

From the Editor

Dear colleagues,

It is my pleasure to present the third issue of *Explorations*. This is a Special Issue on ***Sexuality, Representation and Justice***. The issue consists of a Special Article, a Review Essay and a Special Section on the theme *Erotic Marginality and Erotic Justice*. The Special Section consists of an 'Introduction' to the theme followed by two papers under the Articles category and one paper under the Research in Progress category. The Guest Editor of the Special Section is Dr. Pushpesh Kumar from Department of Sociology, University of Hyderabad.

The Special Article by Anuja Agrawal, titled *Situating the Law on Prostitution/Sex Work in India*, seeks to situate the legal position on prostitution/sex work in India by locating it within the range of legal positions and the global framework which shapes the contours of the debates on prostitution/sex work. The paper argues that the complex terrain of legislative imperatives on this issue needs to be highlighted in order to address the assumption that a simple legislative fix alone will resolve the issue.

The Review Essay, titled *Trafficking of Children for Sex Work in India: Prevalence, History, and Vulnerability Analysis* by Sonal Pandey, outlines the historical development of prostitution in the country and brings to light the contextual factors and inadequacy of laws and legislations contributing to the vulnerability of children to sex trafficking in India.

The Special Section on *Erotic Marginality and Erotic Justice* begins with a comprehensive thematic Introduction by the Guest Editor.

The first paper in this section by Pushpesh Kumar, titled *Queering Indian Sociology: A Critical Engagement*, provokes the sociological community and advocates for the inclusion of erotically marginalised persons and communities by bringing 'multiple erotic subjectivities' into disciplinary practices within Sociology.

The second paper, *Reaching Out to Sexually Marginalised Women: Sahayatrika in Kerala* by P. Agaja, charts out the journey of formation of *Sahayatrika*, a queer

women's collective which took upon the task of reaching out to sexually marginalised women in Kerala. This organisation enabled subaltern women on erotic margins to fight the existing hetero-patriarchal power structure and negotiate life in more enabling ways.

The last paper in this section is a Research in Progress by Stuti Das titled *The Politics of Representation and Visibility: A Sociological Engagement with an Indian Queer Webzine*. Through a sociological analysis of the webzine *GAYLAXY*, this paper brings forth the politics of queer visibility within the realm of online queer media in contemporary India, by locating it in the broader context of India's neoliberal capitalist economy.

Explorations invites your contributions for future issues of the journal. We will appreciate your feedback or suggestions on the journal.

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Special Article: Situating the Law on Prostitution/Sex Work in India

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Situating the Law on Prostitution/Sex Work in India

--- Anuja Agrawal

Abstract

This article seeks to situate the legal position on the vexatious issue of prostitution/sex work in India in order to address the widespread assumption that it has a simple legal fix. This is done via setting the Indian law on this matter within the range of possible legal positions on this prostitution/sex work as well as via a brief historical overview of this legal framing. In addition, the article draws attention to the global context which shapes the debates on prostitution/sex work to indicate the range of factors which participate in the lawmaking on this issue.

Key words: Abolitionist, Decriminalisation, Prostitution/Sex work, Law, Legalisation, Tolerationist

Introduction

Given the strong moral overtones which surround the subject of prostitution/sex work,¹ a dispassionate discussion on the same can often be extremely difficult. An image I captured several years ago on a village wall read as follows: '*Veshya nahi ye naari hai; Bahu beti ye hamari hai*' (Not a prostitute, she is a woman; She is our daughter-in-law/daughter). In a similar vein, a fundamentalist outfit made a statement sometime ago that 'item girls' should be treated as prostitutes and then they will be automatically boycotted.² Undoubtedly the overt meaning of the graffiti as well as the statement is extremely disturbing and an indicator of the heavy load of stigma which is carried by those engaged in the sex trade. This makes one wonder about what the role of law can be in addressing an issue on which there are such deeply entrenched views. One can however insist that, notwithstanding the complexities and passions that shape this subject, an informed academic and public debate on this issue is vital, not least because law, and its workings, themselves play a critical role in shaping public opinion. This paper is an attempt towards providing such an informed view with a specific focus on the law on sex work in the Indian context, setting the same in a broader

historical setting. This is important as the desirability or otherwise of 'legalisation' of sex work is often debated in the Indian public domain, and even otherwise, without any clarity about what this entails and what the law on sex work in India actually is. I will also briefly reflect upon a range of factors including global political dynamics that shape the legal imperatives as well as public discourses on this issue. I hope this paper, which draws upon some recent writings in the field, will help us make sense of, both, the direction of policy making on sex work as well as vociferousness of the voices around it which are often disproportionate to the actual changes in policy as well as the impact such policies have.

The Legal Positions on Prostitution/Sex Work

Before we get to the specificities of legal position on sex work in India, we need to know what the range of possible legal positions on this issue is. Most writers suggest that there are broadly four possible legal positions on sex work which encapsulate the range of legal options.³ The first and most extreme of these positions is 'prohibition' or complete criminalisation where all aspects of sex work and actors, including sex workers, are criminalised. This position assumes that all acts of prostitution are immoral and criminal. A second position on sex work is somewhat ambiguous and targets trafficking, pimping, procuring, soliciting and renting premises for prostitution. In the dominant version of this position all aspects of sex work are criminalised although sex workers themselves are not. This position is referred to as 'tolerationist' or 'abolitionist' depending upon whether it is ideologically grounded in the view that 'prostitution is the oldest profession'; a necessary evil (tolerationist) or if it is based on the understanding that it is a form of sexual violence; women are its victims and should not be further victimised (abolitionist). A third position can be referred to as 'legalisation' as it seeks to do away with anti-sex work laws and makes special rules regulating sex work. It is a means of regulating sex work and can vary in its forms. It is also often grounded in the views which see prostitution as the 'oldest profession', as a 'necessary evil', or as a 'safety valve' which channelises male 'sexual needs.' This approach also prominently addresses concerns regarding spread of diseases (particularly sexually transmitted ones). A fourth position on sex work espouses complete decriminalisation, where all special anti-sex work laws are repealed and sex work is left to be regulated by other laws applicable to all citizens. This position derives from the view of prostitution as a form of work

which may be undertaken by women (or men) in different conditions; it also suggests that sex workers are not necessarily victims but agents.

Kotiswaran (2012) has reminded us that these legal positions are *ideal types* and may translate into practice in a variety of ways. From a sociological point of view this is very important as different legal positions may translate into identical conditions on the ground and conversely a single position may manifest itself variously depending upon a variety of factors including the manner in which the law is (or is not) implemented. Thus one of the exercises which recent ethnographic studies of sex work, including Kotiswaran's, have undertaken is to assess the differential impact of existing legal regimes on different stakeholders in sex work. Kotiswaran suggests that any legal framework endows different actors with different degrees of bargaining power which operate against the backdrop of other extra-legal or social sanctions and frameworks (ibid). Thus a single framework of law can have multiple and uneven effects on the women directly involved in trading sex as well as other stakeholders in the sex-trade, depending upon the circumstances. For example, in recent times, an important factor that has been observed to influence stricter action against brothel keeping in many Indian cities is the 'politics of urban land use' (Shah, 2014, p. 148) which has led to dismantling of many so-called red-light areas and has directly impacted all the stakeholders in the trade. Such factors which can have varied localised trajectories are bound to have differential impact on how the legal frameworks are, or are not, activated in particular contexts. It should also be pointed out here that the conditions in which sex work occurs can vary drastically from one situation to other. In India, for instance, the brothel based prostitution has in large measure been the subject of legislative measures. But it is only one of the contexts of sex work and, as has been shown by studies of this form, there are variations in the conditions of women operating from even such a site.⁴

Therefore, even if it was possible to come to an agreement about a legal position which is most appropriate from all perspectives, and to formally embody it in the legal statutes, the question as to how it will operate on the ground in different contexts and impact different actors cannot be resolved before hand, as every position may necessarily be detrimental to some stakeholders in some contexts. This is something one must bear in mind before centre-staging the question of law on sex work in any context.

Law on Prostitution/ Sex Work in India

Let us now move to a discussion of law on sex work in the Indian context. Generally when there is a discussion of the legal status of sex work in India, the underlying assumption or impression is that it is illegal and hence legalisation would bring about a fundamental shift in the status of this trade.⁵ But there is usually no great clarity about what exactly the legal position is. Let me therefore begin by providing a broad historical overview of the legal position on prostitution in India.

It is possible to suggest that, if we take a long historical view of the laws on prostitution, we may be able to find instances of different legal regimes in different time periods and different contexts, although there is little to indicate that prostitution was ever completely prohibited in the Indian context. On the contrary, depictions from ancient and medieval India are often interpreted as conveying that *ganikas*, courtesans or *devadasis*, somewhat inexact counterparts of modern day sex workers, occupied a respectable position in society with no criminality or even immorality associated with their lifestyle. Accounts which suggest state patronage as well as religious sanction for courtesans and devadasis are also widespread.⁶ Whether these can be seen as exemplifying ‘decriminalised’ sex work and the extent to which such accounts are relevant in the present context is a matter of debate, not the least because the link of such practices with sex work/prostitution is not necessarily a direct one.⁷ Moreover, the legal regimes were perhaps entirely of a different order in the times such practices were said to exist. Nevertheless, they are very much part of the story about the social if not legal status of women in prostitution in pre-colonial as well as colonial and post-colonial India, and even the official documents invoke them regularly.⁸

The history of modern legislation on the sex trade can be said to have begun with the coming into existence of the Indian Penal Code in 1860, with sections 372 and 373 of the Code criminalising selling and buying of minors for the purpose of prostitution. While not directly criminalising prostitution, these provisions of the new code were mobilised, for instance, to bring into their ambit adoption practices among communities of devadasis who were equated with prostitutes in Madras Presidency (see Kannabiran, 1995). On the other hand, some of the native states such as Mysore which worked through a colonial bureaucracy, outlawed the devadasi custom altogether (see Nair, 1994), which gives us an idea of the extent to which the tide had turned against the formerly accepted practices. Historical

studies have thus shown how the complex politics of the colonial period contributed to the formation of a new category of proletarianised sex worker, who had far less social acceptance than her pre-colonial counterparts. This contributed to what have been referred to as ‘narratives of decline’ (Tambe, 2009, p. 20) or as the ‘colonial degradation thesis’ (Kotiswaran, 2011, p. 23).

What may be more significant in the context of contemporary debates, which often revolve around ‘legalisation’, is to remind ourselves of what can be seen as instances of experiments with ‘legalised prostitution’ in the colonial period. As suggested above, the legalisation model largely operates as a form of state regulation and control of sex workers. Such regulation has been particularly sought after in contexts where sex work has been associated with spread of disease: venereal diseases in the colonial period and AIDS in the present times. It is not a coincidence that a somewhat legalised regime of prostitution operated in India in the context of fears about spread of venereal disease among British troops whose numbers had significantly increased in the post-1857 mutiny period. Contagious Diseases Act 1866, modeled on a similar Act in Britain,⁹ thus provided the framework within which prostitution was allowed to operate during colonial rule in India. This colonial history of regulation and surveillance of prostitution has been extensively documented in a number of studies.¹⁰ As the experience of colonial period shows, this form of ‘legalisation’ typically operates through practices leading to confining and increasing surveillance of sex workers. Thus, under such regimes, women in prostitution may be subjected to restricted movements and zoning, registration, compulsory medical checkups, and punishment for failing to cooperate with these measures. It is important to remember here that the colonial state’s primary concern was not with the health of the sex workers but with the health of those British soldiers living in cantonments who were frequent visitors of sex workers. The Contagious Diseases Act was thus targeted at the compulsory medical surveillance of women in prostitution and not at the men who used their services. Proposals for legalisation of prostitution in post-independence period have also stemmed from a similar concern for ‘public health’. Thus the Maharashtra Protection of Commercial sex workers Act 1994 proposed legalisation of prostitution precisely within this framework. It even suggested that women who test positive for sexually transmitted infections, be tattooed on their foreheads with a bold blue sign (Kotiswaran, 2012, p. 189). Without going into the details of this troubled history of such attempts at regulation of prostitution, I hope to have made the point that legalisation in its regulatory version is extremely controversial.¹¹

What should also be clear from this discussion is how the legislative interventions around sex trade, beginning with the colonial period, had become inextricable from the happenings in a transnational colonial context. This becomes even clearer as we try to see why concerns with trafficking had become dominant by early 1900s. It is not without significance that, beginning in early 1900s, there were a series of multilateral international treaties aimed at curbing trafficking in women owing to the widespread panic over what was called 'white slave trade' (Tambe, 2009). *International Agreement for the Suppression of the 'White Slave Traffic'*, of 1904 was followed by *International Convention for the Suppression of the 'White Slave Traffic'* in 1910. With the formation of the League of Nations, a less racially tainted version came up in the form the *International Convention for the Suppression of the Traffic in Women and Children* in 1921 which was eventually transformed by the then newly formed United Nations (UN) into the *Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others* (1949). It is the latter which became the basis of the first post-independence all India legislation to deal with the issue of prostitution, namely the Suppression of Immoral Traffic (Prevention) Act of 1956 (hereinafter SITA) which was subsequently amended in 1986 and became the Immoral Traffic Prevention Act (hereinafter ITPA).¹²

All through the first three to four decades of the twentieth century, as if echoing the events in the international arena, a series of regional acts dealing with the prevention and suppression of trafficking were also enacted in various parts of India¹³, a concise history of which is still waiting to be written.¹⁴ However, despite the new regulatory regimes which started emerging during the colonial period, it is also the case that for large part, prostitution continued to have some amount of social and legal acceptance. One may add here something from my research among the Bedias, among some of whom prostitution is a hereditary occupation and who were notified as a 'criminal tribe' during the colonial period. Contrary to the general assumption, it has been shown that the engagement in prostitution by the Bedia women, which can be traced back to the colonial period, was not the pretext of their criminalisation and indeed Bedia community members often pleaded that they were not criminal *as* their women engage in prostitution. I have argued that rather than forming the basis of their being notified as a criminal tribe, prostitution was a valid occupational identity many groups adopted in order to escape state persecution! (Agrawal, 2008, pp. 31-33). This indicates that

prostitution per se was not necessarily treated as criminal in the late colonial period even though it had become an object of intervention.

To come to the post-independence period now, Article 23, Part I of the Indian constitution prohibited trafficking as well as forced labour, and hence laid the foundation for curbing forced variants of prostitution. It is widely agreed by legal experts and scholars that according to ITPA as well as under SITA, the act of prostitution or sexual intercourse for a consideration is not illegal per se but every other act required to carry out such acts are illegal. Thus maintaining a brothel, living off the earnings of prostitution, procuring or detaining a woman for the sake of prostitution, soliciting or seducing for the purpose of prostitution and carrying on prostitution in the vicinity of public places are all illegal. Kotiswaran suggests that ‘the legal sale of sex under the ITPA would be restricted to scenarios where a sole sex worker sells sex for her own benefit in a discrete manner in a place that is not in or near any public place, but even she can be evicted by a magistrate... in the interests of the general public’ (Kotiswaran, 2012, p. 22). One of the major criticisms of SITA, and even ITPA, has been that despite the fact that it does not explicitly criminalise prostitution, women in prostitution are most often the ones to bear the brunt of this Act (D’Cunha, 1987; Solanki & Gangoli, 1996), perhaps one of the reasons there is widespread belief that sex work is criminalised in India.

But in terms of the typology of legal positions that have been outlined above, the post-independence Indian laws on prostitution have been seen as falling into the toleration or abolitionist and partial decriminalisation category in so far as they do not criminalise the act of selling sex in itself but all other aspects related to sex work. It should be noted that this position is itself internally variegated. This is obvious if we take into account shifts within the post-independence law itself. One aspect of the 1986 amendment of SITA was how it changed the definition of women in prostitution who were now treated as victims of the trade. This can be illustrated if we simply look at the definitions of prostitution in SITA and ITPA. In SITA prostitution was defined as: ‘the act of a female offering her body for promiscuous sexual intercourse...whether in money or in kind and whether offered immediately or otherwise, and the expression prostitute was to be accordingly construed’ (section 2f, SITA). In ITPA the definition has been changed to ‘the sexual exploitation or abuse of persons for commercial purposes’ (section 2f, ITPA).¹⁵ This reflects a major shift in the legal understanding of women in prostitution. However, this does not change the broader categorisation

of Indian law on prostitution as tolerationist/abolitionist although it can be seen as moving in the direction of partial decriminalisation.

To complete this brief overview about different legal regimes of sex work, it may also be pointed out that for last several years many feminist groups have also been demanding decriminalisation of sex work in India.¹⁶ While there are strong divisions between those who advocate decriminalisation and those who advocate more stringent versions of the present position, the former has not captured the public imagination to the extent that the idea of 'legalisation' has.

The Context Shaping the Legal Regimes on Prostitution/Sex Work

In order to understand the politics that shapes the contours of possible legal alternatives, we need to bear in mind that there may be a number of extraneous considerations deriving from interests other than those of curbing or regulating the entry of women in sex work, which shape the imperatives around legislative interventions on sex work. As already mentioned above, the changing cityscapes and rise in real estate prices in many of the red light areas is seen as one of the driving forces behind the anti-trafficking lobby in recent years. Historical studies have also shown that there is a huge gap between the extent of legislation on sex work and its actual impact on the ground realities, something which can be understood by looking at the 'metonymic functions' performed by the political attention directed at this issue (Tambe, 2009). Studies from many parts of the world have thus shown how the figure of the sex worker can be quite central to political discourses on nationhood and identity (Joshi, 2007; Blanchette, Silva & Bento, 2013). The legal discourses may as well be seen as responses to a wider moral panic around the issue of sex work which is fed into by the media and popular culture. But what I would like to specifically draw attention to in the remaining part of this paper is the global context of such legislative imperatives.

Although it may seem to be the case that sex work is a matter on which the Indian state is independent to device its own regulatory regime, as already indicated in the above historical review, it is also subject to a variety of political pressures not all of which are internal in their origin. Thus as also been pointed out by many writers on this issue, the debate on sex work in India is broadly a reflection two polarised trends which represent the two internationally dominant positions on sex work which different international bodies, political groups and lobbies give expression to. On the one hand, there is what Kotiswaran calls 'a global sex

panic' (Kotiswaran, 2012, p. 6) fuelled by an abolitionist movement which consists of radical feminists as well as religious conservatives. In India NGOs such as SANLAAP, JWP, Shakti Vahini, Apne Aap women worldwide, STOP, Prerna, etc., are the civil society face of such a model (which is not to say that they have no local roots and basis). On the other hand, the international efforts to control the spread of HIV/AIDS have produced another axis which propels the state as well as civil society into action (ibid, p. 8). Sex workers groups such as DMSC (Durbar Mahila Samanwaya Samiti) and SANGRAM or VAMP (Veshya AIDS Muqabla Parishad subsequently rechristened as Veshya Anyaya Mukti Parishad) are seen as products of such an imperative (see Tambe, 2008). According to the first position, internal variations apart, criminal law has a major role to play in eliminating the sex industry which is a product of victimisation of and violence against women. On the other hand, the agenda of public health dictates the second position which is not directed primarily at law reform although its objectives sometimes clash with those produced by the first imperative. In what follows, I will briefly examine the pressures which these two trends exert on the process of lawmaking around sex work in India.

Kotiswaran has argued that the abolitionist model has gained a lot of ascendancy in the last couple of decades. It is seen as shaping the *United Nations Protocol to Prevent, Suppress And Punish Trafficking In Persons*, also known as the 'Palermo Protocol', (promulgated in 2000, and became effective in 2003) which can be seen as a successor of the 1949 convention. According to the UN:

It is the first global legally binding instrument with an agreed definition on trafficking in persons. The intention behind this definition is to facilitate convergence in national approaches with regard to the establishment of domestic criminal offences that would support efficient international cooperation in investigating and prosecuting trafficking in persons cases.¹⁷

India is a signatory to the Palermo protocol¹⁸ and is bound to be directed by its imperatives in terms of the legislative measures it adopts.

A yet another source of such imperatives at the international level is the Victims of Trafficking and Violence Protection Act (VTVPA), enacted by the U.S.¹⁹ Under this law the U.S. Department of state releases a ranking of countries based on the extent of trafficking as well as the government responses to the same. The

ranked countries are grouped into three categories and those who fall into tier three risk losing foreign aid (non-humanitarian and non-trade based) from the U.S. India has been placed in tier 2 of this ranking but was placed in 'tier 2 watch list'²⁰ in 2004. Kotiswaran (2012, p. 7) has argued that this considerably accelerated the pace of law reform in India in the abolitionist direction. Thus the amendment proposed to ITPA in 2006²¹ which finally petered out is seen as being propelled not only by the existing contradictions and problems with ITPA, but also by the dynamics of international politics and economics.

The global context of such imperatives is thus also obvious in the Indian attempt to replicate the Swedish or the Nordic model which decriminalises the sex worker but criminalises the procurers and customers. The model was implemented in Sweden in 1999 and has been adopted in many Scandinavian countries. This position was also endorsed by the European parliament in February 2014.²² While this is not something India is directly bound by, this has also found expression in Indian law making. Thus a dramatic shift in the legal position was proposed, although it did not materialise, in the lapsed Immoral Traffic (Prevention) Amendment Bill, 2006.²³ Among other things, the amendment sought to criminalise the customers of sex workers.

A yet another example of pressures at the international level are non-state initiatives led by 'philanthro-capitalists' such as the Walk Free Foundation, established by the Australian billionaire Andrew Forrest in 2012, which focuses primarily on ending the so-called 'modern slavery', of which prostitution is considered to be an important instance. The foundation releases a 'global slavery index' which:

Provides a map, country by country, of the estimated prevalence of modern slavery, together with *information about the steps each government has taken to respond to this issue*. This information allows an objective comparison and assessment of both the problem and adequacy of the response in 167 countries (<https://www.globalslaveryindex.org/about/>, emphasis added).

Significantly, India topped this index in 2016 with the largest number of 'modern slaves' (PTI, 2016, May 31). It would be hard to deny that, despite doubts regarding the veracity of their findings, the publicity that such high profile campaigns garner has significant impact on the Indian government's legislative

impulses. It is not without significance that the press release on the cabinet's approval of the proposed Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2016, stated the following:

The new law will make India a leader among South Asian countries to combat trafficking. Trafficking is a global concern also affecting a number of South Asian nations. Amongst them, India is now a pioneer in formulating a comprehensive legislation. UNODC and SAARC nations are looking forward to India to take lead by enacting this law (PIB, 2018, Feb. 28).

This is a clear indicator of the transnational context shaping the legislative imperatives. Even more interestingly, in the run up to the Bill becoming a law, there are frequent mentions of both, India's 'shameful' presence at the top of the global slavery index as well as its tier 2 ranking by the US, VTPA (First Post, 2017, Dec 11; Lal, 2018, Apr 5). Thus it is not only in contexts where India is a signatory to the UN protocol that pressures manifest themselves. In continuity with the colonial period, the legislative impulses in Indian context remain embedded in a transnational, if not global, context.

So far we have been looking at how the international discourses on trafficking and regulation of sex trade have had a decisive impact on the direction of lawmaking. In what follows, I will briefly focus upon the other major imperative around the issue of sex work, that of concerns around public health, particularly HIV/AIDS. Unlike the abolitionist model informing the legislative imperatives, the agenda of public health is more tolerant towards different sexual practices, including those of sexual minorities and sex workers, and sees the existing trafficking laws as barriers to successful interventions to prevent spread of diseases such as HIV/AIDS. Thus although this axis of political advocacy, which covers sex workers (as well as other sexual minorities), does not have any specific legal agenda, it does seem to steer towards the legalisation/decriminalisation pole of the legal options. Also, since the issue of HIV/AIDS prevention has provided a new space for activism and mobilisation among sex workers, it has facilitated the emergence of articulations which are invariably opposed to the legal imperatives of the trafficking discourse. A very good example of this is the organisation Durbar Mahila Samanwaya Samiti which emerged primarily as a group of peer educators in an HIV/STD Control project. If, for instance, we consider the Sex Workers' Manifesto²⁴ which the organisation released at the first national

convention of sex workers held in 1997, we can see its clear opposition to the current legal approach to sex workers. The highly celebrated manifesto bemoans the dominant approach to women in prostitution and makes a strong pitch for treating sex work as real work.²⁵ SANGRAM, a Maharashtra based NGO is another example of an organisation which has been spawned by the human rights and public health agenda and which also makes a strong and vociferous plea for decriminalisation of sex work in India.²⁶ These examples show how the public health agenda has provided new opportunities for mobilisation and networking previously unavailable to women in prostitution.

While direct linkages between the global discourses and the local activities are not always easy to demonstrate, it would be difficult to deny their existence altogether given that global flows are not merely ideological but also material. Ashwini Tambe has pointed out that, when its estimates about AIDS infection in India was drastically reduced by the estimates released by a survey carried out with the help of UNAIDS and WHO, the National Aids Control Organisation (NACO) is reported to have said 'there is no question of reducing even a dollar towards the fight of AIDS'. Tambe argues that the use of the term 'dollar' in this comment signifies the importance of sustaining the spectre of AIDS, irrespective of the actual threat, for the sake of foreign funding (Tambe, 2009, p. 126). Thus the present contours of debate on law on sex work are shaped by the different voices which are also shaped by the imperatives of international funding to which many local civil society efforts are subject.

