



Cultural Representation of The Third Gender in Ancient Indian Civilization

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ABSTRACT

This research article undertakes a qualitative, textual, and hermeneutic investigation of the cultural representation of the third gender — variously designated in Sanskrit, Prakrit, Pali, and Tamil sources as tritiya prakriti, napunsaka, kliba, sandha, kinnara, pandaka, and pedi — across the span of ancient Indian civilization, from the Vedic period (c. 1500 BCE) through the epic, Dharmaśāstra, medical (Ayurvedic), erotological (Kāma-śāstra), dramaturgical (Nāṭyaśāstra), Buddhist, and Jain textual traditions of the Classical period (up to c. 1200 CE). Employing thematic analysis, content analysis, comparative textual analysis, and hermeneutic interpretation of primary sources in available translation alongside secondary Indological scholarship, the study demonstrates that ancient Indian civilization possessed an elaborate, multi-register vocabulary for gender variance that recognized a category outside the male-female binary long before the emergence of modern Western sexological terminology. The article traces the third gender's appearance in cosmogonic and theological representations such as Ardhanārīśvara, in epic narrative through figures such as Śikhaṇḍī and Bṛhannaḷā, in medical embryology through the Caraka Saṃhitā's doctrine of seed-strength, in erotology through Vātsyāyana's Kāmasūtra, and in Dharmaśāstra jurisprudence through Manu's provisions on inheritance and ritual eligibility, which simultaneously acknowledged and marginalized the napunsaka. It further situates this classical heritage against its colonial rupture under the Criminal Tribes Act of 1871 and its constitutional and legislative restoration in independent India through the National Legal Services Authority v. Union of India judgment (2014) and the Transgender Persons (Protection of Rights) Act (2019). The study concludes that ancient India's textual civilization exhibited a paradox of simultaneous cosmological reverence and legal-social subordination toward the third gender, a paradox whose resolution remains an unfinished project of contemporary Indian constitutionalism.

Keywords: *Third Gender, Tiritiya prakriti, Napunsaka, kliba, hijra, Dharmaśāstra, ancient India, Vedic period, Kāmasūtra, Manusmriti, Ardhanārīśvara.*

1. INTRODUCTION

Ancient Indian civilization, spanning more than three millennia from the composition of the Ṛgveda (c. 1500–1200 BCE) to the codification of the Dharmaśāstra and Kāma-śāstra corpora in the early centuries of the Common Era, produced one of the most textually elaborate civilizational discourses on gender variance in the pre-modern world. Long before the coining of clinical categories such as "intersex" or "transgender" in twentieth-century Euro-American sexology, Sanskrit, Prakrit, Pali, and Tamil sources had already developed a lexicon — *napunsaka*, *kliba*, *sandha*, *kinnara*, *pandaka*, *pedi* — to denote persons who did not fit within the binary categories of *puruṣa* (man) and *strī* (woman) (Pattanaik, 2023). This lexicon appears across virtually every genre of ancient Indian textual production: the Vedic corpus, the two Sanskrit epics (the Rāmāyaṇa and the Mahābhārata), the Purāṇas, the Dharmaśāstra legal-ethical treatises, the Ayurvedic medical compendia of Caraka and Suśruta, Vātsyāyana's erotological Kāmasūtra, Bharata's dramaturgical Nāṭyaśāstra, the Buddhist Vinaya Piṭaka, and the Jain Āgamas (Joshi & Nayak, 2024). The persistence of this vocabulary across a two-thousand-year textual tradition indicates that gender plurality was not a marginal curiosity in ancient India but a recognized, if contested and often subordinated, feature of its social and cosmological imagination.

This article approaches that civilizational archive through the discipline of Indology read through the lens of contemporary gender studies, treating the third gender not as a modern retrospective imposition but as a category with genuine, if historically discontinuous, textual roots. In doing so, it engages with what Hinchy (2019, as reviewed in Sameen, 2021) has identified as a long-standing gap in South Asian historiography — namely, the tendency to begin the history of gender-variant communities such as the hijra with the colonial nineteenth century, thereby eliding a deeper and more ambivalent classical genealogy.

1.1. The Conceptual Framework

The conceptual framework of this study rests on the Sanskrit doctrine of *tritiya prakriti*, literally "third nature," a term used in the Kāmasūtra and later popularized in modern scholarship by Wilhelm (2003) to designate a naturally occurring category of gender alongside *puruṣa-prakriti* (male nature) and *strī-prakriti* (female nature). The framework draws on three interlocking bodies of ancient thought: (a) the medical-embryological theory, articulated in the Caraka Saṃhitā, that a *napunsaka* or "third-nature" child results from an equilibrium of paternal and maternal generative seed (Pattanaik, 2023); (b) the theological-cosmological representation of androgyny, epitomized by the Ardhanārīśvara — the composite half-male, half-female form of Śiva and Pārvatī — which functioned as a symbolic resolution of gender duality within Śaiva theology (Joshi & Nayak, 2024); and (c) the jurisprudential-social classification found in the Dharmaśāstra texts, particularly the Manusmṛiti, which enumerated the *napunsaka* among categories of persons with restricted ritual and inheritance rights. Read together, these three registers — medical, theological, and legal — reveal a civilization that acknowledged gender plurality as a natural fact while simultaneously constraining its social and legal standing, a tension this study terms the "paradox of ambivalent recognition." This framework is deliberately comparative across genre: it does not assume that a single ancient Indian

"view" of the third gender existed, but instead treats medical, theological, legal, erotological, dramaturgical, and narrative-epic genres as distinct discursive fields, each with its own internal logic, audience, and normative stakes, which nonetheless converged on a shared underlying vocabulary. This genre-sensitivity distinguishes the present framework from more generalized popular accounts that treat "ancient Indian tradition" as a single undifferentiated source of authority for contemporary claims about gender inclusivity.

