

LEGALFOXES LAW TIMES

LEGAL RECOGNITION OF THIRD GENDER IN SPORTS

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ABSTRACT

BACKGROUND

Sports has always been seen as a domain meant only for the male section of the society. But due to the changing and growing societal norms and conditions, women have also been a significant and contributing factor to the field of sports and have been able to somewhat diminish the gender biasness. With the growing world, one may have also seen people who have undetermined sex. Such people are commonly known as transgenders. With the rising discrimination against the people of the third gender community in all walks of their life, it is becoming an increasing concern globally. All those people from the third gender community who involve and associate themselves with the sporting activities have reported a number of cases regarding discrimination and victimisation. The aim and purpose of this study are to throw some light on the discrimination that is being faced by the trans-athletes in the field of sports and how the scenarios have changed over the period of time and what all rules and regulations have been involved and embodied in the legislation by the concerned authorities for the betterment of these people.

OBJECTIVE

According to the researcher, no detailed and systematic review has been done in respect of the participation and competition of the third gender community in sports.

METHOD

10 research articles and some rules and regulations regulating the participation of the third gender community in the field of sports were reviewed.

RESULT

This study found out that most trans-athletes have had a negative experience regarding the participation and competition in sporting activities due to the restrictions that have been imposed on them by the sporting authorities because of their physical and hormonal structure. One can see that many reforms have taken place over a period of time considering the revision of the sporting rules and regulations regarding the third gender community.

CONCLUSION

The researcher has concluded that there still is a need for various reforms in the field of sports pertaining to the participation, competition, and basically the legal recognition of the third gender in sports. The third gender community has gained legal recognition in a lot of countries throughout the globe, but there is a lack of status updates on their legal recognition in sports. There have been many changes and reforms in legislations throughout the world benefitting the third gender community, but there still is a need to organise and go through with sporting events focusing mainly on the third gender community. Also, the various sporting policies, rules, and regulations that have been drafted in favour of the trans-athletes also need some budding perspective. There is also a need to draft some new policies concerning the third gender community and to minimise the discrimination and harassment, be it mental or physical that they have to face on a regular basis. People need to understand that just like any other normal human being, those people are also human beings only, and they have every equal and just right to live in this society with all due respect and dignity.

INTRODUCTION

“I was a normal child, but it’s the world that made me feel different”.

LAXMI NARAYAN TRIPATHI

The Transgender Persons (Protection of Rights) Bill, 2019 defines a transgender person as one whose gender does not match the gender assigned at birth. It includes trans-men and trans-women, gender-queers, people with intersex variations, and persons with socio-cultural identities, such as ‘kinnars and hijras’. Intersex variations mean a person who at birth shows the variation in his or her primary sexual characteristics, external genitalia, chromosomes, or hormones from the normative standard of the male or female body.

There is an anchor of groups of transgender people in India like hijras, kinnars, and other transgender identities like- shiv-shaktis, jogtas, sakhi, etc. However, these groups are not only transgender people, but there may also be those who do not belong to any of the groups but are transgender people individually.

There is an on-going argument over the consequences of biological sex differences in different human beings considering various sports abilities. People who support the argument that the transgender women must not be competing in women’s sports believe that the trans woman athletes are given an unfair advantage over cisgender¹ women due to the presence of higher testosterone levels in their serum and different muscle and fat distribution. Testosterone is said to regulate many various functions in a person’s body, including the preservation and servicing of bone and muscle mass. It is also believed that athletes who transition to a woman after puberty or sex reassignment therapy are more to have a greater muscle to fat ratio compared to normal female athletes and thus gain an upper hand also.

¹ denoting or relating to a person whose sense of personal identity and gender corresponds with their birth sex; opposite of the word ‘transgender’.

