

A Long Fight

An organisation for the sexual minorities battles the class divide

Samhita Arni

The year 2009 will always be remembered for the Delhi High Court judgment that decriminalised homosexuality. It's also the year Hollywood actor Sean Penn won an Academy Award for his portrayal of Harvey Milk, an openly gay American politician who, after his assassination, became a martyr for the gay cause.

But India did not need a Harvey Milk.

After eight years of legal proceedings, the high court finally ruled in favour of legalising homosexuality between consenting adults. For the LGBT (Lesbian-Gay-Bisexual-Transsexual) community, this judgement is timely and fortunate.

One of the people this judgement will affect is Devi (name changed). A month before the high court's epic ruling, I meet Devi for the first time. Her story is a common one in the LGBT community or "sexual minorities", as they are referred to nowadays. Devi is a *kothi*, a term used for feminised homosexuals, and prefers using the feminine pronoun, even though 'she' is biologically male. From the time she was eight years old, Devi knew she was different from other little boys, preferring saris and jewellery, disliking rough outdoor games. Devi grew up, and graduated from school. Like the rest of us, she searched for a job. But at each workplace, once her employers suspected that she was a *kothi*, life became difficult. She was subjected to harassment and ridicule from her co-workers. In some instances, employers even

demanded sexual favours. After a series of jobs, Devi found herself unemployed. Unable to secure employment, she was in desperate need of money to support her family.

Devi had always hidden her sexuality from her parents. She couldn't tell them she had lost a job. She began doing what many other lower-income transsexuals and homosexuals do - she started selling sex. Her place of work was Cubbon Park, a famous public park in Bangalore, a meeting-point for those cruising for sex.

I visit a similar cruising spot in the night to understand what it is like. The darkness conceals the activities that go on among the bushes and in the cars parked at the far end of the streets that cut through the park. A young man stands on the pavement, waiting. Something about the young man's posture is vaguely effeminate. Could it be the tilt forward from his hips, the delicate flick of his wrist? A car slows down, as it passes, and headlights illuminate the young man. I catch a glimpse of an angular dark face, a pair of exquisite eyes and carefully plucked eyebrows. He inclines forward, as a rotund figure leans out of the car window, gesticulating with a furtive air. After a few minutes of discussion, the young man gets in, and the car speeds away.

In a few minutes the car is just a faint flicker of light beyond the trees.

Devi tells me that it was on a similar night 10 years ago when she met a social worker from a non-governmental organisation (NGO) called Sangama (Meaning "Coming



Together"; the name was chosen to evoke the idea of different sexualities/communities coming together).

Sangama is a human rights organisation based in Bangalore that works for people from sexuality minorities, particularly those from poor and/or non-English speaking backgrounds and sex workers, who otherwise have little to no access to information and other resources.

"Cruising areas are not safe," writes Manohar Elarvarthi, the activist-founder of Sangama, in an article, "Many People, Many Sexualities: A Personal Journey", published that same year. "Occasionally, someone would be



Members of the LGBT community in Mumbai celebrating the Delhi High Court's ruling decriminalising gay sex on July 1

caught by a policeman who would steal all his money and valuables. He would threaten to take him to the police station, inform his parents, relatives and so on. There is also the risk of being physically or even sexually abused... You live under the constant threat of being blackmailed by the police, hustlers and others."

Elarvarthi founded Sangama to confront issues that aren't addressed by other LGBT groups, by working with lower income brackets. Elarvarthi is a short, plump man with a heavy beard and an irrepressible twinkle in his eyes. Once a software engineer, he's now a full-time activist, involved with a number of organisa-

tions – including Suraksha (an NGO for sex workers) and Samara (for HIV/AIDS prevention). Despite the seriousness of the issues he talks about, he punctuates his conversation with frequent smiles.