A further conceptual distinction employed throughout this study is between recognition and status. Recognition refers to the mere textual acknowledgment that a category of person or being exists outside the male-female binary; status refers to the social, legal, and ritual standing accorded to that category once recognized. As Section 4 demonstrates in detail, ancient Indian sources consistently exhibit high recognition — the third gender is named, described, and theorized across virtually every genre — combined with variable and often low status, particularly within the Dharmasastra's legal-ritual order. Distinguishing these two dimensions allows this study to avoid the common conflation, found in some popular and even scholarly writing, of textual visibility with social equality.

1.2. The Statement of the Problem

Contemporary scholarship and public discourse on India's transgender and hijra communities frequently invoke an undifferentiated appeal to "ancient Indian tradition" as a source of legitimacy, yet relatively few studies systematically examine what the primary Sanskrit, Prakrit, and Pali textual corpus actually says, across which genres, in which historical periods, and with what degree of ambivalence or contradiction. There exists, therefore, a problem of textual diffusion without textual depth: the third gender is widely gestured toward in popular and academic writing on Indian mythology, but rarely subjected to a systematic, chronologically organized, genre-differentiated textual analysis that distinguishes Vedic-period allusions from Classical-period Dharmaśāstra codification, or theological reverence from legal subordination. This study addresses that problem by asking: How was the third gender represented across the principal literary, medical, erotological, dramaturgical, and legal textual traditions of ancient India, and how did that representation change — or persist — from the Vedic to the Classical period? A subsidiary problem addressed is definitional: because ancient sources use at least half a dozen distinct Sanskrit, Pali, and Tamil terms (napunsaka, kliba, sandha, kinnara, pandaka, pedi) that later scholarship sometimes collapses into a single translated category of "third gender," this study also asks to what extent these terms denoted a single coherent social category as opposed to a family of related but distinct classifications — biological (genital variation), psychological (desire), behavioral (sexual act), and social-performative (dress and public conduct), a fourfold distinction itself drawn from the reviewed secondary literature (Pattanaik, 2023).

1.3. The Significance of the Study

The significance of this study is fourfold. First, it contributes to Indology and Sanskrit studies by offering a genre-differentiated textual map of third-gender representation rather than a generalized mythological survey. Second, it contributes to gender studies and queer historiography by testing, against primary and secondary textual evidence, the claim that ancient India recognized a "third

gender" as a stable social category, a claim that has acquired renewed significance since the Supreme Court of India's National Legal Services Authority v. Union of India (2014) judgment explicitly invoked "the third gender" as a constitutional category with reference to Hindu mythology and tradition. Third, it contributes to the historiography of Dharmaśāstra and religious studies by situating the napunsaka within the broader jurisprudential architecture of inheritance, ritual eligibility, and social classification. Fourth, and most immediately, it contributes to the ongoing policy and constitutional conversation in India — carried forward through the Transgender Persons (Protection of Rights) Act, 2019 — by supplying a historically grounded account of the civilizational antecedents that this legislation implicitly claims to restore. Fifth, the study has pedagogical significance: by organizing its analysis along a clear period-by-period, genre-by-genre structure (summarized in the periodization of Section 1.6 and the comparative table of Section 4), it offers a reusable analytical template that instructors in Ancient Indian History, Religious Studies, and Gender Studies courses may adapt for classroom use, moving discussion of the third gender in ancient India beyond isolated, decontextualized mythological anecdotes toward a structured, historically sequenced understanding.

1.4. Research Objectives

- 1) To analyze the representation of the third gender in ancient Indian literary sources.
- 2) To investigate the depiction of the third gender in Dharmaśāstra texts.
- 3) To assess the continuity and transformation of third-gender cultural representations from the Vedic period through the Classical period.

1.5. The Delimitations of the Study

This study is delimited in the following respects. First, it is confined to textual and documentary sources available in Sanskrit, Pali, and Prakrit critical editions or their established English translations; it does not undertake independent epigraphic, archaeological, or art-historical fieldwork, though it references temple iconography (e.g., Khajuraho) as reported in secondary scholarship. Second, its historical scope extends from the Vedic period (c. 1500 BCE) to the end of the Classical period (c. 1200 CE), with a concluding discussion of the colonial and post-independence legal aftermath included only to demonstrate continuity and rupture, not as a primary object of analysis. Third, the study is interpretative and hermeneutic rather than statistical; it does not quantify the frequency of third-gender references across a corpus but instead offers a thematic, comparative reading of representative passages. Fourth, given the diversity of regional traditions, the study privileges pan-Indian Sanskritic sources, with more limited reference to Tamil and regional-language material. Fifth, the study does not offer an original philological retranslation of any Sanskrit, Pali, or Prakrit verse; all textual claims are grounded in, and explicitly attributed to, established secondary Indological scholarship, so as to avoid speculative or unverifiable philological assertions. Sixth, the study's use of the term "third gender" throughout is deliberately historicized: it is used as a working translation of tritiya prakriti and cognate terms as they function within ancient sources, not as a claim that ancient Indian actors understood gender identity in categories identical to contemporary transgender or intersex identity politics.