That the larger polarities of the debate play out in the Indian context is obvious if one considers the voices dissenting to amendments in ITPA proposed in 2006. Thus the Parliamentary Standing Committee which deliberated on the proposed amendments extensively discussed the impact of the legislation on the attempts to check the spread of HIV/AIDS.²⁷ Unsurprisingly, the report claims that:

Strongest objections were raised by the sex-workers, supported by some NGOs mainly on the plea that introduction of Section 5C tends to threaten their very livelihood and to nullify the efforts to prevent HIV/AIDS.²⁸

Although the parliamentary committee did not accept this view, it is evident from this instance that these two broad tendencies in what may be considered as contemporary politics of prostitution are often in tension with each other.

Concluding Remarks

The above necessarily sketchy overview has tried to outline the different legal positions on sex work, and trace their broad historical trajectory within Indian context. The global framework which shapes the contours of the debates on prostitution/sex work at various levels should give us a better grasp of the dynamics which operates in the process of lawmaking on this issue. It is also a pointer to the difficulties of arriving at positions which will be suitable from all points of view. At the same time, the complex terrain of such legislative imperatives on an issue which is mired in extremely polarised attitudes should caution us against the assumption that a simple legislative fix alone will resolve it.

Notes:

¹ There is a lot of tension around the use of different descriptors for women engaged in sex work due to the varied political implications each carry. I use the two interchangeably as I do not find either to be fully appropriate for all contexts.

² See TNN and agencies, 2014.

³ The following discussion draws heavily upon D’Cunha (1992) and Kotiswaran (2012) for an exposition of these four positions.

⁴ The study done by Indian Social Institute (2005) gives instances of situations of slave like, feudal and tenancy conditions in which sex work may be carried out can simultaneously obtain within a single brothel.

⁵ The Law Commission of India (1975) Report in fact mentions with reference to the Suppression of Immoral Traffic Act (1956) that ‘it is a common misconception among laymen – and sometimes even among lawyers – that the Act is intended to prohibit prostitution. The Act in fact does not go so far. It deals with prohibition only in some of its aspects’ (p. 6).

⁶ A long list can be appended here. See, for instance, Srinivasan, 1988; Oldenburg 1991; Nair, 1994; Shah, 2002; Chatterjee, 2016.

⁷ See, for instance, Srinivasan, 1998; Nair, 1994; Kannabiran, 1995.

⁸ See, for instance, the Law Commission of India, 1975, pp. 2-3.

⁹ The Contagious Diseases Act was passed in Britain in 1864. See https://en.wikipedia.org/wiki/Contagious_Diseases_Actshttps://en.wikipedia.org/wiki/Contagious_Diseases_Acts

¹⁰ See, for instance, Ballhatchet, 1979; Banerjee, 2000; Levine 2003; Tambe, 2009; Legg, 2009.

¹¹ However, Kotiswaran has suggested that some proposals for prostitution law reform have developed broader framework of ‘Legalisation for empowerment’ and discarded the idea of mandatory testing which has otherwise been the hallmark of the legalisation model (Kotiswaran, 2012, p. 189).

¹² It may also be noted here that Article 23 of the Indian constitution also prohibited human trafficking and forced labour and hence also provided a foundation for SITA, ITPA and numerous other laws which deal with cognate issues. See <http://www.mea.gov.in/human-trafficking.htm>.

¹³ Local Acts dealing with ‘immoral trafficking’ were passed in Calcutta (in 1923 and 1930), in Bombay (in 1923), in the Province of U.P. (in 1923), in Punjab (in 1935), and in Mysore (in 1935). Other Acts more specific to local concerns such as with Devadasis in Bombay and Mysore, and, Naik girls in U.P. were also passed during this period. See Law Commission of India, 1975, p. 5.

¹⁴ But see Nair, 1994; Kannibaran, 1995; Tambe, 2009.

¹⁵ Sunder Rajan has pointed out that if one were to accept the ITPA definition, a voluntary commercial transaction in sexual services would not be even regarded as prostitution! (Sunder Rajan, 2011, p. 130)

¹⁶ See Veshya Anyaya Mukti Parishad, n.d.

¹⁷ See <http://www.unodc.org/unodc/en/organized-crime/intro/UNTOC.html>

¹⁸ See https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12-a&chapter=18&clang=en#EndDec and <http://pib.nic.in/newsite/erelease.aspx?relid=72119>

¹⁹ See <https://www.state.gov/j/tip/laws/61124.htm>

²⁰ ‘Tier 2 watch list’ is a category between tier 2 and tier 3 in the TVVPA classification. See <https://www.state.gov/j/tip/rls/tiprpt/2016/258696.htm>

²¹ A key element of the proposed amendment was to delete ITPA provisions penalising women in prostitution for soliciting clients. On the other hand, it sought to penalise the clients who were covered in the ambit of ‘any person visiting a brothel for the purpose of sexual exploitation of trafficked victims’. See <http://www.prsindia.org/billtrack/the-immoral-traffic-prevention-amendment-bill-2006-143/>

²² Resolution passed on 27 Feb 2014 (Honeyball, 2014). The other model prevalent in Europe is of course the German and Dutch model which allows prostitution to operate almost just like any other business.

²³ See <http://www.prsindia.org/billtrack/the-immoral-traffic-prevention-amendment-bill-2006-143/>

²⁴ Available at <http://www.nswp.org/sites/nswp.org/files/Sex%20Workers%20Manifesto%20-%20Meeting%20in%20India.pdf>

²⁵ See Ghosh (2008) for a critical examination of the Sex Workers’ Manifesto.

²⁶ Numerous resources available on the website of this organisation will attest to this. See <https://www.sangram.org/>

²⁷ Report available at http://www.prsindia.org/uploads/media/1167469313/scr1167481607_standing_committee_report.pdf

²⁸ Section 5c was a replication of the Swedish model of decriminalisation seeking ‘punishment for any person who visits or is found in a brothel for the purpose of sexual exploitation of any victim’.

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Review Essay: Trafficking of Children for Sex Work in India: Prevalence, History, and Vulnerability Analysis

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Trafficking of Children for Sex Work in India: Prevalence, History, and Vulnerability Analysis

--- Sonal Pandey

Abstract

The history of paid sex is not new or unique to India. The roots of trafficking are deeply embedded in our age-old traditional prostitution system prevalent in different parts of the country, such as the *devadasi*, the *tawaijs*, and so on. Trafficking is related to general vulnerability, and is exacerbated by social exclusion based on gender and discriminatory development processes that marginalise females from employment and education, particularly gendered cultural practices, gender discrimination, gender-based violence in families and communities. This paper outlines the historical development of prostitution in the country and brings to light the contextual factors contributing to the vulnerability of children to sex trafficking, drawing upon the historical progression of the sex work in the country. It also highlights the problem of child trafficking and the laws and legislations associated with it.

Key words: Brothel, Children, Prostitution, Sex work, Trafficking

Introduction

The history of paid sex is not new or unique to India. The phenomenon of sexual liaisons between two individuals outside the nuptial ties for cash or kind has been prevalent across time and space and has been documented in various literatures. Usually, such sexual encounters took place between two adults with mutual consent without any force or coercion. Popularly this practice was known as 'prostitution' and was quite common among females from certain communities as a means of livelihood. Prostitution was a tolerable vocation and was not discriminated and looked down upon. In fact, the history of many of the modern red light establishments in the country dates back to the Mughal period (Pandey, Kaufman, Tewari & Bhowmick, 2015). However, in the late nineteenth century, with the growth of the feminist movement, globally prostitution or sex work came to be viewed as oppressive and exploitative for the females (Chuang, 2010; Erez,

Ibarra, & McDonald, 2004; Gozdziaik & Collett, 2005; Lazaridis, 2001; Stewart, 2001; Tydlum, Tveit, & Brunovskis, 2005). This oppressive paradigm upheld all types of sexual commerce as institutionalised subordination of women, regardless of the conditions under which it occurred, and advocated for the abolition of all kinds of commercial sex irrespective of its shape, size, and structure (Weitzer, 2011). For example, all kinds of commercialised sexual activities such as erotic entertainment, pornography, and strip clubs were criminalised by the states following the ‘abolitionist framework’.

Although prostitution or sex work has been quite a common practice in India yet the makers of the modern constitution too patronised the abolitionist model of prostitution/sex work. According to the abolitionist framework, prostitution *per se* is not criminalised provided the prostitutes refrain from overt solicitation. Consequently, as per the Constitution of India, street solicitation is prohibited through anti-nuisance and anti-solicitation laws that target street-based solicitation of sexual services in any public place; but indoor prostitution is endured. Since the laws and legislations patronise prostitution by adults but criminalise the commercial sex by minors, hence, for the purpose of the current study, any kind of commercial sex by children has been treated as trafficking as per the *United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women, and Children, 2000*ⁱ.

In this backdrop, the paper outlines the historical development of prostitution in the country, brings to light the contextual factors contributing to the vulnerability of children to sex trafficking, drawing upon the historical progression of the sex work in the country and the child trafficking and the laws and legislations.

Historical Development of Commercial Sex Work in India

The sex work industry in India is quite old and has existed in various forms in different periods (Basham, 1959; Mohan, 2006; Sahasrabuddhe & Mehendale, 2008). Evidence of females living on the earnings of their beauty is paramount in the history, documented in various epics in different contexts. Kautilya has written an extensive treatise on prostitution in his book *The Arthashastra*. In this book, he has mentioned in details about prevalent vocations practiced by women, including the *Rupjiva* who made her living out of her beauty equivalent with a contemporary prostitute (Jaiswal, 2001). These prostitutes enjoyed state protection and wielded considerable influence in state affairs (Basham, 1959;

Jaiswal, 2001; Verma, 1934). The prostitutes were state patrons and their training and livelihood were borne by the state coffers. These prostitutes were treated akin to entrepreneurs and even paid income tax to the state (Basham, 1959; Jaiswal, 2001). Besides, the sexual disposition, the value of a prostitute was measured in terms of her intelligence and wit, and such prostitutes were held in high regard among the royalty as well as his royal visitors and aristocrats. *Ambrapali*, the hetaera of Vaishali was a renowned courtesan, famous for her beauty as well as wit in the annals of history (Basham, 1959).

In medieval India, among the Mughals the *tawaifs*, a kind of courtesan dancers flourished. The term tawaif is an Arabic word meaning a band of dancing females. In usual parlance, the tawaif meant a courtesan, who excelled in dancing, etiquette, and poetry (Chatterjee, 2008). It flourished as a profession with full royal patronage. In certain Muslim communities, females were trained in dance and music right from the childhood and once they attained maturity they were inducted into tawaifs and performed *mujras* for the affluent clients; these dancing females were called tawaifs (Nautch females). However, this was not limited to dance, rather the peak of pleasure essentially culminated in sexual gratification of the clients. Post independence, with the abolition of the princely states and the zamindari system, the tawaifs lost their royal patronage and clientele and gradually the tawaif system died out. Research suggests that the descendants of these tawaifs undertook to bar dancing in metropolitan cities subsequent to the descent of the royal clientele (Pandey, 2010).

Devadasi, a euphemism for temple prostitution was another socially sanctioned form of prostitution in several parts of the country (Basham, 1959; Jaiswal, 2001; Mohan, 2006). Temple prostitution was more common in the southern states of the country, where its remnants are still prevalent, though in a very modest form (Basham, 1959; Orchard, 2007). Some scholars suggest that the 'dancing girl' belonging to the Harappan civilization was also a representative of a temple prostitute (Basham, 1959). Under the devadasi system, children were dedicated at puberty to the goddess *Yellamma* in her service and henceforth were known as a devadasi, or a servant of God (Verma, 2010). As a concubine of the Gods, they performed various temple duties, including cleaning sacred items, dancing for deities in festivals, and delivering prayers and food to the Gods, all of which were sacred forms of worship (Orchard, 2007). These devadasis were also referred to as *Nityasumangali*, females who were auspicious because of their marriage to an immortal (Pande, 2008). Being the wives of deities, devadasis never attained the

socially and morally stigmatised status of widowhood (Orchard, 2007; Pande, 2008). Orchard (2007) further suggests that although not explicitly engaged in sex work, yet most of the devadasis had one or two patrons during their lifetime. Religious and political developments over several centuries (such as the abolition of the monarchy resulting in a marked decline in the temple patronage by the royals) led to the decline in the situation of devadasis, who unable to sustain themselves turned to prostitution work for livelihood. Most of these devadasis opted for commercial prostitution and lost their religious mystique and sanctity and gradually became a popular outlet for entry into the sex work in some parts of the country (Pande, 2008). Although banned by the law, it is still prevalent in certain forms in Maharashtra, Karnataka, and Andhra Pradesh (Joffres, Mills, Joffres, Khanna, Walia, & Grund, 2008). In Karnataka alone around 1,000-10,000 children from impoverished backgrounds are still initiated into the devadasi system every year in turn to be introduced into prostitution (Orchard, 2007). According to the Mahajan Committee report, 16 percent of females in prostitution were inducted through the customary practices of devadasi (Bhat, 2004).

Prostitution has been also identified as familial occupation among many tribal groups and communities such as the Bedia in north India (Agrawal, 2008; Pandey, 2010; Ray, 2008; Sen & Nair, 2004). The problem of debts of the families probably created situations where the poor succumbed to prostitute their females to escape debt bondage. In fact, in several regions, the practice of prostitution by the ethnic group or communities served as a potent circuit that mitigated the distance between the tribal and the non-tribal rural elites. After the onset of the puberty, the adolescent females were initiated into prostitution through ritual celebrations popularly known as *nathi utarna* (taking off the nose ring) or *sar dhakwana* (covering of the head). The 'nathi utarna' or the 'sar dhakwana' were popular initiation rites symbolising the beginning of womanhood and marked the initiation of females into commercial sex work (Joffres et al., 2008). This practice is still popular amongst the tribes in Andhra Pradesh, Rajasthan, Maharashtra, West Bengal, Chhattisgarh, and Manipur where such tribes abound (ibid). Recently, numerous other tribal groups in Odisha, Bihar, and Uttarakhand have also turned to prostitution to evade poverty and unemployment (Agrawal, 2008; Joffres et al., 2008).

The imperial regime is known for its state-regulated brothels especially in port cities of Bombay and Calcutta, catering to the sexual needs of soldiers, migrant men and sailors (Tambe, 2005). The prostitution was earmarked in specific

regions known as red light areas and was regulated by the state without discrimination. However, a series of developments in the nineteenth century led to a drastic change in the outlook towards the prostitution as a whole in India as well as elsewhere. In the end of the nineteenth century the concept of biological race emerged which brought consciousness regarding inbreeding to conserve racial purity. Although not explicit in the definition, but the British perceived them to be the superior race and hence, the British regime came down heavily on the interracial breeding of the Whites with other racial groups including the Indians, to preserve their racial purity as well as gene mutations arising out of interracial breeding (Tambe, 2005). There was massive uproar among the public too who demanded prohibition on interracial breeding which resulted in the imposition of the Contagious Diseases (CD) Acts of 1864, 1866, and 1869. The Acts allowed for registration, examination and isolation of females who were thought to be working as prostitutes in military stations, garrisons and seaside towns across southern England and Ireland (Cree, 2008). Prostitutes were subjected to invasive health surveillance, quarantine and incarceration to prevent them from transmitting the disease to their clients and to non-prostitute women (to illustrate, wives of the clients). Efforts were made to isolate prostitution in red light zones or to remove state-controlled brothels from normal community life. The red light district is a part of an urban area where there is a concentration of prostitution and sex-oriented businesses such as sex shops, strip clubs, adult theatres, etc. The term originated from the red lights that were used as signs of brothels in Britainⁱⁱ. A brothel is a conspicuous location recognised as a venue for sex work (Sahni & Shankar, 2008).

Interestingly in the end of nineteenth century there was a rising sensitisation towards the new moral code of conduct which upheld that the descent ladies pursued monogamy and refrained from any kind of physical or emotional liaisons outside the nuptial ties, known popularly known as the Victorian morality ideology (Shukla, 2007). These morality doctrines had significant influence on the status of the females which categorised them into two antipodes, good women and bad women. Prostitutes were naturally clubbed as bad women bad for society (Tambe, 2005).

During the nineteenth century, brothels in many parts of the world, including Great Britain, were brought under state surveillance giving rise to a system of controlled prostitution, primarily to prevent diseases and reduce social disorder (Saunders, 2005). India being the imperial colony, the system was naturally

enforced in the country. The British administrators, trying to protect their soldiers from venereal diseases came down heavily upon all Indian courtesans (Chatterjee, 2008). The extant brothels were consolidated in the outskirts away from the public outreach in almost all the cities. The notion of prostitutes being vectors of diseases led to the acute decline in their status. Gradually the prostitutes came to be viewed as ‘disease-ridden, immoral, dirty, vulgar, social trash’ better summed up as a ‘whore stigma’. This ‘whore stigma’ led to the decline of prostitution as a whole and the prostitutes came to be viewed as evil threat to the public health as well as social order (O’Neill, 1996 as cited in Lazaridis, 2001). Prostitutes began to be looked down upon and any association with prostitution yielded in stigmatisation even for the clients. According to Sinha and Dasgupta (2009), ‘By the turn of the twentieth century, prostitutes had all but lost their rights to seek legal recourse and attend public functions. Slowly but surely, they were turned into perverts, sinners, and criminals’ (as cited in Locke, 2010, p. 63). No more socially viable females resorted to prostitution, unless other livelihood options failed.

The sex work dynamics underwent a sea change during the last decade in the country. Earlier sex work business was confined to specially earmarked ‘red light areas’; however, now sex work has flourished under new ventures such as flying prostitution, pornography, and so on. The movement from conventional brothel-based system to non-conventional venues has made it tough to track down the phenomenon, and hence, it has become very tough to estimate the number of individuals involved. Further, changes in outlook towards sex due to the cinema, education, increased mobility, internet, etc., have triggered additional issues, and nowadays, many people are increasingly found to voluntarily turn to prostitution in pursuit of easy money and rising consumerism. Sex work is no more restricted to traditional brothels, and sex work has been found to be camouflaged under different venues such as massage parlours, spas, strip clubs, etc., and provides anonymity to the actors involved, preventing legal retribution. Besides, the volatile mode provides safeguard against stigma attached to the traditional brothel-based prostitution in the country as well as to the individuals selling sex and the clients. Sex tourism, flying sex workers, and pornography are emerging non-brothel based prostitution in the country.

Sex tourism is popular non-brothel based prostitution prevalent across the country. Sex tourism typically involves rich tourists traveling to poorer nations for the pursuit of sexual engagements (Hodge & Lietz, 2007). India is a growing

destination for sex tourists from the United States, and Europe, and other developed countries (Huda, 2006). Travel agencies, tour operators, hotels, and others in the tourism industry are found to be complicit in this (Bhat, 2004; Joffres et al., 2008). Initially, in India, sex tourism was limited to, or first documented in Goa. A large numbers of children both boys as well as girls were being used for dancing in seaside bars and ships. However, with a large influx of tourists, now it is reported in other parts of the country as well (Bhat, 2004). Of late, there has been a rapid upsurge in the specific category of sexual tourists called ‘pedophiles’, local as well as international due to lax legislation and rules (Joffres et al., 2008; Sen & Nair, 2004). ‘Pedophiles’ are a specific category of tourists who preferentially abuse children for sexual gratification (Lau, 2008). Pedophiles are emerging as the dominant ‘clientele’ in sex tourism nowadays (Sen & Nair, 2004). They frequently victimise children of both genders for oral or carnal sex. Goa and Mumbai are popular ‘pedophile paradise’ in the country (Pandey, 2010; Sen & Nair, 2004).

Although not extensively researched, yet with increased internet connectivity throughout the country, exposure to pornography via the internet is not difficult to ascertain. In a recent National Human Rights Commission study, traffickers admitted to using women and children for pornography and emphasised that they preferred children for this purpose. The report further found that trafficking in pornography exists in the states of Kerala, Karnataka, Tamil Nadu, Andhra Pradesh, Maharashtra, and Bihar (Bhat, 2004; Sen & Nair, 2004). Research suggests that the children are also being trafficked to the Gulf States, England, Korea, and the Philippines for pornographic purposes (Sen & Nair, 2004).

Besides, ‘flying sex workers’ who commute from their house to conduct sex work has also emerged as a recurring phenomenon throughout the country, prominently in metropolitan cities like Mumbai, Chennai, Kolkata, Delhi, and other urban areas (Kowligi & Hugar, 2008; Majumdar & Panja; 2008; Sahasrabuddhe & Mehendale, 2008; Sen & Nair, 2004). College girls, housewives, and people looking for extra income constitute the bulk of flying prostitutes dispensing sexual services. To avoid public visibility, they operate mainly through telephone and are hence known as ‘call girls’. A wide range of other actors also are involved in this business; taxi drivers, hotel managers, parlour owners, etc. are a mainstay in this nexus. Instances of prostitution outside red light establishments, especially in rooms, apartments, hotels, dance bars under the guise of call centers, friendship

clubs, and beauty and massage parlours across the nation has proliferated (Joffres et al., 2008; Sen & Nair, 2004).

Trafficking of Children for Sex Work in India

The trafficking of children for sex work has been on rise in the country. The preferential demand for children in trafficking may be attributed to their vulnerable nature, as traffickers find them easy to maneuver (Sen & Nair, 2004). Secondly, being young means they can put in more years of work, generating revenues for a long period (Sen & Nair, 2004). Additionally, children are believed to be free from infections (Deb, Mukherjee, & Mathews, 2011; Joffres et al., 2008) as they are likely to have had fewer sexual exposure (Djuranovic, 2009; Sharma, 2007). The high value attributed to virginity also renders children extremely vulnerable (Karandikar, Gezinski, & Meshelemiah, 2013; Pandey, 2010; Rubenson, Hanh, Höjer, & Johansson, 2005; Tambe, 2008). A further prevalent misconception that virgins have the potential to cure people of epidemic HIV/AIDS has also fuelled the market demand for children (Sen & Nair, 2004). Thus, more and more children are increasingly being victimised into the heinous trade of trafficking throughout the country.

Although overhyped but the statistics suggest that bulk of the children are trafficked within the country (Sen & Nair, 2004). Mostly children from the poorer regions and rural areas are moved to urban city centers and metropolitan cities like Kolkata, Delhi and Mumbai for sex work (Deb et al., 2011; Ray, 2008; Sen & Nair, 2004; Sharma, 2007). Sadly, the illicit nature of trafficking makes it impossible to identify the exact number of children involved (Bhat, 2004). Widely all estimates are mere 'guesstimates' as no database provides information about the methodology employed which renders it difficult to revalidate the statistics. In their cross national study, Sen and Nair (2004) found that around 30 to 90 percent of victims were less than 18 years at the time of their entry into sex work. In another study, it was found that over 60 percent of prostitutes were initiated into prostitution when they were around 12-16 years (Shah, 2006). Although underreported, yet, as per the Ministry of Women and Child Development estimates, out of the three million females in prostitution in the country, an estimated 40 percent are children (Karandikar et al., 2013). And 80 percent of these children are found in five major metropolitan centers viz. Mumbai, Delhi, Kolkata, Chennai and Bangalore (Pandey, 2010; Sahasrabuddhe & Mehendale, 2008). The magnitude of exploited children has increased while the age of these

children has decreased (Bhat, 2004). Instances of trafficking of children as young as 10 years have also been reportedⁱⁱⁱ. The commercial worth of trafficking of children accounts for INR 11,000 crores of the INR 40,000 crores sex work business in India (Sen & Nair, 2004).

Although it is well established that both boys as well as girls are equally susceptible to trafficking but trafficking of boys is not well documented barring certain anecdotal reports. Trafficking is related to general vulnerability and is exacerbated by social exclusion based on gender and discriminatory development processes that marginalise females. In the existing social scenario in India, vulnerability is a product of inequality, low status, and discrimination, as well as the patriarchal and captivating authority, unleashed on children, especially the girl child. Some of the popular elements of vulnerability to trafficking are discussed below.

Research suggests that poverty is the primary component of vulnerability to trafficking of children (Chakraborty, 2006; Djuranovic, 2009; Huda, 2006; Karandikar et al., 2013; Ray, 2008; Sen & Nair, 2004; Sharma, 2007; Verma, 2010). The global economic integration of developed and developing economies initiated in the nineties was more favourable to the developed world rather than the developing countries like India for their unequal technological development. The accompanying commercialisation of agriculture and macroeconomic changes (implicitly inherent in the process) led to the loss of traditional rural employment, weakened the sustainability of the rural income, increased mobility of labour for greener pastures, burgeoning gap between the rich and poor which ultimately resulted in social instability (Djuranovic, 2009; Hameeda, Hlatshwayo, Tanner, Turker, & Yang, 2010). Diminishing economic sustainability of the poor communities living in rural areas induced movement to urban centers for livelihood thereby making women and children vulnerable, who have been largely kept outside the sphere of economic self-determination (Shah, 2006; Sharma, 2007).

