



Transgender Citizenship and Conditional Recognition: Reading Indian Trans Autobiographies through the Lens of the Transgender Persons (Protection of Rights) Amendment Bill, 2026

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<https://doi.org/10.66376/criterion.v17.n4.2>

Abstract:

This study critically interrogates the changing idea of transgender citizenship in India through a careful examination of certain autobiographical writings by A Revathi, Lakshman Tripathi and Living Smile vis-à-vis the Transgender Persons (Protection of Rights) Amendment Bill, 2026. These autobiographies conceptualise identity as an individualised, fluid and contextual self-identification as a product of social alienation, cultural affiliation and corporeal experience. Although the NALSA judgement has upheld the right to self-declared gender, the Amendment Bill proposes a new structure of conditional recognition, where medical certifiers and the state must validate transgender identity. By drawing upon the work of theorists such as Judith Butler, Michel Foucault, and T.H. Marshall, the paper shows that transgender citizenship in India becomes a regulated and conditional status rather than one that is completely determined and self-governed by the individual. The discussion examines the problem between self-declared and state-declared transgender identity in contemporary India.

Keywords: Transgender Citizenship, NALSA Judgment, Transgender Persons (Protection of Rights) Amendment Bill, 2026, Indian Trans Autobiographies, Gender and Law.

Introduction

In India, transgender identity has progressively transitioned from the periphery of social conversation to a focal point of academic and legal discussion. In light of the changing legislative landscape and the ever-increasing number of transgender people sharing their stories in literature, it is no longer viable to dismiss the subject, nor to continue to ignore its existence. The autobiographies of A Revathi, Living Smile Vidya, and Lakshmi Narayan Tripathi have contributed to making an account of a transgender identity an integral component of an experiential, physical, and community-based discussion that also involves struggles and hardships that the community has faced and continues to face, including social exclusion, violence, family issues and assertions of selfhood, in a way that enables them to develop a specific kind of citizenship that is more than just a formal recognition; rather, it is grounded in dignity, membership, and daily acts of defiance. These stories are not just about survival; they question the standard definition of gender and offer an alternative vision of identity that transcends binary classifications.

The judgement of NALSA (National Legal Services Authority versus the Union of India, 2014) has been a turning point in the history of Indian law by legally recognising the existence of transgender persons. The NALSA judgement affirms transgender persons as a third gender. It recognises that self-identified gender identity is a constitutionally protected right, affirming transgender rights and dignity, equality and autonomy, and laying the foundations for a rights-based understanding of transgender citizenship in India. However, the passing of the Transgender Persons (Protection of the Rights) Amendment Bill, 2019, represents a paradigm shift in the understanding and administration of transgender identities within the legal domain. Though the stated purpose of the Bill is to ensure protection and to clarify, in reality, the Bill brings about a process of identifying, certifying and medically confirming, making identity a function of institutional confirmation. What is significant about the focus on definition and

formalisation of the legal processes is that it demonstrates the tendency of the modern state to make identity visible and subject to control, and therefore raises a series of pressing questions as to how individual perceptions of gender and legal subject status relate to each other.

This paper attempts to combine the fields of literary criticism, gender criticism and legal criticism to examine the complex relationship between trans citizenship and the interplay between individual self-narration and the laws that govern that identity. Taking inspiration from Judith Butler, whose theory on gender performativity emphasises the flexible and socially constructed nature of the concept (Butler, *Gender Trouble* 33), and from Foucault, who focused on how state institutions are involved in the governance and control of individuals and their bodies (Foucault 140), the paper attempts to analyse how the 2026 amendment reconfigures the very concept of transgender identity as a concept of law, which requires the approval of the state for it to be valid. The concept of citizenship proposed by T.H. Marshall (Marshall 28) will be used as a theoretical construct to understand whether the law recognises trans individuals and includes them in society, or whether the trans community's relationship with society remains conditional. Placing transgender autobiographical writings in conversation with current legal changes, this paper contends that the 2026 Amendment changes the nature of transgender citizenship from an affirmation of self-identity and a reality that is lived and experienced to a legally constructed condition that is defined by the law. The contradictions highlighted by the power of individual narratives and the power of state laws to control those narratives point out the weaknesses in official recognition, pointing out the necessity to develop more progressive policies that allow the fluid nature and independence of the identities of transgender persons.

