Accepting the queer: towards the LGBT inclusivity in India

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Abstract:

Indian society has been biased towards normativity and is critical and judgmental about those who are not falling in line with the majority. There is homophobia in people and there have been many attacks on the Lesbian, Gay, Bisexual and Transgender (LGBT). This paper aims to study how India transformed from an LGBT tolerant society into an intolerant society and what can be done to reverse this change. The acceptance towards the queer was lost during the British Raj and it continued in independent India. But, the abolition of Section 377 of Indian Penal Code is a big step towards the inclusivity. Marketing, LGBT specific products and different business models to support LGBT will increase the exposure and thus bring considerable change. Performativity of gender and political-will also help increase LGBT inclusivity.

Keywords*: Gender performativity, Homophobia, Homonormativity, Pink capitalism, LGBT*

Introduction:

India is a very diverse nation with its different castes, creeds, communities, religions, traditions, cultures and languages. It is surprising that even such an inclusive society disregarded the LGBT people. Historically, LGBT people were prevalent in all parts of the Indian subcontinent. Even in the sacred scriptures their presence had been mentioned. Homosexual relations, male bonding, female bonding and sex change were spotted occasionally, if not regularly.

 LGBT people enjoyed their lives in the ancient and medieval India, unlike that of modern India. In the Indian medieval history, many a eunuch and napumsaka are part of the palaces and always accompanied queens and royal ladies for the very fact that this association controls infidelity and adultery.

In Buddhist and Hindu (and somewhat differently in Jain) traditions, gender itself is questioned. [1] It was only after Western rulers invaded, the LGBT were being despised.

As the Supreme Court of India struck down the 157 year old colonial law IPC Section 377, now the question is what can be done to bring back the inclusivity in Indian society? While it is easy to talk about consideration, it requires a lot of effort from the stakeholders including government, society and the LGBT themselves.

Background:

Epics, Folklore and LGBT:

For instance, in the great Hindu epic Mahabharata, Arjuna, the hero and bow warrior of Kurshektra war, once became a eunuch, Brihannala, where he could only sing and dance with the other ladies of the court.

South India's popular shrine Sabarimala's celibate humane-god Ayyappa is also known as Hariharaputra, is an incarnation of God. He is the son of Hari, Lord Vishnu whose sex changed to Mohini (mother) and Hara (father), Lord Shiva. Hariharaputra literally means putra (son), Hari (Vishnu) and Hara (Shiva).

Sex-change of a man changing into a woman is a typical occurrence and it can be seen in the Indian puranic literature. "Perhaps, the best known sex change in ancient Indian literature is that of Amba into Sikhandin." [2] "The pattern of cross-dressed girl-child, the wedding of two women, and the pressure for one of them to change into a man after marriage is a persistent one in Indian texts, right down to the Rajasthani folk tale "Double Life."" [3]

Historical presence of LGBT:

Many instances of homosexual and bisexual life can be traced back to medieval rulers where they expressed their romantic preferences openly and so indirectly encouraged their subjects to live so. "In the Rajatarangini, chronicles of the kings of Kashmir, the licentious king Kshemagupta is described as addicted to anal as well as vaginal sex, has male favourites whom he caresses in public […]" [4] In the Shilappadikaram, a king called Nurruvar Kannar whose kingdom is in the Gangetic plain sends a tribute to the 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 hair"[5]

Lesbian bonding is not uncommon in Indian society of the past. But it is difficult to identify lesbians unless they are romantically connected explicitly. A very good example of this is the widow queens of King Dilipa in a living relationship, "[…] living together "in extreme love," and it is translated as "living together behaving like husband and wife.""[6]

Section 377 of the Indian Penal Code:

Modern India witnessed many attacks against gays, lesbians and bisexuals and transgenders. Gays were ridiculed for their feminine mannerisms and were often bullied. Free India rigorously resisted the expression of gay or lesbian love even in the films. "Village medics and babas often prescribe rape to cure lesbians of homosexuality. Refusal to marry brings more physical abuse. Stories of family acceptance that you see on TV and other media are more of an urban phenomenon." [7]. There's irrational hatred, intolerance, and fear of lesbian, gay, bisexual or transgender people.

Being born into one sex and desiring to be a different sex is the dilemma of many men and women. However, all of them cannot express and experiment with their sex. "Karl Heinrich Ulrich's, for example, an outspoken advocate for the rights of sexual minorities and the founder, as early as 1862, of the cult of Uranism (based on Pausanias's praise of Uranian, or "heavenly," pederasty in Plato's Symposium), described his own condition as that of an anima muliebris virili corpore inclusa—a woman's soul confined by a man's body."[8]

Section 377 of Indian penal code was modeled on the Buggery Act of 1533 of the then British Raj. The act defined buggery as an unnatural act against the will of God and made the sexual relations between men a criminal offense. [9]

Between 2001 and 2018, there were many LGBT pride walks, pride marches, queer film fests and many other events, petitions, court cases and protests that fought for the LGBT rights.

A Landmark judgment for the LGBT community in India came on 6th September 2018. Coming from different parts of the country with diverse religions, age, sex and other backgrounds, the apex court agreed that section 377 legitimizes the stigma associated with sexual orientation and its expression. So it decriminalized the 158-year-old colonial law which criminalizes consensual gay sex. Now, homosexuality is no longer a crime in India, and that the members of LGBTQ community have the same sexual rights as any other citizen.

Section 377 is scrapped, but the acceptance will still take some time.

Discussion:

Queer Theory: Queer theory challenges the notion of defined and finite identity categories, as well as norms that create a binary of good versus bad sexualities. Queer theorists' contention is that there is no set formal but only changing norms that people may or may not fit into, making queer theorists' main challenge to disrupt binaries in hopes that this will destroy difference as well as inequality.

