull of the dead body bursts (usually an hour after lighting the pyre), the attendant people face the pyre and join hands in prayer, after which they return home. This practice of cremation is universal among Hindu Kinnars. Revelations made by Ms. Devika Transgender activists "There is myth that they carry out their death rituals at night and at the time of death ritual on burial they beat the burial by sandless and abuse and say that the deceased should never get any birth again"

It is also possible to argue that the *hijras* who live in different parts of India (namely the North, West, East, and South) attach varying degrees of prominence to the burial rites. However, the stigma and discrimination faced by transgender people their lifetime follows them even in death, with many being denied access to burial and cremation grounds in the city. According to Rachna Mudraboyina transgender activist 'it is scary and disheartening to live in a society where we are not treated like humans'. According to Rishi Ajai Das, a founder member of the Kinnar Akhara "Every Hindu is expected to complete 16 rituals that include rituals at birth, naming ceremony, eating food, mundan (shaving of head), Janu (holy thread) marriage and cremation<sup>48</sup>. Transgenders are usually not allowed to cremate their dead in designated cremation grounds. This is because they are

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<sup>47</sup> *Supra* note 38

<sup>48</sup> Amita Verma, *After 300 years, transgenders get last 'rights'*, THE ASIAN AGE, (Aug. 15, 2016) <https://www.asianage.com/india/after-300-years-transgenders-get-last-rights-025>

considered pariahs in society. Most transgenders, therefore, bury the dead and that too in secluded areas, not in graveyards. Hindu priests have been known to refuse to perform post-death rituals for transgenders and it is due to this the annual “shraddh” is not performed for transgenders.

### **VIII. Conclusion**

Following the Supreme Court decision, *Hijras* or transgenders are very much part of society and recognised Hijras as the 'third gender,'. The Hijra community maintains orderly rankings within its cultural enclaves, resulting in a restricted social group with a well-established socio-cultural order. No event is complete without their presence and benediction. However, this acknowledgement cannot secure societal acceptance of these people. *Hijras* and other transgender persons are supposed to live without sexuality, in violation of their basic right to 'love or be loved.' who are expected to be further marginalised by social, economic, and even by their own community. Furthermore, the lack of awareness within and beyond the *hijra* groups causes them to live a segregated life, isolated from any social interaction. They are part of the religious mythical side of existence, the ones Lord Rama's blessing. Discrimination against the Hijras has compelled them to survive the social difference triggered by inequalities by forming underground societies. The *Hijra* people must be demystified before any welfare initiatives geared at them can address their needs. The public perception of the Hijras does not correspond to their realities, which is problematic.