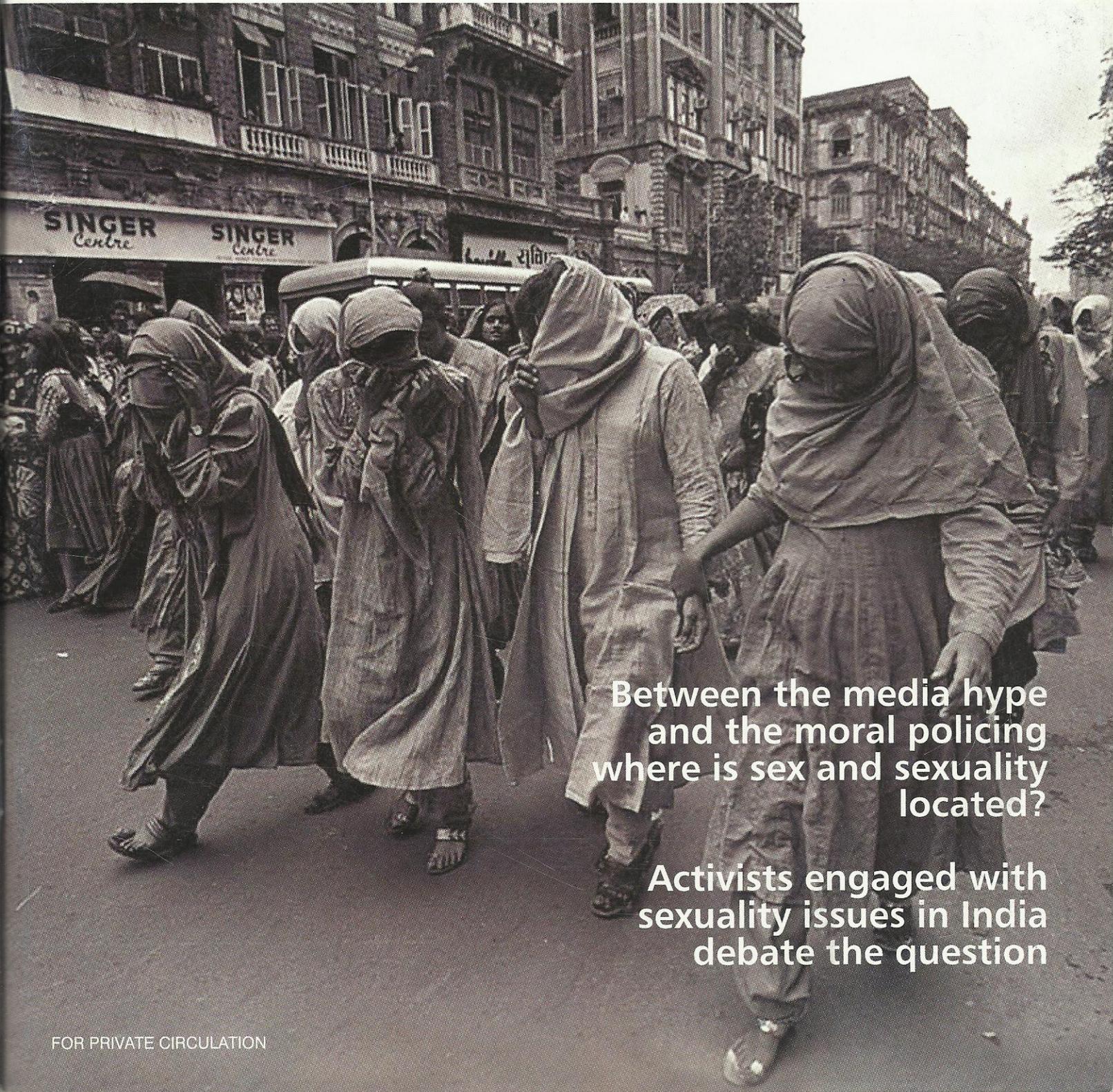




INFOCHANGE

agenda

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Between the media hype
and the moral policing
where is sex and sexuality
located?

Activists engaged with
sexuality issues in India
debate the question

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This issue has been guest-edited by Oishik Sircar

Cover: Bar dancers in Mumbai march in protest of the ban on dance bars in Maharashtra in 2005

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Recognising, claiming and celebrating sexual rights

WHERE DOES SEX LIVE? And where does sexuality reside? In our minds, bodies... in our cultures, attitudes, laws, in our pants, our wallets, in our politics, identities, in our very beings. Wherever we go sex and sexuality follow. They are there, everywhere, obvious by their presence and conspicuous by their absence.

There's either an eerie silence when it comes to talking about sex and sexuality, or a surfeit of hypervisible symbols. And these happen at the same time: even as we see an increasing openness in talking about sex to counter HIV/AIDS, we simultaneously have highly conservative mores blaming permissiveness for the spread of the virus. And it's not just about AIDS; it's about anything remotely connected to sex and sexuality. We celebrate the strides made by women in 'Indian' society, and at the same time make them responsible for 'attracting' and 'provoking' sexual assault. We talk about 'danger' as the only feeling that can be associated with sex, and at the same time compulsively consume 'pleasure'. On the one hand we're consuming condoms and sex toys, gyrating Rakhi Sawant music videos and Midnight Hot lingerie on Fashion TV, and on the other we want dance bars to be closed down in the name of saving today's youth from becoming bad boys. We want liberalisation of the economy, FDI to flow in and de-regulation of the private sector, but we don't want sex workers to be given labour rights.

The 'great sexual revolution' has only just begun in India.

What makes it so difficult to map this revolution is its immensely fluid and discursive nature. Some people would want to locate sex and sexuality in certain spaces... mostly private. The state seems to work on exactly this understanding; it constructs certain spaces where it can regulate sexuality, where it remains an unnamed state subject. Some others would talk about a hierarchy in which sexual rights receive least importance. Whereas some will take ahead the feminist bastion of 'personal is political' to support the notion of 'sexual citizenship'.