The debate on the subject matter of the third gender community does not only limits itself to elite sports but has also rooted its branches concerning the school sports and sports scholarships. An eminent example of this would be the case of 'Santhi Soundarajan'². Santhi Soundarajan, was an Indian runner who won a silver medal in the women's category of 800 meters at the Asian Games, 2006. She failed a gender test at the Doha Olympics, and was stripped off of the medal. It was believed that she did not dominate the sexual features and attributes that are essential for a woman. The 'International Association of Athletics Federations' upon its discretion may request that the competitors may undergo such tests anytime and may/can include a thorough and in-depth assessment by a gynecologist, an endocrinologist, a psychologist, and an internal medicine specialist. According to the regulations, such sex tests are not compulsory for the contenders to go through with and they may even refuse to undertake any such sex test. Santhi had the ailment known as the Androgen Insensitivity Syndrome. This refers to the presence of one Y chromosome along with the XX chromosomes. Those who are affected by this condition are reluctant to the androgenic hormones and therefore are not able to benefit from incapacitation of such hormones.

Another example of this transgression was Stella Walsh, who was born and brought up in the province of 'Stanislawa Walasiewicz', Poland. Ms. Stella Walsh was a gold medallist in the category of 100-meters dash at the Los Angeles Olympic Games in the year 1932, as well as the first woman to score a record of under 12 seconds for the said distance. She was subsequently killed in a robbery. The autopsy report disclosed that she had an XY chromosome makeup but her 'genitalia' were enigmatical. To be precise, she did not possess the female sexual organs. Such people are born with external female genitalia but are however incompetent to menstruate and conceive. However, such people (intersex)³ tend to grow tall and willowy and have the physique that of a male. In Stella's case, this bestowed her with elite-level athleticism.

HISTORY OF THIRD GENDER IN INDIA

The most stringent third gender group in India are the 'Hijras'. In today's time they are the subject of hatred and discrimination, but this was not the case all along. The Hijras were very

²https://en.m.wikipedia.org/wiki/Santhi_Soundarajan

³ Intersex is an umbrella term that describes bodies that fall outside the strict male/female binary.

well respected, admired and appreciated in ancient India. They even find mention in some ancient Hindu scriptures and two of the greatest epics, i.e., 'Ramayana' and 'Mahabharata'. They also held considerable religious authority and important court positions and had prominent administrative roles in the Mughal Era India. Believed to have the ability to bless, many would seek out Hijras for blessings during important religious ceremonies⁴. This raises the question that if Hijras played such important roles in ancient India, then why are they a subject matter of discrimination and persecution in the modern era India?

TODAYS' OUTLOOK AND SOCIETY'S POINT OF VIEW

The answer to this question lies in the fact that during the British Colonial rule in the 18th Century, the 'Criminal Tribes Act, 1871' classified the entire third gender community as "criminals" who were obsessed with the commitment of serious and heinous crimes⁵. If seen indulging in 'gay sex' or dancing or playing music in public areas or even dressing up as women's, they would be arrested. Also, in 1858, Section – 377 was introduced into the Indian Penal Code which made illegal any "unnatural offence" that was deemed "against the order of nature".

But after Independence, in 1949, the Criminal Tribes Act was repealed, but the disbelief and mistrust of the third gender community still prevailed. From being the important pillars in the ancient Indian times to being a stigma and banished from society, the third gender community has faced a lot. 'Harassed by the police and abused by the public', most of them make their living by singing and dancing at weddings and at childbirths, and most have been forced to choose other paths such as 'begging and prostitution' in order to survive. They are denied basic medical care, educational possibilities and opportunities, jobs, and are discriminated against and exploited in almost every possible area of their lives.

⁴<https://sites.uab.edu/humanrights/2018/10/29/indias-relationship-with-the-third-gender/>

⁵<https://www.bbc.com/news/world-asia-india-27031180>

INCIDENTS IN INDIA

The Civilian Welfare Foundation is an NGO⁶ based in Kolkata that once conducted a survey on the medical complications that are faced by the third gender community throughout the territory of India. The study mainly highlighted two such stories of 'Saikat and Anushri'. Saikat was a transgender patient who died due to a lack of treatment accompanied by a train accident. The reason behind this was that the authorities could not figure out whether to put her under the male or the female category ward. On the other hand, Anushri was gang-raped and sought medical help. But the doctors rejected to treat her as she was a transgender person and even her the use of the anti-HIV medications. These two incidents mainly highlight the dangerous problems that are being faced by the third gender community on a daily basis due to the stigmas that prevail in society. They have also been forced to choose male/female as the category of their gender in many public domains.