1.6. Historical Periodization Adopted in This Study

For analytical clarity, this study adopts a five-fold periodization of ancient Indian civilization, following conventions widely used in Indological and South Asian historical scholarship: (a) the Early Vedic period (c. 1500-1000 BCE), corresponding to the composition of the Rgveda; (b) the Later Vedic period (c. 1000-600 BCE), corresponding to the Brahmanas, Aranyakas, and early Upanisads; (c) the period of the second urbanization and the rise of Buddhism and Jainism (c. 600-200 BCE), during which the Pali Canon and early Jain Agamas were composed; (d) the Classical or Sastric period (c. 200 BCE-500 CE), during which the Dharmasastra corpus (including the Manusmriti), the Kamasutra, the Natyasastra, and the Ayurvedic Samhitas (Caraka and Susruta) reached their canonical forms; and (e) the Late Classical or Puranic period (c. 500-1200 CE), during which the major Puranas, including their elaboration of Ardhanarisvara iconography, were compiled and expanded. This periodization is used throughout Section 4 to organize the genre-by-genre textual analysis and to support the study's third research objective concerning continuity and transformation over time.

2. THE REVIEW OF RELATED LITERATURE

International Scholarship

Sameen (2021), reviewing Jessica Hinchy's monograph *Governing Gender and Sexuality in Colonial India: The Hijra, c. 1850–1900* in the *Journal of Social History* (Oxford University Press), observed that the book "redresses the curious absence" of hijra history from colonial South Asian historiography, and argued that Hinchy's account of nineteenth-century criminalization under the colonial state is best understood against a longer, largely unexamined pre-colonial genealogy of gender plurality in Indian tradition (Sameen, 2021).

Singh (2022), writing in the Indonesian journal *Unisia*, traced what the author terms the "tragedy of the Indian hijra" from colonial castaway status to present-day tribulation, situating the community's contemporary marginalization within a historical arc that, the author argues, began with a more socially integrated pre-colonial and early colonial existence before the imposition of the Criminal Tribes Act of 1871 (Singh, 2022).

Kunihiro (2022), publishing in the *South Asia Multidisciplinary Academic Journal (SAMAJ)*, examined the hijras of Gujarat through the lens of their devotional relationship to the goddess Bahucharā Mātā, arguing against a monolithic, taxonomic reading of hijra "thirdness" and instead foregrounding localized religious agency as a counter-narrative to colonial and administrative categorization (Kunihiro, 2022).

National (Indian) Scholarship

Raj and Dubey (2024), in the *International Journal of Public Health*, conducted a bibliometric analysis of research on the health of India's transgender population, noting in their introduction that the Vedas and Purāṇas already contain references to tritiya prakriti and napunsaka, which they interpret as evidence of ancient textual "inclusivity and recognition" of gender-variant existence, even as they demonstrate that public-health scholarship on the community remains comparatively recent and underdeveloped (Raj & Dubey, 2024).

Joshi and Nayak (2024), writing in the International Journal of Creative Research Thoughts (IJCRT), undertook a study of transgender representation in Hindu mythology, focusing on the Mahābhārata and other ancient texts and on deities such as Ardhanārīśvara, and concluded that ancient Indian tradition afforded transgender figures a range of narrative roles — from warriors to divine forms — that has only partially translated into the contemporary legal recognition secured by the Transgender Persons (Protection of Rights) Act, 2019 (Joshi & Nayak, 2024).

2.1. The Research Gap

Across these five studies, a consistent pattern emerges: international scholarship (Sameen, 2021; Singh, 2022; Kunihiro, 2022) concentrates heavily on the colonial and post-colonial hijra experience, treating the ancient or pre-colonial period largely as background context rather than as an object of sustained textual analysis in its own right. National scholarship (Raj & Dubey, 2024; Joshi & Nayak, 2024), while gesturing more directly toward ancient Sanskrit sources, tends to do so briefly and in service of a public-health or mythological-survey framework rather than a genre-differentiated Dharmaśāstra-literary-medical textual analysis. No reviewed study systematically integrates Vedic, epic, Dharmaśāstra, Ayurvedic, erotological, dramaturgical, Buddhist, and Jain sources into a single chronological and thematic framework tracing continuity and transformation from the Vedic to the Classical period. This constitutes the research gap addressed by the present study, which undertakes precisely such an integrated, genre-differentiated, chronologically organized textual analysis.

Table 2.1 summarizes the geographic origin, thematic focus, and historical period addressed by each reviewed study, making visible the concentration of existing 2020-2026 scholarship on the colonial-to-contemporary period (four of five studies) relative to the ancient period proper (addressed only briefly, and never as a primary focus, in any of the five). This imbalance further substantiates the research gap that motivates the present study's exclusive focus on the Vedic-to-Classical timeframe.

Table 2.1: The Geographic Origin, Thematic Focus, and Historical Period

Study	Origin	Period Focus	Thematic Contribution
Sameen (2021)	International (Oxford, UK journal)	Colonial (1850-1900)	Situates hijra criminalization against an unexamined pre-colonial genealogy.
Singh (2022)	International (Indonesia)	Colonial- contemporary	Traces arc from colonial castaway status to present tribulation.
Kunihiro (2022)	International (France-based journal)	Contemporary devotional	Foregrounds local religious agency over colonial taxonomic categories.
Raj & Dubey (2024)	National (India)	Ancient reference + contemporary	Bibliometric mapping; brief ancient textual reference as framing device.
Joshi & Nayak (2024)	National (India)	Ancient (epic/Puranic) + contemporary law	Mythological survey linking epic figures to 2019 Act.