Theoretical Framework

This study draws on an interdisciplinary theoretical framework — spanning gender theory, biopolitics, citizenship studies, and intersectionality — to examine the tension between lived transgender identity in India and its legal regulation. Reading the autobiographies of A. Revathi, Laxmi Narayan Tripathi, and Living Smile Vidya against the Transgender Persons (Protection of Rights) Amendment Bill, 2026, the paper draws on four lenses — performativity, biopower, conditional citizenship, and intersectionality — each of which illuminates a different dimension of the negotiation between narrated selfhood and legally sanctioned identity.

The framework is anchored in Judith Butler's theory of gender performativity, which challenges the essentialist assumption that gender is an innate, biologically fixed attribute. For Butler, gender is not a stable inner truth but an effect produced through the repetition of socially regulated acts, gestures, and norms (Butler, *Gender Trouble* 33). This theory is especially generative for autobiographical writing by transgender subjects, in which identity emerges through iterative processes of self-discovery, bodily transformation, and negotiation with a hostile social environment rather than through a pre-given essence. Butler's later work extends this insight, arguing that a livable gender requires social recognition, so that the subject's intelligibility depends on norms it does not fully control (Butler, *Undoing Gender* 4). The autobiographies of Revathi, Tripathi, and Vidya all enact this performative, relational model of gender; the 2026 Amendment Bill, by contrast, attempts to arrest that fluidity within a fixed legal definition and a set of procedural requirements, producing a structural tension between performative selfhood and juridical categorisation.

Complementing Butler's account, Michel Foucault's concept of biopolitics describes how the modern state manages populations through mechanisms of surveillance, classification, and normalisation (Foucault 140). Biopower, in this Foucauldian sense, does not simply recognise

pre-existing subjects; it actively produces and disciplines them, determining who qualifies as a legitimate bearer of rights (Foucault 143). The Amendment Bill's apparatus of medical certification and administrative verification exemplifies this biopolitical logic: rather than merely registering an already-existing identity, it renders transgender identity legible to the state and, in doing so, subjects it to ongoing institutional discipline.

T.H. Marshall's theory of citizenship, which understands citizenship as the progressive accumulation of civil, political, and social rights (Marshall 28), provides the framework's third lens. Although Marshall's model assumes an expansive trajectory of rights, this paper uses his framework to interrogate the conditions under which transgender individuals are, in practice, included within it. Central to this interrogation is the concept of conditional citizenship: a status in which legal recognition is contingent not on personhood as such but on compliance with institutional norms and certification procedures (Marshall 33). By tying recognition to medical and administrative verification, the 2026 Amendment Bill positions transgender citizenship as an entitlement that must be earned rather than an inherent right.

Finally, the framework incorporates Kimberlé Crenshaw's theory of intersectionality, which holds that overlapping axes of identity — gender, caste, class, and region, among others — combine to produce distinct and compounded forms of marginalisation that cannot be understood by examining any single axis in isolation (Crenshaw 149). Indian transgender autobiographies consistently reveal identity as multiply constituted in this way: Revathi's account of an intermediate-caste, working-class rural upbringing in Tamil Nadu, Tripathi's account of an orthodox Brahmin household in urban Maharashtra, and Vidya's account of Dalit poverty in Tamil Nadu each locate hijra identity within distinct regional and caste-inflected structures of exclusion, as the analysis below develops in detail. The 2026 Amendment Bill, like much rights-based legislation, proceeds from a uniform and undifferentiated conception of "the transgender person," and so is structurally unable to register these intersecting hierarchies.

This blindness has been a recurring concern of the broader field of transgender studies, which has long theorised the relationship between embodiment, medical authority, and state recognition (Stryker 11).

Together, these four frameworks position transgender identity as a site of negotiation between self-performed subjectivity and state-imposed categorisation, allowing the analysis that follows to read literary self-narration and legal regulation as two competing, and finally incommensurable, accounts of what transgender citizenship in India can mean.

Main Body Analysis: Narrative Selfhood vs Legal Regulation

The autobiographies of A. Revathi, Lakshmi Narayan Tripathi, and Living Smile Vidya present transgender identity as an embodied reality and a site of negotiation; often a fraught one, in which social exclusion, communal belonging and individual autonomy are in play. However, when read alongside the Transgender Persons (Protection of Rights) Amendment Bill (2026), one is reminded of a central dissonance between narrative self-construction and state-sanctioned identity. One sees citizenship as a conditional, bureaucratic status, rather than an inherent one.

