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Beyond Boundaries: Philosophical Insights into the Educational Struggles of India's Third Gender

Lal Khan
Assistant Professor, Basirhat College
khanlal9647@gmail.com

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Abstract: The educational experiences of India's third gender (hijras, trans, and non-binary populations) are neglected within traditional educational frameworks, highlighting entrenched societal biases, legal obstacles, and epistemic exclusion. This essay presents a philosophical examination of these challenges, incorporating viewpoints from social justice theory, feminist philosophy, critical pedagogy, and Indian ethical philosophy. This study analyses how systemic impediments, institutional discrimination, and cultural biases restrict educational chances for the third gender, utilizing Amartya Sen's capacities approach, Judith Butler's performativity theory, and Indian concepts of dharma and human dignity. The paper advocates for a redefinition of educational environments by emphasizing their relational, ethical, and normative aspects, promoting inclusivity, liberation, and the affirmation of varied identities. The research enhances educational philosophy by contextualizing the challenges faced by India's third gender within wider discussions of fairness, acknowledgment, and human flourishing.
Keywords: Transgender, Gender, Rights, Third Gender, Justice.

Introduction:

A lot of people agree that education is a basic human right and an important way to promote social justice, personal empowerment, and democratic involvement. However, India's third gender—which includes transgender and gender non-binary people—still doesn't have equal access to educational options, and this is a philosophical issue that hasn't been thought through much. Even though India's Supreme Court made history by legalizing a third gender in the case of National Legal Services Authority v. Union of India (NALSA), which required transgender people to be recognized and protected (Morarka & Lodha, 2017; see also Indian regulatory analyses), gender-diverse students are still left out of mainstream education. To develop reason, autonomy, and moral power is what education means from a philosophical and an ethical point of view. Classical and modern philosophers of education say that school isn't just about learning skills; it's also about making people who are strong, self-aware, and able to fully participate in society's political, cultural, and economic life. In her work on gender and educational philosophy from 2025, Jane Roland Martin shows that traditional educational ideals often include normative assumptions about gender that make non-binary and transgender identities invisible in the main frameworks of curriculum, pedagogy, and institutions. Martin

stresses how important it is to rethink these deeply rooted gender norms in order to reach truly open educational goals (Martin, 2021).

Judith Butler's groundbreaking idea of gender performativity questions the fixed binary view of gender that has historically shaped both social structures and educational practices. It lies at the intersection of philosophy and gender theory. In Butler's (1988/2025) view, gender is not a bodily trait but is constantly formed by repeated social and cultural actions. This theoretical insight shakes up the two-sided assumptions that most educational policies are based on. It calls for a new way of thinking about identity, teaching, and the culture of institutions that accepts different genders instead of pushing people to follow strict binary norms. Such philosophical criticisms are especially important in India's social and educational setting, where students of the third gender face systemic barriers such as hostile peer environments, missing subjects in the curriculum, and regulatory gaps in basic educational boards (Mittal & Singh, 2021). Research shows that these problems cause transgender students to drop out of school at alarmingly high rates and have low levels of literacy. These problems aren't just caused by poor planning; they are also caused by greater normative exclusions that are built into the way schools work.

So, from a philosophical point of view, the problems that India's third gender faces in school can be seen as signs of larger epistemic injustices, which are social conditions that make it unfairly harder for some groups to have credibility, control, or a say in knowledge communities. Adding on Miranda Fricker's idea of epistemic unfairness in the Indian third gender context shows how schools may push gender-diverse students to the edges by not seeing their real-life experiences as important parts of the school's overall meaning. Fricker's framework comes from Western feminist epistemology, but its use shows how important it is to have culturally-based theories that honour India's rich but often overlooked traditions of gender fluidity and multiplicity, which can be seen in historical practices and written about in Indian philosophical scholarship on gender fluidity. So, this paper calls for a philosophical critique of Indian education that connects normative views of justice, identity, and recognition with what it's really like for third gender students to go to school. We can go beyond simple policy responses and reimagine schools as truly welcoming places where people of all gender identities can thrive by questioning both the epistemological and ethical roots of education.