Gender discrimination is another prominent determinant of susceptibility to trafficking. In India, socio-cultural set up is highly skewed in favour of males. There exists a systematic gender and social discrimination towards the fairer sex. In the families, girls face discrimination in accessibility to the family resources including food, education, and so on. In several communities, girl children are unwanted and considered to be liability on their families. Parents are found to

invest preferentially in boys compared to girls for two reasons. Firstly, they consider the return on boys' education more than that on girls, as men's wages in the labor market is higher than that of women. Secondly, parents visualise more direct benefits from investing on males because they may take care of and provide comfort to their parent's in their old age, as daughters leave after marriage to join their in-law's families. Hence, investments on their daughters may not directly accrue to them (Chakraborty, 2006; Ray, 2008). Gender discrimination and inequality are further structured and strengthened by denial of inheritance rights to females including land, credit, or other family assets.

Illiteracy is also found to facilitate trafficking. About one-third of the Indian adult population and half of the female population are illiterate (Sen & Nair, 2004). Illiterate girls fail to understand the real motive of traffickers pretending to be kind, generous and caring, and hence, become easy prey to their camouflaged soft appearance. *Sarba Siksha Karyakram*, a Government of India's flagship programme for achievement of Universalisation of Elementary Education (UEE), as mandated by 86th Amendment to the Constitution of India, makes free and compulsory education to the children of 6-14 years age group, a fundamental right (Sarba Shiksha Abhiyan, 2011). However, the status of girls' enrollment in school and the ratio of their drop-out in comparison to male children continue to be pathetic. Poverty, gender discrimination, distance from school, engagement of girls in domestic works, active part in sibling care, lack of toilet facilities in school, and adverse students-teacher ratio are some of the stumbling blocks for girls in accessing education (Chakraborty, 2006). A study by the National Human Rights Commission reported that 70.7 percent of victims of trafficking were either illiterate or barely literate. Only 13.6 percent of the victims had received primary education, 15.0 percent received education beyond the primary stage, and only 0.4 percent was school graduates (Sen & Nair, 2004). Similarly, Deb et al. (2011) in their study of trafficked victims found that a large number of victims were illiterate. Only 29.2 and 26.6 percent of the victims had attended primary and secondary school respectively.

Ethnic minorities and disadvantaged groups being at the receiving end of the society are also vulnerable to trafficking. Pande (2008) contends that most of the girls and women in India's urban brothels come from ethnic, tribal, lower-caste, and other minority communities. The lower castes are particularly prone to exploitation in economic as well as socio-political spheres including a predisposition to sexual exploitation owing to the traditional caste division. This

conventional discriminatory system has perpetuated an environment conducive to exploitation and discrimination engulfing even the children in its purview, resulting in the frequent maltreatment of children from lower castes (Deb et al., 2011; Djuranovic, 2009), who become quite susceptible to trafficking (Ray, 2008). Hameeda et al. (2010) reported that 62.0 percent of trafficked victims belonged to the scheduled castes while 30.0 percent were from the scheduled tribes.

Certain individual and familial factors also aggravate susceptibility to trafficking. The dysfunctional family has been identified as a potential risk factor for trafficking. Further, abandoned or orphans without caregivers are also quite vulnerable^{iv}. Similarly, vulnerability caused by broken marriage, divorce and domestic violence increase the risk of children being trafficked (Sen & Nair, 2004). Similarly, those suffering from physical or mental disabilities are also vulnerable (Djuranovic, 2009; Sen & Nair, 2004).

Another common theme identified among trafficked victims is a history of violence, such as domestic violence and child sexual abuse, and institutional violence such as in orphanages (Chakraborty, 2006). Child sexual abuse may bring about the formation of a negative self-schema, problematic interpersonal relationship patterns due to feelings of betrayal and powerlessness, and maladaptive sexual reactivity (i.e. traumatic sexualisation). This negative self-schema, characterised by feelings of disparagement toward sexual self and others, result in heightened vulnerability to exploitation and sexual revictimisation (Djuranovic, 2009). These impacts have been found to additionally result in substance abuse, risky sexual behavior and repeat victimisation. Child sexual abuse and runaway behavior have demonstrated the strongest linkages with later sex work involvement (Deb et al., 2011; Karandikar et al., 2013). Runaway children lacking legitimate employment opportunities or money to meet their basic needs are also vulnerable. These runaway children are easily seduced by fraudulent promises of love, safety, and affection thereby becoming unwitting prey to sex traffickers. Many of the runaway children are found to engage in sexual tourism in popular tourist destinations.

The existence of adult prostitution market has also been found to perpetuate the trafficking of children in other contexts (Reid, 2011; Tydlum et al., 2005). It is found that the presence of a thriving adult sex industry in the community had the effect of increasing child prostitution. Trafficking for sex work is an outcome of

economic, political, and cultural vulnerability in India. Red-light districts are found in almost all cities of India, both in sprawling metropolis and smaller urban areas (Pandey et al., 2015). The very existence of red light areas in our towns and cities suggests that a society has tacitly accepted and has even set a seal of approval on the system of the sex work (Pandey, 2010). This social toleration towards prostitution has further perpetuated the exploitation of women and children in the sex work despite its illegality.

The growth of the capitalist economy has further stimulated commoditisation of individuals which is also a potential risk factor to trafficking. Instances of children being sold under economic impoverishment by their parents or other close persons within the community into prostitution are not uncommon (Sen & Nair, 2004). Instances of girls being sold into prostitution to finance the medical treatment of a family member have also been reported (Shelley, 2010). Many families repeat the pattern with more than one child (Roby, 2005; Sen & Nair, 2004). There is a greater risk of sale of children into prostitution when another member of the family or friends is or has been involved. The children of women in the sex work are also vulnerable because of being exposed to continued prostitution, violence and abuse on a regular basis in brothels (Djuranovic, 2009; Judicial Handbook on Combating Trafficking on Women and Children for Commercial Sexual Exploitation, 2006; Pandey, 2010; Shelley, 2010). Instances of females already engaged in flesh trade engaging others into prostitution are also quite familiar (Chakraborty, 2006; Djuranovic, 2009). Recently, it has been reported that the promise of earning quick and easy money has also emerged as a potential lure for many females who deliberately opt to pursue sex work (Sahasrabuddhe & Mehendale, 2008).

Though prohibited by law, child marriage is also a popular ruse for prostitution of children (Bhat, 2004; Djuranovic, 2009; Hameeda et al., 2010; Sen & Nair, 2004). Research shows that in India, 60 percent of victims were married as a child (Djuranovic, 2009). The Child Marriage Restraint Act, 1929 prohibits the marriage of a female child less than 18 years of age. Nonetheless, even almost six decades after independence, nearly half of all females in India are married before they reach the age of 18 (Chakraborty, 2006; Deb et al., 2011). Over 25 million girls and 10 million boys between the ages of 10-14 are married in the country (Locke, 2010). Child marriages aggravate their vulnerability by depriving children of opportunities for further education, and ultimately limiting the scope for their growth and employment. As a result, these children become vulnerable to

prostitution as a means of survival in case of dissolution of marriage (Pandey, 2015).

Disasters are also found to expose women and children to trafficking for sex work (Huda, 2006; Sen & Nair, 2004; Vindhya & Dev, 2011). Natural disasters such as flood, drought, etc., displace a large number of people leading to the loss of their conventional livelihood every year. Females and children are the worst sufferers in such situation as their marginalisation is further aggravated due to disasters. The loss of livelihood options compels people to resort to alternative sources such as engaging their children into sex work and begging, etc. Incidents of sale and purchase of children in the disaster-affected areas, where people sell their children in exchange for cash and kind, are familiar (Hameeda et al., 2010; Huda, 2006). A third of children in the sex work have been found to be from the drought-prone areas (Hameeda et al., 2010; Vindhya & Dev, 2011).

The vast majority of trafficking in India occurs across state lines, making the crime inherently difficult for the state agencies to investigate and prosecute without central coordination (Shah, 2006). Insufficient information, inadequate laws, poor enforcement, ineffective penalties, minimal chances of prosecution, relatively low risks involved, corruption and complacency, the invisibility of the issue, the failure of governments to implement policies and provide adequate services to victims, all play a role in perpetuating trafficking (Sen & Nair, 2004). Further, lack of effective population registration system also facilitates trafficking. A large number of children remain unregistered in India, who become equally vulnerable as it becomes difficult to track their whereabouts even when they go missing^v. Most of such missing children are found to be engaged into sex work in brothels or non-brothel based sex tourism.

Trafficking of Children for Sex Work and the Laws and Legislations

Trafficking of human beings is explicitly prohibited by the Constitution of India and is considered a serious offense. There is explicit provision for punishment of the perpetrator through a wide range of laws, specific anti-trafficking acts, and the Indian Penal Code (IPC) (Deb et al., 2011; Sen & Nair, 2004). To illustrate, buying and selling or importation of minor girls for prostitution is explicitly prohibited. Section 366 A relates to procuring of a girl child for sexual exploitation while Section 366 B penalises importation of girls from a foreign country for sexual exploitation. Kidnapping or maiming of a child for begging is

criminalised under Section 363 A. Other similar forms of forced labor are further proscribed and any contravention of this provision is an offense punishable in accordance with law. The right to be free from exploitation is also guaranteed to any person living by the Constitution of India. India was one of the earliest parties to the Convention for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others (1949), and claims to have implemented this treaty within its domestic legal system through the Suppression of Immoral Traffic in Women and Girls Act of 1956, subsequently amended and renamed the Immoral Traffic in Persons Prevention Act of 1986 (Mohan, 2006; Regmi, 2006; Wad & Jadhav, 2008).

The principal law that addresses trafficking and prostitution in the country is the Suppression of Immoral Traffic Act (SITA) of 1956 that was later amended to as the Immoral Traffic in Persons Prevention Act (ITPPA) in the year 1986. ITPPA is the main legislative tool to prevent and combat trafficking for the sex trade in India. Its prime objective is to inhibit/abolish commercialised vice i.e. traffic in women and girls for the purpose of prostitution as an organised means of living. The Act defines the terms ‘brothel’, ‘child’, ‘corrective institution’, ‘prostitution’, ‘protective home’, ‘public place’, ‘special police officer’, and ‘trafficking officer’.

The biggest drawback of ITPPA is that it addresses only street prostitution but prostitution behind closed doors was left alone (Regmi, 2006; Sarode, 2008). Though the Act does not explicitly prohibit prostitution, but soliciting clients for sex has been criminalised through anti-nuisance and anti-solicitation laws that target street-based solicitation of sexual services in any public place or within the sight of a public place or in such a manner as to be seen or heard from any public place (Bhat, 2004; Ghosh, 2009; Judicial Handbook on Combating Trafficking on Women and Children for Commercial Sexual Exploitation, 2006; Mohan, 2006; Regmi, 2006; Shah, 2006). Such an omission had the effect of promoting the establishment of thousands of exploitative brothels in India and as such has been used against the victims instead of the perpetrators. This discriminatory provision has proved to be detrimental to the sex workers who often face penal prosecution for solicitation while the brothel owners or pimps go on scot free with minimum punishment. In addition to criminalising solicitation, surviving off of the earnings of prostitution was penalised so that a minor could not be retained in a brothel (Shah, 2006).

The ITPPA has been often incomplete in several regards and does not offer adequate security and protection to the victims of trafficking. Additionally, ITPPA did not have adequate provisions for the protection of the children. Minimal punishments were prescribed for the pimps, traffickers and brothel owners. Moreover, ITPPA has no explicit provision for confiscation of assets amassed by the traffickers. Later, through an amendment in the year 2006, the Juvenile Justice (JJ) Act was introduced to protect the children. The JJ Act established extensive provisions for protection of children from trafficking and laid elaborate guidelines for their rescue and rehabilitation even after being trafficked into the brothels. According to the JJ Act clearly all children trafficked into sex work would be treated as a victim in need of care and protection and to be sent to a protective home. The JJ Act stipulates provisions for rescue of children by force from the brothels with provisions for their mandatory rehabilitation, care and protection.

The other relevant acts which address the issue of child trafficking in India are the Karnataka Devadasi (Prohibition of Dedication) Act (1982), Child Labor (Prohibition and Regulation) Act (1986), Andhra Pradesh Devadasi (Prohibiting Dedication) Act (1989), Information Technology Act (2000), the Goa Children's Act (2003), the Juvenile Justice (Care and Protection of Children) Amendment Act (2006), and so on. Besides, there are also certain other collateral laws having relevance to trafficking such as the Indian Evidence Act (1872), Child Marriage Restraint Act (1929), Young Persons (Harmful Publications) Act (1956), Probation of Offenders Act (1958), Criminal Procedure Code (1973), Bonded Labor System (Abolition) Act (1976), Indecent Representation of Women (Prohibition) Act (1986), the Transplantation of Human Organs Act (1994), etc.

However, the prevalent corruption within the government has proved to be detrimental in checking the trafficking of children (Pandey, 2015). It is found that the entire venture runs under administrative and political patronage and, thus, it is difficult to strike upon this illicit business by the anti-trafficking activists. Hence, the sex industry continues to thrive unabated destroying the lives of thousands of children every year. It is further found that the brothel owners frequently pay a kind of extortion money to police to provide advance notice of raids so that underage and trafficked children can be moved to another location or hidden in attics, boxes or cellars. Alternatively, police is bribed during the raids to ignore the presence of children or report wrong statistics (Pandey, 2015).

Conclusion

The menace of child trafficking is not new or unique to India; the roots of trafficking are deeply embedded in our age-old traditional prostitution. Trafficking is related to general vulnerability, and in the existing social scenario in India, vulnerability is a product of inequality, low status, and discrimination, as well as the patriarchal set-up where parents have supreme authority over their wards especially the girl child. Diminishing economic sustainability of the poor communities has further increased the disposition of children to trafficking who have been largely kept outside the sphere of economic self-determination.

The current flawed legal jurisprudence is more disruptive rather than strengthening anti-trafficking efforts. The government's apathy towards the sex work has adversely affected the victims. It is found that curbing prostitution is a low priority agenda for the government as well as the law enforcement. Since closed-door prostitution was allowed without prescribing legal safeguards or imposing responsibility for the protection of the children, thousands of women and children continue to be tricked into sex work. Similarly though the law stipulates strict punishment for procuring child for prostitution yet there are few prosecutions on ground. Prevalent corruption in the law enforcement has further been found to be favourable to the perpetrators who are able to evade laws, or even if acquitted, get away with meager punishments. There is ample evidence that a large number of children continue to be trapped in these brothels. However, during raids only handful of them are rescued and sent to a shelter home, while others are excluded and continue to suffer. The protective homes for such cohorts are also poorly funded and do not have adequate provisions for the rehabilitation and reintegration of the victims. Besides, all anti-trafficking activism has been directed towards the brothel-based prostitution leaving the non-brothel system unbridled.

Thus to conclude, trafficking of children for sex work is a manifestation of deeper socioeconomic problems, and hence, all interventions must address the socio-cultural dynamics perpetuating trafficking. The anti-trafficking interventions must target the vulnerable elements which create the ground for victimisation in the first place. In addition to stand-alone strategies that target trafficking, there is a need to integrate these issues into mainstream national development planning and national poverty reduction agendas. For example, through the Right to Education (RTE) Act government has tried to curb drop-outs, but in vain. It is widely known

that these dropouts are quite vulnerable and hence the first preventive step should be on retaining more and more children in schools. Further, the prevention efforts must focus on increased education and training in order to facilitate greater awareness and understanding of the problem and to help with victim identification in the villages and communities. Awareness programs that educate communities about trafficking can further help mobilise communities to stop and arrest trafficking.

Notes:

ⁱ According to the United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women, and Children, 2000, trafficking is 'the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs'.

ⁱⁱ See Compact Oxford Reference Dictionary, 2001.

ⁱⁱⁱ See Judicial Handbook on Combating Trafficking on Women and Children for Commercial Sexual Exploitation, 2006.

^{iv} See Judicial Handbook on Combating Trafficking on Women and Children for Commercial Sexual Exploitation, 2006.

^v See Judicial Handbook on Combating Trafficking on Women and Children for Commercial Sexual Exploitation, 2006.

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Introduction to the Special Theme: Erotic Marginality and Erotic Justice

--- Pushpesh Kumar

Sociology and Erotic Subjectivities

Sociology as a discipline engages with inequalities, power, hierarchies and oppressions through philosophical framework(s) and historical approaches. It examines different axes of power and inequalities to understand how they are sustained and regulated while also being resisted, altered and changed. Peter L. Berger (1963), the American sociologist, in his fabulous exposition 'Invitation to Sociology' hints at the distinct values and commitments Sociology as a discipline cherishes. He (ibid, p. 7) writes, 'The scientific procedure used by sociologists imply some specific values that are peculiar to this discipline. One such value is careful attention to matters that other scholars might consider *pedestrian and unworthy of dignity...*'ⁱ (emphasis added). The laundry list of sufferings and inequalities handled by sociologists includes caste, class, race, gender, ethnicity, minorities, age, disability and sexuality. In the context of South Asia, however, inequalities on account of sexuality and erotic preferences are yet to enter the list of sociological inquiry and concernsⁱⁱ. In the western Sociology too, sexuality as a component of social stratification entered much later as compared to the other bases of power and inequality (Valocchi, 2005) as sociologists for a long time viewed sexuality as part of natureⁱⁱⁱ. Steven Seidman (2003, p. 2) one of the eminent sociologists of sexuality in America writes:

Until recently, sociologists have viewed sexuality as part of nature. They have shared with popular opinion the view that sexuality is biologically structured into human species and obeys natural laws. Moreover, where sexuality was not defined as natural, it was approached as strictly a matter of individual feelings and behavior. To the extent that sexuality was framed as sphere of nature or merely individual matter, there could be no Sociology of sexuality.

Sociology is a generalising discipline that concerns itself above all with modernity – with the character and dynamics of modern industrial societies (Giddens, 1996, p. 3). The discipline is described as born out of the great transformations from a traditional, agrarian, corporatist hierarchical order to

modern, industrial, class-based, but formally democratic system (Seidman 2003, p. 2). The principal component of the great transformation comprised of efforts to organise bodies, pleasures and desires as they relate to personal and public life, and that this entailed constructing sexual (and gender) identities (ibid). Foucault (1976), for example, mentions how at the end of the eighteenth century, sexuality in Western Europe escaped ecclesiastical institutions and enters pedagogy, medicine, psychology, economics, demography and become a subject of statist concern. He delineates the radical shift in meanings around sodomy in the beginning of the nineteenth century which in turn altered the way (homo)sexuality was perceived. Sodomy which was considered a temporary aberration till the eighteenth century becomes a pathology, leading to the categorisation of homoerotically inclined persons as a different species altogether with sexuality beginning to be considered to hold the ‘secrets’ of human personality. This ideology became so overpowering in America during the 1950s and the 1960s that it resulted in mass firing of people from federal jobs once they were suspected as homosexuals (Johnson 2004). Gays and lesbians were constructed as ‘security risks’ and ‘communist sympathisers’ during the Cold War era and subjected to witch hunts and mass persecutions. It is pertinent to quote Seidman (2003) here who points out that the social meanings around sexuality can either emancipate or subjugate and oppress people who are on the margins of erotic stratification^{iv}. In his opinion, when understood as a form of deviance, the experience of homosexuality will be very different than if it is only understood as *just another variant* of desire and/or behavior (emphasis added).

Seidman (2003, p. 3) outlines the silence of western Sociology towards sexuality; amidst the promises to sketch a social history of the contours of modernity, classical sociologists offered no accounts of the social making of modern bodies and sexualities. Delineating the emerging sexual conflict and scientific interests in sexuality in the later part of nineteenth century in the west with the simultaneous growth of Sociology as a discipline in this period, Seidman points to the indifference of Sociology towards sexuality as he (ibid, p. 3) writes:

Sexual conflict escalated in intensity and gained public attention between the 1880 and the World War I – the breakthrough period of classical Sociology. In Europe and United States, the body and sexuality were sites of moral and political struggle through such issues as divorce, free love, abortion, masturbation, homosexuality, prostitution, obscenity, and sex education. This period experienced

the rise of sexology, psychoanalysis and psychiatry... Magnus Hirshfeld created Scientific Humanitarian Committee and Institute for Sex research in Germany... Karl Heinrich Ulrichs published twelve volumes on homosexuality between 1864 and 1879... over 1,000 publications on homosexuality appeared in Europe between 1898 and 1908... What is striking is the silence in classical sociological texts regarding these sexual conflict and knowledge.

It was only during the 1970s in the US that sociologists, prompted by the burgeoning movements around non-conforming sexualities, began to respond to issues of sexual conflict and sexual cultures. The development of a Queer Sociology^v, away from poststructuralist ‘textual idealism’ which tends to abstract discourses from institutional contexts (Epstein, 2003, p. 157), only begins to emerge in the 1990s where queer theory is pushed more into sociological direction dealing with the materiality of sex, gender and sexuality and the role of institutional powers in the construction of (marginal) sexual identities and sexual privileges in time and spaces (Valocchi, 2005). Indian Sociology, however, is yet to respond to the queer movement that began over two decades ago as well as to the intensification of transgender mobilisation since 2014 following the NALSA verdict of the Supreme Court of India. The first paper in this volume ‘Queering Indian Sociology’ highlights this indifference of Indian Sociology and its sub-field of ‘social movement’ to engage with the issues of erotically marginalised communities and their mobilisation against sexual injustice.

Indian Modernity, Heterosexualisation and Suppression of ‘Erotic Subjects’

Sexuality is not eternal, unchanging and ahistorical (Rubin, 1975; Halperin, 1989). There have been attempts to map sexual histories in the west (Foucault, 1976) which *inter alia* denaturalises heterosexuality (Katz, 2007). Historiographical traditions in India, however, have remained indifferent to sexual and erotic lives despite the richness of literary sources (Orsini, 2007) revealing multiple ways in which erotic lives, gender and sexual practices were shaped. Indrani Chatterjee (1999) has demonstrated from pre-colonial Nizamat polity of Bengal how gender ambiguity was a political attribute; many ‘eunuchs’ were the paid and privileged employees of the polity and held important strategic official position within the Nizamat. Ruth Vanita and Saleem Kidwai (2008) trace the history of ideas in Indian written traditions about love between women and love between men who are not biologically related and tried to see how these forms of love were

represented and expressed in the writings of ‘ancient’ and ‘medieval’ India. They also demonstrate how the colonial modernity implants a shame culture by legally instituting and privileging heterosexuality as norm while denaturalising homoerotic desires and practices (ibid). Vanita (ibid) lists certain patterns and tropes that emerge in ancient Indian writings as sites for representation of same sex attachment. Some of these tropes include: friendship as life defining often expressed in a same sex celibate community; sex change and cross-dressing; resistance to marriage; miraculous birth of a child to two parents of the same sex.

In the initial chapters on ancient India, Vanita offers numerous examples of gender fluidities and homoerotic practices some of which were also part of the royal court. In the *Rajatarangini* chronicles of the king of Kashmir, for example, the licentious king Kshemagupta is described as addicted to anal as well as vaginal sex, has male favourites whom he caresses in public, and fills his court with ‘harlots, knaves, imbeciles and corruptors of boys’ (ibid, p. 32). In the *Shilappadikaram*, a king called Nurruvar Kannar whose kingdom is in Gangetic Plain sends as a tribute to Chera king Shenguttuvan a large number of gifts including animals, jugglers, musicians, dancing girls and ‘one thousand brilliantly dressed *kanjuka*, boy prostitutes with long carefully burnished hairs’ (ibid, p. 32). *Kamasutra* of Vatsyayana, a compendium on sexual practices discussed by Vanita in this book iterates the existence of anal sex, oral sex and same sex practices between men and between women. Vatsyayana is non-judgmental about these different sexual practices prevailing across regions in the subcontinent during ancient times (ibid).

The legend of Ayyappa’s birth from Shiva and Vishnu (two male deities) in *Bhagavata Purana* and the description in *Padma Purana* of a series of male sages reborn as cowherd women, with the idea of women’s form as the highest human form attainable because it makes possible union with the divine (ibid, p. 105), are some of the instances of sex/gender fluidity contained in these Hindu texts. The story of Aravan in the Tamil myth of *Mahabharata* is another example of gender sex/gender fluidity. Aravan was the son of Arjun whose sacrifice becomes inevitable to Pandavas’ success in the battle. Before his death Aravan wishes to marry. Since no woman would wish to marry a man who would die the next day, Krishna takes the form of a beautiful woman, Mohini and marries him (Merchant, 2016, p. 168). Aravan’s head remained conscious even after his body was mutilated. He witnessed the entire battle of Pandavas and Kauravas and saw his widow Mohini mourning his death (ibid). The transfeminine community of Tamil

Nadu derives strength from this myth and a yearly celebration where the transwomen marry themselves to Aravan and mourn as widows the next day by breaking their bangles and donning widows' robe attract a large number of hijras to the village of Koovagam (Pande, 2004).