A. Revathi: Lived Citizenship, Communal Identity, and Kinship

In *The Truth About Me* (2010), Revathi portrays a hijra identity forged through alienation, violence, and eventual belonging within a chosen community. Born Doraisamy into a working-class Gounder family — an intermediate agricultural caste — in a village near Namakkal in Tamil Nadu's Salem district, Revathi's narrative is inseparable from the specific caste, class, and regional coordinates of her upbringing; her flight from her natal family to a hijra house in Delhi is at once a flight from gender assignment and from the disciplinary expectations of caste-inflected rural family life. Read through Crenshaw's framework, Revathi's

marginalisation cannot be reduced to gender alone: it is produced at the intersection of a rural, agrarian caste order that polices masculinity as a condition of family honour, and a national legal culture that, as this paper argues below, offers recognition only on similarly restrictive terms (Crenshaw 152).

Revathi's account foregrounds an alternative model of belonging rooted not in state recognition but in the hijra community's own kinship structures. As she writes, "Marginalised by mainstream society, denied a legal existence and dispossessed of their rights, hijras turn to their community and its culture for comfort and for nurture" (62). This turn to community is not incidental but structural: as Gayatri Reddy's ethnography of hijra identity in South India demonstrates, the guru–chela relationship and the wider hijra "house" function as a durable, rule-governed kinship system that confers honour and belonging independently of the biological family or the state (Reddy 89). Read against Marshall's account of citizenship as the accumulation of civil, political, and social entitlements (Marshall 28), the hijra community that Revathi describes performs many of the functions Marshall assigns to the state: it provides material support, disciplinary structure, and a durable sense of membership. Citizenship, in Revathi's telling, is thus experienced horizontally, through daily acts of mutual recognition among peers, rather than vertically, as a status conferred by institutions above her.

This communal model of belonging also underwrites Revathi's rejection of any purely medical or biological definition of her identity. Long before she had access to clinical transition, her sense of self was already fully formed, as she reflects that "[t]o the world, it appeared that I was dressing up and playing a woman, but inside, I felt I was a woman" (12). The claim is a performative one in Butler's sense — identity here precedes and exceeds its social legibility, rather than being constituted retroactively by medical confirmation (Butler, *Gender Trouble* 173) — and it is this interior, self-authorised sense of womanhood, rather than any anatomical fact, that Revathi presents as the ground of her citizenship claim.

This is difficult to reconcile with the 2026 Transgender Persons (Protection of Rights) Amendment Bill, which offers a considerably more circumscribed and regulated definition of "transgender person," anchored in biological markers and official validation. Read through Foucault's account of biopower, the Bill's requirement that identity be authenticated by medical experts and administrative certifiers exemplifies precisely the kind of disciplinary mechanism by which the state renders bodies legible and governable (Foucault 143); by fixing definitional boundaries around a narrow set of official benchmarks, the law risks excluding those, like Revathi, whose sense of self was never contingent on medical intervention. For Revathi, her surgery, or Nirvaanam, does not confer an identity that must be validated by the state as a prerequisite of citizenship, but is instead a deeply personal, sacred ritual that frees an already-existing internal reality, as she recalls:

"As I whispered, 'Take my form away and bless me with yours,' I felt tears sting my eyes . . . [i]t seemed to me that my earlier male form had disappeared and in its place was a woman. I felt exultant." (88)

Where the 2026 Bill treats medical transition as an administrative threshold to be cleared before recognition is granted, Revathi's account presents it as a sacred confirmation of a citizenship she had already claimed through kinship and self-recognition. The gap between these two models of belonging — communal, self-authorised recognition on one hand, and state-certified, medically verified status on the other — has the unintended consequence of leaving precisely those hijra lives organised around alternative structures of kinship and honour further marginalised by a law that recognises only the individualised, medically documented subject.

Laxmi Narayan Tripathi: Political Agency and Conditional Inclusion

While the story of A Revathi deals with survival and the quest for somatic belonging, privileging community and privacy, *Me Hijra, Me Laxmi* (2015) by Laxmi Narayan Tripathi

emphasises the importance of resisting political agency and aggressive public performance. She sees her performative and public self as integral to a larger socio-political project; Tripathi, instead of positioning herself as a victim of pathologised marginalisation, casts herself as a conscious member of an institutional resistance struggle for legal rights and constitutional rights: "If I had to choose between the two, I would choose activism. Speaking for myself, I think I am more of an activist than an artist. And that is how I want it to be. Perhaps I have a soft corner for activism because it saved me when I was about to perish" (104). Tripathi's choice to enter the national imaginary is thus a decision to risk personal vulnerability for public legitimacy.