For some sex still remains a non-issue, for some others it is paramount to their very existence. For some it's beautiful, dazzling, brilliant... for others it's depraved, decadent, immoral, and for many it's all that falls in between dazzle and decadence. Sex is indisputably innate to our being and at the same time remains a highly contested functional terrain.

So what do we make of sex and sexuality? Are sexual identities as important as caste and religious identities? Is openness about sex a Western import? Do we need the law in our pants, to regulate and tell us how to and how not to have sex? What's so queer about 'Queer' identities? Will sex education be responsible for increasing promiscuity among young people? Can activists engage in claiming the right to pleasure as strongly as the right to food? Can development workers use the lens of sexuality to try and make their interventions

more open, participatory and plural?

The attempt of this issue of *InfoChange Agenda* is not to simply find answers to these difficult questions, but to try and complicate our understanding of sex and sexuality. On the one hand we will search for answers; on the other hand we will explore more questions. Questions that trouble us, questions that make us confront our own discomfort with sex and sexuality, questions that force us to rethink and interrogate activist interventions. Is it only the moral brigade that is complicit in perpetuating a conservative sexual morality that views sex and sexuality as inherently 'dirty', from which 'good' and 'decent' people ought to be protected?

We can openly disclaim having put together a comprehensive collection of pieces, but can confidently declare that the contributions to this issue engage in a process of bringing theory and practice closer together. The contributors are mostly practitioners, engaging with issues of sexuality in India, sharing experiences that have been instrumental in shaping their point of view. To that end, this collection recognises the need to create a theoretical discourse on sexuality in India and at the same time make that discourse accessible, relevant, usable, useful and, most importantly, open to inputs from those who matter: the sexually marginalised, people living with HIV/AIDS (PLWHA), activists, counsellors and everyone who actively engages with issues concerning sexuality, rights, development, discrimination, autonomy, access and social justice.

Sexing the journey

The journey of understanding and working on sexuality in India is not of recent origin. From the creation of the Indian nation state till today, sexuality has been knowingly or unknowingly central to the agendas of both the state as well as other non-state actors. Partition marked the passage of the Abducted Persons (Recovery and Restoration) Act, 1949, to bring back, albeit forcibly, the women of 'your community' to 'your country', in order to protect their chastity from being tainted by the Other and to preserve the honour of the nation.

Soon after Independence, one of the first tasks on the government's agenda was to put in place 'population control' measures. India's policy on population dates back to 1952 when the family planning programme was launched. In the early years, the poor (both men and women) were seen as perpetuators of the problem. Male and female sterilisation was the foundation of the programme.

India took a heroic stand at a Bucharest population conference where Dr Karan Singh declared: "Development is the best contraceptive." Back home we were plunged into the Emergency and the main slogan of the Indira Gandhi government was also population control. The government went hammer and tongs after men. The vasectomy nightmare is said to have reversed Gandhi's fortunes in 1977. By the late-

'70s, the blame shifted to women who were seen as producing too many children — leading to a women-centred programme. Sterilisation of women became the magic formula. Female sterilisation, which accounted for 45% of all sterilisations in 1975-76 and fell to only 25% in 1976-77, rose to 80% in 1977-78. Throughout the 1980s they accounted for about 85% of all sterilisations and in 1989-90, 91.8%.

The state's engagement with controlling sexuality through 'population control' policies later found a boost with the HIV/AIDS scare in India. The threat of the pandemic did more than strengthen the state's moral arms: for the first time ever the state was talking about sex. Prime Minister Manmohan Singh recently urged people to shed their inhibitions and address issues of sex and sexuality more openly to arrest the further spread of the disease. A National AIDS Control Programme was launched in 1987 with the programme activities covering surveillance, screening of blood and blood products, and health education. In 1992, the National AIDS Control Organisation (NACO) was established. NACO carries out India's National AIDS Programme, which includes the formulation of policy, prevention and control programmes.

While the state's engagement was restricted to addressing sex and sexuality as a pathologised health issue, in the 1980s the rape of the tribal girl Mathura in Maharashtra saw sexual violence becoming a contentious issue being raised by women's groups and human rights groups across the country, challenging the state to bear accountability for stopping sex crimes. Civil society also questioned the conservative foundations on which the justice delivery mechanism was operating, particularly the judicial construct of 'immoral' women. Sexuality continued to be of critical concern for the judiciary, with landmark judgments like Vishakha articulating the right against sexual harassment in the workplace.

Sex thus remained an issue that the state either addressed within its own constructed notions or was made to take on due to mounting pressure by the women's movement's mobilisations on sexual assault. All this primarily through the operation of law. Even before Independence, India had the archaic 1860 Indian Penal Code (IPC) that was informed by Victorian morality and the diktats of the church. Marital rape was not and still is not a crime; all forms of consensual non-procreative sex is criminal; there is no law against child sexual abuse; and the invisible arm of the law clearly discriminates and oppresses marginalised sexualities.

The state uses absurd logic to keep in place discriminatory laws like 'unnatural offences' in the name of protecting children from sexual abuse, yet not legislating for a specific law to make child sexual abuse a crime. It is accepting huge amounts of funding from all possible sources to counter HIV/AIDS, but is still not proactive in passing an anti-discrimination law for PLWHA.

Yet at the same time the law also remains the most potent and powerful tool for claiming sexual rights. The only sad part is that any interaction between law and sexuality in India is mostly looked at either as a morality issue or that of law enforcement, and not of rights.

Sex today

In a globalised, 'modern' and 'liberal' India, sex and sexuality's addresses and residences occupy much larger spaces, much beyond state policies on population control and the law's regulation of sexuality. It's in the cover stories and centrespreads of magazines that seem to obsess about the 'libido quotient' of Indian women, and do gloss-talk about the emerging identity of the metrosexual male. Sex and sexuality is indeed in our pants now: in the way we dress, why we dress the way we dress, and being told how to and how not to dress in colleges, universities and workplaces.