3. THE METHODOLOGY OF THE STUDY

This study adopts a qualitative textual analysis method, appropriate for cultural-historical research that seeks to interpret meanings, symbols, and representations embedded in texts rather than to reconstruct a sequence of events. The study adopts a Qualitative Textual Analysis Method within a Qualitative Research Design to explore the cultural representation of the third gender in ancient Indian civilization. It follows a documentary research approach, relying on the systematic examination of primary sources such as the Vedas, Epics, Smṛtis, Arthaśāstra, Kāmasūtra, and other classical texts, along with relevant secondary literature. Data are collected through document review and textual examination, focusing on references to third-gender identities, social roles, religious significance, and cultural representations. The collected information is analyzed using thematic analysis to identify recurring themes, content analysis to examine patterns of representation, comparative textual analysis to compare perspectives across different texts, and hermeneutic interpretation to understand the meanings of these representations within their historical, cultural, and philosophical contexts.

This methodology is particularly appropriate for a cultural study of this kind because it prioritizes the interpretation of meanings, symbols, narratives, and representations within ancient Indian texts, rather than reconstructing events in strict chronological order. It aligns well with research traditions in Ancient Indian History, Cultural Studies, Indology, Gender Studies, Religious Studies, and Sanskrit Studies.

Primary sources were consulted through their standard published English translations and through secondary Indological scholarship that engages directly with the Sanskrit, Pali, and Prakrit originals; no independent translation from the source languages was undertaken. Thematic analysis was used to identify recurring motifs (e.g., seed-strength embryology, ritual exclusion, divine androgyny); content analysis was used to classify textual references by genre and period; comparative textual analysis was used to trace continuities and divergences across genres; and hermeneutic interpretation was used to read individual passages within their broader theological, legal, and social context.

4. ANALYSIS AND INTERPRETATION

The following table presents a genre-by-genre and period-by-period analysis of the principal sources examined in this study, together with a detailed interpretation of each. Sources are drawn from primary ancient texts (as reported through standard secondary Indological scholarship) and from the reviewed contemporary literature.

Table 4: Period-by-Period Analysis of the Principal Sources Examined

Period / Genre	Representative Source	Textual Representation	Interpretation
Vedic Period (c. 1500–500 BCE)	R̥gveda; later Vedic ritual literature (as reported in Pattanaik, 2023)	Scattered cosmogonic and ritual allusions to androgynous and non-binary figures.	Earliest, allusive stage; no systematic classification yet, but establishes precedent for non-binary cosmological figures.
Epic Period (c. 400 BCE–400 CE)	Mahābhārata (Śikhaṇḍī, Brhannaḷā); Rāmāyaṇa (Ayodhyā episode) (IOSR-JHSS, 2024; Joshi & Nayak, 2024)	Gender transformation as a narratively pivotal, liminal device enabling martial victory or royal blessing.	Third gender functions as narrative resource; neither uniformly stigmatized nor fully normalized — a liminal but consequential status.

Dharmaśāstra Period (c. 200 BCE–200 CE)	Manusmṛiti and allied Dharmaśāstra texts (Studocu, 2025; IJLSI, n.d.)	Napunsaka classified via embryological "seed-strength" theory; restricted inheritance and ritual eligibility.	Legal-jurisprudential acknowledgment coupled with formal subordination — the "paradox of ambivalent recognition."
Ayurvedic Medicine (c. 200 BCE–200 CE)	Caraka Saṃhitā (as reported in Pattanaik, 2023)	Tṛitiya prakṛiti described as arising from equal strength of maternal and paternal generative seed.	Naturalistic, non-pathological medical theory of third-gender origin; frames the category as a biological variant rather than an aberration.
Erotology & Drama (c. 300–400 CE)	Vātsyāyana's Kāmasūtra; Bharata's Nāṭyaśāstra (Pattanaik, 2023)	Recognition of tṛitiya prakṛiti's distinct sexual and occupational roles; dramaturgical conventions for androgynous character types.	Social and aesthetic normalization within urban and courtly contexts; third gender integrated into erotic and performative culture.
Theological / Purāṇic	Purāṇic Ardhanārīśvara iconography (Joshi & Nayak, 2024)	Composite half-Śiva, half-Pārvatī divine form symbolizing fused gender duality.	Elevates androgyny to a cosmological principle; theological reverence stands in tension with Dharmaśāstra's legal restrictions.
Buddhist Tradition	Vinaya Piṭaka (paṇḍaka) (Pattanaik, 2023)	Exclusion of paṇḍaka from ordination into either monastic order.	Institutional/doctrinal engagement; gender variance treated as a categorical problem for monastic admission rather than narrative motif.
Jain Tradition	Jain Āgama literature (Pattanaik, 2023)	Tripartite classification of body (puruṣa/stṛī/napuṃsaka) and desire-intensity (veda), with napuṃsaka-veda likened to uncontained fire.	Most psychologically refined ancient classification; also used to justify restriction from full monastic participation.
Colonial Rupture (1871–1947)	Criminal Tribes Act, 1871 (Singh, 2022; Kunihiro, 2022)	Formal criminalization, registration, and surveillance of hijra communities.	Sharp civilizational rupture; colonial law converts ambivalent textual recognition into outright legal persecution.
Constitutional Restoration (2014–2019)	NALSA v. Union of India (2014); Transgender Persons (Protection of Rights) Act (2019)	Judicial recognition of "third gender" as constitutional category; statutory anti-discrimination protections.	Partial restoration of ancient recognition; frames contemporary rights discourse as continuity with, not invention of, Indian tradition.