Tripathi's political agency must also be read through the caste position from which it is launched. Born into an orthodox Brahmin family in Thane, Maharashtra, Tripathi occupies a markedly different position within India's caste hierarchy than Revathi's rural, intermediate-caste background in Tamil Nadu — a contrast that Crenshaw's framework would predict shapes the very different forms their citizenship claims take (Crenshaw 155). Tripathi's narrative repeatedly signals the resources that this upper-caste, urban upbringing furnished for public self-assertion: private schooling, an early sense of belonging among the "talking classes," and direct access to bureaucratic and political networks unavailable to hijras from more marginalised caste and class positions. Her capacity to found an organisation, negotiate directly with the Planning Commission, and become a recognisable national spokesperson for the hijra community is inseparable from this caste and class capital, even as her narrative insists on hijra identity as a shared, cross-caste condition of exclusion. Where Revathi's citizenship claim is grounded horizontally, in communal kinship, Tripathi's is oriented vertically, toward direct negotiation with state institutions — a strategy her caste position helps make available, even as those same institutions continue to demand medical proof of the very identity her activism defends.

Despite the dangers that public performance poses to her family and personal life, she insists upon occupying a place in the public sphere to demand accountability from the state: "Ashok cautioned me. 'If you appear on TV, your family will know that you are a hijra,' she said. I was confused. But such was my desire to become a celebrity that I decided to appear on TV, come what may" (46). Tripathi's choice to pursue public visibility is thus a decision to leave behind the interstitial spaces of the underground and to attempt to enter state institutions and spaces of political discourse. By moving from the margins, she asserts the possibility to enter discursive spaces on her own terms: "I stopped dancing at the dance bars... I grew articulate. I wanted to be a member of the talking classes. The word 'dialogue' was my watchword" (63-64). Through such discursive practices, situated within a broader tradition of queer political organising in India that has increasingly sought rights-based recognition through direct engagement with the state (Narain 112), Tripathi's life story becomes an account of migration from the margins of the survival-based struggle of the subaltern to the rights-based struggle of inclusion within the borders of the nation-state (Marshall 31). However, the possibility of a complete transgender citizenship is complicated by the biopolitical apparatus of the law.

In its latest iteration, the Transgender Persons (Protection of Rights) Amendment Bill, 2026, tightens the parameters of conditional recognition by removing the legal right to self-identification and instead enforces gender recognition through a District Medical Board. This state enforcement of medical proof of identity in the pursuit of legal rights is a process that Tripathi herself enacts in her narrative of obtaining her first passport: "'Yes, you can get a passport. But what is the proof that you are a hijra? We would need a registered medical practitioner to certify that you have indeed had surgery that has converted you from a man to a woman.' I had no such certificate. And I had no such surgery done because I am not castrated" (80). The passport office is not a neutral space but a site of the policing of gender and sexuality that is carried out through a demand for medical evidence for identity. To access civil rights

that recognise transgender bodies, the body of Laxmi must thus be violently erased from official records and reimagined as female. She says that this was a literal destruction of biographical proof through the destruction of records: "As for my other certificates, I burnt them all in a fit of rage after a fierce quarrel with my parents when I first became a hijra. I regarded this as a symbolic act because I was destroying records in which I was referred to as a male" (80). Ultimately, Laxmi has to negotiate with bureaucratic authority through an informal medical agreement that only fixes her sense of self by dividing her physical body from her inner self: "But Dr Jayrajani was sympathetic. She scribbled out a certificate for me that said that, though I was born male and was a male biologically, my social and psychological identity was that of a woman. This expedited matters. My ration card was ready..." (81-82).

In the context of the limited 2026 Amendment Bill, the state formalises this medicalisation and surveillance, setting up a system of "genuineness" that would discriminate against fluid, nonoperative, and nonbinary selves through medicalisation (Foucault 148). Thus, while the state sets out to define a specific legal structure for transition, this attempt to legitimise the transgender subject actually results in further fragmentation of the community. Tripathi's anti-essentialist and open-ended vision of transsexuality is at odds with the state's attempt to create "legitimate" transsexuals.

