
CHANGING IDENTITY OF TRANSGENDERS IN RECENT YEARS

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Abstract

The theatre was commonly used to express spiritual themes during the Medieval period. The church priests would put on a performance for the congregation to transmit spiritual concepts through acting. In such performances, only males portrayed all of the roles; for example, the boy might be cast as the Virgin Mary. This custom dates back to ancient times. According to mediaeval authors Robert Clark and Claire Sponsler, even females played roles in spiritual theatre at times, therefore cross-dressing among men cannot be considered a tradition or habit.

1.1 INTRODUCTION

Even in mediaeval times, the tradition of males playing all parts persisted. Many academic papers have looked into this technique. Cross-dressing men often become feminised and, in some cases, reduced to women. Shakespeare, the most famous playwright of mediaeval times, used the technique of cross-dressing. Michael Shapero looked at the position of a female messenger in five Shakespearean plays and discovered how it permitted the author to manipulate and hypothesise on society's gender divisions. The job of a female courier creates ideal conditions for gender cloaking, in which a young boy plays a female persona disguised as a man. The situation becomes problematic when, for example, the character of Rosalind is played by a male actor who impersonated himself as a boy Ganymede and then urged another character to treat him (Ganymede) as a girl in 'As You Like It.' Cross-dressing was inspired by a variety of factors in Shakespeare's plays. It can be used for comedy, as in *As You Like It*, or drama, as in *Merchant of Venice* (1600). In '*Merchant of Venice*,' female characters Portia and Nerissa disguise themselves as men to defend a male character Antonio from another male character Shylock. Cross-dressing can also have political, psychological, or sensual purposes; for example, in the play "*Viola in Twelfth Night*," Viola and Olivia cross-dress to express their amorous desires. Simply said, cross-dressing has become a major plot point in the play. However, fear and apprehension about creative cross-dressing persisted, as did its popularity¹.

1.2 ACKNOWLEDGEMENT OF IDENTITY

Transgender people can now open bank accounts and use other services. All banks have been

¹ Gregory G. Bolich and G.G. Bolich, *Transgender History and Geography: Cross Dressing inContext* 59-62 (Psyche's Press, North Carolina, Vol. 3, 2007).

instructed by the Reserve Bank to include a 'Third Gender' section in their bank forms or applications². The Central Board of Direct Taxes has issued a notification under Section 139A and 295 of the Income Tax Act, 1961, allowing transgender people to be recognised as a separate category for acquiring a permanent account number for their tax-related operations (CBDT). It has introduced a new procedure for obtaining a PAN. The form now includes a new transgender checkbox. PAN Application previously just had male and female categories³. The Tata Institute of Social Sciences has taken a stride forward in implementing the recommendations issued by the Supreme Court in the NALSA case in 2014. It is the first institution to pursue such an endeavour. TISS has delivered on its pledge by establishing a gender-neutral hostel on its Mumbai campus, which will open in June 2020⁴. In addition to Mr, Mrs., Ms, and Dr⁵, TISS has developed the gender-neutral salute 'MX.' Pranathi Prakash, a transgender woman, is the coordinator of Mysore's Ashodaya Samithi, which advocates for transgender and sex workers' rights. In the marriage of her foster daughter Sneha in 2017, she defied marriage norms by performing all rites that would typically be performed by a father⁶. Bharathi, 25, got her Bachelor of Theology degree and was baptised into Christianity in 2012. She is currently a pastor at the Evangelist Church of India branch in Chengalpattu, on the outskirts of Chennai, where she performs weddings⁷. In a meeting conducted in July 2018, Delhi Social Welfare Minister Rajendra Pal Gautam announced the formation of a seven-member committee to make the lives of transgender people easier and to integrate them into society. They will all be experts who can comprehend transgender issues in depth and formulate policies to solve them. It is an example of how even the government is attempting to better the situation of this marginalised group. On December 23, 2018, the Delhi Government's Ministry of Social Welfare cooperated with the trans community for the first time to organise the Red festival 2.0⁸. DCW established a transgender cell in July 2019 to address transgender issues and protect the rights of the third gender⁹. Kerela offered shelter homes to transgender people in 2018 to provide a safe environment and safety from harassment and abuse if they joined in the state's special literacy programme¹⁰. In 2017, Kerela's Department of Social Justice granted free shelter homes to trans guys

²Retrieved from <https://www.latestlaws.com/latest-news/transgenders-included-bank-forms-applications/> (last visited on June 22, 2018).

³ Retrieved from <https://www.indiatoday.in/india/story/transgenders-to-be-recognised-as-independent-gender-category-in-pan-form-1208854-2018-04-10> (last visited on July 03, 2018).