LEGAL POINT OF VIEW

The Right for Transgender Persons Bill, which was drafted in the year 2014 and passed in 2016 carried a lot of opportunities and insights for the third gender community and is seen and considered as a milestone in protecting the third gender community. The law states the various forms of discrimination against the third gender to be illegal and provided for punishments for the same. On the other hand, it also prohibited forcing the third gender to beg or to make them leave their houses. It also created a committee focusing on helping with the education of the third gender community by giving them access to certain scholarships and textbooks among the other various needs. Though the law brings about a lot of hope and opportunities for the people of the third gender, it also has its shortcomings such as they have to go through a district screening in order to attain their third gender ID cards and certification, they cannot marry or adopt or leave behind the property of any kind.

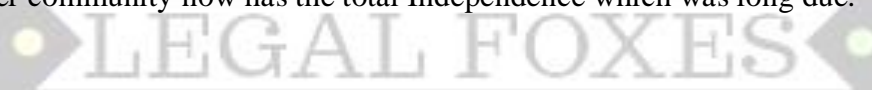
The recent Supreme Court decision in 2014 in a landmark case, Justice KS Radhakrishnan, who headed a two-judge Supreme Court Bench said in his ruling that – “Recognition of transgenders

⁶<https://civilian-welfare-foundation.business.site/>

as a third gender is not a social or medical issue, but a human rights issue altogether”⁷.The judges even asked the government to treat the third gender along with the other minorities officially being categorised as “socially and economically backward”, so as to enable and help them to get quotas in education and respective jobs and make them truly independent and not merely just a stigma to the society.

Also, the Supreme Court’s decision in 2017 pertaining to the matter of Right to Privacy has also helped the third gender in a lot of ways. The court observed that the Right to Privacy was a fundamental right applicable to all individuals and enacted protections for the privacy of the third genders’ sexual orientations. In augmentation to the legal successes, India attained its many firsts in the year 2017. Joyita Mondal, the first-ever intersex judge hailing from West Bengal. K.Prithika Yashini, who became the first transgender woman sub-inspector in Tamil Nadu. Nitasha Biswas, who is India’s first Miss Transqueen. Just like these, there are many more third gender success stories out there, which are a sign of the growing society and a widespread societal change.

Moreover, in the year 2018, the Supreme Court of India gave its ruling on ‘Section–377 of the IPC (The Indian Penal Code, 1860)’stating that application of this particular section on the consensual homosexual sex between adults was unconstitutional and hence decriminalised it. The third gender community now has the total Independence which was long due.



RECOGNITION OF THE THIRD GENDER COMMUNITY GLOABLLY

AUSTRALIA

Among the various countries, Australia may have been the first country to recognize a third gender classification in the year as early as 2003 when there came a report that a person named Alex MacFarlane had indeterminate sex. She is also reckoned to be the first person in Australia to possess a passport with ‘X’ as the gender/ sex marker. The transgender advocate Norrie May-

⁷<https://www.bbc.com/news/world-asia-india-27031180>

Wellby was also recognised as a person having unspecified sex⁸. The Australian Government has undertaken many reforms in order to amalgamate the third gender community into society through legislative measures. The government has provided legislation for the recognition of the third gender but there still lacks legislation regulating the discrimination that is faced by them.