Saleem Kidwai (2008) reports a huge body of literature on same sex love from the late medieval period. Homoerotically inclined men were quite visible in Muslim medieval histories and were generally described without pejorative comments (ibid). A few instances from Kidwai's description of medieval period reflect the co-existence of gender fluidity in the polity and culture of the time, for instance, the incorporation of eunuchs as guardians of harems and their appointment to high offices as paid employees (Chatterjee, 1999) as well as the primarily homoerotic content of the Urdu love poetry, *ghazals*. Some of the Urdu poets were unequivocal about their preference for men and in this genre of love poetry a *shahid* (beloved) was invariably a man (Kidwai, 2008, p. 134). Indrani Chatterjee's research on the Nizamat polity of Murshidabad highlights the importance of androgyny and (gender) ambivalence as political attributes by making eunuchs powerful agents in enforcing the particular will of Nazim. The divinisation of the ruler and the ritualisation of the court could only be mediated by those who were neither god nor human, neither fully male, nor female, neither adult nor child (ibid). Chatterjee also mentions many eunuchs holding high offices such as *Darogha Mashalkhana*, *Darogha Mir Shikran* and *Darogha Nawarrak* (boats). However, the East India Company's interference in the Nizamat polity along with the former's patriarchal attitude translated into marginalisation of harems and isolation of eunuchs from the polity.

Sanjay Srivastava (2007, p. 3) whose sociological research reflects upon Indian modernity and emergent sexual cultures in India reiterates that there can be no 'abstract' and 'universal' category of 'the erotic' or 'the sexual' which are static and applicable to all societies. Srivastava posits colonial 'reform' as a crucial factor in remapping the contours of sexual culture in India. The colonised were imagined as people having 'loose sexual mores' needing reformist interventions (ibid). A rationale for social reform was also accepted by the indigenous intelligentsia who held moral degeneration as one of the reasons for colonial subjugations. To Srivastava (ibid), the writings of eugenicists and sexologists in early twentieth century India sought to promote 'scientific sexuality' among natives. The sexual reforms were imagined through 'family planning' and 'eugenics' during early twentieth century. Srivastava delineates the sexual

nationalism of A.R. Pillay, the advocate of family planning and sex hygiene. Against the understanding of social reform as necessarily conservative, Srivastava demonstrates how Pillay, despite emphasising family as the fulcrum upon which social happiness depended, argued against the naturalisation of family in existing form and highlighted the regulatory and moral authority of masculine power within the domestic sphere. Similarly, Narayan Sitaram Phadke's eugenics utopia finding expressions in Health Surveys and Family Planning Research in postcolonial India aimed at a 'eugenically fit race', also suggesting lower and upper caste union of 'fit bodies' along with the love marriages. Additionally, there was a class angle to 'family planning' imagination as birth control was directed towards poor and 'uneducated' Indians while the 'educated' middle classes constituted the savants of sexual knowledge and pleasure. Similarly, eugenics was problematic not only for its expectations of a 'eugenic obligation' but also for its justification with reference to the ancient Hindu and Aryan tradition.

Apart from these limitations, Srivastava reiterates that social reform which considered sexual reform as crucial was, in turn, anchored within a heteronormative framework. He (ibid) further attempts to understand heterosexualisation of Indian modernity through engaging with Lata Mangeshkar's voice in post-colonial India. The concern with a purified national culture in post-independence India synchronised with the model of a 'pure' and controlled Hindu womanhood. Srivastava finds resonances between cinematic maneuvers and the broader off screen processes in creating the image of an ideal, domestic and authentically Indian femininity. Lata's specific tonality which Srivastava calls 'adolescent girl's falsetto' stood in contrast to the disreputableness of unambiguous femininity of *kotha* (brothel) style singing discerned in, for example, Samshad Begum's voice. The adolescent girl's falsetto conjured up the image of a woman who is 'pure', 'innocent' and represents the controlled sexuality of a domestic (Hindu) woman which is modern and authentically Indian. Srivastava (ibid, p. 93) mentions that under Vallabhbhai Patel's reign as Minister for Information and Broadcasting (1946), one of the efforts towards producing a purified culture was manifested in the prohibition of singers and musicians from courtesan culture – anyone whose public life was a 'scandal'. Charu Gupta (2001) also demonstrates how the discursive management of female bodies was essential to the project of a civilised new nation.

Vanita and Kidwai (2008) offer some crucial insights into the heterosexualisation of Indian colonial modernity with its continuing legacies in post-independent

India. The two significant developments during the latter half of the nineteenth century which re-mapped the 'sexual culture' and also contributed to the emerging middle class morality in India were – homophobia and silencing of voices of erotic intimacy between women expressed through Rekhti poetry in Awadh. Both the colonial legal measures and indigenous reformist agenda executed the erasure of homoerotic sensibilities of the pre-colonial past. Vanita and Kidwai (ibid, p. 208) cite Veena Oldenberg who has examined the close emotional relationship between courtesans who referred to themselves as *chapatbaz* (given to sex between women) and also analysed their repertoire of satirical songs mocking marriage and heterosexual relations. Rekhti poetry represents women clearly stating that they prefer women to men when they have access to both (ibid, p. 219). Vanita and Kidwai write that Rekhti may have been labeled obscene partly because it emerged in Awadh which was the last kingdom to be annexed by the East India Company. For same sex love, the end was signaled by the 1861 law (Section 377 of the IPC) which reduces such sexual encounters (between men) as 'carnal intercourse against the order of nature'. Its continuing legacy in contemporary India has allowed the police to harass and blackmail men in parks and public places.

According to Vanita and Kidwai (2008), the new homophobia was also internalised by modern educated Indians. Among the Hindu reformists, the Madhavacharya, in his fifty-page introduction to *Kamasutra*, privileges and legitimises conjugal love over all other erotic expressions and practices; and, the purification and heterosexualisation of the ghazals by Muslim reformers like Altaf Hussain Hali provides inkling into the erasure of homoeroticism from communitarian imaginations. This community reformism combined with the elements of Victorianism of the colonial masters planted a 'shame culture' about bodies, sexualities and erotic practices which did not align with monogamous conjugality and heterosexual marriage. A controlled and idealised female figure was the key to the Indian elite's quest for cultural equivalence with Europe (Chandra, 2012). The well known queer legal activist and a prolific writer on queer issues, Arvind Narrain (2004, p. 18) submits that anti-sodomy legislations throughout the Third World were born in colonial times.

Erotic Justice

Erotic inequalities emanate from privileging of monogamous heterosexuality as the dominant form which naturalises itself by deauthenticating other expressions

of ‘consenting’ erotic intimacies. Such inequalities translate into indignities, social disadvantages, stigma, discrimination and violence based on sexual conduct, sexual identity, or perceived sexual orientation or membership in a sexual category and sexual culture (Teunis & Herdt, 2006). In case of transgender persons and communities, discriminations and violence occur as their very existence questions the gender binary through their sartorial ways (cross-dressing) and/or through transitioning into the gender of their choice. The hypervisibility of transgender bodies subject them to public gaze, surveillance and subsequent violence. The most usual example of structural violence could be the denial of access to public toilets and washrooms to trans-persons as these amenities are always imagined in terms of the binary of male and female, in turn symbolically reinforcing heterosexist binaries. Teunis and Herdt (2006) locate sexual inequality in myriad contexts which would require an understanding of its relationship to other forms of structural violence. Paul Farmer (as cited in Teunis & Herdt, 2006, p. 3) mentions structural poverty, racism and inadequate health care as among ‘the host of offences against human dignity’ to which Teunis and Herdt add sexism, heterosexism and homophobia, social class bias, ableism and xenophobia.

Another important dimension is HIV/AIDS, the disease surrounded by moral meanings and metaphors; AIDS as a moral metaphor runs faster than the virus itself that bears serious implications for the persons afflicted with the disease. The structural violence in this context surfaces through the very understanding and reduction of HIV/AIDS to personal and behavioural domains while ignoring the systemic and structural factors such as racial and class inequalities, lack of access to knowledge about body and sexuality and ‘unwanted’ sexual abuses. Highlighting the exclusions built into the individualisation of HIV/AIDS, Amartya Sen (2007, pp. 11-14) writes:

The idea that somehow the afflicted persons bears the responsibility for his or her own unfortunate condition...is indeed quite prevalent...There is certainly an element of narrow plausibility in this general outlook...to see this as an ‘open and shut’ case of personal responsibility also misses nine tenth of the iceberg that lies below the water, hidden from the view...it would be rather simple-minded to see...personal decision making, divorced from the way society influences the choices and action of individuals...living a life does not consist only of invariably choosing the safest course of action...the criminalization of some

types of human relations can contribute to driving them underground, which makes it very difficult to bring them under standard public discussion...

Now, the pertinent question is to imagine the 'subjects' which together constitute the erotically marginalised and to work out ways in which they can be brought within the ambit of 'erotic justice'. Here I wish to draw upon both Eve Kosofsky Sedgwick (2008) and Narrain & Bhan (2005) in imagining the subjects of 'erotic marginality'. My choice of the two sets of thinkers and queer scholars from the west and the Indian context is propelled by the fact that emerging sexual cultures in the contemporary Third World have definite global linkages (Altman, 2004) which is visible in the appropriation of western sexual identities – LGBTQ – amidst the assertion of indigenous sexual identities. There are overlaps and distinctiveness, and openness and fluidity in understanding sexual and gender identities while historically constituted communities of the sexually marginalised simultaneously assert for inclusion. Both Sedgwick and Narrain & Bhan propagate the term 'queer' to describe marginal 'erotic subjects' who deserve attention, visibility and justice like any other marginal group and subjectivity.

According to Sedgwick, 'queer' can refer to the open mesh of possibilities when the constituent elements of any one's gender, of anyone's sexuality are not made monolithically. Among this mesh of possible subjectivities Sedgwick mentions pushy femmes, radical faeries, fantasists, drags, clones, leather folk, ladies in tuxedos, feminist women, feminist men, masturbators, bull daggers, divas, snap queens, butch, bottoms, storytellers, transsexuals, wannabes, lesbian identified men, lesbians who sleep with men or people able to relish, learn from or identify with such. Narrain & Bhan list out those who openly wear sexual identities like lesbian, gay, bisexual and transgender (LGBT) and those who use indigenous terms like *hijra*, *kothi*, *panthi* to describe themselves. In addition to this, there are regional identities of sexual non-conformity, such as *jogappa* and *jogtas* in northern Karnataka and Maharashtra or the *shivshaktis* and *ganacharis* in parts of south India who are real and potential participants in 'queer liberation'.

While the mesh of possible subjectivities hints at the indeterminacies of queer identity, there is a danger in isolating these identities from material conditions of life. Jin Haritaworn (2015), for example, posits the precarity of transgender lives in an environment marked by gentrification, economic restructuring and racism. In the context of the US, he mentions that the 'innocent and respectable' queer

subject who is worthy of intimacy, protection and safe space is born in ‘topographies of cruelty’ and against the backdrop of war, violent borders, criminalisation, aid tying and other death worlds. The sociological engagements with erotic justice therefore need to problematise the issue in totality of global and local inequalities rather than reifying justice from the structures of inequality such as class, caste, race and political economy. The emerging transgender assertions in contemporary India raises fundamental questions of employment, livelihood, health, education, safety, homelessness and shelter as majority of them belong to lower socio-economic backgrounds. A story in the Hindustan Times, Delhi by Prawesh Lama & Ananya Bhardwaj (2016) depicts the vulnerabilities of homeless transwomen in Delhi who are forced to sleep under the tree; the sub-title of the article sums up the daily ordeals and sufferings of homeless transwomen as it reads ‘Delhi has shelter homes for men, women, children, disabled, drug-addicts but not one for Third gender’. The injustice faced by such poor and resource less transwomen jars human sensibility as the authors (ibid) tell the story of two transwomen Rekha and Sunita:

Uncomfortable sleeping beside men in the shelters, Rekha and Sunita recently built shanties near the portable cabins. Rekha’s hutment, next to a drain, has three bed covers as her wall. It has no light or fan. It is not more than 20 square feet, she cannot stand inside. She says the space is enough and uses it only for sleeping and storing sarees.

The homeless transwomen of Delhi cannot sleep on the roadside and parks. They are assaulted or molested or else beaten by the cops (ibid). Another heartbreaking story from rural Tamil Nadu, in Youth Ki Awaaz entitled ‘Queer, dalit and not yet proud’ by V. Angayarkanni (2017) from rural Tamil Nadu depicts the author’s dilemma of being a queer woman, which is not understood by her Dalit family, kin and community, while her dalitness and poverty limit her possibilities of participating in queer life outside her family and kin contexts. Angayarkanni (ibid) writes:

I have spent much of my life trying to forget the woman I loved and abandoned in fear of myself. I spent much time sitting by the riverbed wishing we would hold hands again and wishing she would tell me one more time how she loved me. She took her own life. She did not want to be married to the man her family forced

her to. She left me with one more person to see hung to death in my lifetime... I am also Dalit. Unlike my queerness, I do not know well enough what this means. I know that I have seen my brothers fight the Vellalar boys and not come home, at least not with breath. I know that my ancestors were slaves, bought and sold between landlords. I know my grandmother couldn't look herself in the face on even the good days. I know that my parents, my cousins, my sisters and brothers, they all show me their scars. I show them mine... I also know I am not wanted as a queer in my Dalit family. I am not held, I am not heard in political spaces. I am told Ambedkar did not speak of queerness. But, I told myself, Ambedkar likely didn't speak about coconut trees, or the platypus, or cancer, or predict global warming. I don't know. Maybe he did... So whoever I am, I am not proud. Not yet. I also will wait for the queer community to unfurl and recognize that it was the work of oppressed caste people and oppressed caste trans women who have given them whatever pride they have today.

I contrast these narratives of homelessness of Delhi transwoman and alienation of a queer Dalit woman from Tamil Nadu with Ali Potia, a Muslim gay man from Gujarat, with a well-established position in the corporate world. Potia (2005) writes about his choice of sexuality and his negotiation with his religion – Islam. He is not so constrained by his gender and sexuality as well as his religion due to his class, affluence, educational background and mobility. Narrating his self-assertion as gay vis-à-vis his religious identity he writes:

As far as I'm concerned, the religion is very categorical – buggery is sin, and I will burn in hell for it. When faced with such overt hostility, why should I even bother to find legitimacy within the faith? It's actually far easier and more convenient for me to reject it. The primary reason 'Muslim' is part of my identity is because I was born into the faith... There are many presumed identities I was born with along with my Islamiyat: Gujrati, middle class, Indian, male, heterosexual. I have chosen to reject or at least redefine practically all of them, so why should my faith be any different?

Potia's narratives are bolstered by the autonomy and affluence of certain classes of gay subjects who can afford credit cards, have sustained disposable income and

an inviting home (Duggan 2004; Sender 2001). For instance, an Indian gay man's profile on a dating site reads:

Speak English
Kiss French
Drive German
Dress Italian
Spend Arab
Party Caribbean

In contrast to the cultural, linguistic and aesthetic resources available to certain class of queer persons, life is not easier for the middle-middle, lower middle and working class queers. The attempted suicide in June 2016 of a teenage boy in Agra city due to teasing and harassment from neighbours for his supposedly 'gay act' points to the lack of privacy and anonymity of smaller and medium range cities. The title of the news item in the Times of India reads: 'Teased about "gay act" school topper, 15, sets himself afire'. While we talk about hijras and kothis and other indigenous marginal groups, we never bother to think of the queer persons whose assigned gender of birth is female yet they aspire to a 'transgender' identity (Shah et al, 2013); it is only recently that 'transmen' as a category has begun to be articulated in the politicisation of the transgender and queer movements. So, besides the mesh of possibilities in understanding queerness, the question of erotic justice has to be formulated in connection with intersectionalities within the queer community. Of course, gender and sexuality beyond male/female binary is the starting point but the question of justice does not terminate there; the latter's expansive possibilities include rather uneasy and uncomfortable questions of caste, class, race, ethnicity, and, the local and global processes in which lives are made and remade to be 'privileged' for some while 'precarious' for the majority others.

Papers in this section

The first paper is by Pushpesh Kumar on 'Queering Indian Sociology' both provokes the sociological community and advocates the inclusion of sexuality perspective within Sociology. Indian and South Asian sociologies have been blind towards the more than two decades old struggle of the erotically marginalised persons and communities. Their oppression, struggle and marginality can provide

new ways of understanding power and hierarchies which remain the concern of sociologists.

P. Agaja in her paper charts out the journey of formation of *Sahayatrika*, a queer women's collective which took upon the task of reaching out to sexually marginalised women in Kerala. The organisation begins against the backdrop of a series of lesbian suicides reported from Kerala. The paper maps out the journey of Sahyatrika in helping out many subaltern women on erotic margins who could gather strength to negotiate their sexual desire despite their embeddedness in hetero-patriarchal family and kin. Though it is difficult for these women to lead a fully alternative life due to their lower socio-economic background but they emerge more confident and develop a sense of togetherness due to Sahyatrika's interventions.

The paper by Stuti Das is a Research in Progress which touches upon the politics of queer visibility in contemporary India through online queer media. Through a sociological analysis of the webzine *GAYLAXY*, the author is able to demonstrate that while rectifying invisibility of queer communities within mainstream media queer media can also marginalise those queer subjects who do not conform to the demands of neoliberalism.

Notes:

ⁱ Also see Giddens (1996, p. 5) where he mentions sociologists' engagement with a diversity of social and institutional processes which may not interest the economists. While neoclassical framework has assumed hegemony within the institutionalisation of economics in academy, sociologists are able to choose from among a variety of theoretical perspectives (ibid). But the history of Sociology does not show a necessary alliance between liberal and left wing leanings and the disciplinary practices within Sociology. Giddens (ibid) mentions sociologists who have been overtly right wing and conservative.

ⁱⁱ Bose (2016) highlights the indifference of social sciences and gender studies in India to incorporate the erotic and sexuality perspectives in research and pedagogy. She prescribes the non-normative, the unreason, the subjective, qualitative and un-procedural historical-philosophical frames to be incorporated in feminist praxis and social science understandings. She suggests this humanities' 'method' which is un-procedural and borderless to be deployed in gender studies via sexuality. Marginalised sexualities can provide what Bose calls aesthetics of non-conformism and non-conformism of aesthetics.

ⁱⁱⁱ Some of the well known sociologists of sexuality include Jeffery Weeks, Kenneth Plummer, Steven Epstein, Chrys Ingraham, Steven Seidman and Stephen Valocchi.

^{iv} See Gayle Rubin for erotic stratification. She talks about the erotic pyramid in western society. At the top of this erotic pyramid are those who are heterosexual and monogamous. See the essay in this volume by Pushpesh Kumar 'Queering Indian Sociology: A Critical Engagement' for a detailed discussion on the erotic pyramid as proposed by Rubin.

^v Stephen Valocchi (2005) analyses some of the empirical works incorporating queer perspective including *Drag Queens at 801 Cabaret* by Laila J. Rupp and Verta Taylor; *Beyond the Closet: The Transformation of Gay and Lesbian Life* by Steven Seidman; *Rocking Out at the Box: Gender Maneuverings in the Alternative Hard Rock* by Miami Shippers and *Women Without Class: Girls, Race and Identity* by Julie Bettie. The Sociology of sexuality prior to this queer moment orchestrates through labelling and deviance theories and symbolic interactionism which never moved beyond the homo/hetero divide focusing on constructionist perspective; queer theory moves beyond constructionism by destabilising the homo/hetero divide. Queer Sociology further moves beyond the poststructural textual critique to materiality of sexuality and sexual identity politics. Also see Fash Breanne and McClelland (2016) who talk about critical sexual perspective.

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Queering Indian Sociology: A Critical Engagement*

--- Pushpesh Kumar

Abstract

This paper is an attempt towards queering Indian Sociology. Queering includes the perspectives of those who either do not conform or do not wish to conform to the heterosexual or hetero-gender understanding or both. A non-conformity to established gender and sexual norms in a given society leads to serious consequences for the non-conforming subjects: this might range from physical violence to a variety of exclusions, stigma and marginality. In India, the mobilisation against injustice, stigma and violations faced by sexually marginalised has been ongoing since the early 1990s. Popularly known as the LGBTQI movement or the movements of ‘sexual minorities’; these mobilisations across South Asia have brought to light many unpleasant and perilous trajectories which constitute the very existence of these sexually marginalised communities.

Key words: LGBTQ, Erotic subjectivities, Sexually marginalised, Queer Sociology

Introduction

Sociology in India and South Asia is yet to recognise the troubled terrains of sexual minorities as worthy of attention. This silence and apathy of Indian sociologists to the issues of sexually marginalised allows speculations about the tacit heterosexism and homophobia in the discipline. I therefore begin this essay with Michael Burawoy’s (2006) ideas of ‘private troubles and public issues’ which is a borrowed expression from C.W. Mill’s *Sociological Imagination*. What constitutes sociological imagination for Mills is transforming *personal troubles* into *public issues* (emphasis added). Personal troubles, as Burawoy describes, are those individual experiences which result from unemployment, disease, poverty and similar other difficulties of life. The sociological horizon expands with sociologists’ commitment to constantly accepting and accommodating the

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‘unfamiliar’ and ‘new’ *troubles* and also in their forging alliances with dissident groups engaged in challenging variety of power and dominance (ibid).

Some of the most private of the ‘private troubles’ in my understanding are possibly the sexual and erotic aspects of human life which fail to enter sociological inquiries in India and South Asia. According to Jeffery Weeks (1986), sexual and intimate life is socially organised and hence is deeply implicated in power relations. He iterates that subordinate sexual categories and subjectivities are attributed to artificial constrains on potentially radical play of desire. Turning the sufferings of diverse erotic subjectivities into public issue therefore would require acknowledging the fact that desire is *socially organised* and also regulated by state power.

Sociology and Sexuality

In western Sociology, ‘sexuality’ as a field of study only emerged during the 1960s. Ken Plummer (2012) maintains that for the first hundred and fifty years of its existence, Sociology paid very little serious attention to the study of human sexualities. The development of a new and critical Sociology of sexualities began in 1960s and since then has been an emerging field (ibid). In Indian Sociology, feminism makes its visible presence in the late 1980s (Rege, 2003). It would be an exaggeration to argue, however, that gender has been fully mainstreamed in Sociology, though gender within Sociology has become a significant sub-field. This is reflected in optional courses on ‘women and society’ offered by a large number of universities and colleges along with vast amount of research and publications in this area accumulating since the 1980s (Chaudhuri, 2011).

As mainstream Sociology tends to ignore ‘gender’ as a serious concern, feminist Sociology in India fails to move beyond heterosexism. If feminist concepts and theories offer a radical critique of gender binary, it is pertinent to ask why does feminist pedagogy end up reproducing the same binary (of men and women)? Feminist sociologists and their pedagogical practices challenge the sex-role stereotypes and sexual division of labour and even goes on to disrupt the coherent articulation of sex, gender and desire. I quote here from V. Geetha’s (2006) *Gender* which is a popular and widely circulated text. While explaining the concept of gender, her ideas come very close to queer critique of binary assumptions. Geetha (2006, pp. 14-15) writes:

[T]here are many young men who feel uncomfortable having to prove, insistently and unhappily, that they are macho. These men probably dislike fast bikes, do not want to tease girls, nor do they feel that world is theirs to appropriate and own. Such young men are bound to feel uneasy with the shadowy ideal of a powerful and authoritative masculinity that looms large over them...We need to ask ourselves whether there is anything 'normal' about our world being arranged this way, and if there are other ways of arranging it.

Geetha (2007) also touches upon 'compulsory heterosexuality' in her small but brilliantly written volume on 'patriarchy'. She quotes Chayanika Shah, a queer feminist who writes – 'is compulsory heterosexuality only about controlling desire or is it about dictating that the world can have only two kinds of people – women and men' (ibid, p. 197). Despite such awareness of sexuality as a significant issue and dismantling sexual roles and attributes based on stereotypes, feminist pedagogy and praxis in general and feminist Sociology in particular, do not stretch sexuality beyond an initial explication of a 'sex-gender' binary. Feminist sociologists put their anti-binarism agenda to rest after some initial ritualistic discussion while dealing with the problem of 'sex and gender'. In the remaining part of the curriculum, gender becomes synonymous with women and the latter emerge as compulsorily heterosexual. Normative heterosexuality thereby circulates within the surface of feminist Sociology (Ingraham, 1994). Ken Plummer (1994) attributes this omission to what he calls as the unfortunate tendency to conflate gender and sexuality. So, Sociology in India and South Asia is marked by an absence of 'sexuality' as a separate sub-field and even the engendered Sociology recognises only men and women as legitimate subjects. The presence of gender identities beyond heterosexual binary is rendered invisible. Studies that highlight power and dominance exercised in regulating 'erotic' aspects of human life are not generally considered as sociological subject matter even within feminist Sociology.