Tripathi objects not only to society's discriminatory perceptions and beliefs, but also to beliefs within the community that equate one's identity to their physical body: "It is believed that all hijras are castrated. We call it 'Nirvana'. In the eyes of the public, we are castrated males. But that is not always the case. Castration is strictly optional, and every hijra decides for herself whether or not to undergo it. I am not castrated. I did not opt for it, and my guru did not pressure me into it" (156). Also, despite the introduction of the new law, which includes harsher penalties for "forced" identity or even the "concocted" hijra identity, Tripathi presents these alternative social formations as sites of subaltern kinship and sheltering.

For Laxmi, however, the reet and the separate gharana system represent autonomous historical structures, rather than structural coercion: "The guru then becomes the hijra's mother, and she, the chela, becomes the guru's daughter. By this logic, the guru's other chelas become the hijra's sisters, the guru's sisters become her aunts or massis, and the guru's guru becomes her nani or grandmother. It is a vast extended family" (174).

Tripathi struggles against the movement within the community to become self-enclosed, and she will not accept the gharanas as sites of spatial containment: "A time came when, whenever something had to be done, they shirked their responsibility, saying, 'We are hijras. We'll not do this, and we'll not do that.' I was livid. I hated the idea of a ghetto or a gated community. Yet, that is exactly what the hijras seemed to want... 'Why segregate yourselves from mainstream society to such an extent?'"(67).

To bring these ideas of political resistance to a broader scale, Tripathi also seeks to create coalitions across space. She establishes the Maharashtra Trutiya Panthi Sanghatana (MTPS), which succeeds in getting the state to create basic forms of recognition, such as the Aadhaar card: "To counter this defamation, I have recently established a support group known as the Maharashtra Trutiya Panthi Sanghatana (MTPS). We fight for the fundamental rights of hijras. We managed to persuade the state government and the Planning Commission to give us the Aadhaar Card... The tireless efforts of the MTPS bore fruit. The Maharashtra government decided to include transgenders in their special policy for women" (160-161).

The 2026 Bill and Tripathi's broader, community-building political project are irreconcilable due to the 2026 Bill's attempt to legitimise the identity of "legitimate" transsexuals only through medical diagnosis and state surveillance. By incorporating the transsexual body into national life, the law simultaneously denies the bodily autonomy of the stateless citizen and delegitimises the community's own political project.

Living Smile Vidya: Performativity and Fluid Identity

The memoir *I Am Vidya: A Transgender's Journey* (2007) by Living Smile Vidya interrogates the idea of identity as performative, linguistic, and situated on local axes of caste and region. Vidya's text emphasises the role that performativity, language, and aesthetics play in the formation of the trans self and challenges essentialist understandings of gender. Before gaining access to modern medical transition, Vidya discusses how her exposure to cinematic imagery in particular, and mass media in general, provided her with an imaginative, fluid template from which to articulate her interiority. "As I watched the song sequences of films, I floated in an imaginary world in which I blushed as they did, danced and wooed their heroes as they did, expressed anger as they did," she observes (19). When not engaged in such imaginary identification, Vidya began to enact the desires that the films had articulated for her using the somatic and cultural resources available to her as a subaltern subject. Using everyday domestic items, Vidya begins a process that transforms the appearance of her body in ways that transcend the gender binary:

"Long, plaited hair was an altogether different issue, but I knew how to overcome that problem too: just spread a thin cotton towel, a large kerchief, really, on your head like a veil, not covering the forehead, and twirl the long rear portion as if it were covering a pigtail. Worn this way, you could easily pass as a girl drying her hair after a shower." (20)

The gender identity that Vidya's performativities articulate is dynamic and adaptive rather than static and fixed in relation to cis-normativity, precisely the model of gender as reiterated performance rather than biological inheritance that Butler's theory anticipates (Butler, *Gender Trouble* 179). Vidya rejects the notion that there is a biological truth about being a woman. Although the body she inhabited was not that of a biological woman, her thought processes

when considering her future and her career were feminine. Vidya describes this disjunction in the following way:

"physically, I was no woman, but my thought processes when considering my future, my professional career, were those of a woman" (37)

For Vidya, then, gender is not the natural truth that resides in or on the body but, rather, a process of lived translation.