GERMANY

In recent times, Germany has earned and received a lot of appreciation and respect due to its outlook and point of view towards the third gender community. It became the first country in the world on the First day of November 2013 to allow the mother and father of infants without a “clear gender determining physical features” to register those babies by choosing a blank box option instead of the streamlined male or female category boxes⁹. The legislation was initiated due to the rise in the moral and social issues that were being put up by the parents of such children who were born with undefined sex were asked to choose a gender for their infant, i.e., whether they wanted it to be a girl or a boy within a week of the birth of such an infant. This resulted in the new-born being forced into extensive and exhaustive operations in the genital areas. In recent times people understood that these ‘normalizing’ procedures kind of felt like cheating and was disrespectful in nature and that those children would never have agreed to undergo such procedures had they been an adult. According to this policy, along with the categories of ‘M’ and ‘F’, there is a new category that is ‘X’. This is a great achievement for the people of the third gender community as a matter of their basic human rights.

INDIA

⁸http://www.nydailynews.com/news/world/2010/03/16/2010-03-16_no_sex_for_me_please_extranssexual_briton_is_first_legally_genderless_person.html

⁹https://en.wikipedia.org/wiki/Bechdel_test

Talking with respect to the third gender community in India, one must observe that there is a distinctive position here. In India, the third gender community is often referred to as the Hijras, and they have been largely accepted in here too such extent that people from certain sections of the society consider them to be 'sanctified'. Their repute and status here in India become distinct as compared to the rest of the world as though the society here has accepted the third gender community from a very long time, there still prevails no such legislation to recognise such individuals. To obtain legal recognition, they campaigned to be recognised as a third gender, and due to the escalating demand, in 2005 the Indian passport application forms were updated with three gender options, namely: F, M and E (for female, male and 'eunuch' respectively)¹⁰. In addition to this, in November 2009, with the aim to further ensure the recognition of the third gender community, the Indian Government agreed to list eunuchs and transgender people as "others", distinct from males and females, in the voting rolls and voter identity cards. Though there have been a lot of reforms in this regard lately, many activists and people belonging to the third gender community feel that the main reason for the still ongoing 'discrimination against the third gender' is the fact that people still fail to consider and recognize them as a separate gender and instead prefer to think and expect them to be either a male or a female.

THAILAND

The third gender community in Thailand is commonly known as the ladyboys or 'kathoeys'. Due to the prevailing religion of Buddhism in that area, the third gender community is being acknowledged and embraced to a certain great extent as their religion motivates them to do so. In important cities such as Bangkok and Pattaya, they are respected and treated in a very decent manner and are subject to the identity of discrete individuals and therefore they can lead a proper, fair and independent life. Such is not the case in the countryside, where some sections of the society observe these people as a dishonor to the society and are thus not very welcoming¹¹. Steps are being taken by some independent establishments are inspiring the people of the

¹⁰*Third sex' finds a place on Indian passport forms*, The Telegraph, March 10, 2005

¹¹ Hanan Chemali, Sama Sadat, Heidi Smith, Boris Garcevic, Chiara Bosboom; "A study on the phenomenon of ladyboys in Thailand", International Social Science Basic Studies, Semester II, Summer 2011

society to accept this community of the third gender more easily and without any shilly-shallying. For instance, an institution named 'Chiang Mai Technology School' in the year 2004 devoted separate restrooms for the people integrated to the third gender community with an intertwined male and female symbol on the entry gate as they recognize and consider them as a distinct and particular group of people who deserve to have their privacy and set of individual rights. The 'Kathoeyes' are chiefly involved in female-oriented professions like waitressing, running beauty salons and housekeeping, but they also favor to work in the factories as well. They also work for the entertainment industry, tourist centres, in the niteries, and as a courtesan. Some prominent personalities from this community comprise of Bell Nuntita, who featured in 'Thailand's Got Talent' and went on to become a huge hit on the YouTube channel¹²¹³. Also, the volleyball team known as 'The Iron Ladies' became the National Champions in the year 1996 and consisted of only of kathoey and a few gay members¹⁴. This community only demands equal rights and equal and just opportunities for all irrespective of gender.

OTHER SUCH COUNTRIES

Nepal also recognised the third gender somewhere in the year 2007, when its Supreme Court ordered to scoop out all the laws relating to the prejudicebased gender identity and sexual orientation.

Even Bangladesh recognised the third gender in the year 2013.