Sexuality and Sexual Stratification

Erotic desire and practices are stratified; they are defined high or low, natural or unnatural, pure or polluted. Dominant moral meanings around desire and sexuality entail exclusion, stigma, violence and discrimination for non-conformist and dissenting sexualities. Jeffery Weeks (1986) emphasises the need to view sexuality not as a primordially natural phenomenon but rather as a product of

social and historical forces. Sexuality is not limited to ‘sex acts’ but involves our sexual feelings and relationships, the ways in which we are defined as sexual by others, as well as the way we define ourselves as sexual subjects (ibid). There are ‘intricate and multiple ways in which our emotions, desires and relationships are shaped by the society we live in. The physiology and morphology of the body provides possibilities for human sexuality. But it does not cause the patterns of sexual life (Rubin, 2011). It should be noted here that sexuality cannot be simply reduced to reproduction. Freud did not envisage the sexual instinct, drive or libido as innately oriented towards procreative, genital heterosexuality, but rather towards polymorphous pleasures – and that is what is often now seen as a potentially radical view (Jackson & Scott, 2010).

One needs to look into how rules impose prohibition and limits and determines the possibilities through which erotic life is constructed (ibid). Weeks (1986) mentions how five broad areas stand out as being particularly crucial in the social organisation of sexuality: kinship and family systems, economic and social organisation, social regulation (including both formal and informal methods of control), political interventions, and development of ‘cultures of resistance’. Weeks further highlights more secular modes of organisation of sexuality through medicine, education, psychology, social work and welfare practices. Informally, there could be many customary patterns e.g. the language of sexual abuse (see Cameron & Kulik, 2003). History of sexuality, however, is not a simple history of control; it is also a history of opposition and resistance to moral codes.

In delineating the idea of sexual stratification, I draw upon Gayle Rubin’s (2011) *radical theory of sex* which is an exercise in identifying, describing, explaining and denouncing the dominant ideas on erotic injustice and sexual oppression. Rubin introduces the concept of erotic pyramid in the western context which might broadly apply to South Asian societies as well. At the top of the pyramid are marital, reproductive and heterosexual relations; below are unmarried, monogamous heterosexual couples followed by most other heterosexuals; solitary sex floats unambiguously. Stable, long-term gay male couples are verging on respectability but bar dykes and promiscuous gay men are just hovering above the groups at the very bottom of the pyramid. The most despised sexual castes currently include transsexuals, transvestites, fetishists, sadomasochists, sex workers such as prostitutes and porn models and lowliest of all, those whose eroticism transgresses generational boundaries. Individuals whose behaviour features high within this hierarchy are rewarded with certified mental health,

respectability, legality, social and physical mobility, institutional support and material benefits. As sexual behaviours or occupations fall lower on the scale, the individuals who practice them are subjected to a presumption of mental illness, disreputability, criminality, restricted social and physical mobility, institutional support and economic sanctions. Rubin (2011, p. 161) writes:

In its most serious manifestations, the sexual system is a Kafkaesque nightmare in which unlucky victims become herds of human cattle whose identification, surveillance, apprehension, treatment, incarceration and punishment produce jobs and self-satisfaction for thousands of vice, police, prison officials, psychiatrists and social workers.

To Rubin (*ibid*), sex is a vector of oppression not reducible to or understandable in terms of class, race, ethnicity or gender. A rich, white male pervert will generally be less affected than a poor, black, female pervert, but even the most privileged are not immune to sexual oppression. Others, however, emphasize the need to examine sexuality in connection with race, class, gender (Weeks, 1986; Mishra & Chandirmani, 2005). Jackson and Scott (2002, p. 3) write, 'gender and sexuality intersect with other social divisions such as those based on race and class, so that we each live our sexuality from different locations within society'. In India, the queer movement has been mostly about the abolition of Section 377 and less about caste and class and political economy (Tellis, 2012) but a sociological understanding of sexuality issues in the Indian context or elsewhere in South Asia cannot distance itself from issues of caste, class, religion, ethnicity, rural, urban and a complex interplay of these institutions.

In Defense of the terms 'Queer' and 'Queering'

Queering is the process of reversing and destabilising heterosexuality as a norm (Nayar, 2010). Before I embark on queering Indian and South Asian sociologies by foregrounding the experiences of sexually marginalised subjects, I speak in defense of the term 'queer'. In non-western contexts, it might be easier to dismiss a term if it is construed as 'western import'. By using the term 'queer', I highlight the absence of any 'pure' indigenous term to describe and capture the powerlessness as well as the subversive potentials of non-heterosexual erotic subjects in South Asia or in the non-western contexts. The term 'queer' stands as an umbrella term to include both who are closeted and who are public about their

non-heterosexual inclinations; to those who prefer to label themselves and the ones who choose to reject labeling or are unable to choose a label and name themselves (Narrain & Bhan, 2005). Queer as a political term is opposed to all kinds of hierarchies and sexual violence based on stigma, and consequent discriminations. Queer includes activism and protest through art, literature, academic criticism and is inclined to forge alliance with any counter-hegemonic project (Nayar, 2010). To recapitulate, queer as an identity includes those who openly wear sexual identities like lesbian, gay, bisexual and transgender (LGBT) and those who use indigenous terms like *hijra*, *kothi*, *panthis* to describe themselves. In addition to this, there are regional identities of sexual non-conformity, such as *jogappa* and *jogtas* in northern Karnataka and Maharashtra or the *shivshaktis* and *ganacharis* in parts of South India who are real and potential participants in 'queer azadi' (Narrain & Bhan, 2005; Pande, 2004; Menon, 2007).

While using the word 'queer' and 'queering' I wish to draw the attention of the readers towards the fact that as a political and emancipatory term, 'queer' loses its radical potentials when it takes a purely *cultural* turn and tends to neglect the pervasive impact of political economy. By cultural turn I mean those forms of queer protest which take place through art, avant-garde experimentations and identity politics without incorporating material conditions of life entrapping subaltern sexual subjects like hijras and poor working class 'lesbians' (Sharma, 2006). Distanced from both larger issues of political economy as well as from specific issues of class, it is closely aligned to the neo-liberal celebration of individual consumption and pleasure. In this sense, life style performance of sexuality seeks to create a fetish for freedom without radically altering the hegemonic social and sexual order. In this context, the 'success' of the queer political movement also coincides with the market's 'celebration' of sexual diversity with specific products and specific avenues of queer entertainment and queer pleasure in restaurants, pubs, clubs, parties and exclusive queer tourism.

It seems pertinent here to discuss the main ideas of Rosemary Hennessy (2000) wherein she looks at the role of 'cultural ideology' that displaces, condenses and masks the basic inequality of capitalism. She attempts to demonstrate how the urban gay culture of the western middle classes as well as the 'performative theories of sex' of Judith Butler engage with destabilising the heteronormative through cultural performances while leaving aside questions of class and material inequality within queer communities. In fostering 'consumptive pleasure', neo-liberalism replaces critical (sexual) citizenship with shopping malls (ibid). She

mentions the interpretation of sexuality exclusively in terms of ‘discourse’, ‘performance’, ‘difference’ and ‘lifestyle’ as disrupting heteronormativity inflected from issues of political economy. Sexuality becomes a fascinating field in cultural studies where interpretation and analysis of culture is severed from fundamental structures of capitalism. In the western context, Danae Clark (1991) observes that the intensified marketing of lesbian images is less indicative of growing acceptance of homosexuality than of ‘capitalist appropriation of gay ‘styles’. Ashley Tellis (2012) argues that neo liberal economy has turned ‘queers into entrepreneurial and consumptive citizens who play by the rules of state-market nexus’.

From these arguments it appears that a critical sexuality perspective needs to harness the question of political economy and envision erotic justice from the vantage point of those who are on the lowest rungs of the sexual hierarchy pyramid propounded by Gayle Rubin. Similarly, the queer movement needs to forge alliance with anti-globalisation and other radical movements and alert itself to critiques of neo-liberalism and new forms of exclusions, such as the exploitation of labouring bodies through the global flow of capital. There is a pressing need to think through the issues raised by organisations like National Federation of Dalit Women emphasizing intersections of caste, gender and class oppressions so as not to define their agenda solely in terms of identity politics and reading down of Section 377 of the IPC; but also by foregrounding the material conditions of hijras and working class lesbians. By the same logic, the other ‘isms’ and ideological counter currents should acknowledge that the ‘erotic’ aspect is equally important vis-a-vis other issues of exclusion, and, those who suffer on account of their different ‘erotic desire’ and subjectivity, constitute ‘counter publics’ in the same way on minority status, ethnicity, religion, caste and gender. I also express here my concerns about those academic practices that confer legitimacy to certain subject matters to be defined as the ‘core’ aspect of a discipline like caste, urban, stratification or social movement and not to gender, while regarding sexuality and ‘erotic’ aspects of life as not even deserving minimal attention.

Squinting through Queer Eyes

Satish Deshpande (2004) defines the task of sociologists in terms of ‘squinting’ which implies seeing through a ‘double vision’. Sociology looks at common sense – or unexamined prejudices – and also moves beyond them to challenge the

universalist appeal of any commonsense. Squinting through a critical queer perspective is attempted here to investigate a few institutions of common interest in Indian Sociology – caste, class, social movement and globalisation. I specifically focus on the issue of violence to foreground the ‘sufferings’ of ‘non-heterosexual subjects’ to underscore the necessity of incorporating the *sexuality perspective* in Indian Sociology.

Heteronormativity of Caste

It is rare to find any literature or empirical study linking non-heterosexual sexualities and caste. Nivedita Menon’s (2007) volume on *Sexualities* does contain a section on ‘caste and sexuality’ but it does not touch upon caste beyond the realm of heterosexuality, despite the fact that majority of the essays in the book are concerned with queer issues. Tellis’s (2012) deconstructionist reading of queer movement also points towards the absence of analysis from the viewpoint of caste but he fails to move beyond this broad recognition. It is my understanding that caste as an institution is based on endogamy and hence predisposed to heterosexual parturition. In this sense, caste would always reinforce heterosexism; queer perspectives therefore have a solid reason to engage with and enrich the critique of caste and patriarchy by foregrounding the exclusions and stigmas against non-heterosexual subjects inherent in the system of caste.

Though dalit perspectives challenge the notions of ‘purity’, ‘untouchability’ and ‘material’ dimensions of caste, they too have failed to accommodate the voices of ‘sexual outcastes’. My ongoing study among the kothis – a ‘feminised masculinity’ – in small towns of western India reveal that, not just among ‘upper’ castes but, even among the subaltern caste groups these ‘feminised’ men are subjected to exclusion and violence in their everyday life. Dalit families in most cases are hardly any less coercive to their non-heterosexual members; the latter have to negotiate their existence within their family and community life by ensuring a regular supply of cash and everyday performance of domestic labour (Kumar, 2007, 2009). When the coercion becomes too oppressive, the kothis migrate to metropolitan city where they find no other option but to take on a hijra identity and sustain themselves primarily through sex work (ibid). It shows that sexually reproducing bodies within the heterosexual binary are as important to dalit groups as they are to the upper castes. The supposedly ‘non-heterosexual bodies’ are barely accepted within lower caste families.

Narrative of a dalit non-heterosexual youth from rural India demonstrates the inadequacies of both dalit and feminist sociologies to capture the entrapments and exclusions on account of their non-heterosexual ‘erotic desire’¹. ‘A’ from rural India narrates ‘his’ story of belonging to a ‘low caste’ family and trying to negotiate a non-heterosexual existence in the village. He begins his story with the issue of spatial segregation of caste settlements in his village. He is addressed by his caste name, *chambhar* by an upper caste landlord and by his own principal in the school – the latter himself being dalit! ‘A’ has experienced sexual violence which he finds difficult to articulate; he has been raped and sexually assaulted. His fault – possession of a sexually non-coherent self – his male anatomical sex and his masculine gender are seen as a mismatch to his same-sex erotic desire. His gestures do not correspond to his masculine gender and he fails to conform to local practices of heterosexuality. He cannot look for community support when his body is violated unlike a woman of his (dalit) community. Dalit women are oppressed but they are incorporated within family and community life. This is because ‘Dalit’ as a community cannot reproduce itself without harnessing the ‘reproductive power’ of their women. The community, however, can survive without ‘non-reproducing bodies’ of its ‘faggots’ and hence treats it *natural* to dispense of with those persons who fail to show a coherent articulation of sex, gender and desire. He fears being branded as *gandu* (faggot) and prefers silence to retain his existence within his family and community. Dalits as a group can organise against caste and state power; dalit women mobilise against dalit patriarchy and Brahminical feminism (Rege, 2004) but ‘dalit faggots’ cannot appeal for justice within their own community or dare to garner community support. Their demand would carry stigma, and, justice from this perspective would not convince the (heteronormative) community.

The upper-caste queer in rural and semi-urban spaces are invisibilised. Gay, lesbian and bi-sexual identities are mostly articulated in metropolitan spaces. Probably, respectability articulated through upper-caste norms and the lack of anonymity in rural and semi-urban spaces invisibilises upper caste homosexually inclined persons. In certain senses, metropolitan cities provide anonymity and ‘individual’ space; thereby creating conditions for certain westernised queer identities to emerge. This has been facilitated by diasporic connections of South Asian queers along with NGO-led initiatives towards eliminating AIDS/HIV related stigma since the early 1990s (Bhaskaran, 2004; Kole, 2007). Mr. D from a metropolitan city and a member of a social networking of queer online-offline community surmises that majority of the members of the queer networking group

are Brahmin and upper-castes which could be deciphered from the surnames of the members; the members of this group discuss ‘Stonewall Riots’ as a trigger for modern gay movement in the US, safe sex, gay erotica, queer films and organise theme parties and picnics. It is pertinent to ask – why do the subaltern queers remain unaware of Stonewall riots? Do the urban elite queers aesthetically appropriate Stonewall while subaltern working class homoerotic subjects, who might also belong to lower castes, generally fail to associate with Stonewall, gay film festivals, erotica and gay art?

Questions of being Dalit and being queer are now emerging from queer movements and within the contexts of ‘Queer Pride Marches’ but the caste question remains not so prominent in the queer movement in India and South Asia.

Divided ‘Erotic Subjects’: The Question of Class

Does my sleeping with rickshawallah bridge the class-divide? Yes, but only in bed: not outside it (Rao, 2003 as cited in Merchant, 2009, p. 12). Satish Deshpande (2004) underscores ‘class’ as a social science concept that has suffered the sharpest decline in popularity during the post 1970s and 80s due to the arrival of new concepts and categories like gender, race and ethnicity, new social movements around issues like environment and peace, rise of identity politics and also due to the internal inadequacies of class itself as an explanatory tool. Class as an analytic tool may not be the prime concern of contemporary Indian Sociology as highlighted by Deshpande, but the writings and research in various subfields of the discipline e.g. agrarian, development, caste, tribe, gender and stratification have taken cognizance of class within specific contexts of inequalities.

There seems to be a growing sociological concern with the ‘middle class’ in globalising and liberalising India (Jafferlot & Van Der Veer, 2008; Baviskar & Ray, 2011) as this segment of society exerts significant ideological influence. The politicisation of queer identity in India is mobilised more around *law* than the issue of *class* and *political economy*. There is hardly any debate on why the lower caste-class men who find themselves trapped in a feminine desire invariably choose hijra and kothi identity. Why does the modern gay identity become the prerogative of upwardly mobile urban middle class?

I discuss here the ways in which alternative sexuality is connected to class where membership and entry into the privileged classes enables easy access to cultural resources. These cultural resources, in turn, enable both articulation and cultivation of the ‘individual self’ quite akin to Anthony Giddens’ (1992) views of ‘plastic sexuality’ where *inter alia* a person can reflexively grasp, interrogate and develop his/her own sexuality. It seems, however, equally pertinent to counter the popular notion that issues of sexuality and sexual identity concern only the modern westernised English speaking queers in urban India.

I reiterate here Maya Sharma’s (2006) account of working class ‘lesbian’ women from urban slums and rural India who defy any such understanding that uncritically associates sexuality with westernisation. Sharma writes – ‘[F]ocusing on working-class women...we wanted to dispel the myth that lesbians in India were all urban, westernized and came from the upper and the middle classes. And we wanted to create a space for voices with little or no privilege’. In this light, issues of class and gender without incorporation of sexuality will continue perpetuating exclusions which hardly enter public debate and visibility. For working class lesbian subjects the disadvantages of class, gender and sexuality are simultaneous; suffering on account of sexuality becomes more intense due to stigma and community policing and lack of familial love and privacy in congested settlements. Describing Rekha’s situation as a lesbian in a family of construction workers from Jawahar Nagar of Indore, Sharma writes: ‘Rekha had transgressed the boundary of “normal”; hence she had forfeited her right to familial love and care. Guddi, another “lesbian” woman from a working class background was mocked at by even a local women’s group supporting women’s cause!’ When a connection was formed between Guddi and the local community, women were expected to support women of their own class in the locality, but the group failed to show any solidarity with Guddi; the latter found herself alone among a group of women similar in class background but unenlightened and probably ‘innocently’ unsympathetic to Guddi’s ‘intimate life’ and ‘bodily needs’. Sharma writes about the heterosexist response of working class women towards their own ‘lesbian’ sister thus:

[W]hen she had described her situation to the community group, initially they listened to her in complete silence. Then suddenly someone’s repressed giggle escaped. Gradually all women began to laugh together. “For them it was a joke, an opportunity to ridicule us, while for us it was a question of our lives”, Guddi

remarked furiously.’ “One of the women said in puzzled manner, “If this practice becomes common, how life will be passed on?” ‘Another exclaimed, “what evil times have come, that these girls should be involved in such pursuits...”. A third philosophized, “this is just a temporary fixation, it will pass. Let it be for now”. A fourth concluded “This is the result of giving girls freedom.” (ibid, p. 25)

The above instance shows the plight of working class lesbians who wish to lead their intimate life outside of the boundaries of the defined, imaginable and predetermined. In comparison to the upwardly mobile lesbians in urban spaces with relatively higher control over their life situation, these women are completely unacceptable because of their lower class position and their feminine gender. No class analysis in Indian Sociology or even gender sensitive approaches to class have ever considered sexuality as an axis of inequality affecting certain segments of the population in specific ways, thereby naturalising the hegemonic binary of gender and sexuality. Working class lesbians and poor and homosexually inclined men are invisible publics whose perspectives require sociological attention if the latter is committed to emancipation and social justice.

In contrast to the working class lesbians and lower class kothis, the upwardly mobile middle class and upper class gay men and certain lesbian women have experienced new affluence and new freedom like any other member of the ‘urban middle class’ and have been vocal against the anti-sodomy law providing a strong support base to the queer movement in India. It is interesting to see how the upwardly mobile queer who affirm their membership within the ‘urban middle class’ and also asserts different sexual morality in opposition to the ‘heterosexual conjugality’ grapple with the clash of moral values and conflation of material comforts. Minna Saavala (2010) writes, ‘What is typically middle class are the claims of high moral value combined with the monetary means to practice morally high standards’. Does a non-coherent, non-reproductive sexual self pose a real and potential threat to a coherent identity of self and respectability of middle class? Carol Upadhyya (2011) demonstrates how the new urban middle class is recruited mostly from the upper caste and middle caste base; in Upadhyya’s understanding, the new middle class of IT professionals also holds on to a conservative Brahminical world view. It is sociologically interesting to see how a ‘conservative’ new middle class reacts to counter heteronormative individuals of their own class.

Patricia Uberoi (2011) points to the absence of a lack of comprehensive history of the ‘transformation of intimacy’ among the Indian middle class – a subject which awaits attention of social scientists. If ‘individualisation’ amounts to undermining the very possibility of *acting socially*, of questioning society first and then following that critique with a shared social practice (Bauman, 2001, p. 106) then many queer individuals belonging to the upwardly mobile middle class are engaged in a heightened critique of social institutions and norms with counter-hegemonic intellectual impulse. When a dalit scholar or a dalit commoner critically engages with Brahminical religion it is read as an act of politicising from a dalit perspective (Ilaiah, 1996). In a similar spirit, can we incorporate a dialogic engagement of a queer self with heterosexist social institutions such as family or religion? Does this inclusion add to a feminist and dalit critique of the hegemonic project of religion and religious practices? Or else it could be easily dismissed and trivialised as ‘out of ordinary’?

Here I bring in an excerpt from an upwardly mobile queer Muslim subject’s dialogue between his religious self and sexual self. It shows his access to cultural resources and his confident articulations of his sexual identity. Ali Potia (2005) calls himself a Muslim and a queer. The identity as a ‘Muslim’ for him is an enforced identity as he is born in a Muslim family and a certain part of his anatomy reminds him of his Muslim identity. Articulations in the following excerpt reveal a heightened sense of ‘individualisation’ of Potia in interrogating Islam and reaffirming and authenticating his queer self and subjectivity. Potia (2005, p. 254) writes:

I choose not to be a Muslim just as I make a choice to be gay... I drop the word ‘Muslim’ from my list of identities precisely because... I can’t be a correct and proper Muslim and also be a homosexual... The two term Muslim and queer are mutually exclusive right now... If my religion reinforces that I am sinning every time I kiss my boyfriend then I don’t want the religion to be around. I would rather look for a worldview that is little more supportive of my choices...

With such a heightened critical engagement, middle class queer intellectuals have galvanised the LGBT movement in India but their criticality falters to investigate

the class and political economy aspects which are equally relevant to any identity politics and transformatory movement.

Alok Gupta (2005) highlights two different worlds of homosexuals in the metropolitan city of Mumbai. They might articulate a collective self of LGBTQI but they belong to two opposite material realities of life. On one hand, the elite class of gay men create and access 'erotic pleasure' through support meetings, eating out, film festivals and collective celebrations (Kavi, 1993; Shahni, 2008); on the other hand, working class homosexuals sometimes recruited as outreach workers by NGOs, distribute condoms at railway stations and public toilets, a subaltern job with which the elite gay men would never associate themselves.

Social Movement, Sociology and Queer Movement

In this part, I argue that Indian Sociology should include the queer movement within its inventory of social movements. It may be regarded as one of the 'new social movements' which *inter alia* aims at autonomy, plurality and difference, individual and community freedom. Rajendra Singh (2001) writes that the nature of New Social Movements (NSMs) is expressed not so much in socio-political as in socio-cultural domains. Singh (ibid) highlights the co-existence of pre- and post-modernity and certain post-modern struggles within contemporary Indian society. Under the latter set of conditions, body, sexuality, health and gender identity have become very crucial. The site of NSMs is generally transnational; the field of their action, strategy and mode of mobilisation is global. Despite the broad and universalised social base of actors, there is an impression that participants in NSMs generally belong to the 'new middle class' which is considerably valid in case of sexuality-based identity politics in India and elsewhere. But for a critical Sociology as well as for critical sexuality studies we need to interrogate the sexuality movement from the viewpoint of subaltern sexual groups like hijras and kothis, lower middle class homosexually inclined persons and sometimes also heterosexually married gay persons (Rao & Sharma, 2009) who are not so privileged to participate in identity politics. The working class 'lesbians' who are the subject of Maya Sharma's (2006) illuminating book and many transmen whose experiences are yet to be incorporated in movements for sexual freedom need inclusion and representation.

Queer movement in India has taken up the issues of AIDS and human rights, decriminalisation of sodomy law, issues of transgender and other subordinate

sexual identities including the problems of women-in-prostitution. Blackmail and violence of the sexually marginalised have prominently figured in these mobilisations. Like any other social movement, queer movement has a history in India (Vanita & Kidwai 2008; Bahskaran, 2004; Kole, 2007). The movement has produced a large body of documents on LGBT issues, documentary films on sexual minorities, academic writings; it has institutionalised, for example, Summer Institute in Sexuality organised jointly every year by CREA and TARSHI – Delhi based NGOs working on sexual rights and reproductive health issues. Some metropolitan universities have seen the emergence of Queer Study Circle and Queer Collectives (like *Anjuman* in JNU); parallel to Dalit autobiographies there exist hijra autobiographies (Revathi, 2010; Vidya, 2013) narrating the violence and dehumanisation of a very different nature; there are gay poetry, gay fictions, gay short stories redefining romantic love and sexual desire; LGBT magazines both online and offline such as ‘Pink Pages’, initiating the readers into the world of gay consumerism and cultural politics of sexuality by providing the readers a sense of ‘collective pan-Indian gay self’.

NGOs working with ‘sexual minorities’ have created activist manuals and have offered training programmes for outreach workers to work with real and potential victims of HIV/AIDS and sexual minorities. A social work professional has written on community work with ‘Men who have Sex with Men (MSM)’ (Joseph, 2005). The presence of a large number of civil society organisations working among MSMs and sexual minorities assisted through global funding continue the network of queer communities, despite a recent slowdown in international funding. Autonomous groups such as LABIA, PRISM and Nigah Media Collective have also sprung up which keep away from donor loop and articulate radical sexual politics with an awareness of how funding influences the quality of politics. Institutionalisation of courses on sexuality particularly in English literature at Pune University and the University of Hyderabad, Tata Institute of Social Sciences as well as Ashoka University, Delhi is in no way insignificant. Exhibition of queer art and queer erotica, of course, classy and counter heteronormative, are no more ‘uncommon’ and ‘odd’ among activist elites and intellectuals in contemporary urban metropolitan India (Tondon, 2012). ‘Queer Ink’ is an exclusive publishing and marketing agency on LGBT literature located in Mumbai. Skits and soliloquies on ‘coming out’ and ‘living as queer/s’, NGO drop-in centers for MSMs, queer film festivals, pride marches, social networking and cruising sites within cyberspace are recurring features of urban gay life in globalising India.

