



## ORIGINAL RESEARCH PAPER

# Reclaiming identity: transgender perspectives on inclusion in contemporary India

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## Abstract

Contemporary inclusion movements in India have evolved as critical reactions to long-standing societal injustices, aiming to address the marginalization of diverse populations, including those on the basis of gender, caste, disability, and sexual orientation. This article investigates the growth of these movements, emphasizing marginalized groups' transformative efforts in their quest for acknowledgment, rights, and social justice. These movements encounter numerous hurdles, including cultural resistance, systematic discrimination, and the complicated challenges of managing India's vast social fabric. While social media helps to mobilize these campaigns and increase awareness, it also exposes campaigners to digital difficulties like disinformation and hate speech. The research also looks at legal and political frameworks, specifically major judgments like decriminalizing homosexuality in 2018, as well as continued social resistance to these reforms. Despite these hurdles, contemporary movements continue to advocate for greater inclusivity, focusing on the intersections of caste, religion, and gender identity. The report finishes by focusing on the upcoming trajectory of such movements, underlining the importance of continued lobbying and legal reform in achieving genuine social equality.

**Keywords:** Inclusion, Gender, Caste, Disability, LGBTQ+, Social movements, India, Social media, Legal reforms.

## Introduction

On a quiet evening in a bustling city in India, a young transgender woman sits in a small café, her hands trembling slightly as she scrolls through her phone. She is reading about the latest court ruling on transgender rights, a victory that marks another step forward in inclusion. Despite the growing recognition and legal process, the story of such young transgender and countless others remains steeped in the history of resistance, survival, and social exclusion.

In India, the fight for inclusion is not just a recent development—it is rooted deeply in a long and complex history of marginalization. Whether it is the transgender

community, who have historically been revered as sacred yet ostracized in society, or the LGBTQ+ individuals who struggled for basic recognition in a country that once criminalized their very existence, the battle for rights and recognition has been arduous. It is a battle that intersects with the age-old caste system, the influence of religion, and the remnants of colonial policies, all of which have shaped the modern-day exclusionary structures that still persist.

While India has made significant strides with legal reforms such as the decriminalization of homosexuality in 2018 and the landmark judgment for transgender rights, these victories are often met with societal pushback. Social media platforms have amplified both the voices of marginalized communities and the resistance they face, providing a space for advocacy while also exposing activists to digital threats such as hate speech and misinformation. Amid these challenges, movements for inclusion continue to grow stronger, with a clear demand for social and legal equality that transcends historical prejudices.

The path to inclusion is fraught with difficulties, but it also brings hope and resilience to those who have been marginalized for generations. This paper explores the contemporary movements for inclusion in India, examining the progress made, the hurdles faced, and the relentless efforts of marginalized communities to carve a space for themselves in a society that continues to grapple with issues of caste, gender, and sexuality. Through these movements,

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India's social fabric is slowly transforming, yet the journey to true inclusion remains a work in progress.

### ***Historical Acknowledgment of Transgender Identities in Indian Religions***

The recognition of transgender identities in Indian religions is firmly ingrained in ancient writings, traditions, and cultural practices, indicating a historical perspective on gender flexibility. Unlike traditional binary frameworks, Indian religious beliefs recognized a variety of gender identities, giving transgender and non-binary people spiritual, social, and ceremonial value. This ancient legacy is retained in sacred writings, mythologies, and responsibilities assigned to gender-diverse people, notably those associated with the hijra community.

#### *Transgender Identities in Hinduism*

Hinduism contains countless examples of transgender and nonbinary identities being recognized and respected. Ancient works like the *Mahabharata* and *Ramayana* provide vital sources. *Shikhandi* is a major character in the *Mahabharata* who is born female but acquires a male identity in order to achieve a divine purpose. *Shikhandi's* gender transformation is portrayed as a necessary part of the story's moral trajectory rather than an aberration (Menon, 2006). Similarly, the *Ramayana* describes the hijras as devoted disciples of Lord Rama. When Rama instructs his supporters to go during his exile, the hijras remain behind as a show of devotion. Rama later bestows to them the ability to offer blessings on auspicious events, a tradition that is still practiced in many Indian communities today (Pattanaik, 2014).