We meet for the first time in one of Sangama's field offices, a small, two-room apartment, just off a side road in Kalasipalyam, a crowded, commercial area in Bangalore. The tiny office is thronged by 50 of Sangama's social workers. Many of them are *hijras* and *kothis*, with stories like Devi's. All in all, about 150 people work for Sangama, most of them in a larger office with a library and media centre in a middleclass neighbour-

hood. Right now, there are disgruntled looks on many faces. At their budget meeting, Elarvarthi announces that funding has been reduced this year. In the aftermath of the recession, Sangama's foreign funders, like the Bill Gates Foundation, have slashed funding.

"Sexual minorities are diverse groups," says Elarvarthi. "They face diverse issues," he continues. "One is class difference. If you have the money, if you have Internet access – you're not alone. You're connected. You have your own private space. You don't get caught by the police. You're not isolated. But if you are working class, you have no access to the



Sambhita Arni

LGBT community members and supporters celebrate with masks and flags at the Bangalore Queer Pride parade



Sambhita Arni

LGBT activists at the Bangalore Queer Pride parade on June 28

Internet, you have to have sex in public spaces – and you become a target for the police and goondas. Class and caste are dividing factors, even in the LGBT community.”

When we think of the LGBT community in India, two extreme images come to mind - the gay Indian fashion designer seen on Page 3 and, at the other end of the economic spectrum, the *hijra*, dressed demurely in a sari, begging at traffic lights - both belonging to different worlds. Many fail to realise that there is more to the LGBT community than just the gay fashion designer and the *hijra*. There are *kothis*, bisexuals, lesbians and married men and women who have to balance the demands of their families and society with their own personal needs.

Moreover, different cultures have evolved within this diverse community.

The *hijra* community in India has a recorded history of more than 4,000 years and was once upon a time considered to have special powers because of its third-gender status. Even in antiquity, as sections of our epics suggest, the *hijra* community existed. The story of Iravan, Arjuna’s

son, in the Mahabharata, provides one origin myth for the community. On the eve of a certain death, Iravan is unable to find a bride who is willing to become a widow. Finally, Krishna, taking on the form of Mohini, is wedded to Iravan, and the following morning, breaks her bangles over his corpse. Even today, in Tamil Nadu, *hijras* gather every year to reenact and celebrate Iravan’s marriage to Krishna-Mohini and, on the following day, mourn his death. In Gujarat, the story of Bahuchhara Devi provides another origin myth. All over South India, every year, *hijras* and cross-dressing men gather at the temple of Draupadi-Amman, to walk over fire and celebrate the power of Draupadi’s chastity. These myths and festivals hint that the third sex performed a special social role and were accepted in the Indian society.

All of that changed. Under the British Raj, *hijras* were relegated to the status of criminals, under Criminal Tribes’ Act of 1871.

Hijras and the rest of the LGBT community still stand criminalised under Section 377 of the Indian Penal

Code, originally drafted by Lord Macaulay, a British bureaucrat, in 1860 (Homosexuality has been decriminalised only in Delhi). Section 377 is the product of the Victorian mindset that brands all non-reproductive sex illegal.

Section 377 reads: Whoever voluntarily has carnal intercourse against the order of nature with any man, woman or animal, shall be punished with [imprisonment for life], or with imprisonment of either description for term which may extend to ten years, and shall also be liable to fine.

On June 28, the Union government announces its plan to discuss Section 377. At the Gay Pride parade in Bangalore the same day, many are pleased by this news. On the megaphone, an organiser cries out that Home Minister P Chidambaram is supporting the repeal of Section 377. Cheers greet this remark. The marchers are a motley bunch of *hijras*, foreigners, affluent gay men, a handful of lesbians and many supporters. Slogans are shouted in different languages, and placards feature a variety of different scripts. A young woman screams – “*Idli-Sambar*



Sambhita Arni

Devi(L) and Rani(R) at one of Sangama's centres in Bagalore

achcha hai, IPC 377 Kachcha hai." Her amusing catch-phrase is soon taken up by the rest of the parade. Near the head of the parade, flamboyant cross-dressers dance with great energy. Far behind them, trailing at the end of the procession, elderly men and women, soberly dressed, walk slowly. The marchers are visibly a diverse group, drawn from different socio-economic classes, sexual orientations and nationalities. But as the parade proceeds through the streets of Bangalore, a feeling of oneness, of elation, unites this community.