Above all, we witness a strong articulation of the *language of rights* and critique of heteronormative law from a queer perspective (Menon, 2007; Narrian & Gupta, 2011). All these should qualify the queer movement to be included as a social movement. In my understanding, the queer movement does stand parallel to women, dalit, tribal and minority movements in its mobilisational tactics. It has an agenda of sexual liberation, it represents broadly defined groups; it celebrates pleasure to erase guilt and shame among its members and it works on issues of sexual health and counseling. It constitutes a considerable part of cyberspace; of blogosphere and of social networking and web-based cruising. A self-critique also is emerging from within the queer movement (Khole, 2007; Tellis, 2012).

‘Homophobic’ Violence

It is evident from the writings of Vanita and Kidwai (2008) that homoeroticism was tolerated in pre-colonial India even if it was not normativised as parallel to heterosexual love and courtship (Chatterjee, 1999; Merchant, 2010). It has been argued that heterosexualisation has been integral to colonial modernity; the formation of middle class morality and the articulation of a nationalist self strengthened heterosexuality as norm (Vanita & Kidwai 2008; Srivastava, 2014). The idea that colonial modernity brought a final triumph for sexual conformism and/or conservatism is simplistic representation of a complex process (Srivastava, 2007; Gupta, 2012); it is, however, true that violence towards homosexual individuals was instituted through Section 377 of the Indian Penal Code enacted in 1860 by the colonial regime. Drafted by Lord Macaulay, the section gave enormous power to the police and judiciary to penalise and punish same sex relations. It is interesting to note that Section 377 of the IPC has hardly been used to prosecute cases of consensual adult male sexual relationship (Gupta, 2002, p. 9). The true impact of 377 on queer lives is felt outside of the courtroom. Numerous studies, including both documented and anecdotal evidence, tell us that section 377 is the basis for routine and continuous violence against sexual minorities by the police, the medical establishment, and the state (Narain & Bhan, 2005). A report by Peoples Union for Civil Liberty, Karnataka in 2003 showed that section 377 was used by the police to justify practices such as illegal detention, sexual abuse, harassment and extortion. According to Narain and Bhan, the law is not simply a space of enforcement, but is an active arbiter of force and morality. In other words, the law is internally manifested within its subjects, and not just externally imposed on them. Section 377 shapes people’s

beliefs about non-heterosexual sexuality, and, homophobia is inherent in the law itself. The real danger of 377 lies in the fact that it permeates all sections of society – the medical establishment, family, media and the state – and becomes part of ordinary conversations and ultimately a part of the very social fabric in workplaces, hospitals and the popular press (ibid).

It is not just section 377 that affects the LGBT community but a host of other laws. For instance, laws against obscenity, pornography, public nuisance and trafficking are often invoked in the policing of sexuality (ibid). One also has to pay heed to the civil law regime where LGBT people are deprived of basic rights such as the right to marry, or to nominate one's partner and the whole series of rights based on the assumption of one's membership in the heterosexual family (ibid). Revathi's (2011) autobiographical narrative demonstrates how every aspect of social, political, cultural and economic life is adverse for a (trans) hijra body. When the language we speak is heterosexist and where the libido and gender identity of a child is organised as per the rules of kinship (Rubin, 1975; Weston, 1991) homophobic violence are much deeper and ingrained; they are interior to the way we conceive and (de) naturalise 'personhood' and human relations. Gail Mason examines how knowledge of homophobic hostility interacts with other factors such as class and ethnicity to engender deeply embodied practices of self-surveillance as a means of negotiating safety (as cited in Fernandez & Gomathy, 2005).

Globalisation: 'Liberation', Governance and Queer Consumerism

'It's the Church creeping into gay bedroom. Worse, it is consumerism. Thou shalt have babies who consume goods. Though shalt allow yourself to be consumed by consumerism. Though shalt not abandon the path of glorious consumerism. Though shalt never be nonbourgeois. If you are a proletarian gay you deserve to perish with the straight proles...' (Merchant, 2009, p. 7)

Globalisation has become an integral element in the sociological imagination. Sociologists in India are not lagging behind in analysing the impact of globalisation on different aspects of social life. However, they are rather indifferent towards examining how globalisation affects 'intimate life'. Research has shown that sex is the most searched/queried term and topic on internet search engines: we have entered the era of cyber flirting and cybersex (Nayar, 2012).

Parmesh Shahani (2008) locates the growing queer culture in Mumbai in the 1990s within the advent of cultural globalisation under which constraints of geography on social and cultural arrangements recede and in which people become increasingly aware that they are receding. Dennis Altman (2007) demonstrates how 'traditional' ways of regulating and controlling 'sexuality' decline under globalisation. He also talks of a 'global gay' identity which is imported in non-western parts of the globe and co-exists with traditional sexual identities. Mankekar (2004) looks at the internet as a site for reshaping sexual identity simultaneous with the burgeoning gay and lesbian movement in India. Whereas NGOs working around sexuality issues celebrated sexual freedom with the reading down of Section 377 by the Delhi High Court, many academic critiques view these developments as an exercise in global governance and relate it with growing commercialisation of sexuality in South Asia (Kole, 2007; Tellis, 2012).

Here I discuss, albeit briefly, AIDS/HIV and global funding and the growing gay consumerism in India. LGBT movement in India has coincided with the liberalisation of the economy; the funding of AIDS/HIV related projects and injecting the language of sexual rights through NGOs have been made possible through the World Bank, McArthur Foundation, Bill Gates International, Packard Foundation, Pathfinder International, Naz Foundation International and many other International funding organisations (Kole, 2007). Kole (ibid) brings out several interesting developments in sexuality movement in globalising India. He writes that AIDS discourse largely produced India as 'sexually repressed' and 'sexually tabooed' society. Thus, to be eligible for getting funds, say from McArthur Foundation or Bill Gates Foundation, one must promote sexual rights, and work with marginalised communities such as queer, sex workers and drug users. Availability of funds on HIV/AIDS changed the agenda of many NGOs who gave up working on other developmental issues and shifted to HIV/ AIDS and MSM. This also resulted in exaggerating the incidence of HIV/ AIDS in India.

If global funding provided the framework and language for the articulation of rights for sexual minorities, the expanding global market did find gays as potential consumers of sexual pleasure. Market in sex surfaces on cyberspace and is commercialising gay sexuality in India and other parts South Asia. India has witnessed queer consumerism which has intensified after 2009 judgment of Delhi High Court. An IBN live post on internet recently mentions – 'India is becoming

more popular with gay travelers since the Delhi High Court decriminalised sexuality in 2009... the tour packages will often include gay nightlife or interactions with local gay business people... The biggest difference between normal and gay friendly tour operators according to Bhuwan Mehta of Pink Escapes, is “Pink tour operators can anticipate the requirement of gay travelers better, compared to normal tour operators”.’ (Retrieved on 22 November 2012 from <http://ibnlive-in-com/news/pinktourism>). It is also worth mentioning that Delhi hosted South Asia’s first Gay Tourism conference in November 2011.

Based on some LGBT online magazines and internet resources I list out certain developments towards the commercialisation of gay sexuality in India and many parts of South Asia. The online magazines – ‘Gaylaxy’ and ‘Pink Pages’ take the readers to the world of gay dating, scientific breakthroughs about producing babies outside heterosexual intercourse, travel, cultures of sexuality, gay friendly tourism, national and international events and growing significance of ‘pink money’ in Asia. Cyberspace is also a cruising site where people seek partners and sexual service providers advertise their services.

Conclusion

To conclude, Indian Sociology should consider heterosexism as a form of power. It subjugates non-conforming ‘erotic subjectivities’. By bringing ‘multiple erotic subjectivities’ into disciplinary practices, Sociology not only compensates for the ‘information deficit’ (Mishra & Chandirmani, 2005) on the issue but can have a practical impact on individual lives. Dalit and feminist perspectives have enriched Indian Sociology but the trauma of a dalit subject whose erotic subjectivity does not conform to heterosexual binary cannot be captured and described either through dalit or feminist sociologies. I end with a humble submission that every sociologist in India who considers ‘social suffering’ and ‘marginalisation’ as issues of sociological engagement must read *Truth About Me: A Hijra Life Story* (2010) by A. Revathi written originally in Tamil and translated by V. Geetha in English. This autobiography by a person marginalised by class, sexuality and gender poses many questions to a discipline committed to unravel power, domination, oppression and resistance. Another dalit transgender, Vidya brings in deeper insights from her own life documented in her autobiography, *I am Vidya: A Transgender’s Journey* (2014) which could be a useful resource in the project of revolutionising epistemology and pedagogy in Sociology.

Notes:

ⁱ See Project 'OUTcaste', *Sangama*, Bangalore. 'Out' here indicates 'coming out' of a non-heterosexual person and caste implies here a low caste body. See 'Etch it Upon Yourself: This is what I am'

Retrieved on 22 November 2011, from <http://projectoutcaste.blogpost.com>

(This blog has been discontinued now but the information has been gathered when there was access to it earlier).

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Article: Reaching Out to Sexually Marginalised Women: *Sahayatrika* in Kerala

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Reaching Out to Sexually Marginalised Women: *Sahayatrika* in Kerala*

--- P. Agaja

Abstract

This paper deals with the context of formation of an NGO in 2003 called *Sahayatrika* to reach out to women with non-normative desire. *Sahayatrika* is a Malayalam word meaning fellow-traveller. The formation of the organisation took place in the wake of the news of suicide pacts among lesbian women from marginalised backgrounds. By mapping out the travails of building this organisation and the strategies adopted by the organisers to reach out to these invisible minorities, this paper also tries to reflect how social marginality mediates sexual marginality in contemporary Kerala; it does so through the stories of female born sexual minorities, who found themselves trapped under the hetero-patriarchal norms which does not provide a language to express their sufferings. *Sahayatrika* provided a platform for this expression and enabled these women to develop a sense of belonging to a collective, which is simultaneously imagined as home away from the oppressive natal home. Drawing on Aneeta Rajendran's idea on 'space' to understand the epistolary narratives of these women, the paper observes that even though the domestic space is a repressive space for these women, which no longer provides the feeling of belongingness, yet it enables the emergence of invisible lesbian subjectivities.

Key words: LGBTQ, Lesbian, Sexual marginalisation, Suicide

Introduction

Sahayatrika is the initiative of a Canadian-born lesbian woman, Deepa Vasudevan. Deepa (2005) says that the existence of female born sexual minorities in Kerala was considered to be a myth or a western import in the public discourse of the state until the fact-finding investigation conducted by the *Sahayatrika* team proved it wrong. A few feminist activists in Kerala, who felt the

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need to bring sexuality-related concerns within the feminist paradigm, initiated the fact-finding investigation in 2001-2002 based on newspaper reports of lesbian suicides in Kerala. Almost every suicide report in the newspapers revealed that these women belonged to less privileged social backgrounds. Simultaneous to the fact-finding study, Sahayatrika also began a post-box and helpline service. These channels of communications were used by several female-born sexual minorities to share their lived experiences. Thus the female-born sexual minorities, in Kerala, who were forced to suppress their alternative sexual orientations due to the fear of domestic and public forms of violence, got a chance to express themselves in the comforting space provided by Sahayatrika. The realisation that they were not alone and a space existed for them inspired many such women to come to terms with their sexualities.

The formation of the organisation was also an important landmark in the history of the queer movement in Kerala because prior to this there was no formal and public platform for sexual minorities in Kerala to express their non-normative gender and sexual identities. The developmental discourses in Kerala have largely ignored the concerns of sexual minorities. The Kerala Model of Development (KMD) is regarded as an ideal model of development by the mainstream developmental discourses. However, the model is criticised for ignoring certain section of population including the *adivasis*, dalits, fishermen, women and sexual minorities (Devika, 2003; Sreekumar, 2009). Devika (2013, p. 50) suggests that sexual minorities in Kerala are objects of development because even though the Kerala model ignored *adivasis*, dalits, fishermen and women, but they are acceptable outcasts. However, there are other marginalised groups who are not even included within the discourse of acceptability which includes sex workers, sexual minorities, HIV/AIDS patients, and others. The feminist writers in Kerala have criticised Kerala model and are concerned about gender paradox within the model. Devika and Kodoth (2001) argue that the Kerala Model of Development introduced by left Government in Kerala has helped women to generate income through Self Help Groups (SHGs), but this has not resulted in decent livelihood opportunities for them. As Sreekumar (2009) points out that the gender paradox within the model is that despite the apparent empowerment of women, they are not socially equal.

However, the mainstream feminist groups and activists in Kerala, while raising their concerns about women's issues, have failed to consider problems of those women who are sexually marginalised. To Muraleedharan Tharayil (2014) the

feminist debates in Kerala during the 1960s and 1970s were reluctant to engage with concerns related to sexuality. He also writes that the early feminist debates in Kerala operated within puritanical and heterosexist framework. It was in 1990s that feminist discourse began responding to concerns of sexuality. The formation of *FIRM* (Foundation for Integrated Research in Mental Health) in 1995 by Maithreyan and Dr. Jayasree was an important starting point for sexuality related debates in Kerala. Tharayil explains that during 1990s, there were various attempts to organise sex workers in Kerala. The formation of *Jwalamukhi* was one such early attempt. The project functioned under Maithreyan and Jayashree's leadership with FIRM's support. This posed a serious threat to Kerala's dominant moral fabric.

Deepa Vasudevanⁱ, the founding member of the organisation, upon her visit to Kerala from Canada, however, discovered that the sexual minorities in Kerala were suffering in silence without succor and support and there were no organisations to articulate the rights of women having non-heterosexual desire. This impelled her to form an organisation for lesbian and bisexual women in Kerala. It was her determination which later led to the formation of a fact-finding study to look in to the cases of suicides committed by lesbian couples and were reported in the local newspapers. The findings of these sensible and empathetic investigations busted the myth of lesbian invisibility in Kerala (Mokkil, 2011).

This paper thus tries to contextualise the formation of Sahayatrika and attempts to trace the political circumstances that compelled the founders to set out on this journey. Secondly the paper seeks to analyse the fact-finding report which led to the formation of Sahayatrika. Thirdly, the paper tries to explore and unravel the epistolary narratives of lesbian and bisexual women who wrote to Sahayatrika, when it ran a post box. These narratives are crucial in understanding their lived experiences while providing an account of how these women confronted heteropatriarchal norms surrounding them.

Sahayatrika: A Collective for Female-born Sexual Minorities in Kerala

Social norms in Kerala still remain conservative despite the 'progressive' title accorded to it by mainstream developmental discourses (Devika, 2013). The developmental measures initiated by alternate Leftⁱⁱ governments helped to improve the economic condition of the state (Sreekumar, 2009). This led to the creation of a large middle-class population in the state (Devika, 2005). Drawing

on Jeffrey Week, Tharayil (2014) argues that when major economic restructuring takes place in a society, sexuality becomes a belt where social anxieties get implanted. Thus, strict sexual morality is embedded in the public consciousness of Kerala. Women and sexual minorities are the biggest victims of sexual morality and the newly developed 'middle-class consciousness' (Devika, 2005) in Kerala.

When Deepa Vasudevanⁱⁱⁱ arrived in Kerala, she began searching for women who were sexually marginalised. She says:

I could learn Malayalam because my parents were Malayalees. When I came to Kerala in 1999 I started looking for the erotically marginalised communities. I met a few community members. People whom I met were struggling and isolated. At that time, LGBT rights were not really articulated in the public sphere. Some HIV groups and MSM (Men who have Sex with Men) groups existed. The people, in general, seemed to have a lot of prejudices and misunderstanding about same-sex love, transgender issues, etc. It was very surprising for me. I thought Kerala was a state with a strong civil society and strong progressive movements, but I realised that it is socially conservative. Nonetheless I had hope that some progressive groups might be aware about alternative sexual orientations. I was wrong. I started meeting LGBT groups outside Kerala just because I wanted to find support, because I was an activist in Canada. Some people told me that I might be able to start a project in Kerala for queer communities. I approached feminist groups. Mainstream feminists in Kerala wanted to support me individually, but not in public. So, I decided to meet Dr. Jayasree. She and Maithreyan were working with sex workers. They were working for sexual rights and were interested in supporting me. I started a project with the help of FIRM in Kerala and *Sangama*^{iv} in Bangalore. (personal communication, 29 March, 2017)

The lesbian suicides reported by local newspapers were not discussed within Kerala, but it drew the attention of feminists and queer activists^v outside Kerala. According to Suparna Bhaskaran (2004), since the late 1980s onwards several incidences of 'double suicides' and 'lesbian marriages' have been reported by mainstream media in India. The news reports that appeared in different languages

have been translated into English and documented by many ‘khush’^{vi} activists in India. As Mokkil (2011) points out, by compiling the newspaper reports, Alternative Law Forum Bangalore^{vii} has published the details of lesbian suicides in India from 1980 to 2002. Out of the total 13 lesbian suicides they documented, ten are from Kerala. She adds that *Sameeksha*^{viii} has also published reports on lesbian suicides in Kerala. The reporter was K.C. Sebastian (ibid, p. 392).

When issues of lesbian suicides were raised, the social activists and others in Kerala were doubtful that whether the suicides were truly committed by lesbians. The common understanding in the mainstream was that the number of these kinds of suicide was very less compared to the total suicide rates in Kerala (Deepa, 2005). Deepa compiled the newspaper reports on lesbian suicides and as she herself mentions in the interview, she approached various mainstream feminist organisations in Kerala. They were ready to support her individually, but not publicly. Some of the feminist activists in Kerala who could not engage with the debates on sexual minorities, due to the conservative social atmosphere in their home state, decided to connect to the Hyderabad-based group called ‘Young Feminist Forum’ as the latter was concerned about the intimate relation between women. During the first meeting of the Young Feminist Collective, some interested feminists from Kerala participated. They also conducted a programme on sexuality in Bangalore in 2001, where Deepa presented a paper on lesbian suicide in Kerala. The discussions that followed gave Deepa an idea to form a team to investigate the lesbian suicide in Kerala. Deepa decided to approach FIRM, since it was making a commendable effort in organising sex workers. During 1990s, the government introduced targeted interventions in the areas related to HIV-AIDS^{ix} leading to the formation of Community Based s (CBOs) to distribute condoms among sex workers and sexual minorities. The major limitation of these targeted interventions was that it was not intended for the welfare of sex workers and sexual minorities. Dr. Jayasree and Maithreyan who were part of community based organisations were aware of the limits of these CBOs in reaching out to sexual minorities. They, along with five other doctors, came forward and formed FIRM to ensure the mental and social health of marginalised groups and helped sex workers to organise. Since sex workers did not have any place to socialise with each other, FIRM started a dropping center for sex workers. After FIRM was formed, people having conflict issues within domestic life also began to approach it and this led to the formation of a counselling centre called *Thraani*^x and lesbian women also used to approach Thraani.

During this period (late 1990s), Dr. Jayasree and Maithreyan were making efforts to bring sexuality-related debates in to Kerala's public domain and the feminist paradigm. They used various media, especially television platforms for this. As such Deepa approached FIRM with the issue of lesbian suicide. Dr. Jayasree and Maithreyan extended all possible support to form a project to look into the issue. When she asked other interested feminist activists in Kerala to join the team, Dr. Jayasree, Bindu Menon, Reshma Bharadwaj and Maya^{xi} joined the team. Thus, the Sahayatrika project^{xiii} was launched in 2001. FIRM made space in its office for the team to work. It also helped the Sahayatrika team to avail funds^{xiii} to conduct the fact-finding investigation. FIRM was the parent organisation of Sahayatrika. Though Sahayatrika started functioning independently later on, it would have been impossible to form this NGO without the support of FIRM^{xiv}.

Fact-Finding Report and Marginalised Backgrounds of Lesbian Couples

The fact-finding team was formed in 2001. Some activists affiliated to LABIA^{xv} extended support for the fact-finding team in Kerala. For this study I have made use of five major fact-finding investigation reports. They include the fact-finding investigations conducted at Moolamattam, Thrissur, Sulthan Bathery, Cheranallur respectively and also the fact-finding investigation on Martina Navratilova club in Trivandrum. The reports of the fact finding team dispelled the myth of lesbian invisibility in Kerala. In certain ways, it also established the crucial link between caste, class, and sexualities in contemporary Kerala.

The Moolamattam investigation was conducted on the double suicides of Ammini and Meera^{xvi}. These women belonged to a tribal community. As explained by Deepa (2005), Ammini and Meera were neighbours and relatives. Their families did not like their relationship. Acting on Ammini's father's complaint, the police arrested them and they were sent to mental hospital. After two months, both of them were found dead near a riverside. They had committed suicide by consuming pesticide (ibid, p. 58).

The Thrissur investigation was based on the death of a Dalit girl, Mini^{xvii}. She was a graduate student at Kerala Varma College (Mokkil, 2011). As Mokkil (ibid) explains, the girl was continuously harassed by the hostel authorities because she was accused of having lesbian relations with a friend of hers. Following this accusation she was expelled from the hostel and the next day she disappeared

with the girl she was accused of having a relationship with. Later it came to light that they had gone to Chennai and were staying together in Mini's relative's house. A police complaint was lodged against them by the college authorities and the next day, before she was supposed to appear before the police, she committed suicide by jumping into a dam (ibid, p. 395).

The Cheranallur report^{xviii} discusses about the death of Beena and Meena. As revealed by the fact-finding report, both the women belonged to lower-middle class families. They were deeply in love with each other. When they realised that they could not live together, they ran away. But with the help of the police, their families brought them back. Later, they committed suicide by jumping into a granite quarry. The suicide note written by them addressed to their relatives stated that they were committing suicide because they realised the impossibility of living together.

The Sulthan Bathery fact-finding report is about Rajila and Riya, young women who committed suicide by consuming poison at Sulthan Bathery in Wayanad district of Kerala. Rajila was a tailor and Riya worked in a biscuit company. The fact-finding study was conducted based on a newspaper report that appeared in *Kerala Kaumudy* on 14th November, 2002. According to the report, when Rajila's marriage was fixed, neither of them could bear the separation and hence, committed suicide together.

The Madhura edition of *The Indian Express* (29 January, 1992) reported the formation of the Martina Navratilova club by a few lesbian students at a high school in Trivandrum district, Kerala. The club was banned by the headmistress of the school saying that it was against the moral fabric of society (Sukthankar, 1999). The Martina Navratilova fact-finding report discussed here is based on an interview by the fact-finding team with the journalist who reported the issue.

All these women belonged to marginalised backgrounds. Deepa argues that these reports deconstruct the myth that for lower class women, poverty and deprivation are more important than sexuality. Reshma Bharadwaj explains:

When we asked people in the neighbourhood about Ammini and Meera, their comments were related to the adivasi identity of the women. Some of them even went to the extent of saying that since they were afraid that being adivasi women, they won't get any

good bridegrooms, they entered into a relationship. (personal communication, 17 March, 2017)

Likewise, Mini was also harassed by the hostel authorities and the college authorities who attributed her lesbian nature to her dalit identity (Mokkil, 2011, p. 395). The fact-finding report on Mini's death covers the interview with Mini's teacher. In the interview, the teacher alleges that only 'lower caste' people exhibit such behavior and even goes to the extent of calling her a 'prostitute' for having some amount of money in her bank account, as the teacher believes that as she is a dalit, she is not entitled to have that amount of money in her bank account. Mokkil clearly articulates that the teacher's description of Mini as a prostitute for having money in her bank account demonstrates exactly how society perceives dalit women's bodies. Mokkil also argues that her suicide shows how institutions of modernity such as higher educational institutions violently exclude women of lower caste backgrounds (ibid, p. 395). Similarly, when the headmistress banned the Martina Navratilova club, her explanation was that the lower middle class family background of these girls was the reason for their lesbian behaviour. According to the fact-finding report, the girls were either dismissed or transferred to other schools to prevent the growth of the club. Sukhtankar (1999, p. 30) says that 'Even more than the individual bonds of love, however, it is the groups, the networks, the friendships between us, described in *Connection*, which society finds disturbing'. However, it was evident from the fact-finding team's interview with the journalist who reported about the club in *The Indian Express* that the lower-middle class background of the girls was deliberately highlighted and blamed for their lesbian desire.

Similarly, the women from Cheranallur and Sulthan Bathery belonged to lower-middle class families. The fact-finding team's interview with Beena's parents also indicates the crucial link between the marginalised social backgrounds of the victims and their sexualities. Beena's father told them that they were being blamed for their daughter's death mainly because of their lower-middle class family backgrounds. In all the cases covered by the fact-finding team, the socio-economic backwardness of the women was blamed for their alternative sexual orientation. Maya Sharma (2006) reiterates that the myth that all lesbians in India are from urban, upper-class families must be dispelled. Thus, the perception that lesbianism in India is a western import alien to Indian culture and tradition was proven wrong by this report (Deepa, 2005). As Pushpesh Kumar (2014, p. 9)

remarks, working-class lesbians are subjected to multiple layers of discrimination in terms of caste, gender and sexuality.

Deepa (2005) remarks that it is not true that suicides happen only among lesbian women from marginalised backgrounds. But she argues that women from privileged backgrounds may have good education or job skills which provide them with an option to move out of their home state and live in other parts of the country. Compared to women from marginalised social backgrounds, their command over languages other than Malayalam enables them to survive in the place they migrate to. If at all they commit suicide, their families are in a better position to cover it up (ibid).