Hindu mythology also has divine images of gender flexibility. Lord Shiva's *Ardhanarishvara* form is represented as half man and half female, representing the confluence of masculine and feminine powers. This form emphasizes gender connectivity and equality, which transcends binary categorizations. Vishnu, another major deity, appears as *Mohini* in various stories, such as *Samudra Manthan* (ocean churning). The *Mohini* avatar reinforces gender diversity within supernatural situations (Kinsley, 1998).

This appreciation is also reflected in Hindu rites and celebrations. *The Koovagam Festival* in Tamil Nadu commemorates Lord Krishna's transformation into a female form to marry Aravan prior to his ritual sacrifice. Transgender people attend this festival, asserting their commitment to religious traditions. These activities demonstrate how Hinduism has traditionally incorporated transgender identities into its spiritual and cultural fabric.

#### *Transgender Recognition in Islam*

The inclusion of transgender people in Islamic traditions, notably during the Mughal period, demonstrates the diversity of Indian Islam. Hijras had esteemed positions

in royal courts, including counselors, guardians of royal women, and managers of delicate administrative chores. Their unique social status and perceived neutrality made them reliable middlemen.

Islamic teachings stress compassion and justice, which some scholars see as promoting gender diversity. For example, the Quran's focus on Allah creating all beings uniquely (*Quran*, 30:22) is seen as recognition of various identities. According to historical reports, Indian Islamic jurisprudence was flexible in tolerating transsexual people. Scholars continue to discuss formal theological references to gender fluidity within Islam.

#### *Buddhist Perspectives on Gender Fluidity*

Buddhism's philosophical foundation, which highlights impermanence and separation from fixed identities, fosters a welcoming environment for gender diversity. Buddhist writings, particularly the *Vinaya Pitaka*, discuss gender and ordination, implying that transgender and non-binary people were accepted in monastic communities (Faure, 1998).

Gender variety was incorporated into Indian Buddhist spiritual practices. The focus on transcending connections to identity, including gender, is consistent with the experiences of transgender people. Although less explicitly stated than Hinduism, Buddhism's inclusive worldview enabled the incorporation of gender-diverse persons into its fold.

#### *Colonial Disruption and Modern Relevance*

The colonial era saw a significant shift in how transgender people were treated. British colonial regulations, especially the *Criminal Tribes Act* of 1871, criminalized the hijra group, undermining its religious and social responsibilities. This legislation mirrored the imposition of Victorian morality and inflexible gender binary systems that were foreign to Indian customs (Reddy, 2005). The colonial disruption devalued transgender people, removing their historical ties to religious and cultural traditions.

Today, initiatives to recover these narratives are gaining traction. Activists and scholars emphasize the openness of historical traditions, calling for the acknowledgment of transgender identities in religious settings. Festivals and rituals continue to provide a space for transgender people to connect with their spiritual history, despite societal stigma and institutional restrictions.

### ***Colonial Disruption and Modern Conservatism: A Historical and Sociocultural Overview***

Colonial control in India resulted in considerable sociocultural upheavals, including the implementation of stringent gender norms that undercut the historical recognition of transgender identities in religious and cultural contexts. Prior to colonialism, transgender people were frequently given valued roles in Indian society, and their presence

was essential to religious rites and communal practices. However, the colonial imposition of Western moral values and gender binaries resulted in systemic estrangement, the results of which may still be seen today in conservatism and institutionalized exclusion.

The British colonial government in India implemented laws and practices that excluded transgender people. *The Criminal Tribes Act* of 1871 labeled hijras and other marginalized groups as inherently criminal, subjecting them to systematic surveillance and ostracization (Reddy, 2005). This regulation reinforced Victorian moral standards, which saw nonconforming gender manifestations as aberrant. By criminalizing hijras, the British undermined their customary duties, such as blessing births and marriages, depriving them of public respect and economic independence.