⁴ Retrieved from <https://www.thequint.com/news/politics/my-report/my-report/news/india/tiss-introduced-gender-neutral-hostel-in-its-mumbai-campus> (last visited on July 05, 2020).

⁵ Retrieved from <https://www.thebetterindia.com/136987/tiss-mumbai-india-transgender-gender-neutral-hostel/> (last visited on July 03, 2018)

⁶ Retrieved from <https://www.thebetterindia.com/102907/mysuru-karnataka-transgender-ashodaya-marriage-ceremony/> (last visited on July 03, 2018).

⁷ Retrieved from <https://timesofindia.indiatimes.com/india/Meet-Indias-first-transgender-pastor/articleshow/11772802.cms> (last visited on July 03, 2018).

⁸ Retrieved from <https://aamaadmiparty.org/delhigovt-min-socialwelfarepr24-12-2018> (last visited on January 06, 2019).

⁹ Retrieved from <https://www.timesnownews.com/mirror-now/society/article/shelter-home-named-thanal-constructed-for-transgender-men-in-kerala/460404> (last visited on Dec. 10, 2019).

¹⁰ Retrieved from <https://www.firstpost.com/india/kerala-to-provide-shelter-homes-for-transgenders-but-conditions-apply-they-must-join-states-special-literacy-programme-4611731.html> (last visited on July 28, 2018).

called 'Thanal.' Food, lodging, and legal assistance are offered to trans males¹¹. Shivraj Singh Chauhan, the Chief Minister of Madhya Pradesh, opened a transgender community toilet in the Mangalwara neighbourhood of Bhopal in 2017. This neighbourhood has a substantial transgender population. In addition, in the bus terminal in Mysuru, specific toilets for transsexual people were installed. The Pradhan Mantri Awas Yojana funded Rs. 1.5 lakh for the development of homes for transgender people (2017)¹².

They even mentioned plays in which male actors dress up as women to fulfil female parts. One such example is the thirteenth-century French drama 'Miracle De La Fille D'Un Roy,' in which young girl Ysabel disguised herself as a knight to avoid her father's insistence that she play the role of her murdered mother. The medievalists Clark and Sponsler have suggested that such dramas consider gender in such a way that they show audiences the unnaturalness and unreasonableness of gender classification. This was not a French-only practise. Author Steven Wright expresses similar sentiments regarding German theatre. He believes that part of the mediaeval might have survived if the audience could envision the characters being able to reinvent themselves by considering gender behaviour. He claims that in order for plays to succeed, the audience must be able to grasp gender roles (male or female), even if they are only transitory and vary depending on the type of act or play. Males played all roles in the English theatre, regardless of gender or character. The performances, however, include the old tradition of disguising. Mummery is the origin of masking. Mummer comes from the Danish word "momme," which means "mask." Mummers played an essential role in ancient English theatre. It has survived until the mediaeval period, as has the tradition of males playing all roles. Some authors used this archaic technique to present a unique third gender¹³.

1.3 CONTESTANT WHO IS TRANSGENDER

Respondents from both countries felt that public portrayal of transgender people may offer them a stronger and more authentic voice in decision-making. It will make it easier for transgender people to enter political institutions and serve as role models for future generations. It makes their problems more evident and understandable. Despite the fact that transgender persons are not prohibited from running for office at the municipal, state, or federal levels, their presence in public office is still quite low. Transgender people have run for municipal, state, and national elections in Delhi/NCR, however no Transgender person has ever been elected to the Lok Sabha since independence. In the 2014 general election, there are at least four transgender candidates. Bharathi Kannamma, the first transgender

¹¹ Retrieved from <https://www.timesnownews.com/mirror-now/society/article/shelter-home-named-thanal-constructed-for-transgender-men-in-kerala/460404> (last visited on June 08, 2020).

¹² Retrieved from <https://www.thebetterindia.com/117100/madhya-pradesh-trasngender-public-toilet-bhopal/> (last visited on July 06, 2018).

¹³ Gregory G. Bolich and G.G. Bolich, *Transgender History and Geography: Cross Dressing inContext* 58-59 (Psyche's Press, North Carolina, Vol. 3, 2007).

candidate (independent) from Madurai, Tamil Nadu, ran in the 2014 general election. "Only a transgender person can comprehend and discuss 'trans' concerns. So yet, neither men nor women in parliament have attempted to address our issues. "It's past time for us to come out of the closet and run for office, as well as campaign for stronger legislation to avoid gender discrimination," Bharathi Kannamma stated in a media interview.