It is also imperative to understand how family, community and police respond to the issue. In an interview with the fact-finding team, Ammini's father said that when the girls did not obey the elders, they wanted to bring them back to normalcy as 'such things'^{xix}, according to them, cannot happen between two women. Following the advice of the *Karayogam*^{xx} members, the father took them to the police station. The fact-finding team's interview with the *Karayogam* members informs how communities control the body, desire and sexuality of their women. Both the women committed suicide out of their inability to resist the violence inflicted on their bodies by their parents, family members and above all community groups. However, Ammini and Meera have tried to resist the violence in many ways, for example, when^{xxi} Ammini's father warned Meera to end the relation, Meera took Ammini to her house and that night both of them stayed together amidst opposition from all corners. The next morning Ammini's father called the police and got both of them arrested. So when all the methods to correct them failed, coercive methods were adopted. Similarly, in Mini's case, the college authorities responded in a very harsh manner. Deepa mentions that Mini was criticised by her friends for her masculine behaviour (ibid, p. 185). The fact-finding team had also interviewed the girl who was accused of being Mini's lesbian partner. The interview was completely monitored by the girl's father. It is also evident that women from Cherallur and Sulthan Bathery also lacked the courage to publicly reveal their love and intimacy. The prospect of violent repercussions might have silenced them.

Deepa opines that there are uncertainties in framing a lesbian suicide because more often than not, it is not very clear where a close relationship ends and a lesbian relationship begins (2005, p. 183). Except in Ammini's and Meera's case,

the family members of all the other women denied the possibility of a romantic relationship between them. In the interview with Rajila's parents, they make it clear that two women cannot love each other. They told the fact-finding team that the two women were close friends and that their friendship was normal. They also said that they were unaware of the reason behind their suicide. One of the neighbours of Rajila and Riya said that they were not bad girls, they were always together and it did not have any wrong implications. Hence for them, the possibility of having an intimacy of sexual and romantic nature between the two women was non-existent.

As Mokkil argued, lesbians become a data/figure in Kerala through suicide and often, suicide becomes the dark act of coming out where by dying together lesbian couples reveal their relationship. In all the above-mentioned suicide cases, the women have tried to resist the hetero-normative structure. However, when they realised the impossibility of living together, they died together. Each case reveals very clearly that their low socio-economic background has also contributed towards their sexual marginalisation. For these couples, suicide was the last method of 'coming out' (Mokkil, 2011). Deepa (2005) however, has acknowledged that the fact-finding study was conducted among the families and relatives of lesbian women who committed suicide. So, how the women perceived themselves is absent in the report. When many lesbian and bisexual women contacted them after knowing their investigation and narrated similar experiences of rejection, denial, resistance etc. it gave the fact finding team confidence that their findings are not wrong, and later provided the rationale and basis for forming Sahayatrika as an organisation to provide support to lesbian and bisexual women.

Lesbian Narratives and Challenging the Normative Spectrum

Narratives have a life of their own wherein they provide a platform for people to express their lived experience. When it comes to narratives of sexual minorities, they definitely convey the struggles, difficulties, violence etc. undergone by these communities for not satisfying normative expectations. Sahayatrika had a postbox during its initial period. Many women wrote to Sahayatrika when they came to know about this organisation through advertisements and articles which appeared in various Malayalam newspapers. Sahayatrika followed up each letter very carefully and wrote back. As Ken Plummer (2001, p. 17) observed, these 'documents of life' are enriched with experiences of personal life as he argued,

life histories of people can be unraveled through letters (ibid, p. 20). Dave (2016) points out that gay and lesbian archive reveal the histories of their sexualities.

The term Sahayatrika which means ‘fellow traveller’ was suggested by a lesbian woman who used to write letters^{xxii} to Sahayatrika. For many of these women the mere existence of an organisation was in itself an abundant source of relief and joy because through Sahayatrika they came to know that people like them lived across the world, that they are not alone and that their desire is normal. The letters Sahayatrika received gives a clear image of how lesbian, bisexual women, and transmen^{xxiii} in Kerala led an invisible life, hiding their sexual identities. Simultaneously, the letters also unravel the kind of violence and torture unleashed by their families for deviating from the hetero-normative contexts. However, the obstacles did not de-motivate many of them from exploring the alternative spectrum of sexualities while living with their families and kin.

One such letter^{xxiv} written by a lesbian woman indicates her concerns over her sexuality. She says that she is under constant pressure of thinking about the possible outcomes when her family finds out that she is attracted to women. The letter also provides a clue to how the labelling of homosexuality as pathological by mainstream society puts homoerotically inclined subjects in a dilemma and internal conflict. Few excerpts from the letter are given below:

I am writing this letter with immense mental pressure. My family consists of my father, mother, brother and one sister. I am 19 years old. I have completed P.D.C^{xxv}. Now I am learning computer. I had loved a girl when I was in the seventh standard. I don't know how I developed a kind of affection for a girl who sings well, draws beautifully, and was studious also. I had grown up playing with boys. I believed that when I grow up I will become a man.

She continued:

We live in the city. We lead a disciplined life. Everybody has good opinions about us. I am afraid of my family. When I think of all these things I feel that I am going mad. If my family gets to know about this nature of mine or my love towards that girl, it would be better to die rather than being alive.

There are also similar letters which asks Sahayatrika whether being sexually attracted to women is a mental disease. Some people even confide about their suicidal tendencies. In such cases, Sahayatrika convinces them that they are not alone and the organisation is with them. Sahayatrika's reply to one such letter is:

It is not your fault. It is the right of every human being to love any one of their choice. The culprits are the one who oppose it. Homosexuality is quite normal. But you cannot wait until society normalises it.

Among those who wrote letters, were women who were forced to enter into heterosexual relations by suppressing their desire to live with female lovers. Rohini's letter to Sahayatrika reveals that she had same-sex relationships during her school days. However, due to extreme pressure from her parents, she decided to get married. She was not very happy with the married life and as her sister did not have a child, she was forced to conceive. From the letter it is evident how compulsory marriage created a kind of mental pressure and tension in her. However, due to the lack of any support structure she was forced to remain within the heterosexual relation without revealing her desire to live with a woman and have sexual relations with woman partners. A similar letter says:

I was opposed to having a sex life from a young age onwards. I wanted to spend my life with a woman partner. My family compelled me to get married. I am unable to have sexual relations with my husband.

Another letter by Meera informs us of the kind of pressure a lesbian woman undergoes when her family forces her to be in a compulsory marital relation and gives her husband the complete right over her body. She wrote to Sahayatrika:

Please, help us. We want to live together. I am married and the mother of two children. I do not love my husband. He has only sex in his mind. For him love means sex.

As Adrienne Rich (1980, p. 654) observes, due to 'compulsory heterosexuality' lesbians across the globe are forced to suppress their love and attraction towards women. Since heterosexual romance is considered to be the road to feminine

fulfillment, many lesbians across the world are forced to submit to marriage by hiding their love and passion for women. Rich terms it as *double life* (ibid, p. 655). Fernandez and Gomathy (2005) opine that lesbians are forcibly subjected to verbal and physical torture by parents and family members when they find out that they are lesbians. The violence imposed on their bodies includes house arrest, forced marriage or expulsion from the house. This is because an ideal woman is seen as the one who is married and lives with her husband and children by suppressing her desires and priorities. Women who are forced to marry are subjected to everyday rape since, in our country; the husband has complete right over the body of his wife.

Apart from this, when women who wish to lead a life like men (also called transmen) are forced to get married, they face more complex violence than lesbian women and this issue has not been widely studied. In most cases of forced marriage, these people suppress their desire of being a man and suffer in silence. For those people who are assigned a female gender at birth and wish to be a man, marital life is hell where not only their sexuality but also the very gender they aspire to be is sacrificed for the sake of family honour. Even within the queer movement, issues of transmen do not receive adequate attention. As argued by Shah, Merchant, Mahajan and Nevatia (2015, p. 15), 'The realities of persons assigned gender female at birth are often overlooked in the larger queer movement when issues of transgender persons are being raised'.

Similarly, when an organisation works for socially rejected communities, moral concerns gain momentum. Sahayatrika received a number of letters from men expressing the moral concern. For them the organisation is against the socially accepted, ideal family model. Some of them have even gone to the extent of using abusive words against the Sahayatrika team. Some lines from a letter are given below:

Same-sex love is more derogatory than extra marital heterosexual relationships. It is very difficult for India to attain the status of a developed country by imitating this kind of unethical western practices. Sex workers here sell out their bodies for survival, how can same-sex lovers justify themselves? I am not asking you to separate two close female friends. Rather, I am asking you to counsel those who are on the brink of suicide and bring them back to the real world.

Society perceives homosexuality to be a pathological disorder which can be cured. Erving Goffman says that a person is stigmatised when she fails to live up to what is demanded or expected from her (1990). He has also outlined that homosexuality is considered to be a 'stigma' as it indicates 'imperfections' in individuals and hence, it is a deeply discrediting attribute (ibid, p. 14). Thus, when these women violate the codes of acceptance, compulsory marriage is seen as a remedial measure. The violence within the marriage is not counted as violence as it is seen as a punitive measure to bring them back to normalcy. Even verbal and mental abuse by parents, family and society is justified as these are considered to be the acceptable methods to bring deviants back to normalcy.

However, as mentioned earlier, surveillance and violence did not prevent these women from exploring their sexuality in domestic, household spaces. Aneeta Rajendran (2015) suggests that 'space' is crucial in the determination of lesbian subjectivities. She offers a very interesting argument that 'space and the context of home itself, while it appears rigidly heteronormative, enable the emergence of (un) familiar desire' (ibid, p. 36). The letters received by Sahayatrika very clearly establish Rajendran's argument. Despite heterosexual conjugality being the only accepted model, many of them loved to explore their sexualities in invisible domestic spaces. A few lines written by a house maid is added below:

I am a domestic help. 20 years old. My madam's husband is working in Mumbai. I have been working here for three years. I usually sleep next to my madam. Her two children stay in the hostel. She is the one who introduced me to same-sex relation. Now I enjoy it. I don't want to get married. Her husband also knows it and with her permission he has sexual intercourse with me.

The letter indicates that domestic household spaces enable people to explore their sexualities. The woman mentioned above finds happiness in being bisexual. She enjoys sex with her mistress, and simultaneously likes heterosexual encounters. A similar letter also informs us that domestic spaces enable lesbian women to explore their desire. In the letter, a young girl, seventeen years old, talks about her relation with a female teacher who is her neighbour. The girl says that her teacher's husband is working in the Gulf. On a Saturday when she went to teacher's house for clearing some doubts, the teacher introduced her to same-sex

love. The letter also apprises that later she began to enjoy it and on every weekend, she visits her teacher's house which she finds pleasurable.

What these letters tell us is that people choose to be heterosexuals as they are not introduced or have not heard about the alternative possibilities of sexualities, and that domestic spaces are also spaces of invisible, erotic exploration. They may be afraid to come out; however, they make use of the 'space' which gives them the freedom to explore their sexualities.

The letters also clearly point out that Sahayatrika is a 'home' to many of its community members. Alison Blunt and Robyn Dowling have articulated spatial and politicised understanding of home. To Blunt and Dowling (2006), home is an imaginary space which is imbued with feelings of belongingness, intimacy and desire. They have also specified that a house is not always a home because one can live in a house but may not feel at home. At the same time, house environment may be depressing and alienating (ibid, p. 22). For many lesbian, bisexual women and transmen in Kerala, their house is a space of oppression. So they never have a feeling of belongingness at their houses. But for most of them Sahayatrika is 'home'. Because it provides a space for them to meet similar people and share their feelings with each other. As Dave (2016, p. 59) points out, for most of them it is a space to 'mirror' their selves.

Conclusion

The paper began with narrating the socio-political context that forced few feminist activists in Kerala to form an organisation called Sahayatrika which worked as a 'fellow traveller' for suffering sexual out-castes in Kerala. It reaches out to large number of female-born sexual minorities from marginalised backgrounds. The fact-finding study conducted by Sahayatrika establishes the crucial link between low socio-economic backgrounds and specific sexual oppression.

Secondly, for most women, Sahayatrika is more of a home, which gave them a space to express their sufferings and ordeals of everyday life. The narratives discussed in the paper clearly tell us how these women made use of the platform provided by Sahayatrika. The latter has also helped them meet similar people. This built confidence among them and they started realising that they are not alone and people like them exist across the world. It has also enabled them to

fight the existing hetero-patriarchal power structure and negotiate life in more enabling ways. So for them, Sahayatrika is a 'home' away from their natal home. Even though gradually Sahayatrika stopped its post box, it continued the helpline service and these women would call and talk to Sahayatrika and to other community members who are part of the organisation. Due to financial constraints Sahayatrika was forced to stop the helpline for some time, but resumed it again as it was the only medium where these women could unload and share their sufferings.

Even though Sahayatrika helps them to develop a language to express their sufferings and assert their queer identities, many of these women are afraid to come out of the closet, because of lack of support systems within the family and outside. Sahayatrika itself is a marginalised organisation, so it has its own limitations in helping them to come out.

Notes:

ⁱ She came to Kerala in 1999, in search of her roots. Her parents were Malayalees born and brought up in Canada. In Canada she came out as a bisexual woman. Her exposure to Queer Asian women's group encouraged her to come out.

ⁱⁱ The two largest political parties in Kerala are the Left Democratic Front led by CPM and United Democratic Front led by Congress. No party has been able to rule continuously for more than a term.

ⁱⁱⁱ In Canada she was a feminist activist. There she came out as a bisexual woman. Her exposure to queer Asian women's group in Canada encouraged her to come out. However, in Canada she participated in anti-racism/oppression, anti-violence and feminist movements as a feminist of colour.

^{iv} *Sangama* in Bangalore is a resource centre which works among sexual minorities. They help sexual minorities to come to terms with their sexualities and live with dignity and self-acceptance.

^v Maya Sharma (2006) mentions how the campaigns of CALERI made use of the reports on lesbian suicides in Kerala which appeared in a Malayalam fortnightly called *Sameeksha* to show the visibility of lesbian women. *Sangama* also had the record of newspaper reports on lesbian suicides in Kerala.

^{vi} The term 'khush' means happiness in Hindi. Bhaskaran (2004) used this term to indicate queer women activists or lesbian activists in India.

^{vii} Alternative Law Forum (ALF) is an autonomous research institution that provides legal service to marginalised groups. This organisation also provides legal training and education (Mohan & Murthy, 2013).

^{viii} *Sameeksha* is a Malayalam fortnightly. In the article Mokkal also mentions how K.C. Sebastian stigmatised lesbian identities and the suicides of lesbian women. K.C. Sebastian argues that the women who committed double suicides are from backward social backgrounds and read *Painkili* fiction (quoted in Mokkal, p. 407). *Painkili* fiction is known for its depiction of excessive emotions and thus, Sebastian tried to reduce lesbianism to an issue concerning only lower-class women who read *Painkili* fiction. (ibid, p. 407)

^{ix} During this period India opened its economy and a lot of foreign funds came to India to set up NGOs for sexual minorities and the Government was forced to create awareness about prevention of HIV-AIDS. Since it was widely believed that sex workers and sexual minorities were the most common victims of AIDS, government introduced targeted interventions to distribute condoms to them (Bhaskaran, 2004).

^x Unlike the typical counselling methods which classified homosexuals as abnormal beings, *Thraani* gave support to homosexuals and tried to convince them that their desire and attraction towards same-sex people is quite normal.

^{xi} They were the leading feminist social activists in Kerala during that period. These feminists were dissatisfied with the mainstream feminist organisations in Kerala which side-lined sexuality-related concerns. So when Deepa approached them with a proposal for forming a fact-finding team to study the lesbian suicide, they eagerly became part of it.

^{xii} *Sahayatrika* was initially a project and it became an organisation only in 2003.

^{xiii} Even though they were funded by FIRM, most of the time they spent money out of their own pockets since the money was not sufficient to conduct the investigation.

^{xiv} FIRM is not active now.

^{xv} LABIA (Lesbians and Bisexuals in Action) is a Bombay based queer feminist collective.

^{xvi} Ammini and Meera are the pseudonyms given by the fact-finding team to the women at Moolamattom who committed double suicide.

^{xvii} Pseudonym. All the names given in the paper are pseudonyms.

^{xviii} The above mentioned details are taken from unpublished fact-finding report with the permission of Deepa Vasudevan.

^{xix} Drawn from fact-finding report.

^{xx} Communities of local people belonging to their clan.

^{xxi} Taken from fact-finding report, see also Bharadwaj (2004).

^{xxii} The author is thankful to team *Sahayatrika*, especially founding member Deepa Vasudevan and the then director Sarath Cheloor (he has recently resigned from the post) for giving permission to access the unpublished letter documents.

^{xxiii} 'Transmen' indicates people who are assigned female gender by birth but wish to live like men. Some of them might undergo Sexual Re-assignment surgery. Here, by sexually marginalised women I imply lesbians, bisexual women and transmen.

^{xxiv} The letters were originally written in Malayalam. However, for the purpose of this paper the corresponding English translation has been given. The letters are dated between 2002 and 2003. The exact date and other details are not included to preserve the anonymity.

^{xxv} P.D.C indicates Pre-Degree Course.

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Research in Progress: The Politics of Representation and Visibility: A Sociological Engagement with an Indian Queer Webzine

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The Politics of Representation and Visibility: A Sociological Engagement with an Indian Queer Webzine

--- Stuti Das

Abstract

In this paper, I aim to decode the politics of queer visibility as it operates within the realm of online queer media in India. I have used the term ‘queer media’ to refer to mass media targeted specifically at queerⁱ people and/or produced and distributed by queer-identified individuals themselves. Specifically, I explore the ways in which the coverage of LGBT issues in *Gaylaxy Magazine*, the most widely read queer webzine in India, is mediated by consumerism and heteronormative ideals. In doing so, my attempt is to evaluate the role of online queer media in India in challenging the dominant heteronormative understanding of gender and sexuality, and in fulfilling the queer project of facilitating radical imagination and a heterogeneous, sex-positive queer politics.

Key words: LGBTQ, Homonormativity, Neoliberalism, Visibility, Queer media

Introduction

The necessity for queer-specific media stems primarily from the fact that mainstream media outlets often do not grant adequate visibility to the queer community, and even when they do, perpetuate images that are stereotyped and inaccurate. For instance, the dominant image of trans people perpetuated by mainstream media portrays them as freaks or curiosities that further contributes to their objectification and alienation. To rectify these distortions, representation becomes a crucial aspect of queer media (Robinson, 2007).

The role of the queer press in providing sexual minority groups the much-needed visibility, as well as in furthering the social and political goals of the queer rights movement has been widely acknowledged. Altman (1982), (as cited in Robinson, 2007, p. 60), in his seminal text, *The Homosexualization of America* says: ‘One of the most important developments in the emergence of both gay culture and gay

community has been the growth of a gay press; not surprisingly, gay movements often saw as one of their first priorities the creation of a gay magazine or paper.’ Similarly, Robinson (ibid, p. 60) observes: ‘The emergence of gay and lesbian newspapers has been integral to the success of the gay and lesbian liberation movement. The gay and lesbian press serves not only as the first point of reference for many GLTBIQⁱⁱ individuals but also provides a forum for the challenge and transformation of anti-gay policies and views.’ This is clearly evidenced by the Indian context where the emergence of the gay print media had a strong positive influence on the reportage of queer issues in mainstream media (Vanita & Kidwai, 2001).

Although queer media provide sexual minorities the opportunity to participate in cultural production, they are not immune to the problems of exclusivity and unequal representation. For instance, commenting on the exclusive nature of *Bombay Dost*ⁱⁱⁱ, India’s first registered queer magazine, Kole (2007, p. 4) remarks: ‘Since late 1994, *Bombay Dost* has become an exclusively English language magazine serving upper class, educated elites within urban India... The class-bias is also reflected from pricing structure of the magazine. A single copy in 1994 used to cost Rs. 40, which was equivalent to the total earning of a daily wage labourer. It may also be due to low economy of scale that the price of an individual copy went up. In either case, *Bombay Dost* did not serve the marginalized, lower class sexual minorities in India. Moreover, a review of the magazine over the last decade reveals that much attention was paid on featuring international gay news and issues that would possibly have little relevance to Indian gays’.

The history of publications by and for the queer community in India can be traced back to the late 1970s, but it was the 2009 Delhi High Court judgement decriminalising consensual same-sex acts, (which was later overturned) that prompted a spurt in queer-specific publications online. At present, there are four webzines catering to the queer community in India. In this paper, I take a cue from Kole’s (2007) concerns about the exclusionary tendencies displayed by the queer press to unpack the nature of discourse on alternative sexualities generated by online queer media in India through an analysis of the content of a queer-specific webzine, Gaylaxy Magazine. This paper attempts to decode the politics of queer visibility guided by two broad theoretical and conceptual frameworks, namely, Marxist feminism (Hennessy 2000); and homonormativity (Duggan 2003). However, an exploration of the effects of the visibility generated through

mass media representations, such as their role in ensuring political recognition for queer communities, or in shaping queer politics and activism, or of the manner in which they are received and absorbed by the audience lies beyond the scope of this paper.

Consumerism and Queer Visibility

Rosemary Hennessy (2000) employs the critical framework provided by Marxist feminism to systematically uncover the relationship between capitalism, patriarchy, and compulsory heterosexuality, and thence to unravel the configurations of queer visibility in late capitalism.

According to Marxist feminists, the accumulation of profit through the extraction of surplus labour under capitalism is ensured by patriarchy. Integral to patriarchy is the existence of heterosexuality which, by positing the asymmetrical categories of 'male' and 'female' as opposed to and naturally attracted to each other, helps in ensuring the patriarchal regulation of women's bodies, labour, and desires. Consequently, under capitalism, heterosexuality emerges as the hegemonic form of sexuality. Therefore, for Marxist feminists, patriarchy emerges as a crucial concept in analyses of sexual identity. According to them, the patriarchal organisation of social relationships facilitates the emergence of 'heterogendered structures'. The patriarchal insistence on the fixity and naturalness of these structures renders invisible, not just the precariousness of these structures and the social order that they help to maintain, but also any configuration of desire besides heterosexuality. From this discourse, the homosexual identity emerges as the supplementary 'other' threatening to 'believe the naturalness of the heterogender system'. Therefore, inherent in these heterogendered structures is a tendency to erase queer identities. Consequently, Hennessy (2000, p. 25, 114) points out, 'the queer critique of heteronormativity is intensely and aggressively concerned with issues of visibility'.

In cultures characterised by the capitalist mode of production and consumption, Hennessy (2000, p. 137) argues, 'the visibility of sexual identity is often a matter of commodification, a process that invariably depends on the lives and labour of invisible others'. This visibility is facilitated not by an understanding of queers as social subjects, but as consumer subjects who need to be integrated into a new marketing niche. This results in a limited assimilation of gays into mainstream middle-class culture which in no way disrupts postmodern patriarchy and its

intersection with capitalism, but creates the illusion that patriarchy has disappeared, and in the proliferation of the ‘image of a certain class-specific lesbian and gay consumer population’.

Hennessy (2000, p. 115, 132) argues that the influence of commodification is not just confined to the sphere of the market where the exchange of goods takes place, but also affects the knowledges and resultant frames of reference that mediate our vision and understanding. Thus, both queer theory and queer activism participate in the ‘aestheticisation of daily life’, which emphasizes on cultural forms and ‘encourages the pursuit of new tastes and sensations as pleasures in themselves while concealing the labour that has gone into making them possible’. This, in turn, perpetuates a porous conception of the self as a ‘fashioned’ identity shaped by consumer choices rather than by moral codes or rules. This is evident in queer theory’s conceptualisation of identity as permeable, fluid, and performative. As a result, queer theory ends up fetishising visibility ‘to the extent that it conceals the social relations new urban gay and queer identities depend on’.

A holistic understanding of the project of visibility, according to Hennessy, therefore needs to make visible those divisions of wealth and labour that the proliferation of stereotypical images of a middle-class gay consumer renders invisible. This can be achieved by foregrounding the historical and material components of sexual identities in the exploration of the relationship between sexuality, capitalism, and class relations.

Heteronormativity and Queer Politics

According to Duggan (2003, p. 44, 49), mainstream American politics took a neoliberal turn during the late 20th century. Aimed at dismantling the limited U.S. welfare state to enhance corporate profit rates, neoliberalism entailed the creation of a new national and world order through ‘free’ market, competition, public austerity, law and order, and a largely rhetorical insistence on multiculturalism. This broader neoliberal political climate was paralleled by the emergence of a neoliberal brand of equality politics within the lesbian and gay rights movement, proponents of which, identifying themselves as ‘center-libertarian-conservative-classical liberal, promoted ‘colour-blind’ anti-affirmative action racial politics, conservative-libertarian ‘equality feminism’ and gay ‘normality’.