The emphasis placed by Living Smile Vidya on the nature of gender as an ongoing performative practice stands in direct opposition to the fixed nature of the category of 'gender identity' as defined by the Transgender Persons (Protection of Rights) Amendment Bill, 2026. The Bill defines the gender identity of a trans person as a matter of biological certainty and the subject of administrative validation. By repealing the right to self-identification, the Transgender Persons (Protection of Rights) Bill 2026 establishes medical transition as a process of discrete, quantifiable steps that is evaluated on fixed criteria, rather than as a fluid process of identity. As the Bill stipulates the presence of a 'statutory medical board' as the sole means of validating a trans person's transition, the 2026 Bill establishes a regulatory apparatus for trans identity that is at odds with the performative fluidity and embodied experiences that form the backbone of Living Smile Vidya's text.

The desire of the modern state to achieve an administrative symmetry and a diagnostic uniformity is incompatible with the transitional states, where trans people historically have been able to articulate and develop their identities (Foucault 145). This tension manifests when a state agency refuses to acknowledge a trans person's self-articulated identity as valid for state documentation. In an instance that mirrors the provisions of the 2026 Bill, Living Smile Vidya describes how the Stationery and Printing Department refused to recognise her as the author of her own gender narrative:

"Pat came the reply: 'We cannot recognise an operation that was performed without government approval. We cannot accede to your request for change of name' (134).

Because the state is unwilling to provide the necessary identity papers that are considered prerequisites of citizenship, Living Smile Vidya's transition becomes a multi-layered institutional performance. She must subject herself to medical certification as a condition to receiving the documents necessary to live a life as the woman she understands herself to be. As a result, her body becomes the object of state medical surveillance to gain access to state identity papers:

"They finally asked me to produce a medical certificate from Madurai Medical College... I hung around there for ten days, unfazed by all the harassment and ridicule, and literally forced them to test me medically. At last I collected the certificate. It took me a year and a half to change my name to exercise my legal, moral right." (134-135)

Additionally, Vidya's identity as a trans woman grappling with structural caste violence and economic vulnerability demonstrates the inadequacies of a homogenous legal structure in representing transgenderism as a single, monolithic identity. The 2026 Bill presumes an identity category that is caste-blind and class-blind, that does not take into account the compounded effects of trans precariousness through the interaction of multiple vectors of exclusion — a homogenising tendency that transgender studies scholarship on India has increasingly urged readers to move past, in favour of frameworks that decolonise and localise dominant, medicalised accounts of trans identity (Dutta and Roy 325). Vidya's testimony reveals the interdependence of caste, gender, and class in the course of describing her father's status as a municipal sweeper and a desire for the gender-reassignment of his youngest child to ensure social mobility upward:

"My father, Ramaswami... was a municipal worker of the lowest rung: a sweeper... The pain and awareness of their oppression based on their caste haunted my parents all their lives. Their intense yearning for a son must have sprung from their desperate hope that he would change the course of their abject existence." (10-11)

In coming out as a transgender person, Vidya defies heteronormativity, but she also undermines the means of survival for her family within a caste society. In assuming an identity through a uniform, medical framework, the state fails to realise how one's access to state-sanctioned citizenship can be precluded by a caste/class status. This, Vidya observes through her own postgraduate degree: "True, I was a graduate—an MA in linguistics, in fact—but did that mean government jobs were waiting for me, a transgender person?... There is absolutely no social security for transgender people in this country" (92).

Vidya's critique highlights the difficulties in constructing trans citizenship when the postcolonial state fails to recognise caste and class in the process of identity construction, while producing an abstract, homogenous citizenship that disregards the reality of those trans identities that are located at multiple sites of exclusion. It is a radical deconstruction of the democratic project of the postcolonial state in that rights-based citizenship under a uniform framework fails to account for the vulnerability of many in the trans community: "Dalits have a voice, feminists are heard—they can hold rallies, demand their rights. But transgenders are the Dalits of Dalits, the most oppressed women among women—they enjoy no equality, no freedom, no fraternity. They continue to lead a wretched life, devoid of pride and dignity." (136-137)

Reading *I Am Vidya* in light of the 2026 Amendment Bill shows that the concept of recognition through the state is inherently constrained. True citizenship requires a move away from legislation that seeks to contain and categorise fluid identities through a rigid legal framework

that is silent about the complex dynamics of intersecting caste, class, and gender performativity.