The Third Gender in India: Socio-Philosophical Context

There is a "third gender" idea in India that comes from old religious and cultural practices and philosophical views that went beyond simple male and female roles. Indian culture has long known that there are gender differences beyond the male and female binary. One example is the idea of tritiya-prakriti, which means "third nature." This term is used in important cultural works like the Kama Sutra and Vedic scriptures to describe people whose gender identity doesn't fit into the usual categories. People thought of this third gender as neither male nor female, but as a separate gender category recognized by traditional social systems. This shows that gender diversity was a big part of early Indian cosmology and social thought (Third gender; Kama Sutra; tritiya-prakriti concepts). Philosophically, the Indian social and religious environment often softened the lines between men and women. Gender diversity was seen in the context of cosmological and mythological stories that praised fluidity and hybridity. Images of Ardhanarishvara, an androgynous mix of the god Shiva and his consort Parvati, show an approach to knowledge in Indian philosophy that doesn't see gender as a biological trait but as a relational and performative identity that is tied to spiritual meaning. In the West, gender ideas are often based on biological determinism, which is different. These native frameworks show that gender identity was not only accepted by society, but also philosophically linked to

spiritual and existential views of human life. They offer a way of looking at knowledge that values the complexity and lack of linearity in gendered existence.

In pre-colonial India, groups that are now known as the third gender, like the hijras, kinnars, aravanis, jogappas, and others, played important roles in society and rituals. Researchers have found that these people took part in births, weddings, and other life-cycle ceremonies and were often accepted into economic and social structures. This goes against the idea that gender non-conformity is something new or Western (Bharti, 2025; Gagneja, 2024) theorized.

Even though this kind of cultural recognition was already there, colonial contact had a big effect on the social and philosophical situation of the third gender. British colonial rule used Victorian-era laws and morals that pushed native gender roles to the edges by labelling them as wrong or illegal under laws like the Criminal Tribes Act (1871). Colonial ideas about knowledge turned the once-respected third gender into a social problem that needed to be fixed, which solidified the shame that still exists in India today. This break in history shows how biopolitical arguments over gender identities are shaped by epistemological dominance, which in turn affects daily realities and social inclusion. In the 2014 case NALSA v. Union of India, the Indian Supreme Court legalized the "third gender." This is a new philosophical and legal affirmation of gender self-determination that recognizes that gender identity is not just a sociological category but a basic part of human dignity and autonomy. This recognition tries to make up for hundreds of years of unfair knowledge by saying that being able to define oneself and have others recognize one's gender is an essential part of having personal freedom and equal citizenship. However, ongoing exclusion, especially in areas like education, work, and social standing, is a sign of deeper structural inequality that needs to be addressed by philosophical inquiry if policy is to go beyond formal recognition and include everyone in a meaningful way. So, to understand the third gender in India, you need to look at it through a socio-philosophical view that includes indigenous cultural ways of knowing, colonial histories, and modern rights discussions. Educational scholars can only really understand the structural and normative problems that third gender people in India face by looking at gender variety in the context of this rich philosophical and socio-historical background.

Philosophical Frameworks for Understanding Educational Struggles:

To look at the problems that India's third gender faces in school through a philosophical lens, more and more researchers are using critical and liberatory frameworks that put power, identity, and epistemic justice at the center of learning settings. Critical education, which has its roots in the work of Paulo Freire, is one of the most important philosophical ideas in this area. Freire said that education is not just a way to pass on knowledge; it is a deeply political practice in which students and teachers must talk about and work to change oppressive social conditions (Freire, 1970–2025). Freire says that traditional "banking" models of education, in which passive learners are given information, keep people in power rather than freeing them. She says, "authentic education is not carried on by 'A' for 'B' or by 'A' about 'B,' but rather by 'A' with 'B'" in the pursuit of critical consciousness as a group. This focus on praxis—the connection between reflection and action that changes things—is especially important for gender-diverse students, who are often left out of traditional learning places. This shows how school can reinforce societal injustices instead of fighting them. In addition to Freire's work, emancipatory pedagogy increases the role of education in breaking down systems of injustice. Critical pedagogy is expanded by thinkers like bell hooks to specifically address how race, gender, and class interact. They argue that education should give students the tools to look at and fight against these kinds of systems of dominance in their own lives. Educational theorists who use emancipatory methods need to understand that students who are on the outside are not

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just people who need help, but also people who can help create new knowledge and change society.