Within this framework, the emphasis of political activism shifted from broad-based mobilisation to a model based on corporate-style decision making which supports the idea of ‘a narrowly constrained public life cordoned off from the “private” control’ (ibid), and which displays no concerns for vast economic inequalities. Consequently, many national-level organisations in the United States abandoned the array of political, cultural, and economic issues that had provided them the initial impetus for mobilisation several decades earlier to advocate for gay marriage and inclusion in military services.

Duggan (2003, p. 50) terms this neoliberal sexual politics *the new homonormativity*: ‘it is a politics that does not contest dominant heteronormative assumptions and institutions, but upholds and sustains them, while promising the possibility of a demobilised gay constituency and a privatised, depoliticised gay culture anchored in domesticity and consumption’. For Duggan, the goals of this political framework are two-fold: firstly, to enhance the scope and solidity of neoliberalism against criticisms from both the left-wing and the right-wing, but particularly from the gay left; and secondly, to direct the broader neoliberal consensus in ‘the direction of their brand of libertarian/moderate/conservative gay politics,’ and away from the more politically appealing antigay alternatives. Further, she notes that this new sexual politics should not be mistaken for just another position on the spectrum of gay movement politics since it also constitutes a crucial part of the broader neoliberal political climate in the United States (ibid).

Gaylaxy Magazine: A Content Analysis

According to *The Huffington Post India*, Gaylaxy Magazine is ‘India’s largest and most popular e-magazine for LGBT people’^{iv}. It was launched in January 2010 by the current editor-in-chief, Sukhdeep Singh. The webzine started out as a monthly publication distributed online in a PDF format free of charge. From 2011 to 2013, it remained in circulation on a bi-monthly format before being made available only as a website 2014 onwards. On 1 January 2014, Gaylaxy Magazine launched its Hindi edition to address the paucity of queer writing in Indian languages. On 14 February 2014, the webzine released its own app in addition to making its content available on the news reading application, *Plash*. Gaylaxy Magazine is available free of charge at www.gaylaxymag.com. The structure of the webzine includes six sections, namely, *Exclusive*, *News*, *Articles*, *Hindi*, *Blogs* and *Gaylaxy Issues*. The Articles section is further sub-divided into ten sections:

International, Health & Sexuality, Queer Voices, Women, Current Affairs, Entertainment, Literature, Travel & Nightlife, Lifestyle and Relationship. The webzine's selling line reads *Empowering Expressions*.

Gaylaxy Magazine constitutes the sole source of data for this paper. However, Gaylaxy Magazine is not the only queer-specific webzine in India. At present, there are four webzines catering to the queer community in India: *In Plainspeak, Pink Pages, Gaylaxy Magazine* and *Varta*. My choice of data source was based upon the total content published by each of these webzines during 2014 to 2016. Every year, over this three-year time period, Gaylaxy Magazine published the highest content (in both article and non-article format) as compared to the other webzines. In this study, I have carried out my investigation using the content analysis method, combining both manifest and latent content analysis. The total content published in Gaylaxy Magazine from 2014 to 2016 was 1101. I perused the entire body of the webzine's content published during the period 2014 to 2016 to familiarise myself with the themes and trends emerging from it so that I could design a suitable classificatory scheme that would aid me in constructing the sampling frame. I achieved this through a multi-stage process involving two steps at each stage: (i) categorisation of the content in accordance with a binary classification scheme, followed by (ii) elimination of items belonging to the second category at each stage.

To begin with, I prepared a numbered list of the content published in Gaylaxy Magazine from 2014 to 2016. I then subjected that list to the following multi-stage classificatory scheme, wherein I progressed to the next stage only after eliminating all elements from the second category: (1) Language: English/ Hindi; (2) Format of the content: Article/ Non-Article; (3) Geographical focus: National/ International. In effect, therefore, what I did was eliminate: (1) all Hindi language content in order to endow the sampling frame with linguistic homogeneity; (2) all English-language content published in a non-article format including photo features, video content, interviews, and fictional and creative writing to make the sampling frame more homogeneous in terms of format of the content; and (3) all articles with an international focus to concentrate exclusively on the discourse on alternative sexualities in India. At the end of this stage the number of articles in the sampling frame stood at 652. I categorised the remaining articles into the following mutually non-exclusive thematic categories based upon their content: 1) Alternative Sexualities; 2) Social Climate; 3) Activism and Support; 4) Lifestyle and Consumption; 5) Marriage and Relationships; 6) Personal Narratives; 7)

Obituary; 8) News and announcements pertaining to the webzine; 9) News items and opinion pieces on issues not specific to the queer community; 10) Announcements. Here I would like to mention that I chose to not abide by the framework used by the webzine for labelling an article, and instead classified them based on my reading of their content. During the final refinement, I decided to include in my sampling frame only those articles belonging to any of the first five thematic categories as I deemed it to be the most pertinent to the fulfilment of the objectives of this study. Finally, my sampling frame comprised of 555 articles whose categorisation is illustrated in Chart 1.

From the sampling frame, I drew the sample following a proportionate stratified sampling design. Some of the existing categories were divided into further sub-categories. The section, *Social Climate* was sub-divided into: (i) General News and Feature Stories; (ii) Affirmative Action and Rights Guarantees; (iii) Discrimination and Violence; and (iv) Health. The category, *Activism and Support* was further divided into: (i) Section 377; (ii) Pride Events; (iii) Queer Movement in India; (iv) Protest Activities, Awareness Events, and Rights Advocacy Campaigns; and (v) Support Groups and Events. Finally, the section, *Lifestyle and Consumption* comprised of: (i) Consumerism and Lifestyle; (ii) Films; (iii) Film Festivals; (iv) Entertainment; (v) Books; and (vi) Theatre, Art, Photography, Carnivals, and Campus Events.

Within each stratum/ sub-stratum, articles were further classified by their year of publication, and arranged chronologically by their date of publication beginning with the earliest date. A proportionate random sampling design was applied at each of these levels. This was to ensure representativeness of the sample at all levels of stratification. Setting the desired level of confidence at 95%, I used Slovin's formula, $n = N / (1 + Ne^2)$, where N is the total number of articles, and e is confidence level to determine the sample size (n). I applied this formula to my sampling frame and not to the population as not all elements of the latter were of interest to me. The result I obtained was 233, implying that my sample should contain at least 233 articles.

Next, I used the formula, $n_h = (N_h/N) * n$, where n_h is the sample size for stratum h , N_h is the population size for stratum h , N is total population size, and n is total sample size to calculate the sample size for each stratum, and also to determine the sampling interval. The results obtained suggested that the size of each category within my sample should be as follows: 1) Alternative sexualities: 8; 2)

Social climate: 79; 3) Activism and Support: 51; 4) Lifestyle and Consumption: 90; and 5) Marriage and Relationships: 5; with a sampling interval of approximately 2 for each stratum/ sub-stratum. However, instead of terminating the selection process once the minimum requirement for a particular stratum/ sub-stratum had been achieved, I continued until every element in the sampling frame had been exhausted. Ultimately, my sample comprised of 276 elements whose categorisation is illustrated in Chart 1 below.

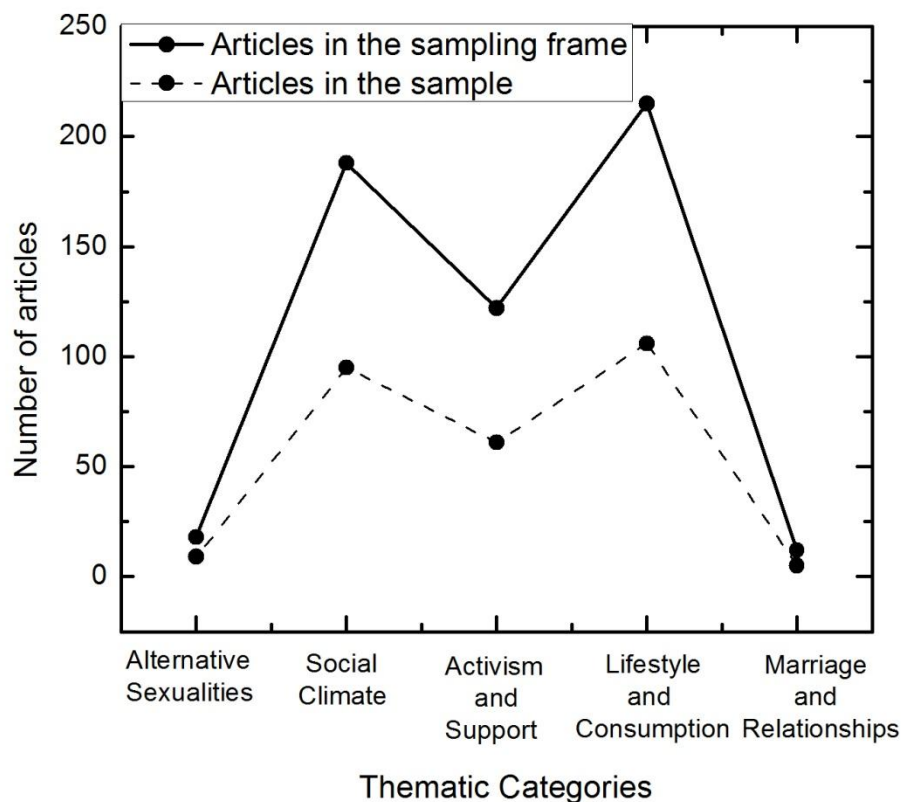


Chart 1: Categorisation of articles in the sampling frame and sample

The Commodification of Visibility

An analysis of Gaylaxy Magazine's content reveals that the category, Lifestyle and Consumption contains the highest number of articles (105) among the sampled articles. Further, within this category, there is a clear privileging of gay identity. Around fifty nine percent of the total number of sampled articles are about or aimed solely at gay men, and revolves around the theme of lifestyle and

consumption. Consequently, the predominant image that emerges from the webzine's representation of gay men is that of the consumer. The articles targeted at gay men project them as mostly urban dwellers who hold white collar jobs; are users of social networking and gay dating sites; are concerned about their body image; and as members of an affluent class, demonstrate a proclivity to consumerist behaviour.

There is thus an emphasis on the performance of identity through consumption and display wherein identity comes to be projected as something to have, rather than to be or become. In this process, there is clearly a class agenda in operation. The reasons for this become clear once the socio-economic milieu, within which this webzine operates, namely, India's neoliberal capitalist economy, is taken into account. According to Hennessy (2000), in cultures characterised by the capitalist mode of production and consumption, sexual identities are accorded visibility only through a process of commodification. Such visibility is facilitated not by an understanding of queers as social subjects, but as consumer subjects who need to be integrated into a new marketing niche. Accordingly, under conditions of neoliberalism, there is an attempt to discipline queer subjects to serve the ends of the neoliberal economy both culturally and economically. This, in turn, results in the celebration of the 'chic, entrepreneurial and consumer citizen,' a tendency on which the terms of recognition for queer subjects also come to be predicated (Sircar & Jain, 2012).

Additionally, the practice of commodification of identities that the webzine participates in is marked by a certain gender bias that ends up privileging the gay male consumer over other groups such as lesbians and transgenders. Such a trend has been affirmed by earlier studies as well. For instance, Katherine Sender in her article, *Gay readers, consumers, and a dominant gay habitus: 25 years of the advocate magazine* (2001) notes that the publication, by increasing editorial attention to lifestyle issues and by prioritising 'image' advertising over packaged goods, fostered a gay market that cultivated particular tastes, in the process completely ignoring lesbian consumers. The reason is, as Robinson (2007) observes, the recognition of the buying power of homosexual consumers has focused more on gay men than on lesbian consumers. She quotes Merryn Johns, editor of the Australia-wide magazine *Lesbians on the loose (LOTL)* who argues, 'the pink dollar is focused on gay men who are perceived to earn more and spend more than lesbians, who have an image of frugality' (p. 69).^v This means that only

femininity linked to the heterosexual family and marketplace can fulfil the role of ‘the consumer’ (Sender, 2001).

Such tendencies have serious implications for the ways in which citizenship claims find expression and are accorded recognition. According to Evans (1993, as cited in Boyd, 1998), in developed capitalism, sexual minority groups such as lesbians, gay men, bisexuals, and transgenders become legitimised by the state as citizens through their role as legitimate and recognisable consumers. Under these circumstances, establishing one’s legitimacy as a citizen is seen as contingent upon one’s capacity for consumption which, in turn, becomes aspirational. This is affirmed by an article containing a transwoman’s testimony of facing harassment at a shopping mall in Hyderabad, India:

He [the security officer] clearly expected us to be *dhandheywaali hijra aurthein*.^{vi} Well, even if we are, is that any reason to exclude us from being part of our Indian economy? We are both equal social and economic constituents and an inalienable part of both our society and economy. We have a right to purchase anything under the sun from a movie ticket to anything and everything that is within our economy. This act of GVK excluded us from our very own Indian economy and we call out this act of socio-economic exclusion, public humiliation and public nuisance... We appeal to GVK management to include and not exclude transgender people as people i.e. both as clients and customers, and most importantly as employees to be truly inclusive and non-discriminatory.’ (*An open letter from a Hyderabad transperson on a mall guard restricting their entry*, Gaylaxy Magazine, September 29, 2015).

This excerpt clearly demonstrates how consumption is seen as integral to the expression of self-identity, and towards gaining mainstream visibility and acceptance, not only as a queer subject but also as a legitimate citizen in a neoliberal setting. Such an inclusion process that hinges on one’s capacity for and inclination towards consumption is bound to be a highly selective one that ends up creating newer forms of distinction by excluding those who reject the mainstream or are rejected by it owing to their lack of socio-economic capital. This, in turn, results in, as Hennessy (2000, p. 140) notes, the production of ‘imaginary gay/queer subjects that keep invisible the divisions of wealth and labour that these images and knowledges depend on,’ in effect, obscuring the

presence of those ‘lesbians, gays, and queers who are manual workers, sex workers, unemployed, and imprisoned’. Thus, by offering the imperative for queer communities to seek legitimacy through consumption, an uncritical platform, the webzine participates in a highly exclusionary visibility politics that ends up disregarding those who are unable or unwilling to position themselves as consumers of a neoliberal economy.

Visibility’s Negotiation with Assimilation and the Lingering Norm of Heterosexuality

Inextricably tied to the conditions of neoliberalism is a political framework which Duggan (2003) calls ‘homonormativity’. This framework, instead of challenging dominant heteronormative assumptions, upholds and sustains them. As a result, since the 1990s, a period that witnessed the rise of neoliberalism in several nations across world, the politics of sexuality has been characterised by an overwhelming focus on gaining access to mainstream culture by acquiring equal citizenship rights (D’Emilio, 2000 as cited in Richardson, 2005, p. 515). This homonormative framework is marked, on the one hand, by what Richardson (2005) calls a ‘politics of normalization’, and on the other, by attempts to distance itself both from the conservatism that denies legitimacy to non-normative sexualities as well as from demands for radical social change aimed at restructuring of society (Duggan, 2003). The content of Gaylaxy Magazine is found to participate in the kind of politics that evinces strong homonormative tendencies.

Firstly, one observes several attempts in the webzine to ‘normalise’ non-normative sexualities by tracing non-heterosexual practices to Hindu mythology. In this process, the contemporary homophobic intolerance is attributed to colonisation, thereby perpetuating a dichotomy between India and the West. Attempts at normalising alternative sexual and gender orientations through references to their place in India’s traditional thought and culture is a strategy that has since long been used by queer activism in India to appeal to conservative right-wing opposition to same-sex sexualities based on concerns about maintaining ‘a proper national culture’.

Secondly, the webzine is found to share the assimilationist desire inherent in homonormativity that denounces any attempts at radical social change or

restructuring of society. Accordingly, in an article titled, *Engaging, not bashing, the Govt is the way forward for queer rights*, the author notes:

‘There was an article on queer politics where gay activists were discussing of forming a separate queer party which, I guess, is a terrible idea... if you want queer rights issue to go mainstream, you have to think like mainstream!... If you want heterosexual population to think about queer rights, you ought to think about country’s economy, international relations and other burning issues as well.’ (*Engaging, not bashing, the Govt is the way forward for queer rights*, Gaylaxy Magazine, October 19, 2015).

Consistent with homonormativity’s assimilationist desires, the webzine’s content also displays a narrow and exclusive focus on the dominant civil rights discourse within the queer movement in India. Consequently, coverage of LGBT activism remains largely confined to the anti-Section 377 campaign wherein Section 377 is projected as the root of all afflictions confronting the queer community in India. This undue emphasis on Section 377 tends to distort what constitutes the ground reality for many sections of India’s queer community: there are a host of other laws that are frequently invoked in policing sexuality, such as laws against obscenity, pornography, public nuisance and trafficking (Kumar, 2014). Further, the anti-Section 377 campaign has always relied on setting up a distinction between ‘private’ and ‘public’ in asserting individuals’ right to privacy. This has attracted the criticism of several scholars since those who have access to private space are already outside of the reach of the law (Narain, 2004; Narain & Bhan, 2005; Tellis, 2012; Ghosh, 2015; Sircar, 2012; Sircar & Jain, 2017). The webzine fails to acknowledge the fact that the notion of privacy that the anti-Section 377 campaign hinges on requires the possession of certain privileges that can afford an individual access to private spaces. In doing so, it effectively perpetuates a portrait of the queer community as a homogeneous group, thereby masking the internal hierarchies and contradictions within it.

Furthermore, the webzine’s coverage of queer resistance is focused on highly elitist events such as pride events, film festivals, book releases, youth leadership summits, flash mobs, seminars and conferences, art shows and plays, campus events, online campaigns and internet or urban-based support groups. Thus, the emphasis is largely on those modes of protest that takes place through art, avant-garde experimentations and identity politics without incorporating the material

conditions through which sexual subjectivities are shaped. As a result, there is barely any coverage of grassroots organising such as the transgender movement in Hyderabad, India (Kumar, 2017), or of the activist work taking place in peri-urban areas away from the cosmopolitan sites in urban India (Dasgupta & Boyce, 2017).

Additionally, consistent with a homonormative political framework, the content reflects an overwhelming preoccupation with the idea of the right to marriage as a means of gaining equality for queer people. As one author writes:

‘We all are fighting for a society where ‘gay marriage’ isn’t pondered upon at ALL, i.e., to say that there should be no sociological and psychological discrimination between the ‘straight marriages’ and ‘the gay marriages’. We need such a cumulative form of acceptance, not a sympathetic one. We’re not special, we’re just equal. Such a demand needs to be met from both the sides of the stage!’ (*Opinion: Media sensationalism of LGBTIQ lives*, Gaylaxy Magazine, March 17, 2015).

Further, the demand for equality is articulated by invoking the rhetoric of ‘sameness’. Here too, attempts at asserting the similarity between heterosexual and non-heterosexual subjects are expressed through an insistence on the universal appeal of marriage as an institution.

In short, the webzine makes no attempt to evaluate how situating the fight for equality within the discourse on the right to marriage might lead to the reproduction of heteronormativity through the institution of marriage, nor does it make efforts to challenge the role of marriage in perpetuating heteronormative ideals, besides making perfunctory attempts to question how the same institution may perpetuate caste privileges. Thus, commenting on the casteist bias displayed in a gay matrimonial ad, one author writes:

‘Given that the LGBT movement is about demanding an inclusive and equal society, and the fact that it is still at a nascent stage, what we have is a historic and golden opportunity to set/change the customs/rules for traditions/institutions that we may be adopting, and marriage is one such institution. Marriages, especially arranged marriage, are beset with too many evil customs including

dowry and casteism. My greatest disappointment with the ad was how a historic opportunity to redefine such an institution had been withered away by none other than a gay-rights activist. This was also a chance to show to the straight counterparts on how marriage should be about two-people and not about their religion or caste. But alas, in India, we can't do away with our caste "preferences" (or is that a bias?) even when we have the opportunity to do so.

That raises another important question – Are we so desperate at appearing "normal" and being "accepted" among the society that we will do anything, even if that involves following regressive customs? Will we next also be celebrating "dowry demands" in gay arranged marriages?' (*India's first gay matrimonial ad and the caste controversy*, Gaylaxy Magazine, May 25, 2015).

Within this rather exclusive and highly elitist landscape, one observes cursory attempts at critiquing the insular nature of the queer movement (*Strange people, us sexual minorities*, Gaylaxy Magazine, August 9, 2015; *Time for the queer movement to deal with its shit*, Gaylaxy Magazine, December 16, 2015), and highlighting the need for the queer movement to forge alliances with other subaltern movements (*Casteless-ness in the name of caste*, Gaylaxy Magazine, March 14, 2016), in addition to perfunctory criticisms of the movement's overwhelming concern with Section 377 of the Indian Penal Code (*The tough work of sexuality*, Gaylaxy Magazine, August 22, 2016; 'It is tragic that the LGBT struggle in India is dominated and fettered by the legal battle against Section 377'), and with the right to monogamous love that mimics heterosexual conjugality (*Sexing up sexuality*, Gaylaxy Magazine, December 31, 2013). Articles such as these that speak against the grain of the dominant tendencies displayed by the webzine's content make up approximately 1.8 percent of the sampled articles.

Conclusion

This sociologically informed reading of the webzine's content revealed the presence of a certain class agenda and gender bias. The task of representation was also found to be inextricably linked to the process of commodification, evidenced by the fact that the maximum number of articles was based on the theme of 'Lifestyle and Consumption', wherein consumption is predominantly portrayed as

the prerogative of gay men. The content was also found to evince a homonormative bias, thereby perpetuating an assimilationist, normalising stand based on a liberal rights and equality discourse that makes no attempt to challenge the existing social and sexual hegemony, on the one hand, and on the other, renders non-dominant queer individuals and groups invisible. Consequently, very little of the queer liberationist tradition that aims to challenge and transform the existing hegemonic social and sexual order finds accommodation within the kind of cultural visibility that is being generated by Gaylaxy Magazine.

To put these findings into perspective, it would be useful to turn our attention to the broader socio-economic and socio-cultural milieu within which this webzine is situated, that is, India's neoliberal capitalist economy. Within a neoliberal regime, the terms of citizenship rest on a presumption of integration which, according to Sircar and Jain (2012), would be aspirational for those who have historically remained outside of the folds of formal citizenship. Viewed in this light, the webzine's inability to accord visibility to those sexual subjects that either choose to or fail to adhere to the demands of a neoliberal regime might be intentional. However, such a practice would only serve to further aggravate the existing invisibility of and social stigma against those who embody marginalised subject positions (lower class lesbians, for instance) within the queer community, in addition to rendering their politics as illegitimate and unintelligible.

In critiquing an unqualified optimism for queer media's potential to accord legitimacy and visibility to queer subjectivities, Barnhurst (2007) argues that queer media, in its aspirations for celebrity and sensationalism, often end up pursuing mainstream production values that contribute to the exclusion of those queers who lead unglamorous, ordinary lives. The trends emerging from the content of Gaylaxy Magazine affirm such apprehensions. Thus, the politics of recognition that is at play within this webzine guarantees visibility to only those queer subjects who can and do perform, what Sircar (2017, p. 21) terms as, 'homonationalist' and 'homocapitalist' practices with aplomb in their ostensibly chic queer lifestyles. In doing so, the webzine participates in the perpetuation of a homogeneous image of a certain class-specific gay consumer population.

Thus, the project of visibility currently operating within the realm of online queer media in India, as represented by Gaylaxy Magazine, embodies within itself contradictory processes: while aiming to rectify the invisibility of queer communities within mainstream media, they too end up contributing to the

erasure of those queer subjects who either cannot or do not conform to the demands of neoliberalism. According to Hennessy (2000, p. 128), such a practice does not constitute anti-assimilationist politics; rather this amounts to a 'limited strategy of resistance' that produces limited assimilation of queer subjects into mainstream middle-class culture in a way that does not disrupt postmodern patriarchy or its intersection with capitalism, in the process creating the illusion that patriarchy has disappeared. The need of the hour therefore is to constantly interrogate and examine institutional sites such as the media which are concerned with the task of representation from a critical sexuality perspective that delves into questions of political economy and sexual justice.

Notes:

ⁱ The word 'queer' has multiple connotations and embodies several meanings. Broadly speaking, 'queer' describes those gestures or analytical models which delineate the incoherencies in the allegedly stable relations between chromosomal sex, gender and sexual desire. Consequently, it is critical of all those versions of identity, community and politics that are believed to evolve 'naturally' from such consolidations. Therefore, implicit in the term is a resistance to the model of stability that claims to originate from heterosexuality, although the latter is more properly its effect (Jagose, 1996). According to Warner (1991, cited in Epstein 1994, p. 195), 'queer' offers a comprehensive way of characterising those whose sexuality places them in opposition to the current 'normalizing regime.'

ⁱⁱ GLTBIQ stands for Gay, Lesbian, Transgender, Bisexual, Intersex, Queer.

ⁱⁱⁱ Bombay Dost. Retrieved from <http://bombaydost.co.in/about/>

^{iv} Gaylaxy. *The Huffington Post India*. <http://www.huffingtonpost.in/bloggers/gaylaxy/> (Retrieved on 26 April, 2017)

^v According to Sender (2001), lesbian magazine publishers are caught in the quagmire of having to produce a commercially viable publication that requires advertising revenue while maintaining a political and representational integrity incongruent with the aims of advertisers.

^{vi} Transgender sex workers.

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