4.1. Interpretation: The Vedic and Epic Period (c. 1500 BCE – c. 400 CE)

The earliest textual traces of gender plurality in Indian civilization are allusive rather than systematic. The Ṛgveda's cosmogonic hymns and later Vedic ritual literature contain scattered references to non-binary and androgynous figures, but it is in the two great Sanskrit epics that the third gender first assumes narrative substance. The Mahābhārata's Śikhaṇḍī — born female, raised as a son, and

instrumental in the death of Bhīṣma in the Kurukṣetra war — represents perhaps the most developed pre-classical literary treatment of gender transformation in world epic literature (IOSR-JHSS, 2024). Equally significant is Arjuna's year-long disguise as Bṛhannaḷā, a eunuch dance instructor, during the Pāṇḍavas' exile, an episode in which gender concealment becomes a strategic and narratively pivotal device rather than a mark of shame. The Rāmāyaṇa's account of the citizens who remain outside Ayodhyā's gates — neither men nor women — during Rāma's fourteen-year exile, and whom he honors upon his return, is frequently cited in contemporary hijra oral tradition as a foundational charter myth (Joshi & Nayak, 2024). These narratives, read hermeneutically, suggest that gender variance in the epic imagination was neither wholly stigmatized nor wholly celebrated, but functioned as a liminal narrative resource — a means of enabling martial victory, strategic concealment, or divine blessing precisely because it stood outside ordinary categorization. It is worth noting further that Sikhandi's narrative arc is doubly significant: the Mahabharata recounts not only Sikhandi's female-to-male social transition but also, in some tellings, an accompanying account of a yaksha or spirit who temporarily exchanges gender with Sikhandi, a plot device that secondary scholarship reads as an implicit ancient acknowledgment that gender could be understood as changeable rather than fixed at birth, at least within the register of epic and mythological narrative (IOSR-JHSS, 2024). The Bhagavata Purana and other later Puranic elaborations of the Krishna narrative cycle similarly preserve episodes of temporary divine gender transformation, reinforcing the finding that ancient Indian narrative literature treated gender fluidity as a recurring, theologically sanctioned motif rather than an isolated anomaly confined to a single epic character.

4.2. Interpretation: Dharmaśāstra Jurisprudence

The Dharmaśāstra corpus, most authoritatively represented by the Manusmṛiti (composed, per scholarly consensus, between approximately the second century BCE and the second century CE), marks the point at which the third gender is drawn explicitly into legal classification. The Manusmṛiti's broader theory of embryology — in which the relative strength of paternal and maternal seed determines the sex of offspring — provided the conceptual basis on which napunsaka status could be assigned not merely as an incidental birth anomaly but as a distinct, if legally disfavored, category with consequences for inheritance rights and ritual eligibility. Scholars analyzing the text note that this classificatory move simultaneously acknowledged the napunsaka as a naturally occurring category (thereby avoiding outright textual erasure) and subordinated that category within a legal order organized around the reproductive and ritual capacities of the twice-born male householder. This is the clearest textual instance of what this study calls the paradox of ambivalent recognition: the Dharmaśāstra could not simply ignore the third gender, because its own embryological logic required accounting for it, yet the same logic relegated the napunsaka to the margins of inheritance and ritual life. Secondary legal-historical commentary on the Manusmṛiti further situates this treatment of the napunsaka within the text's broader, and more extensively studied, hierarchical ordering of society by varṇa and by gender, in which women, sudras, and gender-variant persons alike faced curtailed legal capacity relative to the twice-born male householder (N. M. & Kuruvilla, 2022). Later Dharmasastra digests and commentarial literature (nibandhas) continued to cite and elaborate upon Manu's classification for more than a millennium,

indicating that the legal-textual subordination of the *napunsaka* was not a one-time codification but an enduring feature of the Brahmanical legal tradition that persisted, largely unrevised, from the Classical period into the medieval era, right up to the point at which colonial administrators began to selectively codify "Hindu law" for their own administrative purposes in the eighteenth and nineteenth centuries.

4.3. Interpretation: Medical, Erotological, and Dramaturgical Traditions

The Ayurvedic tradition, represented by the *Caraka Saṃhitā*, offers the most explicit ancient Indian theorization of the third gender as a natural physiological outcome: *Caraka*'s treatise describes the *tritiya prakriti* as arising when the generative "red seed" of the woman and "white seed" of the man are of approximately equal strength, producing a third natural type distinct from, but not pathological relative to, the male and female types (Pattanaik, 2023). *Vātsyāyana*'s *Kāmasūtra* (composed c. third–fourth century CE) extends this recognition into the domain of erotic and social practice, describing the *tritiya prakriti* as a category with its own recognized sexual and occupational roles within urban society, including specialized practices later associated with the term *auparishtaka*. *Bharata*'s *Nāṭyaśāstra*, the foundational treatise on dramaturgy, likewise incorporates gender-ambiguous character types and performance conventions, reflecting an aesthetic tradition comfortable with staged androgyny — a tradition later expressed cosmologically in the Purāṇic iconography of *Ardhanārīśvara*, the composite *Śiva-Pārvatī* form that fused male and female into a single divine body (Joshi & Nayak, 2024).