"There's still a difference between decriminalisation and legalisation," Ashok (name changed) points out, "it still places the LGBT community in an ambiguous space." Politicians, he suspects, will want to take the middle ground and compromise, where the law will no longer criminalise homosexual sex, but the 'condemnatory' language will still remain. In addition, provisions to prevent and punish harassment and discrimination on the basis of sexual orientation are also required. But, as he says, "something is better than nothing."

While the Delhi High Court ruled



Sambhita Arni

Members from sexual minorities displaying a banner at the Bangalore Queer Pride parade

on July 2 that consensual homosexual sex between adults is no longer criminalised, the aspects of Section 377 insofar as it relates to non-vaginal child sexual abuse still remain valid. Some gay activists have been reported in the media as expressing relief that the provision to prosecute child sexual abusers remains intact.

Says Manohar Elarvarthi, "Sexual assault is sexual assault. We should have extensive rape laws, laws against abuse, assault and harassment that

cover all kinds of sexual abuses. Changes in court procedure are also required. We can't ask a child to come and testify about an abuser, in front of the abuser."

Section 377 isn't the only law that the LGBT community have had to worry about. As many of the *hijras* and *kothis* Sangama works with are involved in sex-work, the Immoral Traffic Prevention Act (ITPA) affects them directly. The ITPA, in its current form, is supposed



Sambita Arni

to punish those involved in trafficking, the third parties (brothel-keepers, pimps and so on) who exploit prostitutes or benefit commercially from prostitution, and to prevent soliciting. According to a report by the Karnataka chapter of the People's Union for Civil Liberties (PUCL-K) in

conjunction with Sangama, in actual day-to-day practice, the enforcement of the ITPA targets the sex-worker, and not the institution of exploitation. For example, on June 2, 2007, the police arrested four women in Mathikere village near Channappattana under the IPTA, for

their alleged involvement in prostitution. The four women, one of who was a Panchayat member, asserted that they were not involved in sex work at that time. Even if they were, they could not have been booked under the ITPA for activities that do not involve soliciting, exploitation or trafficking. When this incident occurred, Sangama joined hands with female sex-workers in protests.

In such circumstances, says Elarvarthi, the legal framework does not provide justice to sexual minorities. Unless an NGO like Sangama goes to the media with evidence of abuse, their voices are not heard. Elarvarthi believes the best means of fighting stigmatisation, criminalisation and violence is through social change. Sangama's core activities – crisis intervention, documentation, legal advocacy, consciousness raising and community mobilisation – contribute towards instigating social change.

Consciousness-raising activities include frequent public events, such as the Bangalore Gay Pride parade. Documentation is of use in courts, in developing material to generate awareness, providing information to the media and recording the history of the community. With this in mind, Sangama teaches documentation skills to working-class minorities so that they can tell their own stories.

These methods may appear abstract and theoretical, but Elarvarthi believes that even when it comes to an issue like HIV/AIDS prevention, these methods, in tandem with practical measures like condom distribution, achieve the best results.

"Existing HIV programs are completely clinical in their approach," he says. "It's not enough to distribute condoms. Someone will use them only when they want to take care of themselves, when they have self-esteem. Our programs want to do these things without creating social disturbance, silently."

Often the social stigma and sexual violence faced by sex-workers lead to depression. Those most vulnera-

ble to infection will take preventive measures only when they place value on their lives. It becomes important to change social attitudes on sexuality issues.

Crisis intervention and consciousness-raising activities come into play here, as a means of instigating the social change to eradicate stigma and violence, and engender feelings of self-respect.

“What we tell sexual minorities is that nothing is wrong with them. The problem is with society that is stigmatising you. We tell them to rebel against the exploitation in families, in the public spaces, with goondas, with police,” Elarvarthi says. Sangama has developed a method, known as crisis intervention, to provide support. “If anyone faces violence from family, police and others, with a phone call support is available.”