New Zealand also adopted a strategy that was implemented by Germany. And in the mid of the year 2015, New Zealand classified the gender into three categories namely: male, female, and gender diverse. The category of the gender diverse is further segregated into four subcategories namely: gender diverse not further defined, transgender male to female, transgender female to male and gender diverse not elsewhere mentioned or classified.

¹²<http://en.wikipedia.org/wiki/Kathoey>

¹³<https://www.lawctopus.com/academike/current-scenario-third-gender/>

¹⁴<https://www.lawctopus.com/academike/current-scenario-third-gender/>

The transgender rights and laws in/of Argentina have been admired by many as some of the world's most reformative ones. In the year 2012, Argentina set forth its Gender Identity Law giving recognition to the third gender community in the province.

In the mid of the year 2019, the Canadian Government also observed the third gender community and declared that they may as well apply to have an 'x' gender mark in their passports.

Pakistan also recognised the third gender community in its state by the mid of the year 2009. They are commonly known as 'Khwaja Sara' in the province. The government there ordered the authorities to issue national identity cards to all the members of the community exhibiting their distinct gender and thus providing them with recognition and respect which was long due.

The above mentioned are only some of the countries that have recognised the third gender in their provinces, but just like these, many countries have also started recognizing the third gender in their states.

THIRD GENDER IN SPORTS

From time immemorial, sports had always been and seen as a domain only meant for the male category of the society. But with the changing world and society, the females have also been and have been seen as a significant factor contributing to the field of sports. Many Indian sportswomen such as Sania Mirza (Tennis), Deepika Kumari (Archery), Mary Kom (Boxing), P.V. Sindhu (Badminton), Saina Nehwal (Badminton), P.T. Usha (Track and Field), Tania Sachdev (Chess), and International sportswomen such as Serena Williams (Tennis), Rebekah Colberg (Track and Field), Angelica Rozeanu (Table Tennis), Keena Rothhammer (Swimming), Lisa Leslie (Basketball) and many more have earned and bagged themselves with several awards in the field of sports, breaking the stereotype and prejudice that was prevailing in the society. These women set-fourth an example that the gender of a person does not define what all capabilities, abilities, and skills one possesses. They tried and managed to break-through the strong chains of the gender-biased society, but till date, many of them are a victim of this male dominant society.

Talking about the third gender community in the field of sports, these people have faced a lot of harassment, humiliation, abuse, and what not for wanting to play and achieve something in the field of sports, for pursuing their passion and fulfilling their dreams. Their participation in competitive and elite sports has always been a very controversial topic. This opposition and discrimination against them competing in sporting events are usually due to their physical and hormonal formation, which includes 'higher testosterone levels, their weights, and heights'.

Some people believe that these factors provide them with an upper hand in respect to the cisgenders in certain sports and that this privilege mentally affects the cisgenders as well, as the competition does not seem fair. To ensure an unbiased and fair competition, the authorities have taken some necessary measures such as compartmentalising the trans-athletes to contend against the athletes of the same gender that they were assigned at birth and also it is essential for them to go through a sex verification testing mechanism.

In the year 2003, a committee foregathered by the 'International Olympic Committee (IOC) Medical Commission', introduced some of the new guidelines considering the participation of the trans-athletes who had undergone a gender reassignment surgery. These guidelines included three main aspects and conditions for the participation of such individuals, the conditions being as follows:

1. The athletes must have been through a 'gender reassignment therapy', comprising changes in their 'external genitalia' and 'gonadectomy',
2. The athletes must be able to provide with the legal recognition of their assigned gender that has been granted by the befitting official authorities,
3. The athletes must have undergone hormonal therapy, that too for a period which must be adequate to diminish all the gender-related advantages about sports¹⁵.

The committee deemed fit to allow all such athletes to participate in sporting events who have spent at least a bare minimum of two years after the procedure of gonadectomised¹⁶.