In the use of our performative spaces, both functional and liminal, sex, sexuality and their derivatives are hierarchised and mediated through the public/private, good/bad, aggression/submission, pleasure/danger, permissive/censorious, majority/minority, rights/wrongs binaries. Somehow that doesn't give us an opportunity to explore, complicate and celebrate the myriad hues of what sex and sexuality can offer in terms of idea, identity, power, politics and freedom.

Most often it is our own ways of calibrating pain, privileging one form of disadvantage over another, that does not allow space for a multiplicity of voices — sexual voices at that — to flourish, to shout out loud and tell us why sex and sexuality is not only important but an existential exigency for each one of us. Thus we fail to recognise sexual needs as natural urges, demands, claims and rights. Civil society interventions have made certain headway, thanks to the window that HIV/AIDS has opened up. But such interventions have mainly addressed sexuality for the purposes of perpetuating the rhetoric of 'safe sex' (as if sex otherwise is always unsafe).

Very seldom have these interventions engaged with questions of inalienable and non-derogable human rights against discrimination, stigma and torture, and for equal treatment for people of alternative sexualities or for those whose 'images' get tainted due to the sexual nature of their work. Commendable, however, are some civil society interventions that have attempted to create safe spaces, especially for young people, to talk, ask questions without inhibitions, to provide knowledge for making informed and responsible sexual choices.

This issue of *InfoChange Agenda* is not an attempt to merely take stock of where civil society work stands with regard to its relationship with sex and sexuality. It's more about disrupting and puncturing the almost impregnable comfort zones that we've created for ourselves: where we decide what's important for others, rather than listen to their voices. In these zones, rights disappear and questions of disadvantage are not a priority. This issue is about questioning the development community's predominant focus on an understanding of disadvantage that has to do with victimhood and misery and not with agency and celebration. This issue is not telling us that sex and sexuality should be part of the development agenda; it's telling us to open up, to listen. It's inviting us to start visiting the many addresses of sex and sexuality.

Let's talk about sex

Sexuality is often considered a frivolous diversion from the more critical problems of poverty, war, drought or violence against women. But it is precisely in destructive times like these that people become dangerously closed about sexuality. That's why we need to discuss issues of sex, sexuality, obscenity and morality more openly

MEENA SESHU

WHEN I WAS A HARDCORE ACTIVIST in the mid-'80s, poverty was the issue; violence against women was the issue; drought was the issue; famine was the issue; floods was the issue. Sex and sexuality were issues that could not be addressed. Somehow we did not have the moral right to do so.

As part of the Beedi Kamgar Union, where 90% of the workers were women, we were working in those days with devdasis who, even then, were doing sex work. We also had an STD clinic for sexually-transmitted infections. Still, none of the middle class activists could even talk about sex and sexuality. The STD clinic existed, but most of the women had to access it through the back door.

Twelve years ago, when we started discussing HIV/AIDS with the government, most of the discussions would be held in whispers. We were going to the government and saying: "The condoms are awful, they're rupturing, life depends on this; this is no way to deal with the AIDS epidemic." And most of the bureaucrats would tell us: "Hush, you don't have to say it so loudly, why don't you give it to us in writing. We'll try and talk to the companies involved." And we would say no, if our lives as sex workers depend on the quality of condoms then you should start talking about the quality of condoms. But even that was

difficult. In Sangli, on an occasion when condoms were not given to us (we need 350,000 condoms a month), we organised a protest demonstration and the slogan in the protest demonstration was, in Marathi, '*Nirodh amchya adhikar ahe. He tumcha baapacha nahin,*' ('Nirodh — a brand of condoms — is our right. It is not your property'). The zilla parishad was furious: they could not believe a group of women could actually come into the well of the zilla parishad and demand and shout for such a thing as a condom. We had been using condoms in the family planning programme for 40 years by then, and nobody in the government had even bothered to open one. If they had, they would have found that the ring came off, the rubber remained in your hand; they were powdered, not lubricated, and nobody was willing to use them.

Today there's been a shift. The HIV/AIDS epidemic has helped bring sex and sexuality out of the closet and forced us to start addressing it. Even the state has started addressing it. But not nearly enough.

Why is there this reluctance to talk about sex? Sex between consenting adults is beautiful. This is something that has to be said over and over again. It's such a simple fact. Of course, the operational term is *consenting* adults. The issue is further confused by the tendency to club love with sex. When you say, "I've fallen in love" does that mean you've had sex? We don't know. But if love is not sex and sex is not love, and if sex is possible and extremely pleasurable without love, then the converse should also be true, which is that you're in love and not having sex. But this is difficult to grapple with because every time you've had sex you say you've made love, you don't say "I've had sex". This need to couch sex with love has become a very serious and important reason to engage with this issue.

The other problem is that if it's love it's pure, and if it's sex it's impure. That's another thing I'm constantly grappling with: What is purity?

These are the questions that made me want to learn more about sexual morality, sexual sacredness, sexual feeling, sexual pleasure, sexual preference, sexual diversity, sexual health and sexual rights.

In *Thinking Sex* Gayle Rubin says: "The time has come to talk about sex. To think about sex. To some, sexuality may be an unimportant topic, a frivolous diversion from the more critical problems of poverty, war, disease, racism, famine and nuclear annihilation. But it is precisely at a time such as this, when we



live with the possibility of unthinkable destruction, that people are likely to become dangerously closed about sexuality."

If issues of sex and sexuality are not considered priority issues, why is it that sexuality is always subjected to such rigid norms governed by both state and society? If it is so frivolous to talk about sex, why are there so many rules about it? We should just be leaving it alone!

This is an interesting paradox, but one that leads to innumerable problems. Why is it that we are so repressed that we cannot have pleasurable relationships? Why is it that today in the field of HIV/AIDS, sex workers are safer than married women are, when it comes to contracting HIV from their sexual partners? Why is it that men and women are not able to talk to their sexual partners about these issues within marriage? Why is it so simple and easy to talk about sexuality with sex workers? I think these are issues that we need to constantly come back to if we're trying to understand sex and sexuality.

The time has come to sit down and unravel what the state and society have done to our understanding of our own sexuality.