Western colonialism also enforced binary gender norms, which were incompatible with India's historically fluid understanding of gender. Pre-colonial Indian religious and cultural texts frequently depicted transgender and non-binary people as spiritually significant, as evidenced by Hindu epics and temple practices. Hijras, for example, were originally associated with fertility rituals and functioned as spiritual intermediaries. However, British authorities and missionaries rejected such behaviors as "backward" and attempted to "civilize" Indian society by imposing Western notions of gender conformity (Hinchy, 2019). This strategy progressively alienated transgender identities and undermined their religious credibility.

The British also harmed the economic sustainability of transgender communities by eliminating traditional patronage structures. Hijras, who had previously relied on monarchy and temple endowments for survival, were left destitute when colonial laws restricted these institutions. This economic marginalization exacerbated the social shame, leading many hijras to begging or sex labor for survival. The loss of their customary livelihoods exacerbated their alienation from mainstream society.

#### *Modern Conservatism and Religious Institutions*

Post-independence India saw the persistence of colonial mindsets, especially in religious institutions. While the legal structure of independent India no longer explicitly criminalized transgender communities, cultural and institutional inequalities persisted. Many religious institutions retained the colonial-era stigma against transgender people, limiting their participation in rituals and leadership responsibilities. For example, whereas hijras were formerly revered as custodians of fertility rituals, their participation in temple ceremonies has decreased dramatically due to present conservative sentiments.

The promotion of heteronormative values in postcolonial religious practices has further disenfranchised transgender people. Conservative interpretations of sacred scriptures, frequently influenced by colonial moralities, have minimized

or eliminated allusions to gender diversity. This shift mirrors a larger tendency of modernizing religious rituals to align with Western values, resulting in uniformity that excludes transgender identities.

Furthermore, political conservatism has frequently sided with religious rigidity to promote binary gender roles. Efforts to recover "traditional values" have ironically reinforced colonial frameworks because these values are interpreted through the prism of Victorian ethics rather than indigenous behaviors. For example, contemporary disputes in India about LGBTQ+ rights frequently include religious arguments against gender diversity, despite historical evidence of transgender acceptance in Indian religious traditions (Narain, 2004).

The result of colonial disruption and contemporary conservatism has had long-term consequences for transgender communities in India. While legal improvements, such as the 2014 Supreme Court decision recognizing transgender people as a "third gender," are encouraging, cultural acceptance remains limited. Transgender people continue to confront impediments to religious venues, leadership positions, and cultural acknowledgment.

Reviving pre-colonial gender inclusion necessitates fighting both colonial-era laws and conservative readings of religious texts that reinforce exclusion. To address the historical and structural causes of transgender people's marginalization, religious leaders, lawmakers, and activists must work together.

#### ***Contemporary Movements for Inclusion and Challenges***

In recent years, the global discourse about social inclusion has gained traction, particularly among marginalized groups like ethnic minorities, women, the disabled, and the LGBTQ+ community. These challenges are exacerbated by India's diverse and complicated social structure. Social movements in contemporary India aim to achieve inclusion for these groups, although they confront substantial obstacles. These movements, which seek to remove centuries-old hierarchies and prejudices, frequently face institutional and cultural opposition. This essay will look at the characteristics of today's inclusion movements in India, as well as the obstacles they face.

The campaign to include underprivileged people in India has its roots in the caste system, colonialism, and societal discrimination based on gender, religion, and disability. Post-independence India has seen a constant drive to alleviate social disparities through policies and action. The *73rd and 74th Constitutional Amendments* (1992) seek to empower women and underprivileged communities by establishing reservations in local government, while the reservation system in education and employment continued to provide opportunities for underrepresented groups. However, the path to full inclusion has been beset with systemic and cultural hurdles.

The fight for women's rights is an important movement in India's inclusion push. The feminist movement, which rose to prominence in the late twentieth century, has broadened its focus to include topics such as sex discrimination, reproductive rights, and gender-based violence. Despite legal improvements like the 2013 Criminal Law (Amendment) Act, which aimed to improve the legal framework for women's protection, problems persist. Cultural beliefs that regard women as inferior to men, combined with established patriarchal systems, continue to prevent women from fully participating in public life. Women, for example, continue to confront workplace discrimination, particularly in leadership positions, and issues like child marriage and dowry remain prevalent in some regions (Chakrabarty, 2005).

