

Claiming Citizenship, Contesting Civility: The Institutional LGBT Movement and the Regulation of Gender/ Sexual Dissidence in West Bengal, India

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This essay examines the ongoing construction of gender/ sexual identities and minorities as claimants to legitimate citizenship and civic participation as a process that tends to exclude or discipline diverse practices and subject positions at the intersections of gender/ sexual and class/ caste marginality. Through a situated study of the interactions between the institutionalised LGBT (lesbian, gay, bisexual, transgender; particularly GBT) movement in West Bengal, India and lower class/ caste individuals and communities that inhabit gendered positions of marginality, the article argues that while they are often positioned within the institutional movement either as subjects of welfare or inadequate citizens who need to be trained to become worthy of rights, they may contest such regulatory practices and attendant exclusionary definitions of civility and citizenship. The article explores how these contestations might provide the ground for imagining more radical practices of gender/ sexual dissidence than those accommodated by liberal discourses of equality and rights.

I. INTRODUCTION

In July 2010, an article in a national English daily titled 'Let's keep the Pride', marking the first anniversary of the 2009 Delhi High Court judgment¹ that decriminalised sexual activity between consenting adults of the same sex in private, approvingly described a commemorative event at Delhi² that demanded equal rights for the "LGBT community."³

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1. (2010) Crim. L. J. ("Del.") 94 (India).
2. The event, a gathering at the national monument of Jantar Mantar, was organised by an informal coalition of activists and organisations on July 2, 2010, exactly a year after the Delhi High Court judgment on July 2, 2009.
3. Zabeeh Afaque, *Let's Keep the Pride*, HINDUSTAN TIMES, July 3, 2010, available at: <http://www.hindustantimes.com/News-Feed/LifeStyle/Let-s-keep-the-pride/Article1-566874.aspx> (last visited July 15, 2012).

However, while the article supported the political legitimacy of 'LGBT' persons as equal citizens and thus echoed an increasingly common stance in the Indian print media, it also singled out "a few transgenders" for "inappropriate behaviour" during the event that "threatened to mar the atmosphere."⁴ Even as the report approvingly cited "cheerful slogan shouting by gay rights supporters" and "provocative images" such as two men kissing, it berated the aforementioned "transgenders" for dancing while "lifting up their skirts and shouting swear words," which apparently embarrassed even "their own community."⁵ The author quoted leading gay activist Ashok Row Kavi⁶ in support: "We must use our rights responsibly [...] We have to go a very long way to convince society that we are equal citizens with equal rights."⁷

His words uncannily echoed those of Akash,⁸ a community leader and activist in the small town of Berhampore in the eastern Indian state of West Bengal. During a conversation in 2007, soon after the establishment of Madhya Banglar Sangram, the local community-based organisation for 'sexual minorities', Akash told me that the public behaviour of certain members of stigmatised gender/ sexually variant communities like *kothis* and *hijras*⁹ provoked adverse social reactions and made working for their rights difficult. Speaking as a community member and leader, Akash said: "If one wants acceptance and respect from society, one will have to act in a respectable manner." The stern caveat about 'respect' (*shomman* in Bangla) was not surprising. During my ethnographic fieldwork in the city of Kolkata and other small towns in West Bengal,¹⁰ I heard similar comments about the unruly

4. *Id.*

5. *Id.*

6. See Humsafar Trust, About Us, <http://www.humsafar.org/about.htm> (last visited July 15, 2012); See also Project Bolo, Indian LGBT Oral History, <http://www.projectbolo.com/ashok.htm> (last visited July 15, 2012) (Ashok Row Kavi is among the most prominent gay rights activists of India. Kavi founded the Humsafar Trust in 1994, one of the largest Indian NGOs working with GBT communities on issues of rights and male sexual health.).

7. Afaque, *supra* note 3.

8. All personal names have been changed to maintain privacy and confidentiality, except when they are public figures (e.g. Ashok Row Kavi) cited in media reports or other public documents.

9. See Lawrence Cohen, *The Kothi Wars: AIDS Cosmopolitanism and the Morality of Classification*, in *SEX IN DEVELOPMENT: SCIENCE, SEXUALITY AND MORALITY IN GLOBAL PERSPECTIVE*, 269-303 (V. Adams & S. L. Pig eds., 2005) (on the construction of the *kothi* category); See also GAYATRI REDDY, *WITH RESPECT TO SEX: NEGOTIATING HIJRA IDENTITY IN SOUTH INDIA* (2005) (on *hijra* and *kothi* communities and subcultures. *Kothis* are commonly described as 'feminine' same-sex desiring males, some of whom might cross-dress, while *hijras* are organised groups of male-born transvestites often described as a 'third gender'.).

10. I commenced my fieldwork in West Bengal, eastern India in 2007 as a volunteer in two community-based organisations, Madhya Banglar Sangram and Dum Dum Swikriti Society, while being a MA student at Jadavpur University. Subsequently from 2009 onward, I returned

and disreputable behaviour of some gender/ sexually variant persons in both casual conversations with activists and more formal contexts such as meetings of non-governmental organisations (NGOs) that work with 'sexual minorities' (*jounoshonkhaloghu* in Bangla). Various actions collectively designated as *bhel kora* (acting flamboyantly) or *bila kora* (creating trouble) in the regional intra-community code or argot – including specific gestures used to solicit money (*chhalla*) or perform sex work in public (*khajra*), and more broadly, any overly assertive or aggressive public display of gender non-conformity – were critiqued for exacerbating 'mainstream' perceptions of such communities and even provoking abuse, thus hampering the struggle for equal rights and against societal discrimination. According to one activist who spoke against such public behaviour in a meeting preceding the 2007 Kolkata Rainbow Pride walk: “the action of some of the participants such as dressing up during [last year's] walk was indecent and lowered the dignity of the walk. It was also detrimental to the objective of the movement [...] establish(ing) the rights of community people.”¹¹ This led to an unwritten consensus among NGO representatives on the greater surveillance of such 'indecent' behaviour: for instance, the *thikri*, a loud clap used by *hijras* and some *kothis* for public assertion, came under censure during subsequent walks.¹²

The systematic interconnections across the above instances suggest that at the very moment when 'sexual minorities', the 'LGBT community', and/ or their constituent identities are constructed as intelligible and legitimate citizen-subjects deserving equal rights, a range of practices and subject positions at the intersections of class/ caste and gender marginality – particularly manifested in gestures of public assertion and gendered flamboyance by lower class subjects – are sought to be excluded or disciplined by emergent modes of sexual/ political subjecthood. Such practices may be condemned both as flouting cultural norms of respectability through their indecency or disreputability and as interrupting the process of gaining formal equality within civil society through their unruliness or incivility.

In this article, I locate and examine these regulatory tendencies as part of the contested processes through which institutions and activists in

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11. Quoted from the minutes circulated in English among the participants after the meeting (e-mail correspondence, May 25, 2007).
12. The 'consensus' I mention here was not officially recorded in the meeting minutes; however, it was evident in attempts by senior community members and activists to regulate behaviours such as *thikri* that I observed in the Kolkata Rainbow Pride walks of 2007, 2008 and 2009.

India in general, and West Bengal in particular, construct and assimilate 'sexual minority' groups into legitimate citizenship through claims upon both cultural nationhood and transnational discourses such as LGBT and human rights, corresponding to an aspirationally cosmopolitan middle class civil society. As I will argue, even as institutional LGBT activism in India contests restrictive narratives of national culture where gender/sexual variance is portrayed as alien and corruptive to the nation, it might reinscribe a normative relationality between socio-cultural hierarchies of respectability and exclusive forms of civility and citizenship, such that certain forms of queer resistance or dissidence are condemned both for social indecency and for violating civic equality through excessive provocation or aggression. While the process of claiming citizenship via liberal discourses of equal rights visibilises some LGBT subjects as deserving citizens, it might further entrench or reiterate extant social stigma against lower class/ caste groups and subject positions, such that associated forms of difference, resistance and subjectivity are rendered uncivil, illegitimate and/ or politically unintelligible – 'subaltern'¹³ in the sense of speech and resistance that cannot be heard or recognised as such within dominant discourses of equality and rights.¹⁴ Moreover, hierarchies of civility and respectability fuel identitarian splits between categories such as gay and transgender, MSM (men who have sex with men) and transgender, and even good and badly-behaved transgender, though many 'community people' inhabit multiple and overlapping subject positions.

These arguments resonate with a growing literature in the west that maintains that LGBT recognition and visibility has included relatively elite queers into nationality, citizenship and socio-cultural respectability ('homonormativity') at the cost of continuing or increased marginalisation and deprivation of racial and socio-cultural others.¹⁵ While Indian institutional activism may parallel some trends of western LGBT politics,

13. I draw from Spivak's influential theorisation of the 'subaltern', see Gayatri Chakravorty Spivak, *Can the Subaltern Speak?*, in *MARKISM AND THE INTERPRETATION OF CULTURE* (C. Nelson & L. Grossberg eds., 1988); Gayatri Chakravorty Spivak, *Scattered Speculations on the Subaltern and the Popular*, 8 (4) *POSTCOLONIAL STUD.* 475-486 (2005).

14. See Ajay Skaria, *Relinquishing Republican Democracy: Gandhi's Ramrajya*, 14 (2) *POSTCOLONIAL STUD.* 203-229 (2011) (I refer to the modern liberal democratic tradition of juridical/ political equality through which the LGBT movement has often claimed constitutional and human rights; for a critique of this political tradition in the South Asian context.).

15. See Kevin P. Murphy, Jason Ruiz & David Serlin, *Editor's Introduction*, 100 *RADICAL HISTORY REV.* 1 (2008); Anna M. Agathangelou, M. Daniel Bassichis & Tamara L. Spira, *Intimate Investments: Homonormativity, Global Lockdown, and the Seductions of Empire*, 100 *RADICAL HISTORY REV.* 120 (2008); JASBIR PUAR, *TERRORIST ASSEMBLAGES: HOMONATIONALISM IN QUEER TIMES* (2008); *THAT'S REVOLTING: QUEER STRATEGIES FOR RESISTING ASSIMILATION* (Mattilda B. Sycamore ed., 2004).