Issues of female sexual conditioning are very clearly brought out when we conduct sex education classes. All the girls from rural Maharashtra will ask about menstruation, about childbirth. Their entire expectation of a sex education class is talking about reproduction. Then you shift rooms and go to the boys' class. The boys won't even ask you about contraception or reproduction. All they want to know is: What is masturbation? Is it okay? Will it give me high blood pressure? You will be surprised at the things boys ask you.

The HIV/AIDS epidemic has helped bring sex and sexuality out of the closet and forced us to start addressing it. But not nearly enough

Why is it that I have not met a single girl who has asked me one question about sex and sexuality? Why does this happen? What is this female sexual conditioning that keeps telling us not to ask questions, not to talk pleasure? Sex workers are not very different. I thought that sex workers knew everything about sexual pleasure. But they're all brought up with the same conditioning. The whole thing about sex work is that it is supposed to be pleasurable for the man. There is no concept of sexual pleasure for the girl or the woman. And in situations where there is sexual pleasure, you'll be surprised to hear that most women will say, "Last year I had that kind of experience"! And this from women who have an average of four to five clients a day, and work at least 20 days a month!

If issues of sex and sexuality are not considered priority issues, why is it that sexuality is always subjected to such rigid norms governed by both state and society? If it is so frivolous to talk about sex, why are there so many rules about it? We should just be leaving it alone!

So this is not an issue for women who are from "good families". It affects all women. It is an issue of sexual conditioning that says, "Be pure," for any expression of sexuality is "impure" and "obscene".

The word 'obscenity' crops up much too often these days. What exactly is the definition of obscenity? The law in India says "it shall be deemed to be obscene if it is lascivious or appeals to the prurient interests, or if the effect of any one of these items even if taken as a whole can tend to deprave and corrupt persons". What does lascivious mean? Let's look it up in the Oxford dictionary: "To feel, express, or cause sexual desire." So if you feel, express or cause sexual desire you're being obscene. And prurient of course is to have or show excessive interest in sexual matters.

Sexual conditioning causes you to believe that to express or feel sexual desire is depraved and morally corrupt; therefore you're constantly denying an interest in sexual matters. What were the processes of socialisation that did not allow the expression of sexual desire or sexual pleasure? I remember a sex worker from Andhra Pradesh once telling me that there's an ancient Telugu saying that the woman you're in a relationship with should be a good woman who feigns innocence but is hot in bed. That is the paradox. Just look at what this type of conditioning is doing to us.

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'Moral' victories

The debates in the Maharashtra assembly, which banned bar dancing in August 2005, were revealing: “We need to do even more of this moral policing,” said members. Can the state impose arbitrary and varying standards of vulgarity, indecency and obscenity on society?

FLAVIA AGNES

ON AUGUST 14, 2005, at the midnight hour, as the music blared in bars packed to capacity in and around the city of Mumbai, the disco lights were turned off, the dancers took their final bow, and faded into oblivion.

Some left the city in search of options, others fell by the wayside. Some became homeless. Some let their ailing parents die. Some pulled their children out of school. Some were battered and bruised by drunken husbands, as they could not bring in the money to make ends meet. Some put their pre-teen daughters out for sale in the flesh market. And some committed suicide... just names in police diaries... Meena Raju... Bilquis Shahu... Kajol... A few stuck on and begged for work as waitresses in the same bars.

Who were these women? Where did they come from? And what did they do wrong? Well, most of them came from 'outside' in search of greener pastures. (There is nothing unique or extraordinary about this. Most Mumbaikars are migrants who have come to the city for better prospects.) Some were from traditional dancing communities where women are the primary breadwinners. When the zamindari system was abolished they lost traditional patronage and were reduced to penury. They

A bar dancer being escorted to court.

Sudharak Olwe



were bypassed by the government's development schemes and welfare policies. From their poverty-stricken villages many moved to cities, towns and along national highways in search of a livelihood. The dance bars provided them an opportunity to modernise their skills, to suit the demands of a capitalist economy and to earn a livelihood with dignity.

Then there were others — daughters of mill workers and sex workers. When a factory unit or a mill closed down, and the sole earning member lost a job, young girls entered the job market to support their families, using their supple bodies and the sex appeal of their youth. These were women who had worked in exploitative conditions in low-paying jobs — domestic maids, piece-rate workers, door-to-door salesgirls as well as women workers who had been retrenched from factories and industrial units. For the children of sex workers, dancing in bars provided an opportunity to escape from the exploitative conditions of brothel prostitution in which their mothers had been trapped.

The majority of bar dancers were single women, sole breadwinners of their families. While most of them were illiterate, there were a few who came from affluent backgrounds. These were young, vivacious women who enjoyed the thrill of dressing up, dancing and entertaining men. (That's not to say that women from the lower classes did not enjoy this thrill.) On the whole, they were a group of confident women who could negotiate their sexuality and sex appeal to their advantage, in the globalised economy of the megacity.

The demand for the ban on dance bars was based on two contradictory premises. The first — that bar dancers are evil and immoral, they corrupt the youth and wreck middle class homes; they hanker after easy money and amass a fortune each night by goading innocent and gullible young men into sex and sleaze. The second — that bars are, in fact, brothels and bar owners traffickers who sexually exploit the girls for commercial gain. This premise refused to grant an agency to the women dancers.

Rather unfortunately, both these populist premises appealed to the parochial, middle class Maharashtrian sense of morality. What was worse, the demand for a ban was framed within the language of 'women's liberation', and the economic disempowerment of this vulnerable class of women came to be projected as a plank which would liberate them from sexual bondage.

Since the demand for the ban was shrouded in the mantle of sexual morality, it was passed unanimously in the state legislature. No legislator could risk sticking his neck out to defend a lowly bar dancer and tarnish his own image. But what was shocking was the frivolous manner in which a serious move that would render thousands of women destitute was discussed. Not just the bar dancers, even those who spoke out in their defence became the butt of ridicule during the assembly discussions.

