

Bioethics Essay

The Third Gender

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Edward Said wrote in *Identity, Authority, and Freedom*: “Do we use the freedom we have fought for merely to replicate the mind-forged manacles that once enslaved us, and having put them on do we proceed to apply them to others less fortunate...?”

From the inception of human civilization to the establishment of a contemporary hierarchical society, technically, gender has been always classified into two distinct categories - male and female. In 2014, the Supreme Court’s verdict conferring the status of ‘third gender’ to the transgender, created a positive pulse across the nation. This constitutional amendment entitled the transgender to opt the gender of their choice and rendered them eligible for education and employment opportunities. A much awaited justice, received 143 years post the Criminal Tribes Act, was applauded by a handful of intellectuals and social reformers, while being criticised by many. At the outset of looming controversies and discrepancies in the attitudes towards the third gender, the road towards availing an undisputed impartiality from the society, seems far and rocky.

In a modern world where the third gender individuals are trying to create a niche for themselves, a recoiling society exiles them to worthless precincts. The journey of their liberation has been strikingly arduous and full of obstacles, nonetheless a bouquet of extraordinary and inspirational examples. Quoting a few are, Sarah McBride, the first transgender activist to address a Democratic Convention; Leandra Medeiros Cerezo, a transgender model to participate in the opening ceremony of the Rio Olympics; and Nitasha Biswas, the first Indian transwoman to win the Miss India Trans-queen 2017 crown, who believes, ‘gender defines what’s in between one’s ears and not in between legs’. Elle magazine won million hearts for featuring a 23 year old transgender model, Hari Nef, on the cover page of its special edition, ‘the icons of change’. Be it seeking an identity in the country’s electoral system, or parading for causes such as inclusion at workplace, legalising consensual gay sex, marriage equality, etc., the third genders have been insouciantly vocal about integrating their presence in the world’s democracies.

The global status of third genders is by far more upgraded and accepted. In the United States of America, the anti-discrimination laws protect the rights of the LGBTQ (lesbian, gay, bisexual, and transgender, queer) community and ensure them medical, housing and employment facilities. Germany issues third gender birth certificates, as a crusade to liberate the world of the stigma against people, who don’t fit perfectly into the gender binary. Pakistan ministry has commenced issuing passports to the third genders under the category ‘X’, eternalizing Farzana Jan’s name as the first transgender to receive it.

In India, prior to the institutionalisation of Section 377 of the IPC in 1860, the third genders experienced a respectable reputation and a strong historical presence. However, this judicial legislation traumatised their lives, subjecting them to discernment and disgrace at the hands of society. Since then, these individuals have been targets of misperceptions and agony, originating from the rigid and forced conformity to sexual dimorphism in the Indian society. In the face of constant rampant rejection at social and family fronts, these individuals are compelled to compromise with their basic rights for shelter, education and health.

Of late, the government has introduced welfare initiatives such as census schemes and valid identity cards, towards reforming the societal status of the third gender. India's first transgender school, Sahaj International, at Thrikkakara in Kerala's Ernakulam district was set up with the vision to provide security, salvation and sustainability to the transgenders. Under the 11th Five Year Plan, the Mahatma Gandhi National Rural Employment Guarantee Act was launched, which extends livelihood interventions to transgenders. As another bill waits in the Parliament, beckoning legal provisions for stringent action against offences towards the third genders, these Indians glimpse freedom.

January 28, 2017 witnessed one of the biggest and flaunted parades of India, The Queer Azadi Mumbai Pride March. An unusual and unexpected congregation of individuals, donning costumes tangential to the confines of their genders, echoed with the message, "Equality for the LGBTQ community". Such spectacles are not just symbol of protest, but celebration of an identity that has breathed through an era of repression. Esteemed social activist, Laxmi Narayan Tripathi's plea for "acceptance" from the society, stirs the existing norms and impacts the numerous indifferent minds, who feel that the constitutional freedoms are reserved exclusively for certain gender identities. The saga of Trans-Mommy Gauri Sawant, who adopted a girl child, is legendary. Her journey began with the Humsafar trust, India's oldest LGBTQ organization, leaving behind an exemplary anecdote of her evolution from learning fluent English, to spreading awareness about sexually transmitted diseases and running shelter for young trans-individuals abandoned by family. Her daughter calls her "Aai", which means "AatmarupiIshwar" (God in essence and spirit).

"Our notions of different gender types, especially our attitudes towards the third gender affect our lives and reflects our values to a great extent", quoted famous anthropologist Michael G. Peletz. Indian society has always treated the third genders with mixed emotions of "enthrallment, disgust, and fright", reflecting a two-sided social perception of their lifestyle. On this World Bioethics Day, as citizens of India, with an astonishingly diverse bio-culture, we should prepare to take the perceptual leap and pledge to consider this tiny minority, otherwise the victim of hushed whispers on streets, whistles in trains, and jokes in films, as normal citizens. In a nation, where already enough struggle is faced by the women in resolving gender-linked archaic issues, the society has to travel an extra mile to ensure equality and equity for the third genders. On that note, the following lines from Gurudev Rabindranath Tagore's illustrious poem,

"Where the mind is without fear....." say it all.
 ".....Where the clear stream of reason has not lost its way
 Into the dreary desert sand of dead habit
 Where the mind is led forward by thee
 Into ever-widening thought and action.
 Into that heaven of freedom, my Father, let my country awake".