I argue that attempts to legitimise LGBT groups into cultural nationhood and civic equality become internally contested and contradictory in the postcolonial context of India and, moreover, come into friction with various forms of gender/sexual and class/caste agency associated with non-metropolitan subcultures and communities, which may not be easily recuperable into narratives of national culture and liberal discourses of citizenship.¹⁶ These frictions result in contested tendencies within the movement to regulate the domain of civic participation against encroachment by lower class subjects, particularly publicly visible male-born gender variant persons belonging to *hijra* and *kothi* communities or subcultures, through imputations of their indecent, disreputable or uncivil behaviour.¹⁷ I do not suggest that such regulatory tendencies are concerted institutional policies enforced by organisations or activists from above, nor do I assign blame to particular actors. Rather, the article analyses conglomerations or assemblages of societal, institutional and intra-community forms of hierarchy and stigma that do not have any singular agent, and indicate the structural limitations of liberal discourses of citizenship more than specific individual or organisational intentions. As I will attempt to demonstrate, regulatory modes of public and political visibility, organised around the liberal democratic ideal of formal equality and the modern interiorised and privatised conception of gender/sexual identity, interact with and reinscribe social and intra-community hierarchies based on 'traditional' ideas of decency and respectability (*shomman*). These processes are not merely internal to the LGBT movement but evidence a broader structural dynamic of postcolonial citizenship where cultural ideologies of class, caste and gender intersect with the legacies of Enlightenment humanism and colonial governance, which promised the universalisation of equality and rights while withholding citizenship and political sovereignty from insufficiently civilised subjects.¹⁸ In its aspirational trajectory to equal

16. For an overview of narratives of national culture that the Indian LGBT movement contests or assimilates to, see Ratna Kapur, 'A Love Song to Our Mongrel Selves': *Hybridity, Sexuality and the Law*, 8 (3) SOC. & LEGAL STUD. 353 (1999); For a critical theorisation of liberal citizenship in postcolonial societies, see PARTHA CHATTERJEE, *LINEAGES OF POLITICAL SOCIETY: STUDIES IN POSTCOLONIAL DEMOCRACY* 1 & 12 (2010).

17. The regulatory tendencies described in this article primarily affect lower class/caste male-born persons and communities. Lower class/caste communities of same-sex desiring women and female-born transgender persons have been much less visible within institutional activism in eastern India for complex reasons, including the lack of HIV/AIDS control funding for women (except female sex workers) which often economically facilitates institutional queer/LGBT activism: an exclusion that deserves separate treatment elsewhere, beyond this token mention.

18. DIPESH CHAKRABARTY, *PROVINCIALIZING EUROPE: POSTCOLONIAL THOUGHT AND HISTORICAL DIFFERENCE* 4-8 (2000).

citizenship, the movement displays prominent tendencies to seek to pedagogically assimilate lower class groups into norms of civility and respectability as inadequate subjects who need to be trained in order to become worthy of rights, evidencing the contemporary iterations of a long history of upper caste/ class reformist endeavours to “recast” subordinate groups within hegemonic constructions of national identity or culture.¹⁹ As suggested in the equation between gaining social equality and acting respectably in Akash's comment above, abstract political ideas of civic equality and exchange are expressed through particular cultural ideas of respectability, demonstrating convergences between regulatory ideals of political and cultural citizenship that restrict lower class participation in civil society.

II. CIVIL VS. POLITICAL SOCIETY?

As I will describe, these politico-cultural convergences create a structural rift between those relatively privileged subjects who may claim equal participation in both civic and cultural realms (usually middle class LGBT activists), and those who do not gain the position of full/ proper citizens but rather become positioned as recipients of welfare and training provided by middle class-led NGOs, particularly as 'target groups' or low-tier staff in HIV/ AIDS prevention interventions undertaken by many (though not all) NGOs.²⁰ This rift may seem analogous to Partha Chatterjee's distinction between civil society and 'political society', the first being the domain of equal citizenship entitled to a stable set of constitutional rights, the second the sphere of both welfare and regulation/ surveillance of excluded sections through governmental technologies.²¹ According to Chatterjee, “civil society” in postcolonial nations is restricted to the urban middle classes, and aspires to be an “orderly zone” of law and rights in congruence with “normative models of bourgeois civil society.”²² It is both “sequestered” from and threatened by the messy practices of “political society,” where

19. RECASTING WOMEN: ESSAYS IN COLONIAL HISTORY 14 (K. Sangari & S. Vaid eds., 1989).

20. Grants for HIV/ AIDS prevention from the Indian state and foreign or multilateral donors is a major source of funding for both larger national NGOs like the Humsafar Trust or the Naz Foundation International and smaller community-based organisations (CBOs) working with 'sexual minorities,' see Akshay Khanna, *Taming of the Shrewd 'Meyeli Chhele': A Political Economy of Development's Sexual Subject*, 52 (1) DEVELOPMENT 47 (2009) (for a critical analysis of this 'HIV/AIDS industry').

21. See PARTHA CHATTERJEE, *THE POLITICS OF THE GOVERNED: REFLECTIONS OF POPULAR POLITICS IN MOST OF THE WORLD* (2004); Partha Chatterjee, *Democracy and Economic Transformation in India*, XLIII (16) ECONOMIC & POLITICAL WEEKLY 57 (April 19, 2008).

22. Partha Chatterjee, *Democracy and Economic Transformation in India*, XLIII (16) ECONOMIC & POLITICAL WEEKLY 57 (April 19, 2008).

different subaltern groups negotiate their demands through “temporary, contextual and unstable arrangements” with governmental power.²³

However, I will deploy an ethnographic analysis²⁴ of the movement for 'sexual minority' rights to suggest that both the 'real' spatial boundary and the conceptual distinction between civil and political society may be subject to contestation rather than marking the separation of neatly “sequestered” domains.²⁵ NGOs advocating for 'sexual minorities' invoke constitutional rights to enter mainstream civil society and in turn seek to regulate the participation of lower class 'target groups' in this expanded civic space – a contradictory dynamic that cannot prevent further challenges from below. Such challenges often expose the lie of civic order and its disavowed moments of contingency, instability and excess. In the following sections, I elaborate this process with reference to my ethnographic fieldwork as a participant-observer in several organisations associated with 'sexual minorities' in West Bengal between 2007 and 2011.²⁶ The location of the ethnography is prompted by my familiarity with the Bengal region as a native speaker of Bangla and by the access afforded by my gradual inclusion over the years as a friend and community member in both middle and lower class contexts. West Bengal also provides an appropriate site because of its early growth of an institutionalised LGBT movement (including India's first pride walk in Kolkata in 1999), its links with the broader national LGBT movement, and the expansion of NGOs across non-metropolitan and metropolitan areas, making for contact across socio-economic and geographic locations.²⁷ While I approach mainstream discourses of citizenship operative at the national level through media analysis, I analyse forms of political expression and dissent in West Bengal such as pride walks and musical/ dance performances to provide a regionally situated example of how excluded sections negotiate or challenge the civil/ uncivil distinction that polices the boundaries of civil society. Although the ethnographic analysis is specific to West Bengal, I contend that there are parallels with broader national trends which I indicate at several points within the article in order to suggest the larger context and scope of the arguments.

23. *Id.*

24. *supra* note 10.

25. See PARTHA CHATTERJEE, *LINEAGES OF POLITICAL SOCIETY: STUDIES IN POSTCOLONIAL DEMOCRACY* 90-93 (2010) (In response to criticisms of the civil/ political society binarism, Chatterjee's more recent work acknowledges overlaps between modes of political engagement in these two spheres, but does not provide any empirical analysis of how the distinction itself might be contested.).

26. *supra* note 10.

27. For a chronological account of the institutional movement in West Bengal, see SHERRY JOSEPH, *SOCIAL WORK PRACTICE AND MEN WHO HAVE SEX WITH MEN* 99-100 (2005).

In the third section, I demonstrate how contemporary Indian civil society within which the movement aspires for inclusion simultaneously negotiates cultural-nationalist formulations of the ethically responsible citizen and the transnational figure of the citizen-consumer, resulting in a complex (and at times conflicting) ethos of civility and citizenship. This challenges the conceptual abstraction of civil society as an ordered domain of civic interactions actualising ideals of liberal democracy and citizenship and shows how these norms are inevitably entangled in elite (and contestable) conceptions of proper civility and (trans) national culture. As feminist critiques and revisionist historiography have shown, the “distinctive culture of civil society” emerged in Europe with associated ethos and styles of public behaviour that drew from and furthered bourgeois and male dominance.²⁸ Thus, rather than comprising an external disorderly domain such as 'political society', contingent political negotiations and claims by privileged subjects were internal to the constitution of normative forms of civility and citizenship from their moment of emergence. Further, the putatively rational discourse of civility is profoundly gendered and contingent upon a disavowal of feminine excess and irrationality.²⁹

In the fourth section, I examine how disparate tendencies within the dominant culture of civil society, while contradictory in themselves, unite to delegitimise certain subjects from citizenship – especially those identified with disreputability, irrationality, or aggression – exacerbating forms of stigma and fuelling identitarian divides within minoritised communities. On the other side of such exclusion, forms of middle class cultural expression, such as specific genres of music and dance, are used to assimilate and include unruly subjects through a pedagogical process of disciplining and containment.

The fifth section studies how subaltern encroachments and appropriations continually challenge the boundaries of civil society, interrupting the restricted spaces of civility and broadening its permitted ethos by mixing 'high' and 'low' culture. Again, musical and dance performances become a crucial site of these crossings and mediations. As Bourdieu argues through his influential sociology of culture, media of cultural expression such as music index class and social position and can play crucial roles in the struggle over cultural capital and social

28. Nancy Fraser, *Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy*, (25/26) SOCIAL TEXT 59-60 (1990).

29. Nancy Fraser, *Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy*, in HABERMAS AND THE PUBLIC SPHERE (Craig Calhoun ed., 1992); JOAN LANDES, WOMEN AND THE PUBLIC SPHERE IN THE AGE OF THE FRENCH REVOLUTION 2-4 (1988).

mobility.³⁰ I investigate how contestations and crossovers in the realm of 'culture' might reclaim models of equality and citizenship beyond middle class civil society spaces and permit situated demands far beyond the 'original' provenance of the liberal political tradition.