One of the comments was aimed at us: "These women who are opposing the ban, we will make their mothers dance..." (The comments have to be translated into Marathi to properly gauge their impact.) During the campaign we had been asked, "Will you send your daughter to dance in a bar?" On the floor of the house, the situation had regressed from our daughters to our mothers! *Isha Koppikar... she is an atom bomb, attttom bomb... laughter and cheering... the dancers wear only 20% clothes... more laughter and cheering... these women who dance naked (nanga nach), they don't deserve any sympathy...* round of applause.

An esteemed member narrated an incident about his friend's daughter who had committed suicide because she did not get a job. He said it was more dignified to commit suicide than to dance in a bar. And the house applauded! Yet another congratulated Maharashtra Deputy Chief Minister R R Patil for taking this bold and revolutionary (*krantikari*) step, but this was not enough. Hotels with three stars... five stars... disco dancing... belly dancing... all that is vulgar... everything should be banned, he urged.

Another esteemed member (Devendra Phadnavis, BJP) was anecdotal. He had gone to dinner with a friend to a posh restaurant in south Mumbai that has a live orchestra. Not a dance bar, he clarified. But the women there were dressed in an even more obscene manner than the bar dancers. (Comments: *Why had you gone there?... laughter... was it part of a study tour?... more laughter...*) When licences were given to bars, the understanding was that it would promote the arts — the performing arts. But what actually happens is vulgar dancing. A total destruction of our culture. Belly dancing in starred hotels is also vulgar. Clubs are also allowed to hold performances. That should be stopped too. This Bill deals with the dignity of women. So all dancing except bharatanatyam and kathak should be banned. Schools and colleges are full of vulgarity. The Bill needs to be made more effective so that it can deal with issues like MMS and pornography.

Then there were comments about films — Western, English, Tamil, all are obscene they argued. But not a word about Hindi and Marathi films. That's '*Amchi Mumbai, amchi Marathi*' ('Our Mumbai, our Marathi'), I guess!

Then another esteemed member commented: "We are not Taliban but somewhere we have to put a stop. The moral policing we do, it is a good thing, but it is not enough... we need to do even more of this moral policing..." Suddenly the term 'moral policing' had been turned into a hallowed phrase!

These comments were not from the ruling party members who

had tabled the Bill. They were from the opposition whose traditional role is to criticise the Bill, to puncture holes in it, to counter the argument, to present a counter viewpoint. But on that day, the house was united across party lines and all were playing to the gallery with their moral one-upmanship. No one wanted to be left out. Not even the Marxists. In fact, the speech by CPI (M) member Narsayya Adam was more scathing than the rest. He went to the extent of casting aspersions on the governor for returning the Bill. To return a Bill passed by the cabinet is an insult to the state of Maharashtra, he declared.

The 'morality' issue had won. The 'livelihood' issue had lost. It was indeed shocking that in this era of liberalisation and globalisation dominated by market forces, morality had superseded all other concerns, even of revenue for the cash-strapped state. It was a moral victory for Deputy Chief Minister (DCM) R R Patil.

In his first announcement in March 2005, the DCM had said that only bars outside Mumbai would be banned. A week later came the next announcement. The state shall not discriminate! All bars, including ones in Mumbai, would be banned. One does not know what transpired in the intervening period. But what was deemed moral, legal and legitimate suddenly, a week later, came to be regarded as immoral, vulgar and obscene.

One question remains unanswered — can the state impose arbitrary and varying standards of vulgarity, indecency and obscenity on different sections of society or class of people? If an 'item number' in a Hindi film can be screened in public theatres, then an imitation of the same cannot be termed 'vulgar'. Bar dancers imitate what they see in Hindi films, television serials, fashion shows and advertisements. All these industries have used women's bodies for commercial gain. There is sexual exploitation of women in these and many other industries. But no one has ever suggested that you close down an entire industry because women are being sexually exploited!

The ban is being challenged in court by different affected sections — bar owners, bar dancers, health activists from AIDS prevention groups. But even in the courts, the polarised arguments have revolved more around sexual morality and issues of trafficking than the constitutional principles of equality and right to life and livelihood.

While the state, courts and activists are locked in this debate, for the dancers it has been a Hobson's choice — to enrol with the employment guarantee scheme promised by the state, which is ridden with corruption and sexual exploitation, or to resort to streetwalking and brothel prostitution to make ends meet. That is, unless they can make it up to the three-star hotels, mujra houses or performances at private parties. But all this does not matter. After all, the bar dancers are not a constituency, they are not a vote-bank. At least our beloved state and its youth are redeemed from moral depravity. Three cheers for the pro-ban lobby!

Flavia Agnes is a human rights lawyer who has been representing the bar dancers union in court proceedings. Email: flaviaagnes@hotmail.com

Fundamentalisms and sexuality

Confronted with chaos, the fundamentalist believes that his role is to protect and defend his tradition, fighting back with absolutism and violence. The uncontrolled woman, the woman with rampant sexuality, the outsider, the migrant, is the most tangible symbol of chaos, and the easiest to control

MAYA INDIRA
GANESH

*Don't use your right hand for that.
You must always use your left hand for this.
Don't point your feet at the books.
Don't go to the temple on 'those days of the month'.*

ANYONE WHO HAS GROWN UP in an Indian household has to have heard this at some stage of growing up. Indians are obsessed with purity. And as humans we are in love with our neat little binaries. The amorphous, the shadowy, and the unclear inspire a deep fear in the human brain that is trained to simplify. The world is thus conveniently ordered into right and wrong, dirty and clean, black and white.

In recent events that smack of this desire for purity, Dr Sanjay Aparanti, a doctor turned IPS officer recently appointed to the Mumbai police, initiated a campaign "...to rid Mumbai of all obscenity". This drive, led by Maharashtra Deputy Chief Minister R R Patil, and supported by Chief Minister Vilasrao Deshmukh, called for the shutting down of dance bars in and around the city of Mumbai. Film posters that show too much skin and sex also came under the state's purity Geiger. The state's concern is that youth are being "led astray" by a surfeit of sexual content in public and media spaces. Small wonder that no one asked the youth what they think. Or that we have no alternative other than to scissor out what we deem offensive.