New research in transgender and queer studies adds to these philosophical theories an onto-epistemological perspective that questions common ideas about gender and learning. In Wayne Martino's work on a transgender studies approach for educators, gender-expansive frameworks are used to look at how cissexist structures and binary frameworks affect teaching methods and institutional policies. This calls for a critical examination of the norms that keep gender-diverse students from being seen in the curriculum and in classroom interactions. In the same way, queer pedagogy builds on critical pedagogy by focusing on challenging required cisgender-normative curricula and supporting teaching methods that break down rigid gender roles. This encourages both teachers and students to think about the power dynamics at play in the very process of producing knowledge. Miranda Fricker's theory of epistemic injustice is another important philosophical framework. It shows how systemic biases in educational settings can hurt the trustworthiness and ability to understand things of marginalized groups. When prejudices in society make it so that the knowledge, experiences, or opinions of some students are ignored or not valued, this is called epistemic injustice. This makes it so that transgender and gender-diverse students are structurally excluded from school. In particular, hermeneutical unfairness shows how lack of shared conceptual resources makes it hard for students who are on the outside to include their experiences in popular educational stories or have those experiences accepted as real.

In addition to these theories, the idea of intersectionality, which comes from Black feminist legal theory, gives us a more in-depth look at how gender identity interacts with other social categories like caste, class, and area to affect schooling. According to intersectional frameworks, not being able to go to school isn't caused by a single category. Instead, it's caused by systems of oppression that work together to make things worse for third gender kids in Indian schools. Collectively, these philosophical frameworks—including critical and emancipatory pedagogy, transgender and queer studies, epistemic injustice, and intersectionality—offer a strong way to think about educational struggles, not just as issues of access, but also as philosophically grounded wrongs that have to do with power, identity, and the production of knowledge. By looking at it this way, the fact that India's third gender isn't included in school shows that it's a complicated mix of structural exclusion, normative epistemologies, and teaching cultures that need to be questioned and changed.

Structural and Pedagogical Barriers:

It's impossible to fully understand why India's third gender isn't included in schools without looking at the structural and pedagogical hurdles that make schools less welcoming to transgender and gender-diverse students. The institutional practices, policies, and physical infrastructures that keep people out are called structural barriers. On the other hand, the curriculum content, teacher attitudes, and teaching methods that don't support and promote gender diversity are called pedagogical barriers. When put together, these barriers make it harder for third gender kids to get in, stay in, be accepted, and do well in school. At the institutional level, structural barriers show up as the lack of facilities that are accessible to both men and women, unfair documentation processes, and hostile school climates that support the two-sided gender norms that most educational organizations are based on. Kamath and Vaidya (2025) show that transgender students in India face widespread institutional invisibility. This means that schools and colleges often don't have gender-neutral bathrooms, the right dorms, or registration forms that recognize non-binary identities, which makes them feel even more alone and unsafe (Kamath & Vaidya, 2021). This physical exclusion shows that the school isn't doing enough to make sure that third-gender students can engage safely and with respect.

Legal and policy measures that are supposed to be progressive, like the Transgender Persons (Protection of Rights) Act, 2019, and the NALSA v. Union of India (2014) judgment, are not always put into practice in schools and universities. Even though the Constitution guarantees equality, anti-discrimination laws are still mostly just ideas (Kamath & Vaidya, 2021). This is because of problems with enforcement and slow government work. Policy studies show that even though plans like the National Education Policy (NEP) 2020 talk about fairness and including everyone, there are important gaps in how to change institutions in a way that helps transgender students (Mittal & Goel, 2024) That's why they need more support systems. These structural problems make it harder for transgender people to get an education and keep patterns of exclusion in place, like lower attendance and higher dropout rates. Pedagogical barriers and structural hurdles work together to keep people on the outside. There are normative beliefs and unspoken expectations that shape classroom culture and interactions. These tend to normalize cisgender identities while making gender diversity seem strange or not normal. Kamath and Vaidya's research shows that binary curricula, teachers who don't care about gender, and a lack of gender-sensitive teaching methods all work together to make transgender students feel like they don't fit and make them less interested in school (Kamath & Vaidya, 2025). This fits with larger research that shows that curriculum material doesn't always question prevailing gender norms, which reinforces stereotypes and pushes students to the edges whose identities don't fit these norms.