Before moving on, a note on categories of identification might be useful. The cross-cultural emergence and adaptations of modern identity-based conceptions of sexuality have inspired complex academic debates that are beyond the scope of this article.³¹ Given the transnational circulation of the term 'gay' in the media and the urban emergence of visible gay and lesbian-identified communities, the Indian movement commonly uses the 'LGBT' schema of identities for civic activism and media representation directed at middle class audiences.³² 'Queer' too is increasingly used in the sense of an umbrella term for LGBT identities³³ – even though, academically, 'queer' may be deployed as a *critique* of identity-based politics.³⁴ However, many NGOs active in LGBT activism also undertake state and donor-funded interventions for sexual health and human rights which interact with and draw lower-level staff from lower class and non-metropolitan communities that, as I observed during fieldwork, may not identify as 'gay' and are usually even less familiar with 'queer'. NGOs draw upon transnational HIV/AIDS prevention discourse and use 'sexual minorities', MSM (men who have sex with men) and TG (transgender), rather than LGBT, to denote 'target groups' and staff in HIV/AIDS interventions.³⁵ MSM and TG include and subordinate more 'vernacular' terms like *kothi* and *hijra*, with *hijras* being usually categorised as a 'third gender' TG group, organised into marginalised clans, while *kothis* are defined as feminine MSM who are more scattered within mainstream society.³⁶ For the purposes of this

30. PIERRE BOURDIEU, *DISTINCTION: A SOCIAL CRITIQUE OF THE JUDGMENT OF PURE TASTE* 1-2 (Richard Nice trans., 1984).

31. For an overview of these debates, see Peter Jackson, *Capitalism and Global Queering: National Markets, Parallels among Sexual Cultures, and Multiple Queer Modernities*, 15 (3) *GLQ: A JOURNAL OF LESBIAN & GAY STUD.* 357, 360 (2009).

32. See *Abhay Deol Extends Support to LGBT Community*, *TIMES OF INDIA*, 2 Mar 2012 (For example, the listserv lgbt-india@yahoo.com is the primary national online forum for activist discussion. The media too increasingly uses LGBT as an umbrella term.).

33. See *Queer Azaadi Mumbai*, Mumbai Pride's Official Weblog, available at: <http://queerazaadi.wordpress.com/about/> (last visited July 15, 2012).

34. See Teresa D. LaRetis, *Queer Theory: Lesbian and Gay Sexualities*, 3 (2), *DIFFERENCES: A JOURNAL OF FEMINIST CULTURAL STUD.* iii-xviii (1991); Annamarie Jagose, *Queer Theory*, (4) *AUSTL. HUMANITIES REV.* (1996).

35. For use of MSM and TG in HIV-AIDS discourse, see NATIONAL AIDS CONTROL ORGANIZATION, *TARGETED INTERVENTIONS UNDER NACP III: CORE HIGH RISK GROUPS 13* (Ministry of Health and Family Welfare, Government of India 2007), available at: <http://nacoonline.org/upload/Policies%20&%20Guidelines/27,%20NACP-III.pdf> (last visited July 15, 2012).

36. *Id.*

article, it would be useful to remember that cartographies of identity are unstable and there are institutional differences on whether terms like *kothi* should be classified as feminine males (MSM) or transgender women (TG), as described in the second section. Analytically, lower class gender/sexual difference may be understood as 'queer' in as much as they defy identitarian boundaries between categories like MSM and TG, even though the word 'queer' is largely absent in such contexts. All terms should be read as if in scare quotes, denoting unstable formations of identity rather than essentialised or historically unchanging subject positions.

III. THE JUNCTURE OF LIBERALISATION: CONTESTED ETHOS OF CIVILITY AND CITIZENSHIP

The story I tell here begins in the 1990s, a complex period in the history of independent India, marked simultaneously by socio-economic liberalisation/ globalisation and the political rise of Hindu right-wing nationalism.³⁷ As Arvind Rajagopal has argued, these are not simply contradictory tendencies but rather there is an “elective affinity” between consumerist liberalisation and Hindu nationalism, which utilised commoditised forms of mass culture for propaganda purposes and monetary support from diasporic Indians in the US and the UK.³⁸

However, one contested locus where this “elective affinity” is ruptured seems to be non-normative genders and sexualities. This decade was marked by visible representations of same-sex desiring and gender variant subjects in the media, even as dominant discourses of national identity attacked such representations as foreign to 'Indian culture' and even threatening to national sovereignty and security.³⁹ The most publicised instance would be the 1998-99 controversy over *Fire*,⁴⁰ a feature film depicting a sexual relationship between two

37. Ratna Kapur, 'A Love Song to Our Mongrel Selves': *Hybridity, Sexuality and the Law*, 8 (3) *Soc. & LEGAL STUD.* 353 (1999); William Mazzarella, *Middle Class*, in *KEYWORDS IN SOUTH ASIAN STUDIES* (Rachel Dwyer ed., 2004), available at <http://www.soas.ac.uk/southasianstudies/keywords/file24808.pdf> (last visited July 15, 2012).

38. ARVIND RAJAGOPAL, *POLITICS AFTER TELEVISION: HINDU NATIONALISM AND THE RESHAPING OF THE PUBLIC IN INDIA* 34 (2001); William Mazzarella, *Middle Class*, in *KEYWORDS IN SOUTH ASIAN STUDIES* 8 (Rachel Dwyer ed., 2004), available at <http://www.soas.ac.uk/southasianstudies/keywords/file24808.pdf> (last visited March 1, 2012).

39. Ratna Kapur, 'A Love Song to Our Mongrel Selves': *Hybridity, Sexuality and the Law*, 8 (3) *Soc. & LEGAL STUD.* 353 (1999).

40. *See Hindu leader says Lesbian film should be about Moslem family*, AGENCE FRANCE PRESSE, December 14, 1999, available at <http://www.sawnet.org/news/fire.html>; *Deepa Mehta appeals to the Supreme Court*, AGENCE FRANCE PRESSE, December 7, 1999, available at <http://www.sawnet.org/news/fire.html>; *Activists slam attacks on lesbian film, Hindus vow to*

housewives, when the Hindu right wing entered the fray with virulent proclamations of lesbianism as a western import, not only un-Indian but also corrupting Indian womanhood and family values.⁴¹ Such discourses show how patriarchal and upper-caste definitions of gendered familial order become constitutive of normative definitions of 'Indian culture' and national identity⁴² – thus forming, in Lauren Berlant's terms, an “intimate core” of national culture and citizenship.⁴³ However, there has also been a wave of 'positive' media coverage in multiple languages, decrying these conservative trends and foregrounding, even celebrating, emergent gay and lesbian subjects and subcultures as signs of progress connected with the trajectory of economic liberalisation and cultural globalisation, here seen as desirable. For instance, a characteristic article in the Kolkata newspaper *The Telegraph* cites a LGBT pride walk in 2005 as evidence of changing social mores and states:

One doesn't have to look too far for the reasons for this change in attitudes. The City of Joy itself is changing. Shopping malls [...] have mushroomed [...] satellite television and multiplexes have added spice to life [...] Call centres have engaged a brigade of young workers – (who) are making money and willing to spend it.⁴⁴

In response to these contradictory currents, dominant LGBT activism has sought equal status within the national citizenry through a *double* move – both contesting and re-claiming the “intimate core” of national culture and identity on the one hand and evoking transnationally circulating models of liberal democracy and metropolitan culture on the other. For example, in response to the *Fire* controversy, lesbian activists highlighted the historical tolerance of same-sex desire within 'Indian culture', breaking down a monolithic and conservative view of Indian identity but also sometimes deploying essentialisms of their own – like a nostalgic idealisation of a libertarian Hindu antiquity or of the purported pre-colonial tolerance of different sexualities.⁴⁵ Since then, a common strategy has been to cite revisionist readings of pre-colonial India and to depict homophobia as an alien imposition of Victorian legislators.⁴⁶ While

widen protests, AGENCE FRANCE PRESSE, December 3, 1999, available at <http://www.sawnet.org/news/fire.html> (These press reports provide an overview of the controversy.).

41. Mary E. John & Tejaswini Niranjana, *Mirror Politics: Fire, Hindutva and Indian Culture*, XXXIV (10/11) ECONOMIC & POLITICAL WEEKLY 581 (March 6-13, 1999).

42. *Id.*

43. LAUREN GAIL BERLANT, *THE QUEEN OF AMERICA GOES TO WASHINGTON CITY: ESSAYS ON SEX AND CITIZENSHIP* 5 (1997).

44. Vishnupriya Sengupta, *Oh! Calcutta!*, THE TELEGRAPH, August 7, 2005.

45. Kapur, *supra* note 39, at 358.

46. See HUMAN RIGHTS WATCH, *THIS ALIEN LEGACY: THE ORIGIN OF “SODOMY” LAWS IN BRITISH*

undeniably important in claiming silenced or marginalised histories, scholars have noted how such claims are often articulated with reference to high or 'classical' culture and can be Hindu-normative,⁴⁷ sometimes even attributing the historical rise of homophobic attitudes to Muslim invasions and thus mirroring a classic trope of Hindu-right nationalism.⁴⁸ For instance, an exhibition of photographs of temple art/ sculpture by Giti Thadani at the 2009 Annual Calcutta LGBT Film & Video Festival was advertised thus: "Homosexuality is very much part and parcel of Indic histories [...] these histories have been ignored, ravaged by different monotheistic invasions."⁴⁹ Contradictorily, homophobia is also depicted as an anachronistic and embarrassing reminder of conservative Indian tradition compared to 'advanced' societies and events of public activism such as pride marches and film festivals are indexed as ways to catch up with Western levels of equality and acceptance.⁵⁰ Thus, contemporary LGBT activism can be placed within a simultaneously national and transnational moment, evidencing overlaps of cultural nationalism and aspirational cosmopolitanism symptomatic of the larger situation of the Indian middle classes.

This complex moment corresponds to an ideological juncture between 'old' and 'new' modes of middle class citizenship: the post-independence Nehruvian citizen who is oriented towards civil service, austerity and moral responsibility to the nation, and the rising citizen-figure who fulfils the social contract by virtue of being a consumer driving the economy and thus need not shy away from excess.⁵¹ As Leela Fernandes and William Mazzarella point out, these are less accurate descriptors of middle class reality, and more "idealized images" or "normative positions" that mark out the contested contours of civic discourse.⁵² Even as commentators

COLONIALISM (2008), available at: <http://www.hrw.org/en/reports/2008/12/17/alien-legacy-o> (last visited July 15, 2012).