4.4. Interpretation: Buddhist and Jain Textual Traditions

The Buddhist *Vinaya Piṭaka* introduces the category of the *paṇḍaka*, a term denoting persons excluded from ordination into either the male (*bhikkhu*) or female (*bhikkhunī*) monastic orders, reflecting an institutional rather than purely narrative engagement with gender variance (Pattanaik, 2023). Jain scriptural literature develops perhaps the most psychologically refined ancient Indian classification, distinguishing bodily sex (male/*puruṣa*, female/*strī*, and queer/*napuṃsaka*) from the intensity of sexual desire (*veda*), with *napuṃsaka-veda* described through the metaphor of a fire that, unlike a controlled hearth-fire, spreads without containment — an image used both to describe the intensity of desire attributed to this category and, troublingly, to justify restrictions on full monastic participation (Pattanaik, 2023). These parallel Buddhist and Jain frameworks demonstrate that the third gender was a live category of doctrinal and institutional concern across all three major ancient Indian religious traditions — Brahmanical, Buddhist, and Jain — not merely a Hindu mythological motif.

4.5. Interpretation: The Ardhanarisvara and the Cosmological Resolution of Duality

Among the most enduring representations of gender plurality bequeathed by ancient Indian civilization is the Puranic and iconographic figure of *Ardhanarisvara* -- literally, "the Lord who is half woman" -- in which the right half of the divine body is depicted as *Siva* and the left half as *Parvati*, fused along a single vertical axis. This image, elaborated across numerous Puranic passages and sculpted extensively in temple art from at least the Kusana and Gupta periods onward,

functioned theologically as a resolution of the fundamental duality between purusa (spirit, consciousness) and prakrti (nature, generative power) that structures much of classical Hindu philosophy (Joshi & Nayak, 2024). Unlike the Dharmasastra's legal treatment of the napunsaka, which subordinated gender variance within a hierarchy of inheritance and ritual eligibility, the Ardhanarisvara elevated androgyny to the highest possible theological register -- the very form of the supreme godhead. The coexistence of these two representational registers within a single civilization, one legally subordinating and one theologically exalting gender plurality, is itself among the most historically significant findings of this study, and it cautions against any simple, univocal narrative of either "ancient Indian tolerance" or "ancient Indian prejudice" toward the third gender.

4.6. Interpretation: Kinnaras, Yaksas, and Liminal Mythological Beings

Beyond the human and quasi-human categories discussed above, ancient Indian mythological literature also populated its cosmos with liminal beings -- kinnaras, yaksas, and gandharvas -- whose gender and species status remained deliberately ambiguous. The term kinnara itself, glossed in some secondary sources as "what kind of man" (kim + nara), was applied both to a class of celestial musician-beings in Puranic cosmology and, by linguistic extension, to human persons of ambiguous gender presentation (Pattanaik, 2023). This linguistic overlap between a mythological category of liminal celestial beings and a human social category of gender-variant persons suggests that ancient Indian civilization did not draw a sharp conceptual boundary between cosmological liminality and social gender liminality; both were assimilated to a shared symbolic vocabulary of "in-between-ness." This finding reinforces the study's broader argument that gender variance in ancient India was represented along a continuum stretching from mythological ornament to lived social category, rather than as an isolated or exceptional biological curiosity.

4.7. Interpretation: Regional and Devotional Traditions

Although the present study privileges pan-Indian Sanskritic sources in accordance with its stated delimitations, it is important to note -- as later devotional and regional material attests -- that third-gender figures also occupied important positions within goddess-centered devotional traditions that trace their own historical self-understanding to antiquity. Kunihiro's (2022) ethnographic and historical analysis of hijra devotion to the goddess Bahucara Mata in Gujarat, for example, documents a religious lineage in which practitioners understand their own identity and social role as continuous with, rather than a departure from, older Sakta (goddess-centered) ritual traditions of self-dedication and ritual androgyny. While this devotional material postdates the strictly "ancient" period as delimited in this study, it illustrates how the ancient civilizational vocabulary of tritiya prakriti and its cosmological cognates provided later communities with an indigenous idiom of self-legitimation that did not depend on colonial or modern Western categories.

4.8. Interpretation: Grammatical Structure and the Linguistic Reflection of Gender Categories

A further, often overlooked dimension of ancient Indian civilization's engagement with gender plurality lies in the grammatical structure of Sanskrit itself. Classical Sanskrit grammar, as systematized by Panini in the Astadhyayi (c. fifth century BCE), recognizes three grammatical

genders -- masculine (pum-linga), feminine (stri-linga), and neuter (napumsaka-linga) -- the last of which shares its name directly with the social-legal category of napunsaka discussed in Section 4.2. Secondary Indological commentary treats this shared terminology as more than a linguistic coincidence: the very grammatical architecture through which ancient Indian civilization organized the natural and social world already provided a tripartite, rather than strictly binary, template of categorization, into which the social recognition of a third human gender could be readily assimilated (Pattanaik, 2023). This linguistic observation supports, at a structural level, the study's broader thematic finding that ancient Indian civilization possessed conceptual resources -- grammatical, medical, theological, and legal -- for representing a category beyond the male-female binary that were considerably more developed and more deeply embedded in ordinary cultural cognition than the term "third gender" might suggest to a contemporary reader unfamiliar with Sanskrit's grammatical architecture.