Similarly, the LGBTQ+ rights movement has made great progress after the legalization of homosexuality under Section 377 of the Indian Penal Code in 2018. The LGBTQ+ rights movement is steadily expanding, campaigning for same-sex marriage recognition and greater social acceptance. However, while the legal structure has changed, social stigma remains a significant barrier. LGBTQ+ people frequently experience harassment, assault, and exclusion from their families and communities. Despite legal advances, many sections of the country still hold extremely traditional attitudes toward non-binary gender identities and same-sex relationships. The battle for inclusion is thus not merely legal, but also deeply cultural, requiring a transformation in societal norms.

The fight for the inclusion of people with disabilities (PWD) has a long history in India. The passing of the Rights of Persons with Disabilities Act in 2016 was an important step toward increasing the rights of people with disabilities. It requires accessibility in public places, establishes reservations in education and employment, and provides a framework for providing equal opportunity for PWD. However, the application of these provisions is inconsistent. People with physical disabilities are still regularly denied access to public settings, and they continue to face social isolation and prejudice. The cultural conception of disability as a personal tragedy or a limitation on potential remains a significant barrier to full inclusion.

Caste inequality in India has long hampered efforts to achieve social inclusion. While affirmative action measures have benefited the Scheduled Castes (SC), Scheduled Tribes (ST), and Other Backward Classes (OBC), caste prejudice and untouchability remain prevalent in many parts of the country. Dalits and tribal populations continue to experience violence, educational and employment discrimination, and social marginalization. The modern Dalit rights movement has been at the forefront of advocating for the abolition of caste-based discrimination, and Dalit leaders have recently exploited social media to organize rallies and campaigns. However, established caste structures persist in both rural

and urban settings, posing considerable impediments to inclusion (Gupta 2012).

Another group struggling for inclusion is the Muslim community, which has endured systemic discrimination in both the public and commercial sectors. Issues such as a lack of representation in politics, jobs, and education, as well as religious discrimination, have prompted calls for a better blending of Muslims into mainstream Indian society. Movements like the All India Muslim Personal Law Board, as well as numerous civil society organizations, have worked for policies that give Muslims equal opportunity, particularly in terms of secular education and political engagement. However, the growth of Hindu nationalism and growing polarization in Indian culture have increased Muslims' marginalization, posing enormous difficulties to efforts to achieve social inclusion.

The digital revolution has helped marginalized people have a voice. Social media has enabled activists to bypass traditional media gatekeepers, resulting in speedier idea transmission and organizing. Hashtags such as *#MeToo*, *#DalitLivesMatter*, and *#LovelsLove* have gained popularity, empowering people and groups to fight systemic prejudice and demand equality. However, this digital transition has concerns, such as the rise of online hate speech and the propagation of misinformation. While social media platforms provide new chances for advocacy, they have also reinforced prejudice and hatred.

Despite these advancements, the path to complete inclusion in India remains difficult due to continuing social structures, cultural norms, and political obstacles. Achieving social inclusion involves more than just legal changes; it also necessitates a profound cultural revolution that confronts the prejudices and preconceptions that continue to marginalise these populations. Furthermore, it takes a long-term political commitment to enforce rules and procedures that assure equality for all residents. As India grapples with these complicated concerns, the fight for inclusion will remain a recurring subject in the country's social and political debate.

## Conclusion

Finally, modern inclusion movements in India indicate a significant change toward justice and equality, fueled by disadvantaged populations' persistence. From legislative successes such as the legalizing of homosexuality to the continued battles of Dalits, women, and disabled people, these groups continue to confront deeply entrenched societal norms and strive for social recognition. However, the route forward is laden with complexity, such as cultural resistance, structural discrimination, and the digital obstacles that modern activism brings. Despite these challenges, activists' tireless work and the increased exposure of multiple identities provide promise for a more

inclusive future in India. The continued struggle for equal rights based on caste, gender, and sexual orientation is a watershed moment in India's march toward social justice, indicating that, while much has been accomplished, there is still more work to do. The intersectionality of these movements teaches vital lessons about the necessity for multidimensional solutions and long-term efforts to guarantee that everyone, regardless of background or identity, is included in the nation's social structure.

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