47. Akshay Khanna, *Us 'Sexuality Types': A Critical Engagement with the Postcoloniality of Sexuality*, in *THE PHOBIC AND THE EROTIC: THE POLITICS OF SEXUALITIES IN CONTEMPORARY INDIA* 159, 177 (Brinda Bose & Subhabrata Bhattaharyya eds., 2007).

48. Kapur, *supra* note 39, at 46.

49. Excerpted from the website of one of the organisers, see Sappho for Equality, *Excavation of Feminine Memories*, available at: <http://sapphokolkata.org/page/4/> (last visited July 15, 2012).

50. Phil Hazlewood, *India gets its first mainstream gay film festival*, AFP, Apr. 7, 2010 ("Organisers [are] hailing it as a sign of progress after years of prejudice and discrimination... Such events have been an established part of the cultural scene in Western countries for many years but in socially conservative India [...] it has been largely an underground activity.")

51. William Mazzarella, *Middle Class*, in *KEYWORDS IN SOUTH ASIAN STUDIES 1* (Rachel Dwyer ed., 2004), available at: <http://www.soas.ac.uk/southasianstudies/keywords/file24808.pdf> (last visited July 15, 2012); Amita Baviskar & Raka Ray, *Introduction*, in *ELITE AND EVERYMAN: THE CULTURAL POLITICS OF THE INDIAN MIDDLE CLASSES 2, 3* (A. Baviskar & R. Ray eds., 2011).

52. On "idealized images" of the new middle class, see Leela Fernandes, *Restructuring the Middle Class in Liberalizing India*, 20 (1-2) *COMP. STUD. S. ASIA AFR. & MIDDLE E* 88 (2000); LEELEA

like Praful Bidwai have lamented the alleged decline of the former moment of civic culture,⁵³ the English-language media has increasingly celebrated the rise of the latter.⁵⁴ These contrasting pulls are diffracted onto public forms of LGBT activism.

On one hand, there may be an ambitious rhetoric of humanism and moral struggle for a better society, including references to nationalist songs from the pre-independence period in the case of the Kolkata pride walk. This idea of an ethically engaged citizenship is cross-fertilised with discourses of universal human rights and transnational civil society shared through NGO and activist 'advocacy networks' across the world.⁵⁵ In the Bengali context, this is manifested in the close association between the elevated rhetoric of *monushotto* and *manobota* (humanity/ human dignity) drawn from pre-independence humanism (including both cultural nationalist and anti-nationalist/ cosmopolitan strains within the literary/ cultural legacies of the 'Bengal Renaissance'), and *manobadhikar*, a more contemporary transnational formulation from the English 'human rights' framework, disseminated through NGO networks, UN agencies, and state discourses. The coalitional slogan for the pride walk through 2007-2010, *Chai manusher adhikar niye banchte*, or 'We want to live with the rights/ dignity of the human', references both these spheres of influence. As a phrase, *manusher adhikar* – 'rights of the human'/ 'human rights' – has an exact precedent in the poetry of Rabindranath Tagore (1861-1941), arguably the central figure in Bengali literary/ cultural production in the first half of the twentieth century. Tagore's 1900 poem *Apoman*⁵⁶ (Insult/ Disgrace) protests centuries of denial of '*manusher adhikar*' to the oppressed and outcaste sections of Indian society and indicts dominant culture for this millennial disgrace against humanity, concluding with a "programmatic [...] call to all" for social transformation.⁵⁷ As both cultural capital and political strategy, Tagore's poetry and music have been appropriated and frequently performed in pride marches and

FERNANDES, INDIA'S NEW MIDDLE CLASS: DEMOCRATIC POLITICS IN AN ERA OF ECONOMIC REFORM 60 (2006); See William Mazzarella, *Middle Class*, in KEYWORDS IN SOUTH ASIAN STUDIES 4 (Rachel Dwyer ed., 2004), available at: <http://www.soas.ac.uk/southasianstudies/keywords/file24808.pdf> (last visited July 15, 2012) (on the "normative positions" involved in this debate.).

53. William Mazzarella, *Middle Class*, in KEYWORDS IN SOUTH ASIAN STUDIES 8 (Rachel Dwyer ed. 2004), available at: <http://www.soas.ac.uk/southasianstudies/keywords/file24808.pdf> (last visited July 15, 2012).
54. Leela Fernandes, *Restructuring the Middle Class in Liberalizing India*, 20 (1-2) COMP. STUD. S. ASIA AFR. & MIDDLE E. 88 (2000).
55. MARGARET E KECK & KATHRYN SIKKINK, *ACTIVISTS BEYOND BORDERS: ADVOCACY NETWORKS IN INTERNATIONAL POLITICS* (1998).
56. RABINDRANATH TAGORE, *GITANJALI* 140 (Joe Winter trans., 1998) (1912).
57. Gayatri Chakravorty Spivak, *Ethics and Politics in Tagore, Coetzee and Certain Scenes of Teaching*, 32 (3/4) DIACRITICS 19, 20-29 (2002).

associated cultural programs.⁵⁸ But the phrase '*manusher adhikar*' also marks the insertion of this Bengali humanist inheritance into NGO and state technologies of governmental power, directed at the welfare and uplift of excluded sections under the aegis of middle class leaders – as noted at the outset of this paper, the pride march is also a space where lower class/ caste sections are sought to be educated into civic norms both to maintain the “dignity of the walk” and to “establish the rights of community people,”⁵⁹ claimed within the transnational rubric of *manobadhikar* ('human rights'). Thus, the evocation of cultural-nationalist ideals might lead to pedagogical disciplining into being respectable, dignified and responsible citizens.

On the other hand, there is also the desire to keep up with transnational patterns of conspicuous consumption and display that have become a hallmark of metropolitan gay/ lesbian culture. These are evidenced through events such as the 'Pink Rupee Party' organised by the Delhi-based queer group *Nigah* in the summer of 2009⁶⁰ – a fundraising event preceding a week-long 'QueerFest' comprising film screenings, performances, workshops, etc. that asked members of the 'queer' community to attend a dance party at a prominent city pub for a donation of Rs. 400: “The pride of Nigah QueerFest is that it is funded by the Queer Community [...] The last 2 years have been a great success with your love and support [...] Yet again, we invite you to the fundraiser party to show your support and dance the night away with us.”⁶¹ While the usage of the term 'queer' immediately indexes the class privilege and discursive access of *Nigah* and its constituency (as distinct from many organisations in West Bengal working with *kothi/ hijra* subcultures and communities), similar events in pubs and dance clubs have been occasionally undertaken by NGOs in Kolkata with the agenda of fundraising and/ or creating 'safe spaces'.⁶² Such events draw from and celebrate the rising economic presence and visibility of the big city gay/ lesbian consumer and their purported ability to contribute to social transformation (you can “show your support”) without necessitating further ethical or political commitment (just “dance the night away with

58. See Part V of this article.

59. *supra* note 11.

60. Nigah, *Nigah Invites you for the Pink Rupee Party*, available at: <http://nigahdelhi.blogspot.com/2009/08/nigah-invites-you-for-pink-rupee-party.html> (last visited July 15, 2012).

61. *Id.*

62. For example, there was a combined gala by *Pratyay* and *Sappho* at the conclusion of their own film festival in 2009, similar to *Nigah's* initiative in Delhi. Fund-raising parties were also organised prior to the Kolkata Rainbow Pride Week in July 2011.

us”). This fits in with a lot of media coverage that maps gay/ lesbian visibility onto the cutting-edge of urban lifestyle and consumerism, which is celebrated both for rejuvenating the economy on the global stage and for being gender/ sexually progressive.⁶³ While spaces like parties do permit the flaunting of queer difference to an extent, only limited sections can have access to these spaces, which leads to another kind of containment and exclusion compared to the aforementioned national/ cultural mode. Thus, as I argue in the subsequent section, despite their apparent contradiction, both of these normative modes of claiming citizenship – cultural and nationalist ideals of citizenship and a westward-looking consumerism and cosmopolitanism – might function jointly to stigmatise and/ or discipline lower class public resistances.

These conflicting modes of citizenship demonstrate that while middle class LGBT activism does interrupt civil society, it can also get assimilated into the contradictory moments of its dominant ethos, based on the contingent nature of upper/ middle class manoeuvres within structures of power: balancing the historical hegemonic aspirations of a nationalist avant-garde with a newer economic leadership related to changing labour patterns and occupations (such as the rise of information technology and service industries) and the concomitant rise in consuming ability for the upper/ middle classes.⁶⁴ Just as its 'originary' moment in Europe, the domain of proper citizenship hardly emerges as abstract or neutral laws of rational communication and arbitration of interests,⁶⁵ but is established through changing upper/ middle class strategies of establishing their dominance, as manifested in relatively elite forms and spaces of cultural expression.⁶⁶

IV. PEDAGOGY AND CONTAINMENT: CONFRONTING LOWER CLASS SUBJECTS

However fraught and conflicted in themselves, these various modalities of middle class citizenship might be consolidated through attempts to guard the putative “orderly zones of civil society”⁶⁷ from encroachment by disruptive lower class/ caste sections. While this could take many

63. For an analysis of the media coverage of LGBT and ‘alternate sexualities,’ see Aniruddha Dutta, *Narratives of Excess and Exclusion: Nationhood, Class and Queerness in the Indian English-Language Press*, in *OUT OF PLACE: INTERROGATING SILENCES IN QUEERNESS/ RACIALITY* (Esperanza Miyake & Adi Kuntsman eds., 2008).

64. Fernandes, *supra* note 54, at 92.

65. Fraser, *supra* note 28, at 59.

66. Fernandes, *supra* note 54, at 92.

67. Chatterjee, *supra* note 22, at 62.

forms, perhaps the most direct and visible manifestation is the spatial regulation of urban modernity. As William Mazzarella contends via Dipesh Chakrabarty and Sudipta Kaviraj:

Indeed, a zone in which the 'new' and the 'old' middle classes increasingly appear to find common cause is in an urban politics of 'livability' – a concern, above all, with neighbourhood order, cleanliness, and decency – a politics that loudly decries the lack of 'civility' that mars the modernity of the third world metropolis.⁶⁸

The resultant criminalisation of groups such as squatters, slum-dwellers and street-hawkers is usually achieved through the invocation of property rights, which foregrounds their illegality as encroachers while conveniently eliding their structural necessity within informal urban economies⁶⁹ – and as one might extend the argument, such strategies of positing disruptive 'others' to urban modernity permit a tentative consolidation of middle class civility through the externalisation of disorder onto disruptive 'others'.