4.9. Interpretation: Colonial Rupture and Constitutional Restoration

The continuity of this ancient textual recognition was sharply interrupted by colonial law. Prior to formal British criminalization, medieval Indo-Islamic polities had in fact continued and, in some respects, expanded the social role of gender-variant persons: court eunuchs and hijra-identified figures served the Delhi Sultanate (1206-1526) and Mughal Empire (1526-1707) as administrators, harem guardians, and military commanders, occupying positions of considerable trust precisely because their liminal gender status was thought to place them outside dynastic succession disputes. This medieval continuity underscores that the ancient civilizational recognition traced in this study did not simply vanish between the Classical period and colonial rule, but persisted, in transformed institutional guise, through more than a millennium of subsequent Indian history before its rupture under colonial law. The Criminal Tribes Act of 1871 formally criminalized the hijra community as a matter of British colonial statute, mandating registration and surveillance, prohibiting adoption or inheritance within the community, and empowering local magistrates to arrest hijra persons found dressed in feminine attire in public streets, a rupture that later scholarship identifies as the origin of much of the modern stigma attached to gender-variant identity in South Asia (Singh, 2022; Kunihiro, 2022). This colonial-era criminalization stood in sharp contrast to the ambivalent but textually embedded recognition of the ancient period, and its legal echo persisted long after Indian independence in 1947, through mid-twentieth-century penal provisions inherited from colonial law. The eventual constitutional response came only in 2014, when the Supreme Court of India's judgment in *National Legal Services Authority v. Union of India* explicitly restored "third gender" as a constitutional category, with Justice K.S. Radhakrishnan writing that society "realizes or cares to realize the trauma, agony and pain" endured by the transgender community, and directing central and state governments to extend reservations in education and public employment on par with other socially and economically backward classes (*National Legal Services Authority v. Union of India*, 2014). This judicial intervention was subsequently given statutory form in the Transgender Persons (Protection of Rights) Act, 2019, which prohibits discrimination in employment, education, healthcare, and access to public services and establishes a National Council for Transgender Persons, thereby providing a modern legislative echo -- however incomplete, and criticized by some rights advocates as procedurally burdensome in its certification requirements -- of the ancient civilization's textual acknowledgment of the tritiya prakriti.

4.10. Continuity and Transformation from the Vedic to the Classical Period (Addressing Objective O3)

Drawing together the nine interpretative threads presented above, a clear developmental arc emerges across the roughly two-thousand-year span from the Early Vedic period to the Late Classical/Puranic period. In the Early and Later Vedic periods, third-gender representation is allusive and cosmogonic, embedded in ritual and hymnic literature without yet crystallizing into a fixed social-legal category. During the period of the second urbanization and the rise of Buddhism and Jainism (c. 600-200 BCE), the category acquires institutional definition for the first time, as Buddhist monastic law (the *pandaka* exclusion) and Jain doctrinal literature (the tripartite body/desire classification) formalize gender variance as a matter of religious-institutional concern. In the Classical or Sastric period (c. 200 BCE-500 CE), the category reaches its fullest textual elaboration: medical science (Caraka) provides a naturalistic embryological theory, erotology (Vatsyayana) and dramaturgy (Bharata) provide social and aesthetic normalization, and Dharmasastra jurisprudence (Manu) provides -- simultaneously -- legal acknowledgment and legal subordination. Finally, in the Late Classical/Puranic period (c. 500-1200 CE), theological elaboration reaches its zenith in the widespread iconographic proliferation of *Ardhanarisvara*, even as the underlying legal status of the *napunsaka* in inheritance and ritual matters appears to have remained substantially unchanged from the earlier Dharmasastra formulation. The overall trajectory, in other words, is one of increasing textual elaboration and increasing theological exaltation running in parallel with -- rather than resolving -- a persistently subordinate legal-social status, a trajectory that this study's "paradox of ambivalent recognition" is intended to capture and that directly answers the study's third research objective.

5. THE FINDINGS OF THE STUDY

- Ancient Indian civilization possessed a rich, cross-genre vocabulary (*napunsaka*, *kliba*, *sandha*, *kinnara*, *pandaka*, *pedi*, *tritiya prakriti*) for gender variance, attested continuously from the Vedic period through the Classical period.
- Epic literature (the *Mahābhārata*'s *Śikhaṇḍī* and *Brhannaḷā*, and the *Rāmāyaṇa*'s *Ayodhyā* episode) represents the third gender as a liminal but narratively significant category, often instrumental to martial or moral outcomes rather than uniformly stigmatized.
- *Dharmaśāstra* jurisprudence, especially the *Manusmṛiti*, formally acknowledged the *napunsaka* as a distinct embryological category while simultaneously subordinating that category in matters of inheritance and ritual eligibility — the study's identified "paradox of ambivalent recognition."
- Ayurvedic medicine (the *Caraka Saṃhitā*) offered a naturalistic, non-pathological theory of third-gender origin based on the relative strength of parental generative seed.
- Erotological (*Kāmasūtra*) and dramaturgical (*Nāṭyaśāstra*) traditions recognized the third gender as possessing distinct, socially embedded roles rather than treating it as a purely deviant or invisible category.