But this is not just about dance bars. The state's crusade is symbolic at many levels: it is set against the backdrop of Hindu notions of purity and pollution that grow frighteningly more strident, as fundamentalism uses the bodies of women as their locus of control. The discourse around the representation of sexuality has been so widely appropriated by the censorship/anti-censorship brigades that all analysis has been suspended, as has been solution-seeking.

Purity, pollution, and sex

In Tantric worship and philosophy, much maligned and poorly understood as it is, one of the key challenges the spiritual seeker has to wrestle with is the artificial division between the sacred and the profane. In a world that is artificially fragmented, the seeker has to be united within himself and the universe to achieve *moksha*. By affirming the spiritual worth of all that is considered forbidden, he disarms it of the power to pollute or degrade.

The stories about the sage Ramakrishna are not apocryphal; a follower of Kali and the left-handed Tantric path, he did handle

faeces and urine and wine in his worship. Through this he sought to realise the state of consciousness where all things are essentially unified and related; a space where nothing is dirty, forbidden, or degrading. By removing its potential for negativity, the dangerous polluting object ceases to be of harm. No wonder his friends and followers thought him mad, for Ramakrishna dared to taste the world in its most disgusting and forbidden manifestations, in order to detect its underlying sanctity and unity, which he discovered is the great Goddess herself (Kinsley, 1998).

Academic Martha Nussbaum notes in her essay on the Gujarat riots that "disgust plays a powerful role in human life...Disgust is an emotion heavily caught up in symbolic and magical thinking. Its objects are reminders of our animality and mortality, either because they are in fact corpses or waste products or because they come through a process of association to symbolise waste, excrement, and mortality. Disgust works by shielding human beings from too much daily contact with aspects of their own humanity that are difficult to live with. Thus if we don't touch corpses or oozy, decaying, smelly things, we may be able to ignore our own mortality. If we neatly dispose of our bodily waste products, we more easily forget that we are made of stuffs that end up on the dungheap." (1)

This feeling of disgust is projected onto other groups of people, thereby restricting disgust and dirt to an identifiable field, and further insulating those who are in control of such constructions. In many European societies, Jews have played that role. In the traditional Hindu caste hierarchy, dalits, formerly called "untouchables", played a related role: through their contact with waste products they were regarded as themselves contaminated, thus not to be touched by the pure person. Their very existence in the community shielded the pure from the decay and stench of their own animality (Nussbaum, 2004).

In Hindu thought, women's bodies simultaneously present the opportunity for honour and glory by producing sons, but can also be impure, dangerous, and polluting. When women mourn, are menstruating, or after childbirth, their hair is left loose to signal their impurity and pollution (2), their departure from socially acceptable femininity. Menstruating women cannot enter temples, or touch pickle, so powerful are their bloody wombs that God, man, and preservatives would quake and lose their strength.

In the context of sexuality, Indian culture has been deeply influenced by notions of purity and pollution. The pursuit of pleasure is considered one of the most dangerous — to individuals and to a society. Myths about masturbation leave young men worried that they will go blind or mad. So Victorian are our notions of sex and pleasure that the Supreme Court still cannot abolish Section 377 of the Indian Penal Code that criminalises non-procreative sex acts such as oral sex and anal sex. It says that “deletion of the said section [Section 377] can well open the floodgates of delinquent behaviour and be construed as providing unbridled licence for the same. The purpose of Section 377 is to provide a healthy environment in society by criminalising unnatural sexual activities against the order of the nature.” (3) Sex and relationships that are thought of as lustful, hedonistic, and individual-centred are expected to destroy the fabric of one of the world's oldest civilisations.

So, sexuality circumscribed within marriage and procreation is acceptable, and anything outside is not. But there is a double standard at work here. Male and female sexuality are constructed differently, such that men are thought to need more 'outlets' and (sexual) experience before marriage, so pre-marital and extra-marital sex by men is silently condoned, whereas women who do the same face the stigma of being 'bad women'. This tacit acceptance of male sexuality tends to make it invisible. The man who has an extra-marital affair, who visits the prostitute, the dance bar, is a shadowy being who doesn't feature in the purity-pollution equation.

Ideas of purity and pollution worm themselves into us from very early on and are not easy to cast off. It could be theorised that the item number girl, however, is still prey to sexual morality. Distanced by class or background as she may be, she is still conditioned and policed by the moralities she has been brought up with. A brief glance through interviews with item number girls underscores the good-girl image; many will say that they are either God-fearing, or that they still live with their parents, or that they will only marry someone chosen by their parents. It is as if they are even distanced from the sexuality they market, that it is somehow all sanitised by leading a private life that is 'good' and 'respectable'. Perhaps this eases the cognitive dissonance of us all?

Positioning the bar dancer alongside the prostitute, she is constructed within the space of sexual deviance, making it morally convenient for the state to justify its actions. The bodies of the prostitute, the single woman, the divorced woman, the woman whose hair is loose, the Other woman, the Muslim woman, the dalit woman, have all been positioned further towards the pollution end of the purity-pollution continuum. Thus giving the mainstream male the authority to objectify them, make them appear less than human. From de-humanisation to violence then, is a short road.

Fundamentalisms and women's bodies

“In overwhelming chaos Krishna, women of the family are corrupted; and when women are corrupted, disorder is born in society.” (4) — Arjuna to Krishna in the *Bhagavad Gita*

There is controversy surrounding the term 'fundamentalism'. It



Sudharak Olwe

Bar dancer in Mumbai: Unlike the dream girl on celluloid the bar dancer can be touched, bought, sold — and controlled.

was first coined by the American Protestant movements in the late-19th century to identify their own brand of literalist interpretation of the Bible, but has been transformed in recent years by the press to refer to extremist religious groups.

