

Indigeneity of Transgender Cultures: Traditional Knowledge and Appropriation

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Abstract : The appropriation of traditional knowledge has already deprived vast indigenous communities of material benefits. One such industry in India responsible for the extensive exploitation of the indigenous communities is Bollywood or the film industry. Indigenous communities are usually marginalized and exploited, whilst the beneficiary is always the third part. Transgender culture in India dates back to 400 AD with a precise description in the Kama Sutra. Since then, with escalating evolution in governance, the community lost its glory and was criminalized until late 2014. However, the traditional knowledge and cultural practices never diminished. The formation of cults (gharanas) and peculiar folklore has remained in place. This study is intended to highlight the culture of the hijra gharanas and their contribution to intangible cultural heritage. Whilst adhering to the norms of the United Nations pertaining to traditional knowledge and indigenous communities, these papers focuses on the fact that one of the most marginalized and ostracized communities in India treasures a huge amount of rituals and practices that are appropriated by the film industry, leaving the transgender community to indulge into odd jobs and commercial sex work leading to poverty and illiteracy. A comparison between caste reservations and no reservation for this community will bring to light the lacuna in the democratic system. Also, through empirical findings, it can be inferred that a creative sector of the society is not properly exploited to its complete potential, thereby restricting a good contribution to intellectual property. It is important to state that the roots of this problem are not in modern practices. Thus an etymological analysis from mythology to the present will help understand that appropriate application of human rights in this segment will be useful to render justice to this community and thereby recognize the IP that has been succumbed since ages.

Keywords : indigenous, intellectual property, traditional knowledge, transgender

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