Similar dynamics of exclusion are evident at the intersection of class/caste and gender/sexual marginality as well. In the media discourse, the more visible lower class sections such as the community of *hijras* (often inaccurately termed 'eunuchs' in the media) are often targeted for their occupations of begging and 'extortion' and seen as violators of civic space in marked contrast with the token celebration of middle class les-bi-gay subjects as markers of transforming urban culture. In typical reports, we read, "Eunuchs (sic) [...] have been causing great harassment to people, barging into homes and extorting money, reports our special correspondent from Agartala"⁷⁰ or "They gatecrash weddings and childbirths, sing lewd songs and make extortion demands."⁷¹ Here, it merits emphasis that the nominal inclusion of the *hijras* through an invocation of constitutional rights serves to simultaneously condemn them as disruptive of the same model of formal equality. That is to say, on one hand, they may be acknowledged as Indian citizens, deserving rights as such: "If eunuchs are participating members of a polity, there is no reason why they should need to 'adopt' either of the official genders [...] [there is a] need to rethink the boundaries of 'official' society, whether in the census figures or in electoral policy."⁷² But by the same token of equal citizenship, *hijra* practices like *chhalla* or *badhai* (ritualised demands for money during events like childbirth or weddings, or in public spaces like trains, in return for blessings) are

68. Mazzarella, *supra* note 53, at 7.

69. NIVEDITA MENON & ADITYA NIGAM, POWER AND CONTESTATION: INDIA SINCE 1989 78-81 (2009).

70. *Eunuch Trouble*, THE TELEGRAPH, Sept. 21, 2005.

71. Shveta Bhagat, *Eunuchs not always born but made*, TIMES OF INDIA, Sept. 5, 2005.

72. *Gendered roles*, THE TELEGRAPH, Feb. 10, 2003.

likened to extortion or encroachment into private middle class spaces⁷³ and condemned as disruptive, aggressive or (at best) comical.

What structural imperatives or motivations might prompt such widespread and anxious condemnation and/ or trivialisation of *hijras*? As Gayatri Reddy argues in her ethnography of *kothis* and *hijras* in South India, *hijras* are often pejoratively characterised by middle class society through ascriptions of lack – firstly, by the literalised lack of the procreative phallus as transvestites who may be castrated,⁷⁴ (evident in pejorative constructions of *hijras* as 'eunuchs' which ignore other aspects of *hijra* identities), and, moreover, by a lack of shame (*sharam*) and/ or respectability.⁷⁵ Such ascriptions, of course, serve to naturalise and maintain gender/ sexual and class/ caste order and attendant hierarchies. Yet in recent years, *hijras* have utilised such constructions of themselves (as outside of the gendered/ sexualised familial order, and 'lacking' class/ caste position and concomitant worldly attachments) to gain visibility in the public sphere, especially through contesting electoral politics.⁷⁶

While *hijras* have proclaimed that such 'lacks' render them less susceptible to corruption and nepotism than more socially mainstream politicians,⁷⁷ Reddy cautions that such a strategy may only serve to “remarginalise” them by reinscribing hegemonic frameworks of marginalisation.⁷⁸ While the caveat is well taken, such a neat containment within a hegemonic framework would not serve to explain widespread anxieties about *hijra* presence and visibility. Rather, there is also a different dynamic at play in *hijra* assertions – *hijras* may inversely ascribe their 'lack' to broader structures of politics and society. *Hijras* may be seen as marking the failure of normative forms of citizenship and politics by ascribing their political ascent to the *Kaliyug* of postcolonial modernity (in Hindu cosmic chronologies, *Kaliyug* is the current era of decadence).⁷⁹ In re-ascribing their purported 'impotence' to corrupt politicians and failing political structures, Lawrence Cohen argues that “*Hijra* leaders

73. See GAYATRI REDDY, WITH RESPECT TO SEX: NEGOTIATING HIJRA IDENTITY IN SOUTH INDIA 2 (2005) (Many *hijras* undertake the occupation of blessing newborn children in return for money and gifts, and are typically cross-dressed on such occasions.).

74. Gayatri Reddy, *Geographies of Contagion: Hijras, Kothis and the Politics of Sexual Marginality in Hyderabad*, 12 (3) ANTHROPOLOGY & MEDICINE 257 (2005).

75. Gayatri Reddy, “Men” who would be Kings: Celibacy, Emasculation, and the Re-production of *Hijras* in Contemporary Indian Politics - Gender Identity, Social Stigma, and Political Corruption, 70 (1) Soc. RES. 163, 166 (2003).

76. *Id.* at 165.

77. Lawrence Cohen, *The Kothi Wars: AIDS Cosmopolitanism and the Morality of Classification, in SEX IN DEVELOPMENT: SCIENCE, SEXUALITY AND MORALITY IN GLOBAL PERSPECTIVE* 278 (V. Adams & S. L. Pig eds., 2005); Reddy, *supra* note 75, at 167.

78. Reddy, *supra* note 75, at 172.

79. *Id.* at 163.

[...] entertain a reflexive practice of citizenship in which *hijras* uniquely address the problem of a political lack at the core of postcolonial nationalism.”⁸⁰ We may extend Cohen's point to observe how this plays out beyond the arena of electoral politics and critiques civility itself. Instead of being bound by a formal definition of rights governing civic and economic exchange, *hijras* and some *kothis* may perform their 'lack' as an entitlement to special privileges – Cohen notes how *hijras* may describe their “wound” (of castration) as an “all-India pass” entitling them to ticketless travel on public transport.⁸¹ Through their claim of 'lack' as an entitlement to special concessions, *hijras* challenge both models of formal equality and governmental technologies that seek to conflate the subject of economic interest and productivity with that of juridical rights⁸²: even though their agency is severely circumscribed by their interstitial location and structural dependence within the same broader order.

Further, as I observed during my fieldwork, both *hijras* and *kothis* might employ provocative and flamboyant displays of gender/ sexual difference as a response to situations of public harassment or abuse in ways that disrupt liberal models of equality and rights. In scattered conversations over the course of fieldwork, several community members have described to me how assertive non-verbal gestures such as the *thikri* (a loud clap associated with *hijras* and also used by some *kothis*), or the threat to reveal their genitalia (or their castrated 'lack') by lifting up their saris, function as 'weapons' (*astro*) to produce an affective response of fear and shock in mainstream audiences and permit escape from situations of public violence better than just a verbal defense would. Similar assertions of campy or flamboyant (*bheli*) behaviour have been recorded in Anirban Ghosh's *Diaries of Transformation*, a documentary film on lower class gender variant communities in Kolkata, where Bini, one of the protagonists, claims:

Our clap is our weapon [...] without the clap even if we shake our hips [i.e. walk in a flamboyantly feminine manner] people don't care [...] when we clap people get intimidated and don't mess with us. The clap and the hair [...] the longer our hair, the more people respect and fear us.⁸³

80. Lawrence Cohen, *The Kothi Wars: AIDS Cosmopolitanism and the Morality of Classification*, in *SEX IN DEVELOPMENT: SCIENCE, SEXUALITY AND MORALITY IN GLOBAL PERSPECTIVE* 278 (V. Adams & S. L. Pig eds., 2005).

81. *Id.*

82. MICHEL FOUCAULT, *THE BIRTH OF BIOPOLITICS: LECTURES AT THE COLLEGE DE FRANCE, 1978-1979* 296, (Graham Burchell trans., 2008).

83. Anirban Ghosh, *Diaries of Transformation*, Directed & Produced by Anirban Ghosh,

In this strategically aggressive use of non-verbal affective 'weapons' that foreground gender/ sexual difference, *kothis* and *hijras* may be read as challenging liberal models of equal citizenship that advocate the rational arbitration of conflict based on juridically defined rights to ensure a measured equality between citizens in civil society.⁸⁴

Given that the movement is precisely about claiming space within civil society through the discourse of equal rights, this translates into a deep discomfort with *hijra* and *kothi* performances of gender/ sexual difference and resistance. At the same time, the institutional movement in West Bengal (and India, more broadly) is heavily dependent on the low-tier involvement and support of such sections: especially for the crucial (and underpaid) labour of outreach work and peer education within state and donor-funded HIV/ AIDS intervention programmes of non-governmental and community-based organisations (NGOs and CBOs).⁸⁵

Besides acting as staff in HIV/ AIDS interventions, lower class communities also serve to shore up requisite sexual minority populations to show as 'target groups' to the state and foreign donors and to provide mass participation in civic events like pride walks.⁸⁶ Thus, rather than outright exclusion, there are tendencies within the institutional movement that seek to include them within civil society through pedagogical training into citizenship. The marginal *hijras* must be weaned away from traditional occupations such as begging and public soliciting for money (commonly described in terms of extortion/ aggression, as we saw above) through IGPs or 'Income Generation Programmes' that aim to provide 'self-sufficiency' through training in specialised labour and skills. IGPs are a staple but often unfulfilled programme objective with many NGOs and CBOs – as Akash in Berhampore complained to me, *hijras* are often resistant to such well-intentioned activist efforts at mainstreaming: “M. [a

Digitisation & Distribution funded by Pratyay Gender Trust.

84. See Skaria, *supra* note 14, at 203 (I draw from Ajay Skaria's critique of liberal democracy as 'measurable equality').

85. See Karnataka Sexual Minorities Forum, *Chasing Numbers Betraying People*, available at: <http://www.awid.org/News-Analysis/New-Resources2/A-New-Resource-Aneka-and-Karnataka-Sexual-Minorities-Forum-KSMF-Chasing-Numbers-Betraying-People-Relooking-at-HIV-Related-Services-in-Karnataka> (last visited July 15, 2012) (In West Bengal, the non-governmental coalition MANAS Bangla served to route funds from the West Bengal State AIDS Prevention and Control Society (WBSAPCS) to its member CBOs in the 2007-12 period. For the utilisation and exploitation of low-tier workers in HIV/AIDS interventions.).