At the core of any fundamentalist project is a sense of siege: to fundamentalists themselves, to a community that they are part of. However the danger is defined — Islamic terrorists, an encroaching decadent West — it is the source of chaos. But fundamentalists do not choose to insulate themselves from the danger or retire to a life of purity in the mountains. Instead they fight back with absolutism and with violence. (5)

The sources of impending chaos are many in Mumbai and India: political and economic instability, crumbling infrastructure, rapid urbanisation, migration, globalisation, changes in patriarchal structures and systems, and women's changing roles in the family. The uncontrolled woman, the woman with the dishevelled hair and rampant sexuality, the outsider, the migrant, is the most tangible symbol of chaos, and the easiest to control.

The fundamentalist believes that his role is to protect and defend his tradition, which he understands as something fixed and identifiable. In fact, just as fundamentalists engage in a process of inventing the self and the Other, they also construct both tradition and modernity, the former that they cling to and the latter they react to (Freedman).

In the context of sexuality, Indian culture has been deeply influenced by notions of purity and pollution. The pursuit of pleasure is considered one of the most dangerous — to individuals and to a society

Women are central to the fundamentalist project in defining and mythologising tradition. But this is not new. In many cultures the discourse around women — their behaviour, body, reproduction and sexuality — positions them as symbols of cultural identity, nationhood, and ultimately as vehicles of social control. The memories of the Taliban are still-fresh reminders of this.

Fundamentalists have often used or rather interpreted religious texts to unearth 'proof' of what women's roles are. In an analysis of sati, Lata Mani asserts that while women are emblematic of tradition, the debate around sati really has little to do with women, but is more about 'what constitutes authentic cultural tradition'. The colonial debate about sati became a debate about scriptural interpretation, not a debate about the interests of women.

"Given that the debate on sati is premised on its scriptural and, consequently, its 'traditional' and 'legal' status, it is little wonder that the widow herself is marginal... Instead women become sites upon which various versions of scripture/tradition/law are elaborated and contested."(6)

The sexual nature of the dance bar space is heightened through words such as 'obscurity' and 'modernity', and the familiar traditional Indian woman is painted as a helpless victim. By closing down dance bars the politician also becomes a cultural saviour, a hero.

In the context of fundamentalism, the control of women's bodies takes on a hysterical urgency. Faced with a sense of destruction, the cultural identity under siege has to be strengthened, defended, and its borders policed. There is heightened concern about racial and genetic purity because culture can be faked and manipulated if need be. Women's sexuality and fertility are viewed both as vulnerability and opportunity. In extreme situations as in Nazi Germany, women's wombs were used to produce the 'pure race'. The shadowy *lebensborn* phenomenon was where blond, blue-eyed women were sheltered in secret homes to breed with elite SS troops to produce 'pure Aryan children'.

"If the female body symbolises culture, tradition, and thus the nation, then in the struggle of two emerging nations the

possession and impregnation of women is a potent weapon in consolidating power. In genocide operations in the former Yugoslavia rape was used by Serbian forces to terrorise, humiliate and drive out Croats and Bosnians. Forced pregnancy and rape was used to demolish the Croatian identity and produce future children for the Serbian State."(7)

Closer home, during the pogroms in Gujarat in 2002, the rape and disembowelling of pregnant Muslim women is part of the same phenomenon. In any war, rape is the 'accepted' collateral damage. For a man to be victorious over another, all he has to do is humiliate the women on the other side. This is how wars of culture and identity are won and lost.

Un/real women

By achieving the status of item number or model or starlet, there are privileges of insulation by celluloid, where the realities of class, caste, education and religion are superseded; the woman is distanced from the mess of demographics that determines destiny for most of India. The dream factory metaphor of Indian cinema grows more relevant. There is something distant and unattainable about a woman reborn on celluloid, she becomes a dream and an aspiration for the masses.

The bar dancer however is a tangible flesh-and-blood woman who can be touched, sold, and bought. Being working-class and poorly educated means that she is that much easier to control and manipulate. It is likely that for every bar dancer there are three stories of discrimination, misfortune, and poverty back home. The impact of the state's fundamentalism thus affects her many times over.

Mumbai has been constructed in popular Indian consciousness as the city of sin and cool. A city where 'anything goes', where women can walk safe at any time of day or night. In a few short weeks all these perceptions were questioned. An honest picture of Mumbai, and the solutions to the dance bar issue, will take us into uncomfortable spaces, to the heart of the moral voice within us all. It looks like this is not a journey Dr Aparanti wants to take.

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Endnotes

- 1 Nussbaum, M C, 2004, 'Body of the Nation: Why Women were Mutilated in Gujarat', *Boston Review*, July 2004
- 2 See Hershman, 1974, 'Hair, Sex and Dirt' *Man* 9 (1974): 282-83
- 3 Government of India, affidavit filed in response to Naz Foundation petition
- 4 Hawley, J S, 1994, *Hinduism, Sati and its Defenders, Fundamentalism and Gender*, Hawley J S (editor), Oxford University Press, New York, quoting *Bhagavad Gita*, 1.41 translated by Miller B S, 1986, *The Bhagavad Gita*, Columbia University Press, New York
- 5 Freedman, Lynn, P, 1996, 'The Challenge of Fundamentalisms', *Reproductive Health Matters*, Vol 8
- 6 Mani, L, 1990, 'Contentious Traditions: The Debate on Sati in Colonial India' in Sangari K and Vaid S (eds), *Recasting Women: Essays in Indian Colonial History*, Rutgers University Press, New Brunswick, N J
- 7 Freedman, L P, *ibid*

The 21st century politics of college clothing

The move to impose a dress code is a response to the anxieties that today, women will wear spaghetti straps to college, tomorrow they will have careers, the day after refuse to be chaste Indian women, the next week make love to the wrong kind of men, the next month declare they prefer women to men, and from there who knows what else...

**SHILPA PHADKE
SAMEERA KHAN**

THE FRENCH GOVERNMENT insists that Muslim women do not wear headscarves, Sikh men do not wear turbans and nobody wears their religion on their sleeve to school. The Iranian government insists that women wear not just the headscarf but the chador. The Vishwa Hindu Parishad (VHP) is convinced that jeans are a provocative and un-Indian form of dress. Some maulanas take offence to Sania Mirza wearing skirts on the tennis court, claiming it is un-Islamic attire. Universities all over India appear to be in a race to institute what they think is the appropriate form of attire for their students.