- Buddhist (Vinaya Piṭaka) and Jain (Āgama) traditions engaged the third gender through institutional and doctrinal frameworks — monastic ordination eligibility and classifications of desire — demonstrating that the category was a pan-religious concern in ancient India, not solely a Brahmanical-Hindu motif.
- Theological representation, epitomized by Ardhanārīśvara, elevated androgyny to a cosmological principle, in tension with the more restrictive legal-social treatment found in Dharmaśāstra texts.
- The colonial Criminal Tribes Act (1871) marks a decisive rupture in this civilizational continuity, criminalizing a community that ancient texts had, however ambivalently, textually accommodated.
- Contemporary constitutional and legislative developments — the NALSA judgment (2014) and the Transgender Persons (Protection of Rights) Act (2019) — represent a partial restoration of ancient recognition, though reviewed literature indicates that social and economic marginalization persists.

6. RECOMMENDATIONS

On the basis of the findings reported above, the following recommendations are offered to researchers, cultural institutions, educators, and policy makers engaged with the history and contemporary status of India's gender-variant communities.

- Future Indological research should undertake systematic, verse-level comparative analysis of napunsaka references across the major Dharmaśāstra texts (Manusmṛiti, Yājñavalkya Smṛti, Nāradaśmṛiti) to map legal variation across schools and centuries.
- Cultural and museum institutions should expand documentation and public interpretation of third-gender iconography (e.g., Ardhanārīśvara imagery, temple sculpture) to counter the erasure produced by colonial-era stigmatization.
- Educational curricula in Indian history and Sanskrit studies should incorporate genre-differentiated third-gender textual material, rather than treating the topic solely as a footnote to modern LGBTQIA+ policy discussion.
- Policy makers implementing the Transgender Persons (Protection of Rights) Act, 2019 should draw on this deeper textual history to strengthen the legislative and judicial narrative of restoration rather than novel accommodation, which may aid social acceptance.
- Comparative South Asian scholarship should extend the present genre-differentiated method to regional-language and Tamil, Prakrit, and vernacular Buddhist/Jain sources beyond the Sanskritic corpus privileged here.
- Interdisciplinary collaboration between Indologists, historians of colonial law, and constitutional scholars should be encouraged to further trace the specific mechanisms of rupture between the ancient and colonial periods.

- Archives and libraries holding manuscript and inscriptional evidence relevant to gender-variant figures in temple administration and courtly service should prioritize digitization and open scholarly access, so that future researchers are not solely dependent on already-translated and widely circulated secondary sources.
- Health and social-welfare researchers building on bibliometric work such as Raj and Dubey (2024) should collaborate with historians and Sanskritists to ensure that historical framing narratives used in public-health literature accurately reflect the genre-differentiated complexity documented in this study, rather than a generalized appeal to "ancient tolerance."

Taken together, these recommendations point toward a single overarching priority: the ancient civilizational archive on the third gender remains under-integrated across disciplinary lines, and its fuller recovery will require sustained collaboration between Sanskritists, historians, legal scholars, and the transgender and hijra communities whose contemporary self-understanding continues to draw upon this same textual heritage.

7. CONCLUSION

This study set out to analyze the representation of the third gender across ancient Indian literary, medical, erotological, dramaturgical, religious, and legal textual traditions, and to assess the continuity and transformation of that representation from the Vedic to the Classical period. The evidence assembled here demonstrates that ancient Indian civilization did not lack a category for gender variance; on the contrary, it developed one of the most textually elaborate pre-modern vocabularies for it anywhere in the world, spanning cosmology, medicine, law, drama, and religious doctrine. Yet this recognition was never uncomplicated. The same Dharmaśāstra tradition that acknowledged the napunsaka as a natural embryological outcome also constrained that category's inheritance rights and ritual standing; the same epic tradition that made Śikhaṇḍī pivotal to the Pāṇḍava victory also marked gender transformation as a liminal, exceptional condition rather than an ordinary social status. This is the paradox of ambivalent recognition that this study has traced across every genre examined. The colonial Criminal Tribes Act of 1871 then imposed a further, sharper rupture, criminalizing communities that ancient textual civilization had at least textually accommodated. The contemporary constitutional and legislative response — the NALSA judgment of 2014 and the Transgender Persons (Protection of Rights) Act of 2019 — should therefore be understood not as an unprecedented innovation but as an incomplete restoration of a civilizational recognition that ancient Indian texts had articulated, however ambivalently, more than two millennia earlier. Future research, as recommended above, should extend this genre-differentiated method to a wider regional and vernacular textual base, so that the full complexity of ancient India's third-gender heritage can be more completely recovered and understood.

More broadly, this study suggests that debates over the historical legitimacy of transgender and gender-variant identity in the Indian subcontinent are frequently framed in overly binary terms -- either as a wholly modern, foreign import, or as a straightforward continuation of an unbroken, uniformly tolerant ancient tradition. The textual record examined here supports neither extreme. It supports instead a more historically precise, and arguably more useful, third account: that ancient

Indian civilization developed sophisticated, cross-genre conceptual resources for recognizing gender plurality, that this recognition coexisted uneasily with legal and ritual subordination even within the same textual tradition, that this uneasy coexistence was violently simplified into outright criminalization under colonial law, and that contemporary Indian constitutional jurisprudence is now engaged in the difficult work of recovering -- not inventing -- a civilizational recognition whose ambivalence, as much as its existence, is part of what the historical record has to teach the present.

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