86. See *Rural Gays Dominate Rally*, THE ASIAN AGE, July 7, 2003 (Targeted interventions for HIV/ AIDS prevention and control are often the primary funding source of many NGOs and CBOs (community-based organisations), and such funding has therefore also fed into pride organising.).

well known transgender activist] had gone to *hijra* colonies to persuade them to take up occupations like making *bidis* [hand-made cigars], but they beat her up and sent her away.”

For sections like *kothis* who occupy more intermediate positions vis-à-vis the 'mainstream', there is a condemnation and desired containment of excessive or aggressively campy behaviours (collectively called *bhel* and *bila*). This is especially evident during pride meetings where there have been repeated complaints against disruptive practices such as *thikri*. By 2007, this led to a consensus on the ban of this particular gesture, accompanied by greater self-policing of excessive flamboyance, public cruising, etc. through appointed members of the 'community'. This extends the governmental technologies of 'behaviour change communication' (BCC) and 'information, education, communication' (IEC) used in targeted interventions for HIV/ AIDS control – 'target groups' are to be educated not just on health issues such as safer sex (the standard functions of BCC and IEC), but also on civic behavior during public events.⁸⁷ The complex hierarchical structure of peer educators, community advocates, shadow leaders, outreach workers, etc., established by NGOs within the 'community' in the process of administering BCC/ IEC, is utilised for this extended purpose as well. In 2007, community members occupying relatively senior administrative ranks were designated to police the walk and control errant behavior. People who used *thikri* in response to perceived taunts from surrounding crowds or used 'vulgar' or foul language, were disciplined by senior community members. Such disciplining finds support in the attitudes of middle class community members and allies. As a local celebrity and LGBT icon, the singer Siddharta, put it in an interview to a community magazine:

It's great to express oneself, and there is nothing objectionable should someone choose to cross-dress, for that is their personal gender choice; however, one shouldn't do it so loudly that it trivialises the issues of the movement.⁸⁸

Thus, the activist demand for freedom of gender/ sexual expression is simultaneously raised and contained in terms of the constitutional rights to privacy (“personal gender choice”) linked to the modern conception of an interiorised gender/ sexual personhood that does not challenge the broader public ordering of intimacy and gender (“The state has no

87. On the use of BCC and IEC in national health discourse, see NATIONAL AIDS CONTROL ORGANISATION, NATIONAL BCC/IEC STRATEGIC FRAMEWORK FOR HIV/AIDS PROGRAMME (Ministry of Health and Family Welfare, Government of India, 2004).

88. See SWIKRITI PATRIKA 14 (Surya Dipta Nag ed., 5th ed. 2008). (author's translation)

business in the bedrooms of the nation”⁸⁹). Through policing gender/sexual excess, prominent tendencies within the movement conform to the 'intimate core' of national culture and citizenship (i.e. sexual expression should be familial, private, and restrained if it is not to be too 'loud' and disruptive of civic exchange and serious communication – an injunction especially applied to women, and to feminised subject positions like *hijra* or *kothi*).

At the same time, in tension with the aforementioned tendency of assimilation to extant ideals of cultural citizenship, certain modes of difference, display and flamboyance might be valorised in terms of aspirational ideals of metropolitan (particularly 'western') gender/sexual progressivism. This is illustrated by the *Hindustan Times* article cited in the opening paragraph of this essay, which merits more detailed analysis:

The LGBT community in Delhi got together at Jantar Mantar on Friday evening to mark the first anniversary of the landmark court judgment decriminalising consensual gay sex. The party that began [...] with loads of cheerful slogan shouting by gay rights supporters, ended a tad bit sourly when [...] some decided to indulge in inappropriate behaviour. Dancing in the middle of the road, a few transgenders started lifting their skirts and shouting swear words – enough to embarrass those of their own community. “They are spoiling the moment's sanctity,” said a bystander. Looking visibly disturbed, one participant [...] said, “This kind of behaviour at a place like Jantar Mantar is so unacceptable.” “The gay community [...] has to show whether it can behave responsibly,” says Ashok Row Kavi, India's leading gay rights activist [...] Prior to the ruckus, the evening had its fair share of cheering, singing and dancing, in good fun. Men kissed men. Women hugged women [...] Some participants were wearing t-shirts bearing provocative images (two London Bobbies kissing), or words ('Unf**k the world'). “We have to go a very long way to convince the mainstream society that we are equal citizens with equal rights,” said Kavi. “[...] We must learn how to use our rights sensibly.”⁹⁰

While the middle class visibilisation of queer difference with references to metropolitan LGBT culture (e.g. “London Bobbies kissing” and “unfuck the world”) is “provocative” and “in good fun,” acts typical to *hijra* and *kothi* modes of public visibility (“lifting up skirts” while dancing)

89. Pierre Elliott Trudeau, Canadian Minister of Justice, Remark to Newsmen, Ottawa, Canada, (December 21, 1967) reported in THE GLOBE, Toronto, December 22, 1967 (He was commenting on the government's proposal to overhaul Canadian criminal law, giving new recognition to individual rights in several areas, including sexual behaviour.).

90. Afaque, *supra* note 3.

serve to “embarrass” the “LGBT community” and the reporter as its ally, both “marring the sanctity” of a monument of national culture (the Jantar Mantar), and interrupting the process of civic equalisation (“convinc[ing] mainstream society that we are equal citizens with equal rights”). At the same time, the valorisation of middle class ‘provocation’ speaks to the contradictions of the dominant LGBT evocations of cultural-national and political-civic citizenship, which must disrupt nationality and civility (through “provocative images [...] or words”) but *not too much* – establishing a delicate balance between normative culture and LGBT difference by precluding acts too aggressive, excessive or crass for middle class ‘provocation’.

These tricky negotiations between claiming and disavowing dissidence feed into the formation of identitarian divides that seek to exclude or guard against unruly forms of gender/ sexual variance. For instance, a group such as GayBombay, intended to form a safe space for gay-identified men, has repeatedly policed the borders of ‘gay’ by banishing actions such as cross-dressing (‘drag’) from its events: “Drag is a strict no-no. For the simple reason that though GayBombay doesn't mind drag, the places that host us do. There are also may be many attendees who will prefer being discreet [...] This is a discreet event being held as a clean, safe & social get-together of a non-sexual nature.”⁹¹ This seeks to establish a clear distinction between this “clean” and “discreet” gay space and more overtly transgender spaces/ communities, even as the very need to have an explicit injunction against drag points to the anxiety-inducing overlaps between ‘gay’ and ‘transgender’. These anxieties recur within non-metropolitan *kothi* subcultures and communities that have been mapped as both MSM and as transgender by different state and foreign agencies. The National AIDS Control Organisation maps *kothi* as feminine MSM – “males who show varying degrees of femininity,”⁹² while a consultation supported by the United Nations Development Programme (UNDP) in 2009 maps them as “the most common local identity” for transgenders, defining a male-born transgender as “one who is biologically male but loves to feel and see herself as a female.”⁹³ As observed during my ethnographic fieldwork, *kothi* subcultures and communities encompass people inhabiting a wide spectrum of gender variance who are often sought to be classified into rigid identitarian

91. Gay Bombay, 05 Jun '11: *GB Sunday Meet*, available at: <http://www.gaybombay.org/index.php/2011/06/05-jun-11-gb-sunday-meet/> (last visited July 15, 2012).

92. *supra* note 35, at 13.

93. SAATHII, REPORT OF THE REGIONAL Tg/ HIJRA CONSULTATION IN EASTERN INDIA 16 (2009), available at: http://www.saathii.org/orissapages/tg_hijra_issues_consultation%20.html (last visited July 15, 2012).

divisions that are fuelled by anxieties around gender/ sexual and class/ caste difference.

For example, when Akash's organisation in the Berhampore region was awarded an HIV/ AIDS control project under the rubric of 'MSM' in 2011, a senior community member suggested that now that they were officially an MSM organisation, those community members who were too *bheli* (campy, unruly) should either control themselves or stay out. Furthermore, such divides might be extended even within the 'transgender' category. For instance, Kalki Subhramaniam, a prominent South Indian transgender activist, authored a protest petition in November 2011 against a railway police force action in western India that rounded up poor *hijras*, in which she included the lines: "I know how some of the transpeople who go for begging behave in public. Not all. When will people stop generalising about us?"⁹⁴

Thus, even at the moment of protesting against transphobia, a division emerges between the innocent and victimised transgender and unruly trans-people who behave badly in public. Such anxieties inform a double split in identity – firstly, between MSM/ gay and transgender, involving the distancing of MSM/ gay-identified groups from public effeminacy or gender variance, and further, between civil and unruly transpersons. But as signalled by the ambivalent positioning of the *kothi* between MSM and transgender and the dangerous association between gayness and drag, many individuals can and do cross these divides, prompting the policing of identitarian boundaries.

However, such processes of division and exclusion are accompanied by simultaneous processes of inclusion and assimilation: especially the education of unruly community members (whether understood as MSM, *kothi* or transgender) into more disciplined and civil forms of expression and dissent. In the aforementioned context of pride rallies in Kolkata, senior activists led participants through pre-set slogans and iconic songs in the 2008 and 2009 walks. At designated points within the rally, activists sang inspirational songs ranging from the Bengali version of 'We Shall Overcome' to iconic nationalist-era songs such as Tagore's *Ekla chalo re* ("If no one comes in answer to your call, walk alone!"). Everyone was encouraged to join in if they knew the words; at other moments, slogans were raised in a call-and-response fashion, reminiscent of mainstream political rallies with their multi-tiered hierarchy among party leaders and cadres.

94. Kalki Subhramaniam, *Protest Transphobia from the Railway Protection Force*, available at: <http://orinam.net/protest-transphobia-from-railway-protection-force-gujarat/> (last visited July 15, 2012).