In addition to Kannamma, Uttam Senapati of Nagpur (Maharashtra), Sonam Kinnar of Amethi (against Rahul Gandhi), and Baseer Kinnar of Varanasi (against Modi) ran in the recent general election. Despite the fact that none of these candidates won, they made the news and drew public attention. However, there has been some electoral success at both the municipal and local levels. Shabnam Mausi was elected as India's first MLA in Madhya Pradesh in 2000, Kamla Bua was elected as Mayor of Sagar in Madhya Pradesh in 2009, and Madhu Kinnar was chosen as the fifth Transgender mayor of Raigarh in Chattisgarh recently. However, several of these candidates, like Shabna Mausi, ran as independents, suggesting that established political parties did not accept them. Furthermore, many people do not take transgender candidates seriously, believing that they are running for popularity. They may have performed poorly in election due to a lack of capacity and political experience in public life.

Transgender leaders are almost invisible in public service, according to the LGBTQ Representation and Rights Research Initiative in the United States. Since 1977, 126 transgender and gender variant candidates from 30 nations have competed in slightly over 200 contests, according to the initiative's report. There were 48 people elected, and they won 72 times in re-elections. According to the survey, there are just twenty transgender elected politicians in government at any level in the world, and trans women make up 90% of all candidates. The lack of public representation in political activism for transgender issues creates a barrier. Proper political representation, for example, would have secured the simple passage of a measure that would better the position of transgender people.

1.4 CONCLUSION

It is abundantly obvious that the concept of transgender is not new to the world, but has been prevalent throughout the western and eastern eras from the ancient period. There are references to homosexuality in ancient religions, as well as the degree of tolerance for such acts. Early civilisation, ancient scriptures, mythology, shastras, and Vedas are also references. Certainly, in past times, society was unaware of or ignored such behaviour, mistaking it for a typical behavioural pattern. However, as time has passed, society has evolved and people have become more aware of their rights and liberties. They have begun to speak up and demand the same legal and social rights as other people. Without a question, Britishers viewed them as harmful and enacted strict regulations to govern them. However, as technology has advanced, society's conservative mindset has shifted and it has begun to adopt a more liberal attitude regarding homosexuality. In the modern era, the transgender community, for its part,

has left no stone untouched in all aspects of life. Society is also attempting to assist them in becoming integrated into society, and efforts are being made to achieve equity. Special protections for transgender kids are included in the most recent education policy. The day will come when this community will be treated equally in society.

Bibliography

1. Gregory G. Bolich and G.G. Bolich, *Transgender History and Geography: Cross Dressing in Context* 58-59 (Psyche's Press, North Carolina, Vol. 3, 2007).
2. Gregory G. Bolich and G.G. Bolich, *Transgender History and Geography: Cross Dressing in Context* 59-62 (Psyche's Press, North Carolina, Vol. 3, 2007).
3. Kathy Belge and Mark Bierschke, *Queer: The Ultimate Guide for Teens* 14 (Houghton Muffins/Harcourt Publishers, 2004).
4. Kathy Belge and Mark Bierschke, *Queer: The Ultimate Guide for Teens* 17-20 (Houghton Muffins/Harcourt Publishers, 2004).
5. Mark A. Yarhouse, *Understanding Gender Dysphasia: Navigating Transgender Issues in a Changing Culture* 20-21 (Intervarsity Press, USA, 2015).
6. Kathy Belge and Mark Bierschke, *Queer: The Ultimate Guide For Teens* 17-20 (Houghton Muffins/Harcourt Publishers, 2011)
7. Lori B. Girshick, *Transgender Voices: Beyond Women and Men* 20 (University Press of New England, Lebanon, 2008).
8. Kathy Belge and Mark Bierschke, *Queer: The Ultimate Guide For Teens* 10-11 (Houghton Muffins/Harcourt Publishers, 2011).
9. Kathy Belge and Mark Bierschke, *Queer: The Ultimate Guide For Teens* 13-14 (Houghton Muffins/Harcourt Publishers, 2011).
10. Mark A. Yarhouse, *Understanding Gender Dysphasia: Navigating Transgender Issues in a Changing Culture* 21 (Intervarsity Press, USA, 2015).
11. Mark A. Yarhouse, *Understanding Gender Dysphasia: Navigating Transgender Issues in a Changing Culture* 20 (Intervarsity Press, USA, 2015).
12. Arun Kumar Mittal and Kunjana Mittal, "Hijras; Legal Status in India" *Law Herald* 245 (February 2016).
13. Lori B. Girshick, *Transgender Voices: Beyond Women and Men* 16 (University Press of New England, Lebanon, 2008).
14. Mark A. Yarhouse, *Understanding Gender Dysphasia: Navigating Transgender Issues in a Changing Culture* 20 (Intervarsity Press, USA, 2015).