One of the key concepts in queer theory is the idea of "heteronormativity," which pertains to "the institutions, structures of understanding and practical orientations that make heterosexuality seem not only coherent- that is, organized as sexuality-but also privileged." [10]

Heteronormativity promotes heterosexuality as the normal and/or preferred sexual orientation, and is reinforced in society through the institutions of marriage, taxes, employment, and adoption rights among many others. Heteronormativity is a form of power and control that applies pressure on the LGBTQ, through institutional arrangements and accepted social norms.

Analyzing with a queer perspective has the potential to undermine the base structure on which any identity relies on. This allows queer theory to become interdisciplinary and thus create new ways of thinking in how sexuality shapes and is shaped by other factors.

Michael Sweet and Leonard Zwilling have demonstrated that the "Third sex has been a part of the Indian worldview for nearly three thousand years."[11]

Michel Foucault, Lillian Faderman, David Halperin, and others have argued that it was only in the late nineteenth century that European and American Psychologists and sexologists such as Havelock Ellis, Magnus Hirschfield, and, later, Sigmund Freud began to think of people as falling into categories based on their sexual-emotional preferences, thus creating the categories of "heterosexual" and "homosexual" people. [12]

If human beings are turned by society into "men" and "women" through such mechanisms as dress, social roles, division of labour, and learned mannerisms, there is no natural or innate reason why an individual should be attracted or attached only to a member of the other gender category. [13]

Disrupting the defined binaries takes a multi-pronged approach. Governments have their own take on issues of gender equality. Lately, Indian government recognized and allowed transsexuals and transgender to register their gender/sexuality as 'third gender'. This is a very big step made towards bringing the justice and equality to the much neglected and marginalized LGBTs. However, this alone will not achieve the gender equality.

A man who makes sure to talk about cars and sports around his male friends is performing his gender, either consciously or unconsciously. This same argument can be made for sexuality part of any gender performance. [14] Gender performativity is a repeated process that creates the man as a man, the female as a female and the subject as a subject. [15] Just like ''Gender performativity,'' what is created and influenced by society and culture can be counter-influenced by performativity of the opposite.

Performativity of the opposite:

Pink capitalism: One's sexuality cannot be disconnected from the categories such as one's social status and identity. A society's feelings and desires, likes and dislikes, comforts and conflicts are well influenced and dominated by capitalist thought. Capitalism decides the way the society and its people function, the food they eat, the dresses they wear to name a few. It is certain that the same capitalism, specifically pink-capitalism, can be used as a counter-force to gender binary and the heteronormativity.

Pink-capitalism is a fusion of capitalism, LGBT movement and sexual diversity. It is an innovative thought from the aspect of market economy. It is also known as rainbow capitalism, homo capitalism or gay capitalism. Pink capitalism is a targeted inclusion of the gay community which has acquired sufficient purchasing power to generate market focused specifically on them. Examples of such targeted inclusion are bars and night clubs, LGBT tourism, or specialized culture consumption. Purchasing power of LGBT community is a positive force which helps them feel like they are part of society that values them. It is likely that without the political legitimacy given by the capitalist model of consumption, some civil and political rights would not have been achieved.

Though pink-capitalism is much debatable from the point of economy, it gives an increasing opportunity for homo socialization. The drive towards assimilation of sexual diversity caused by the organizations' definition of new consumption patterns. The new body aesthetics and fashion trends set by advertising canons employing pink capitalism, for example, are sometimes argued to push gender-diverse communities towards socially accepted sexual standards.

Advertisements:

The role of advertisement significantly influences the buying choices that are made. Besides, it has the potential of bringing a pragmatic change in the way we perceive people around us. Exposure to the means and ways of LGBT life makes the society think that LGBT folks are also normal human beings and are not different from the rest [16]

Indian brands have come out in support of LGBT publicly. Fashion accessory retail brand Fastrack's 'Move on', Indian fashion e-commerce company Myntra's 'Come out of the closet', Indian dairy company Amul's 'Freedom of choice', Jewellery brand Tanishq's 'Two of a kind always make a beautiful pair' and ethnic apparel brand Anouk's 'Bold is beautiful' attracted the attention of the public and exposed them towards the need of inclusivity.

Role of Corporate:

Mainstream acceptance and endorsements from huge corporations is a major influence. This is really benefitting the LGBT community. Sponsorships, advertising, and product placements are examples of some of the public acts. Companies such as IBM, PayPal, Coca-Cola, Gap Inc., Accenture, HP Inc., Hyatt, AT&T, Apple, Google, face book, YouTube and Microsoft hailed the cancellation of Section 377.

Flipkart, Swiggy, Zomato, Uber, Microsoft and IKEA have been openly supporting the LGBT cause. In a surprising move, Stay Uncle has launched gay couple friendly hotel booking across India.

Although there are few companies trying to take advantage of the community, there are many other companies that are being sincere in their support while also doing their business.

Conclusion:

Bullying and brutality will marginalize the already marginalized LGBT. "Support and acceptance" for equality and inclusivity is very much required. Not all people that used to accept heteronormativity will automatically be okay with accepting LGBT people. The cooperation and help extended by MNCs, public sector organizations, NGOs and governments will not only attach their name to the case for recognition, but actively bring awareness, provide services and thus bring inclusivity which will help the LGBTQ community with challenges that it faces now. Abolition of section 377 is a major move towards acceptance. Pink capitalism is significant in targeting and facilitating LGBT population with its innovative ideas and products. Advertisements have also brought remarkable change in the way people perceive the LGBT. But above all, the LGBT should also be strong and willing to stand up for their rights.

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