¹⁵https://en.wikipedia.org/wiki/Transgender_people_in_sports

¹⁶http://www.pdga.com/files/StockholmConsensus_0.pdf

The IOC did not allow the transgender athletes to participate in any sporting activity until the year 2004.

Later in the year 2015, the IOC felt the need to revise the earlier laid guidelines relating to the participation of the trans-athletes in sporting activities as it was being difficult to obtain legal recognition of the gender in countries where gender alteration (transition) is 'not legal' along with the fact that going through with such surgeries might be in conflict with the growing legislation and is in violation of the basic human rights. The new guidelines, however, laid that the trans woman athletes need only state their gender and not change that declaration for a bare minimum of four years, and they must also exhibit a testosterone level of fewer than ten nanomoles/ litre (10 nanomoles/litre) for a minimum of at least one year preceding the year of the competition and also throughout the eligibility period. However, no such restrictions were imposed on the athletes who transmuted from a female to a male, they were allowed to participate and compete without any limitations. These new guidelines prevailed for the '2016 Rio Olympics', yet not even a single trans-athlete participated openly¹⁷. In October in the year 2019, the World Athletics¹⁸ again revised the testosterone limit for the Trans woman athletes, setting it up to five nanomoles/litre (5nmol/litre), from the preceding limit of ten nanomoles/litre. This revision was done because there should be a uniformity amongst the regulations that have been laid down in respect to the participation of the third gender community in sports since the third gender community is itself very widely bifurcated further. For the Trans women athletes to be eligible for participation in the female category, they needed to fulfil the following mentioned conditions, those being:

1. The athlete must provide to the satisfaction of the Medical Manager with a written and signed declaration mentioning that her gender identity is female,
2. The athlete must also satisfy the Expert Panel in respect of the concentration of testosterone level present in their serum must be less than five nanomoles/liter for a minimum of 12 months,

¹⁷<https://www.rollingstone.com/sports/features/chris-mosier-first-trans-team-usa-member-w432272>

¹⁸ Formerly known as the International Amateur Athletic Federation and International Association of Athletic Federations (both acronymed as IAAF)

3. The athlete must preserve this five nanomoles/liter of the testosterone level in her serum as long as she desired to maintain the eligibility criteria for competing in the female category of the competitions¹⁹.

The World Athletics has also laid down a certain set of rules and regulations for the intersex category of athletes. These people need to follow a certain set of rules if they have a makeup of the XY male chromosomes, ovaries over testes, have a circulating testosterone level within the quintessential male range of 7.7 nanomoles/litre to 29.4 nanomoles/litre, and are subject to androgen-sensitivity so that their body can utilize and employ all the testosterone. All these rules and regulations and restrictions on the participation of the third gender in sports are to ensure fair and just competition in the female category.

ACCOMPLISHMENTS OF THE THIRD GENDER COMMUNITY IN THE FIELD OF SPORTS

The first-ever disclosed transgender person to qualify for the duathlon²⁰ was Chris Mosier from the U.S.A. in the year 2016. Chris is considered to be the laying foundation for the changes that were made by the IOC in the year 2015 regarding the participation of the third gender community in the field of sports when he questioned the previous regulations regarding the participation of the trans-athletes on account that he was banned from the world championship race due to his physical and hormonal structure.

Another such athlete is Renée Richards, who was a potential tennis player in the male category and had undergone a gender reassignment surgery in the year 1975. After her recovery, almost after a year, she started playing in the female category tournaments. She sure faced a lot of challenges in the way, but in the end, she succeeded in her journey. In the year 1977, she lost the first round in the US Open, and later on retired after four years of her career in the field of tennis

¹⁹<https://www.iaaf.org/download/download?filename=63067c17-1ab4-4a08-a132-5e36bda5fc61.pdf&urlslug=Eligibility%20Regulations%20for%20Transgender%20Athletes%2C%20in%20force%20from%201%20October%202019>

²⁰ an athletic event consisting of a running leg followed by a cycling leg and then again another running leg in a similar format that of a triathlon.

as a woman. Through her efforts did not bring about a lot of changes in the entire sports community but a significant amount of change was seen in the field of tennis.