Of course, they run high risks and Sangama has extensive documentation of numerous instances of abuse at the hands of police, as in the case of Kokila, a *hijra* who was raped and tortured in police custody. But Elarvarthi asserts, “Sangama’s mode of crisis intervention coupled with UNAIDS programs is the most effective means of HIV prevention in India among sex workers and sexual minorities.”

Elarvarthi’s arguments are persuasive. At a weekly meeting in a drop-in centre, I am offered a chance to see these methods in action.

In a first-floor small apartment in a low-income neighbourhood in south Bangalore, I meet around 20 members of Sangama’s outreach community. We sit in a circle. There is a round of introduction, which includes ‘sexuality’. Individuals identify themselves as *hijras*, *kothis*, bisexuals and so on. I am told this is a means of self-awareness, a part of Sangama’s consciousness-creating program. A few items on the agenda are read out, which include notices of protests. The remaining time is to be utilised discussing problems individuals have

encountered. But this week, it seems, there are no such issues.

The meeting breaks up, and I interact with a few members. I meet Sayid (name changed), a gay Muslim man. Burns cover his hands, his throat and part of his face. I can’t help looking at them. He notices it, and tells me that he got them while trying to save his wife from a gas cylinder explosion. His wife died, and he remains covered with burns. He tells me that he has married again. I’m taken aback, because he is sitting in the front row with his partner, Srinivas (name changed). “My family was insistent,” Sayid tells me. “For a long time, they never accepted me. They would tell me – don’t walk like that, don’t use that tone of voice, don’t sway your waist, don’t be effeminate. Even after my wife died, they constantly badgered me to get married again, even when I told them I was gay.” Finally, he gave in, marrying a destitute widow. Although this situation seems unfair to his new wife, Sayid assures me that she is comfortable and consents to this state of affairs. She has met Srinivas and approves of him. Even his mother does. Apparently his family has come around, now that he is married and ‘socially acceptable’.

Srinivas is silent during this conversation. I finally turn to him, and find out that he works in one of Sangama’s sister NGOs, Suraksha, which works with HIV+ sex workers. As the conversation progresses, he reveals that he too is HIV+. “I’m not scared of AIDS,” he tells me. In the face of such complex and difficult circumstances, the tenacity of both these men is admirable.

But as I walk away from the community session, I feel a little disturbed. Rather than breaking walls, the constant identification of one’s sexuality can sometimes erect barriers, and strengthen existing feelings of alienation. The umbrella phrase “sexual minorities” being more popular than the familiar acronym LGBT is a testimony to this irony. Sangama

advocates building alliances with other minority movements – the Dalit movement, for example – to achieve goals, and for that it’s important that the community uses the term “minority” to identify itself. Furthermore, such terms and strategies point to a growing political dimension to the LGBT movement that goes beyond the calls for the repeal of Section 377. It’s important, at the same time, to avoid the pitfalls of identity politics that have been visited upon other minority communities, particularly since the LGBT community is, by its very nature, diverse and dissimilar.

Strategies like crisis intervention, in some instances, seem to further antagonise the very police and society Sangama is hoping to change. In the current political climate of Karnataka, consciousness-raising activities are bearing little fruit, as Elarvarthi himself admits. Other marginalised communities, like women and Christians, have been the targets of violence. In this new climate, more subtle methods are needed.

The road ahead is a long one, Elarvarthi feels. Even with the decriminalisation of homosexual sex by the Delhi High Court, change at the constitutional level is needed to alleviate the plight of this community – to place sexual minorities on the same footing as everyone else and eradicate their harassment and discrimination. The statistics tell a tale of inequity: Manohar Elarvarthi claims that 95 percent of transsexuals are forced to take recourse to either begging or prostitution. Only a fortunate five percent find jobs with NGOs like Sangama.

One of the fortunate few is Devi. Thanks to her 10-year association with Sangama, she can now speak perfect English, which she learnt while working at Sangama. Her parents are also aware of her sexuality. “They’ve accepted me,” she says. “But they’ve told me that I can’t wear feminine clothes, a sari or grow long hair. It’s a give-and-take, but,” she pauses significantly, before continuing, “you have to compromise for acceptance.” □