Also, how prepared and sensitive teachers are two very important educational factors that affect inclusion. Without the right training, teachers might unintentionally reinforce bias by using the wrong gender, ignoring gender problems in the classroom, or skipping conversations about diversity. All of these things can make learning environments less welcoming for everyone. Trying to make classrooms that accept and value third gender students' identities and experiences is hard because teachers can't get professional development on gender-affirming teaching (Kamath & Vaidya, 2021). Lastly, social stigma and disadvantages based on caste, class, and area make educational inequality even worse. These are on top of institutional and pedagogical barriers. Multiple forms of exclusion often happen to transgender students from low-income and socially disadvantaged families. This reinforces the idea that educational systems reinforce rather than fix larger societal problems (Kamath & Vaidya, 2021). It is important to understand how these three types of barriers—structural, cultural, and pedagogical—affect each other in order to rethink educational systems that not only allow access but also actively support affirmation, equity, and academic justice for India's third gender.

Philosophical Reimagining of Inclusive Education:

To radically rethink inclusive education, we need to move away from standard ways of running schools and toward a more complete view that puts justice, fairness, and recognizing different identities at the center of education. In this philosophical sense, inclusive education is not just a policy of access or accommodation; it is a project that changes the purpose, structure, and culture of schools itself. As a way to promote gender equality and equal opportunities for all students, UNESCO says that gender bias should be taken out of school curricula, gender-transformative pedagogy should be used more, and safe, welcoming learning spaces should be created. This will help achieve the Sustainable Development Goals for equitable education (SDG 4) and gender equality (SDG 5) (UNESCO, 202). Philosophers of education have long pointed out the flaws in traditional models that keep social structures in place and ignore differences in the name of "standardization" or neutrality. So, if we want to rethink inclusion, we need to use critical and liberatory practices that question the power dynamics that are built into schools. For instance, transformative-emancipatory pedagogy (TEP) says that teachers and students should work together to create knowledge that is based on the actual experiences of

marginalized groups, rather than just representing those experiences. This framework says that inclusion isn't a one-time thing, but an ongoing moral and educational dedication to fairness, diversity, and justice, where students' views shape the lessons, the teachers, and the overall attitude of the school.

From a philosophical point of view, inclusion means giving a lot of thought to how people learn and how educational chances are shared. Universal Design for Learning (UDL) gives teachers and curriculum designers a way to make sure that all of their students, even those who don't identify with the typical gender roles, can do well in school by planning for their students' differences from the start and giving them a variety of ways to express themselves, be heard, and be involved. The idea behind Universal Design for Learning (UDL) comes from cognitive and social justice principles. This shows that learning problems are not caused by the student, but by rigid school designs that don't see difference as a strength instead of a weakness. By rethinking inclusive education for India's third gender, standpoint theory adds to the philosophical project by arguing that the voices and knowledges of marginalized groups are not just extra, but necessary for completeness of knowledge. Standpoint theorists say that people who are on the edges of exclusion can reveal social truths that are hidden in mainstream educational discourses. This forces educators and institutions to rethink what knowledge is legitimate and who can contribute to it (Standpoint theory, n.d.). Rethinking inclusive education also fits with larger moral beliefs about social justice and taking part in democracy. Critical multicultural and social justice theories say that inclusion means more than just having people of colour in classes. It also means fixing the systems that make it hard for everyone to participate equally. Philosophies like this stress how important it is for schools to teach students to be independent, value each other, and work together to make things better. This way, schools can be places where people are freed from social norms instead of places where they are held back. This philosophical rethinking goes beyond technical fixes to create an educational philosophy that respects human dignity, supports different identities (including India's third gender), and sees school as a place where everyone can be free and thrive. By combining principles of fairness, creativity in teaching, and democratic participation, inclusive education changes the way students interact with information, each other, and society as a whole.