Beyond the specific case of pride walks, forms of middle class culture such as classical or 'fusion' dance, art songs and theatre come into play as safe and contained valves for gender/ sexual expression, where the display of non-conformity need not interrupt the ethos of civility but rather find space within it. This is strikingly evident in an open letter in the spring 2008 issue of *Swikriti Patrika*, the magazine of Dum Dum Swikriti Society.⁹⁵ Addressed to the broad 'community,' the letter struck a cautionary note about the behaviour of certain community members which, it predictably argued, was coming in the way of the struggle for acceptance and rights. It especially targeted *kothis* who adopted aspects of *hijra* subcultures:

Please remember, all our problems will not disappear only if Section 377 is revoked. When people come to truly understand the problems of *kothis*, only then the real purpose of our movement would be fulfilled. And to accomplish that task we need reason, education, skill, self-respect and the sense of humanity. Remember, certain strange behaviours employed by [some] *kothis* – such as doing *bila* or giving *thikri* in public spaces – is not seen in good light by even other *kothis*, let alone the mainstream.⁹⁶

The letter thus highlights the need for becoming proper economic and rights-bearing subjects by acquiring “reason, education, skill.” But not stopping there, the letter goes on to state that there is a lot of talent within the community which needs to be foregrounded: “I have seen that a lot of *kothis* tend to be very talented. Through their talent they can become exemplary for the rest of society [...] then they will truly take part in the struggle for rights.”⁹⁷ Given that the author, Anirban, signs off as a *shongheet-shilpi* (musician), and is in real life a singer of both Hindustani (North Indian) classical and Tagore songs, it cannot be in doubt what kind of “talent” is referenced here. Anirban belongs to a small town, middle class, yet upwardly mobile family living on the outskirts of Berhampore, and has been active in the local CBO, Sangram, since its inception in 2006. Soon after his 'open letter' was published in the Kolkata magazine, he⁹⁸ sought my help in writing an abstract for a paper to be presented at an international AIDS conference

95. A community based organisation (CBO) in Kolkata.

96. PATRIKA, *supra* note 88, at 2-3.

97. *Id.* at 3.

98. I use male-gendered pronouns for most 'community' members born male and socially designated as male, except when they are explicitly transgender-identified, e.g. *hijras* and some *kothis*. However, gender identity and presentation might be contextual and variable for the same person.

on how 'cultural' activities like music and dance could help in bringing together the community across class and behavioural splits: "As you know, here is a huge fissure between *bheli* (flamboyant, campy) *kothis* and rest of the *kothi* community," he told me while we drafted the abstract. "But *cultural programmes* with music and dance can bring them together and can also be a space for awareness-raising and expression," he continued (italicised words originally in English). Thus, as he argued in the abstract, these forms of cultural advocacy needed more attention from funding agencies and current targeted intervention programmes on health issues like safer sex were not enough.

Another activist in the same organisation, Asaf, is a professional *Bharatnatyam* dancer who organised a 'dance drama' on the broad theme of 'marginalisation' in 2007, a year before Anirban's open letter. One evening during rehearsals, he told me: "Our dance is not going to have any depiction of vulgar taunting on the streets." "Nor any *kothis* giving *thikri* in response to the taunting," interjected another prospective performer. "Yes," replied Asaf, "we are going to show everything but in a much more *abstract* manner" (italicised word in English). He continued, "else, it looks distasteful, of low standard [*nimno-maner* in Bengali]." Artistic 'abstraction' here signals a safe distance from the actual on-street resistance undertaken by many *kothis* and *hijras*, which is seen as distasteful and vulgar, even though the theme was the marginalisation of these very subjects. Can one also sense here the necessary abstraction of intimate and embodied experience in order to ascend to the proper political culture of the liberal public sphere?⁹⁹ Asaf's 'dance drama' aspired to use abstract art to convey serious socio-political meaning without the vulgarity of embodied resistances – "The paintings of M.F. Hussain might be difficult to understand, but don't they mean anything?" he asked. Here, different senses of abstraction that characterise civil society and high art become functionally conflated as modes of distinction from 'low standards.'¹⁰⁰

For the music, Asaf chose a lushly orchestrated track from the film *Guru* by the noted composer A R Rahman, *Jaage Hain*. He said: "It shows a process of awakening, of coming together" (of the marginalised). In

99. Compare LAUREN GAIL BERLANT, THE QUEEN OF AMERICA GOES TO WASHINGTON CITY: ESSAYS ON SEX AND CITIZENSHIP 4, 5 (1997) and Nancy Fraser, *Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy*, 25/26 SOCIAL TEXT 60 (1990) with JURGEN HABERMAS, THE STRUCTURAL TRANSFORMATION OF THE PUBLIC SPHERE 28 (T. Burger & F. Lawtence trans., 1991) (1962).

100. For the abstract rationality of civil society as a mode of distinction, see Fraser, *supra* note 99, at 60; For art as social distinction, see BOURDIEU, *supra* note 30, at 2.

the film, the song is a rousing paean to the efforts of an industrialist to build an entrepreneurial empire; a much celebrated inspirational figure for the 'new' middle classes.¹⁰¹ As the music developed, the dancers – initially scattered and debilitated through unspecified traumatic experiences – recovered and gathered together, hand in hand. Into this veritable *bildungsroman* of the awakening political subject – set to the theme song of an icon of middle class aspiration – Asaf recruited some of the most *bheli* (flamboyant) *kothis* of the area. One of the most notorious is Makdul, who identifies as both transgender and *kothi*,¹⁰² and who has been frequently upbraided for her inclination towards provocative public cruising, cross-dressing, and aggressive response to harassment or abuse. During the rehearsal, she told me: “I don't know why it is that *kothis* take to dancing so well [...] If I can dance, I don't want anything else.” Even as she spoke and Asaf looked on, she illustrated the pleasures of dancing by performing *mudras* (ornamental gestures) through graceful hand movements, reminiscent not so much of actual 'classical' (*Bharatnatyam*) gestures as their popularised versions in Hindi film dances. Clearly, this was a permissible forum for 'feminine' gender expression and flamboyance. Thus, the containment of potentially provocative or disruptive embodiments becomes a part of the pedagogical reform of gender/ sexual subalterns into cultural citizenship.

V. RE-CLAIMING CIVILITY: CONTESTATION AND REINVENTION

However, *kothi/hijra* sections might resist both their confinement into a sequestered sphere of governmentality (Chatterjee's 'political society')¹⁰³ as 'target groups' of disease-control and their pedagogical assimilation into civil society by contesting and contributing to the very definitions of civility in their claims to citizenship. This is not to argue for a voluntarist or entirely self-conscious idea of their agency, but rather their potentially productive location within structural contradictions and possibilities. As discussed above, cultural and musical performances become important to these processes of contestation and reinvention.

101. Mani Ratnam, *Guru*, 2007 (The song is used in the climactic scene of the film, with the industrialist celebrating national leadership and pledging international success to a stadium-full of staff, family and admirers.).

102. See SAATHI, *supra* note 93, at 16 (*Kothi* has been mapped as a sub-category of both MSM and transgender, terms which have percolated into communities.).

103. See MICHEL FOUCAULT, SECURITY, TERRITORY, POPULATION: LECTURES AT THE COLLEGE DE FRANCE 1977-1978 108 (Graham Burchell trans., 2007) (1997); Chatterjee, *supra* note 22, at 57 (While Foucault uses the term 'governmentality' to designate the entire complex of institutional apparatuses and knowledges that characterise the modern administrative state's relation with the population, Chatterjee posits a separation between rights-bearing citizens in 'civil society' and subjects of governmental welfare/ control.).

In the first place, it doesn't take long to perceive the contradictions of the leadership of the 'new' middle class, which contradictorily balances the disciplining of lower class visibility, the performance of class distinction through consumption and display, and the provocative visibilisation of LGBT difference. The Berhampore activist Akash, while himself censorious of *kothi bhel*, was struck by what he perceived as the double standards of Kolkata leaders while attending NGO meetings in the city. Of one activist – who had been quite active in the censoring of *thikri* during the 2006 and 2007 prides – he said: “Sujit was so distracted with his make-up during the general meeting; about half an hour into it he took out his purse with a flourish, and started doing his face, showing off his fancy lipstick [...] what *bhel!*” Sujit's not-so-subtle marker of class distinction (expensive cosmetics) is thus reduced to merely another form of *bhel* – thus catching the hypocritical disavowal within middle class attempts to discipline *kothi* camp. (This gesture of re-ascribing *bhel* is also reminiscent of the re-ascription by *hijras* of their putative 'lack' onto broader structures of civil society and politics).

If this is a minute everyday event, this dynamic of re-ascription and reversal was played out on a much bigger scale during the recent rebellion of some lower-rung transgender-identified activists against the leaders of AlterNet Bengal (name changed), a nodal NGO within the organisational networks of West Bengal. Amidst broad allegations of monetary corruption, hierarchy, lack of transparency, etc., there was a telling attack on how one of the leaders had allegedly indulged in lavish “drink parties” on grant money. Even as the accused activist scoffed at the unidiomatic use of English – “I am unable to understand what 'drink party' means” – the imputation of profligate decadence and excess crystallised around “drink” is unmistakable.¹⁰⁴ In response, the accused activist made public a rigorous accounting of the expenditures undertaken as proof of his adherence to due procedure.

But beyond merely holding leaders to their ideals of discipline and subjecting them to the same kind of scrutiny as the lower rungs of the 'community', there may be the refiguration of the very norms of civic engagement. This becomes evident in the lower class utilisation of spaces like pride which epitomises some of the contradictions around civility – on the one hand it is a protest march claiming equality in terms of constitutional rights to privacy and personal freedom, and on

104. Correspondence cited from the LGBT-India list, lgbt-india@yahoo.com. Given the unverifiable nature of and ongoing controversy around these accusations, I intentionally omit references to specific authors' and e-mails.

the other it is a celebratory pageant of difference, flamboyance and excess. This double-edged nature is reflected in the media reception, which typically mixes issue-based reports with photo-features, and has prompted some organisations like the lesbian feminist front *Sappho for Equality* to stay away from participation, citing the media commoditisation and objectification of gender/ sexual difference. As one of their senior functionaries told me during an interview: “We will go only once it is a walk about homosexuality, not homosexuals.”

While their discomfort with the display and potential objectification of 'homosexuals' is understandable from their ideological stance as feminists, many *kothis* and *hijras* use this space precisely to foreground their embodied difference that the dominant activist discourse seeks to control by relegating it to the realm of personal gender expression. Beyond the demand for equality, then, what is being contested is the fairness of extant gendered norms of civic participation. And just as in the project of disciplining, forms of cultural expression like music and dance become crucial to this contestation.