Another such great example is that of Rachel McKinnon, who aced the cycling Masters' World Track Championship that took place in Los Angeles in the year 2018. She is known to be the youngest one in the age group of 35-44 to win a gold medal in the category. Rachel is known to be the first transgender woman to possess the world title in her name²¹.

The above mentioned notable trans-athletes are only some of the greatest trans-athletes of all time and there are many more just like them who have accomplished great heights in their careers as a sportsperson.

Due to the growing society and liberalization of the legislation, more and more people from the third gender community have been able to open up about themselves and are feeling proud of what they are and how they are. There's no stopping to them now as they are flying in the sky with their wings wide open.

The International Olympic Committee (IOC) in the year 2004 finally recognized the position of the trans-athletes in the field of sports stating that as long as the athlete's gender is 'legally' recognized and he/she has successfully fulfilled a bare minimum of two years period post his/her hormonal therapy is considered to be fit to legally compete in the games. The guidelines laid down by the IOC have surely been accepted by the other sports governing authorities as well but there still lies a lot of biasness and cause celebre regarding the participation of the third gender in sports.

In the year 2017, the 'Kerala State Sports Council' organised the first-ever transgender sports meet in India. There were more than a hundred trans-athletes from all over the state to participate in the event. People were seen wearing their district jerseys, casual outfits and there were even people who were draped up in a saree and despite the scorching heat were seen wearing makeup as well. The event conducted sporting activities such as 100, 200, and 400 meters dash, 4x100 meters relays, shot put, and long jump. Most of the participants were there not for winning but for fulfilling their childhood dreams and being in an environment where they are not harassed for

²¹<https://www.cyclingnews.com/news/mckinnon-is-first-transgender-woman-to-win-world-title/>

the way they look or the way they are. This initiative by Kerala's Sports Council has been seen as a major change in the field of sports regarding the participation and competition of the third gender community. The aim behind this event was to bring more focus on conducting such events at international levels as well. Just like there are Paralympics for the athletes who are physically, mentally and sensorially disabled, there must also be 'Translympics'²² for the people of the third gender so that they do not need to face all the harassment and bias that they face while competing against the cisgenders. A sporting event only meant for the third gender of society might also help bring a balance in the society and might also change the way one looks and thinks about them. They need not be bifurcated as a male or a female but as whoever they choose to be. This may also help them in competing against people of the same physical and hormonal structure and they need not go through all the hormonal reassignment surgeries and therapies.

This achievement is a small milestone in the journey towards providing legal recognition to the third gender in the field of sports, and they're still in a lot of ways to cover before one can truly say that the third gender community has finally achieved its independence.

CONCLUSION

The researcher would like to conclude that based on this research though the third gender community has been widely and legally accepted in a lot of countries throughout the world there still seems to be some sort of bias against them in some sections of certain societies. These societies do not wish to consider the third gender community as one of them, instead considers them to be an abomination of nature. There still seems to be a lacking legislation in respect of the third gender community globally. The concerned authorities must look into the fact that none of the sections of the society have to face a human rights crisis.

Though trans-people have faced a lot of discrimination from the society, they have gracefully stood up to it and have been able to bring significant changes in the society as well as have earned a lot of love and respect from the people all over. Due to certain reforms, many have been able to come out of their shells and have been able to accept themselves just as the way they are.

²²<https://scroll.in/magazine/836112/a-transgender-sports-meet-in-kerala-could-change-the-norms-of-indias-competitive-sports>

Speaking about the field of sports, the researcher feels that to limit the discrimination faced by the trans-athletes, there should be a separate sporting event for the third gender community where they can compete against their kinds and no sort of harassment be it physical or mental is faced by them. Also, they'll not need to undergone those hazardous hormonal reassignment surgeries just for the sake of being in the playing league. People need to understand that just like any other human being these people are also human beings and are a part of our society, and just like any other person, they also have equal and just right to live their lives with all due respect and dignity.

Hoping to create a world free from all sorts of discrimination.

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