Implications for Policy and Society:

To fully understand the difficulties that India's third gender faces in school, we need to think about philosophy as well as take policy- and society-based actions that fight social exclusion and promote genuine inclusion. From a philosophical point of view, education is both a right and a social good that promotes human dignity and political participation. Inequality in access to education leads to more social injustice (Jain et al., 202`). So, policy consequences must go beyond formal recognition and include frameworks that make sure third gender students are seen, counted, and helped throughout their school careers. India's legal system has come a long way since the NALSA v. Union of India decision, which said that transgender people have the right to self-identification and respect, and the Transgender Persons (Protection of Rights) Act, 2019, which makes rights-based inclusion a law. However, policy discourse studies show that these ideas aren't always put into action in policy texts, which means that transgender students don't have real access to schools that accept them and safe places to learn (Ata, Chaudhary & Kulshrestha, 202). This gap means that policies need to be fully put into action through strict rules, the distribution of resources, and ways to hold organizations accountable for fair results. Gender-inclusive practice should be built into all levels of schooling. This is a key policy implication. Research shows that national policies like the National Education Policy (NEP) 2020 support equality and inclusion in general, but don't go into detail about how to include students of a third gender. As a result, regulatory documents made by major Indian boards don't have any useful information about non-binary students (Mittal & Singh, 2025). To fix this,

policymakers need to change the rules so that they require gender-inclusive language, non-discriminatory admissions processes, and clear steps that fix structural biases in education systems, like gender-neutral documentation options and specialized counselling services. In addition to policy wording, society as a whole need to be committed to being welcoming. Stigma, harassment, and social exclusion are some of the barriers that transgender people face in school that don't go away even when official policies are in place (Kamath & Vaidya, 2021). This means that legal frameworks need to be paired with campaigns to raise awareness in the community and changes to the way schools work that teach teachers, students, and managers about gender diversity and how to treat people without bias. Public education campaigns, teacher training programs, and changes to the curriculum that include positive portrayals of gender diversity can help make schools places where people feel like they fit instead of left out.

The effects on society go beyond the classroom. Exclusion from school has a direct effect on getting a job, moving up in the economy, and fitting in with others. Lack of education makes transgender communities more likely to be unemployed and have unstable finances, which reinforces cycles of exclusion in all areas of society (Jain et al., 2025; national data on exclusion shows that structural educational barriers make it hard to get stable work). This shows that changes to educational policies that are in line with social rights, such as affirmative action programs, ways to stop bias, and easy access to social services, are very important for breaking patterns of exclusion. Also, policies that include everyone need to take into account the fact that caste, class, and regional differences make it harder for some women to get the education they need, and these differences affect access to chances in different communities. Intersectional policy design makes sure that reforms don't assume that everyone has the same experience. Instead, they make sure that help is given to the areas that need it the most. In the end, the philosophical imperative of inclusion, which is based on justice, dignity, and human rights, means that policymakers and citizens must work together to make schools where India's third gender can grow. Policymakers and citizens can help change education from a place where people are left out to a place where everyone feels welcome and can participate fairly by making inclusive rules part of the law, changing the cultures of institutions, and fighting prejudice in society.

Conclusion:

The goal of this study was to go beyond just describing how marginalized people are and give a logical understanding of the problems that India's third gender faces in school. These struggles are shown in the paper in the context of justice, recognition, epistemic inclusion, and democratic responsibility. This shows that educational exclusion is not just a problem with administration or policy, but a deep normative problem that comes from the way institutions are set up around knowledge, identity, and dignity. The study shows that even though the Constitution and recent court decisions have recognized gender diversity, educational spaces are still shaped by binary assumptions, structural neglect, and teaching methods that shut down the opinions and experiences of gender-diverse students. This kind of exclusion is a form of moral and intellectual abuse that goes against the promise of education to free people. This logical question makes it clear that inclusive education needs to be rethought as a project that changes people's morals, not just a change to how things are done. To see the third gender as full participants in the creation of knowledge, we need to move from tolerance to affirmation, from access to belonging, and from symbolic inclusion to real justice. As a real tool for social empowerment, education can only work when schools actively break down normative hierarchies and create places where people can recognize each other. In the end, India's third gender's fight in school forces society to rethink its morals and reaffirm education as a way to promote freedom, dignity, and shared human flourishing.

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