In the 2009 walk, I noticed a self-identified *hijra*, Sujata, walking among a cluster of people including some senior activists. One of them, Ashim, is a good singer of *Rabindrasangeet* and *Adhunik* ('modern', i.e. contemporary) Bangla songs, and has in the past led several performances of songs such as Tagore's *Ekla cholo re* ('Walk alone') during Pride. This time, however, Sujata said that she would sing something. She began innocuously enough, with a somewhat lofty *Adhunik* song about human dignity and respect. However, even as the others started humming to the song, she broke into dance to the lines: “Time itself is changing/ I have gotten my rights; You are changing yourself/ I have been given my rights” (my translation). This was sung almost satirically, while executing Bollywood-style dance gestures along with the *hijra* gesture of *thikri* – with swaying hips and seductive hand gestures punctuated by loud claps provocatively directed at fellow walkers and roadside onlookers, all characteristic of typical *bheli* behaviour.

However differently and ambivalently one may read this performance – seduction, flirtation, resistance, explicit gender performativity, etc. – what at least seemed clear was the provocative imputation on the word 'you', signalling the 'mainstream' audience of Pride, as well as senior activists, who are hailed to respond to these forms of performance and communication of difference, combining the discourse of equal rights with the affective, non-verbal 'weapons' of *bhel*. Sujata's bold interpellation of her audience put the burden of change squarely on the mainstream and the elite sections of the movement – rather than as

gendered labour (Anirban's injunction to acquire “reason, education, skill”) to be performed by feminised *kothis* and *hijras*, as demanded within projects of reform. In as much as such a performance may be read as a gendered and sexualised political gesture, it might also be understandable through Laurent Berlant's concept of “diva citizenship,” which “does not change the world,” but is “a moment of emergence that marks unrealised potentials for subaltern political activity.”¹⁰⁵ In this case, it challenges and refigures modes of civility by foregrounding and performing – indeed making a spectacle of – the realm of the 'intimate' or the 'private' (Siddhartha's “personal gender choice”) so as to challenge the elisions engendered through the normative constitution of these terms (family-oriented, hetero- and homonormative) within public discourse.

Sujata's performance also points to the strategy of performing middle class culture subversively, using pedagogical modes of music and dance to break into civil society spaces and undermine the normative distinctions that guard access to it. Thus, rather than outright rejection, there may be a reclamation and re-articulation of such cultural forms through *mélanges* with inappropriate civic behaviour or 'low' culture.

Here let me describe a particular event to do with the literal and metaphoric displacement of an iconic *Rabindrasangeet* (Tagore song), *Aguner Poroshmoni* – roughly translatable as 'The Touchstone of Fire'. A rousing call for self-expansion through sacrifice to a higher cause, this popular song has become a staple of Bengali middle class, left-liberal circles, and is often interpreted as a revolutionary hymn and sung at public protest events (such as those in the wake of corporate land-grab and related abuses in Singur and Nandigram). It has also been performed at several Kolkata pride walks that I have attended, either during the walk itself or as a culminating gesture at the end of the walk and the speeches.¹⁰⁶

105. BERLANT, *supra* note 43, at 223.

106. The words to the song are as follows (my translation and transliteration):

<i>Aguner Poroshmoni</i> (The Touchstone of Fire),	Rabindranath Tagore (1861-1941)
Place the touchstone of fire on the spirit	<i>Aguner poroshmoni chhowao praane</i>
Make this life blessed in its sacrifice to light.	<i>E jibon punyo karo dohon daane II</i>
Lift up and hold this body of mine	<i>Amar ei deho khani tule dhara</i>
Make it the lamp of your divine house	<i>Tomar oi debaloyer prodip karo</i>
Let the flame stay alight day and night in song.	<i>Nishidin alok shikha jwuluk gaane II</i>
Let your touch on the surface of darkness	<i>Adharer gaye gaye porosh tabo</i>
Make stars bloom anew, all through the night	<i>Shararat photak tara nabo nabo</i>
Darkness will melt from the sight of the eye	<i>Noyoner drishti hote ghuchbe kaalo</i>
It will see light wherever it may fall	<i>Jekhanei porbe shethay dekhbe aalo</i>
My suffering will rise as a flame upward.	<i>Byatha mor uthbe jwole urdhopaane II</i>

But I was surprised when it turned up at a candlelight vigil in 2008 referencing the Transgender Day of Remembrance, organised by a CBO that mainly comprises *kothis* from lower class, migrant non-Bengali backgrounds, most of them Hindi or Bhojpuri-speaking. The location of the CBO is significant – based in a worker's colony in North East Kolkata which is only slightly better than a slum in terms of living conditions and is yet juxtaposed with a new and glitzy multiplex complex. (The contradictions of 'new India' could not be more apparent). The vigil was held in a 'cruising' area around a lake called Subhash Sarovar across the street from the colony. The lake is a disreputable and dangerous area after dark where several *kothis* had been victims of sexual assaults and harassment over the years.

That summer evening, we arrived at the location – press, 'community' members, and senior NGO functionaries – only to be confronted with a power cut, routine in low-income areas of the city. As a result, the event got off to a slow start, everything being chaotic in the dark. With much shouting of directions and jostling around of people (irrespective of the rank of activists), somehow a semblance of a circle was formed and the candles were distributed. Subsequently, some order and hierarchy was re-established, and two senior NGO leaders led the vigil with speeches in English and Bengali against Section 377,¹⁰⁷ the anti-sodomy provision of the Indian Penal Code, 1860 (IPC), and homo- and transphobic violence. After these mandatory addresses, there was a hesitant pause, and we wondered what would be coming up next. Ashutosh, the CBO leader, called out: “Hey, what is that song we sing usually on such occasions?” Someone piped up, “Do you mean *Aguner Poroshmoni*?” “Yes, yes,” replied Ashutosh – “anyone who knows the song, please lead.” So people who knew the song started singing and the rest joined in to the tune which seemed to be familiar enough to permit collective singing, though many among the non-Bengali crowd scarcely followed the lyrics and would join in a beat or two after the ones who did. As is typical during such inspirational hymns, we linked hands during the performance – an uncomfortable procedure given that we were also holding on to the candles while standing the muddy ground, slippery after a recent shower. However precarious and tuneless the performance, all the senior functionaries stayed on until the end, awkwardly holding

107. Text of the Section 377 is as follows: “Unnatural Offences - 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 a term which may extend to ten years, and shall also be liable to fine.

Explanation-Penetration is sufficient to constitute the carnal intercourse necessary to the offence described in this section.”

hands with the motley group of slum-dwellers, junior activists and the press.

As a symbolic event, the vigil signalled the arrival of Ashutosh, himself a resident of the colony, though better-educated than most of his CBO members, as an important player within the NGO circle of Kolkata (and thus by extension, West Bengal. He later played an important role in the insurrection against AlterNet Bengal, mentioned above). In that context, how do we read his evocation of *Aguner Poroshmoni*? Given the demographics of the group that sang it that night – mostly non-Bengali lower class migrants from UP and Bihar merged with Bengali middle class activists – the choice was both odd and apposite. On one level, Ashutosh was merely indexing a culturally appropriate civic ritual and thus establishing the legitimacy of his CBO as a civil society organisation. At the same time, this was done without mentioning the author (the revered Tagore) or the song's name, thus subverting its aura of middle class respectability through the casualness of reference, which moreover made the ritualistic and formal nature of the activity clear. This would indicate a strategic use of a middle class cultural form, subverting its conventional use as a pedagogical device within the movement.

However, there could also be another and perhaps more radical reading. If Ashutosh contested modes of civility, there was also an injunction to middle class activists and leaders to truly realise the potential of equal citizenship. As activists joined hands over the slippery, muddy ground to sing this familiar song, they were momentarily interpellated into an equalised, revolutionary community, however fragile, illusory and temporary. Through that interpellation, middle class leaders were made to depart from their comfort zones – quite literally – as they negotiated their way through a familiar song in an entirely defamiliarised and physically uncomfortable setting. The broader implication of such defamiliarisation might well be that the putatively inclusive and universal ideals of civil society could be achieved only in as much as they are displaced from their normative forms and reinvented in new contexts,¹⁰⁸ rather than being coerced onto recalcitrant subjects of disciplinary power under the guise of a pedagogical training for citizenship.

108. SAMIR AMIN, *EUROCENTRISM* (1989); See also DIPESH CHAKRABARTY, *PROVINCIALIZING EUROPE: POSTCOLONIAL THOUGHT AND HISTORICAL DIFFERENCE* (2000) (While I agree with this argument in Samir Amin's *Eurocentrism*, it need not necessarily go with an endorsement of his 'socialist universalism' in response to the seemingly universalising logic of capital; rather these concepts may need to be interrogated for their pre-emptive universalising move, which predicts what form such reinvention may take based on assumed universals such as 'capital'.).

VI. CONCLUSION

In the preceding sections, I have endeavoured to show that while there is widespread anxiety around and regulation of civic participation both within queer communities and in the wider domain of middle class society and the media, this cannot ensure the separation of 'sequestered' domains such as 'civil' and 'political' society. The contingency, instability and messiness associated with the latter constantly interrupt and threaten the apparent order and logic of the former. Moreover, modes of lower class/ caste activism may simultaneously utilise and displace ideals and norms of civility and citizenship. Chatterjee's schema remains immensely useful as a diagnostic tool to chart the desired separation between civic activism and the governmental regulation and pedagogy of 'target groups', but more as a prescriptive/ normative division that seeks to contain contradictions than as a reality given in political praxis.

The crucial importance of the realm of 'culture' within such praxis demonstrates the messy entanglement of putatively universalisable and abstract norms and ideals of modern citizenship with particular histories and locations. Thus, cultural contestation becomes integral to the subversive re-fashioning of normative political forms to articulate the situated demands of marginalised sections. This process suggests how normative models of liberal democracy and bourgeois civil society need not remain in an external relation to the realm of popular politics and practice, to be used only strategically or instrumentally, but may be displaced, expanded and re-shaped in the encounter with subalternity, as Chatterjee himself suggests in his analysis of *Dalit* (lower-caste/ outcaste) constitutional politics.¹⁰⁹

Analogously, subjects like the *kothis* and *hijras* of West Bengal may not be merely located as adversely affected by or external to trans-national articulations of LGBT equality and rights. Rather, in the very process of contesting their exclusion, they become integral to both the critique and the re-constitution of these discourses and political forms. Recognising this might help us, privileged subjects in the academia, to advance in the difficult and fraught path of engaging a politics more open to difference for the future.



109. See CHATTERJEE, *supra* note 21, at 13-15.