The 2026 Amendment Bill: Regulation, Protection, and Biopolitical Control

The Transgender Persons (Protection of Rights) Amendment Bill, 2026, is a major step forward towards legal recognition of transgender persons in India. This Bill aims to rectify the omissions in the previous law through the inclusion of definitions, punishment for abuse, and issuance of certificates. Thus, the Bill can be interpreted as a protective tool to counter discrimination and violence directed towards transgender persons.

However, when we take a closer look, we understand the bill to be biopolitical in nature. It regulates and normalises transgender identities through certification and the establishment of medical boards (Foucault 140). The state can thus control, monitor, and define what is considered a normal gender and what is not, furthering the idea that all populations should be governed according to the will of the state. It is an attempt by the state to render the population legible to itself. By defining what a transgender person is, it reinterprets the very basis of citizenship, wherein a citizen has to justify their gender identity through state certification (Marshall 33). Unlike the Supreme Court's landmark judgment in NALSA (2014), where the Court upheld the importance of self-identification, the 2026 Amendment Bill moves the focus from personal recognition to the requirement of certification. This produces what scholars of hijra and third-gender recognition elsewhere in South Asia have called a paradox of recognition: legal visibility that simultaneously protects transgender persons from certain harms and constrains the very identities it claims to protect (Hossain 1421). The Bill also seeks to curb various offences against the transgender community, such as abuse and forced labour, which is commendable. However, in doing so, it simultaneously regulates and protects these identities in a bid to bring gender identities within the domain of state control.

Synthesis: Citizenship as Negotiation

Together, the autobiographies of Revathi, Tripathi, and Vidya, as well as the 2026 Amendment Bill, present a rather complicated and even paradoxical account of the relationship between identity, the law, and citizenship. These autobiographies represent citizenship as a lived and negotiated reality in terms of personal expression, community, and struggle against oppression — a reality that is, in each case, inflected differently by caste, class, and region (Crenshaw 149). In contrast, the law describes citizenship as a status whose availability is governed by administrative and regulatory mechanisms. These differences expose the limits of legal recognition as a form of full inclusion. The law provides the ground for the right and protection but also the limits of the same, as those not included may be excluded or marginalised in a society. This makes transgender citizenship a site of continuous negotiation between self and state.

Conclusion

This paper has interrogated the dynamic interface of transgender identity, autobiographical self-narration and legal recognition in India, by contextualising the life narratives of A Revathi, Laxmi Narayan Tripathi and Living Smile Vidya against the backdrop of the recently introduced Transgender Persons (Protection of Rights) Amendment Bill, 2026. While the trans autobiography posits identity as a fluid, embodied and subjective self-affirmation rooted in a sense of community belonging, the current legal discourse reconstitutes identity as a matter of categorisation, verification and regulation through institutional mechanisms. The transition from identity as narrative to identity as legal subjectivity signifies a fundamental shift in the understanding of transgender citizenship.

While the NALSA judgment of 2014 envisioned the citizenship of transgender persons in the light of constitutional promises of dignity, equality and self-identification, the 2026

Amendment seems to have brought about conditional recognition, wherein one's rights are linked to one's adherence to legal norms and procedures. This, in turn, demonstrates the underlying biopolitical impulses of the state seeking to order and make legible diverse bodies and identities within clearly defined boundaries.

The study indicates that the 2026 Amendment, while claiming to offer clarity and security, actually sets in motion conditions of recognition, where entitlements to protection are mediated through state verification protocols. This points to wider state efforts at governing the social bodies of its citizens in a bid to classify them within rigid legal classifications. This, however, stands in contradiction with the trans autobiographies that emphasise the lived experience and fluidity of identity, as it evolves with time and through social, cultural and intimate interactions.

Further, the study draws attention to the reductive nature of legal frameworks that prioritise definitional clarity over lived experience. The 2026 Amendment risks rendering certain trans identities ineligible for legal protection precisely through limiting the scope of recognition and insisting upon institutional confirmation of one's identity. This might lead to a situation of marginalising some while trying to redress some injustices. Autobiographical accounts of transgender people, on the other hand, are capable of articulating a broader conception of citizenship predicated on dignity, autonomy and the right to self-definition.

To conclude, transgender citizenship in India remains an unfinished and contested terrain of power relations between empowerment and disciplining. If legal recognition is to translate into political and social inclusion for transgender people, subsequent legal regimes would need to be predicated not on conditionality but on the affirmation of identity plurality and fluidity as such. Only by addressing the disjuncture between lived experience and legal definition can we imagine a more just and inclusive form of citizenship for the transgender population in India.

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