What exactly is it that prompts varied groups of different political and religious persuasions, arguing often-opposing viewpoints, to legislate so stringently on clothing? Are the questions being debated so fiercely about clothing and accessories, or are they a smokescreen for something else? If so, what is this something else?

We would like to argue that this 'something' constitutes not one thing but a variety of different anxieties: for the French it is the pluralism of a mixed society in the context of opening European borders; for the Iranians, the VHP and the maulanas worried about Sania Mirza's clothing it is the purity of narrowly-defined religion marked on the bodies of women; and for an apparently increasing number of Indian universities it is the contradictions wrought between tradition and modernity, the Indian and the global, the private and the public, the respectable and the sexual (if one were to use crass and ultimately often fallacious binaries).

On the face of it, it seems rather incredulous and contradictory that at a time when Indian fashion designers are successfully entering world fashion markets, we should simultaneously be discussing dress codes for college students. But if one digs even a little deeper, it's not at all surprising — in fact, it is perhaps the one that creates the other. The increasing visibility of global fashion (on Indian catwalks, advertising, restaurants and streets) and the perceived lack of 'morality' that goes with it creates no little anxiety in the minds of various self-appointed protectors of 'Indian culture'.

Women's clothing: its length, width, cut and even colour are all debated in the blame game of national sexual politics. In April 2005, in the wake of the rape of a college girl by a police constable on Mumbai's Marine Drive in broad daylight, the newspaper *Saamna* saw fit to blame women's clothing for sexual harassment, admonishing women that these were bad times and they needed to guard their virtue. Shiv Sena leader

Pramod Navalkar, never one to be outdone in the conservative stakes, nostalgically recalled the 'good old days' when girls from Ghatkopar did not venture out to Marine Drive (*Saamna*, April 25, 2005; *The Indian Express Mumbai Newslite*, April 26, 2005).

By the end of 2005 the backlash has become relentless: there appears to be no light at the end of this tunnel, as university after university, in apparent agreement with these views, sets about instituting a dress code.

Tamil Nadu's Anna University has recently imposed a dress code on 231 engineering colleges that fall under its purview, banning jeans, sleeveless tops, T-shirts and tight-fitting clothes. The move has been supported by players across the political spectrum — from the Bharatiya Janata Party (BJP) to the Periyarist Dravidar Kazhagam, the Paattali Makkal Katchi (PMK) and the Dalit Panthers of India (DPI). Interestingly, at the same time, in the name of 'preserving Tamil culture', there are also moves to prevent women from consuming alcohol and dancing in discos in Chennai (*Outlook*, October 10, 2005).

Orissa has become the first state in the country to introduce a 'uniform dress code' for college students. Not only are students banned from wearing sleeveless tops and tight jeans, they will now wear uniforms — which have been specified as salwar-kameez for girls and trousers and full-sleeved shirts for boys (*The Hindu*, September 6, 2005).

Even Mumbai, an ostensibly liberal city for women, is not too far behind in the dress code politics. The vice-chancellor of Mumbai University called a meeting of college principals in July 2005, and a dress code for college students is now in the offing.

As part of our research on a Gender & Space project, we asked students in Mumbai their opinion on a dress code. At first, our conversations left us bewildered. Students in figure-hugging T-shirts and sleeveless vests with messages that read: 'Eye-candy' or 'Single & Unavailable', were the most ardent votaries of the dress code, arguing the need for limits, boundaries and clothing appropriate to the space that is "the temple of education". The unfashionable students, the ones in the oversized jeans and baggy T-shirts or salwar-kameez, and who by the most conservative standards were appropriately dressed, were the ones fuming about "patriarchal control of female sexuality".

What's so surprising about this? Nothing, those who have for years been pointing out women's liberation votaries' lack of

fashion sense or femininity would argue. But, more seriously, feminism is not without its own prejudices and often demands a certain commitment to dressing austerely. Yet, it is also true that spaghetti straps and short skirts are often accompanied by the demand for a certain body shape. It is therefore not surprising that the ones espousing more conservative ideas are the ones also conforming to the new codes of feminine sexual desirability.

As liberals, it would be easy for us to react immediately by arguing people's right to wear what they wish, to picket outside the vice-chancellor's office to demand an instant abolition of the dress code, arguing that dress codes curtail our right to freedom to dress as we please. But this might confine our argument to the act of dressing and ignore the more complex issues within which they are embedded.

So, before we do that, it is important to examine both the sub-text in what the students are saying and what they are wearing, and the context within which they do so.

"Spaghetti and noodle straps are fine in a disco but not in a college," said one student. "There is an appropriate time and place for all kinds of clothes," said another. "You wouldn't go to a disco in a nine-yard sari would you? It would be stupid," argued a third. "Every place has a dress code, one lounge in Bandra refused two journalists entry because they were clad in salwar-kameez," pointed out a fourth.

What these voices have in common is that they all belong to a specific class — a class that knows that they can wear those trendy and 'in' clothes in their wardrobe somewhere where they can see and be seen. They are also saying, in different ways, that college wear is not important enough to stick their necks out for. "If we were told to wear only salwar-kameez to college, well, we wouldn't like it and we'd protest, but ultimately we'd have to comply," was the general collective sentiment.

While men's clothing is also included in the 'code', it's clear that the high levels of anxiety are directed at women's clothing. Like other markers of national, regional or community cultural identity, the strictures surrounding clothing place women under greater scrutiny than men.

Some of the concern with regard to women's dress arises out of fear. That by revealing a little bit more of her arms or her legs, a woman will invite unwarranted male attention and thus be more open to sexual harassment and violence, including rape. Even the judges in our courts feel that way. In a study conducted by the Delhi-based NGO Sakshi, among 109 judges, 68% said they believed that "provocative" clothes were an invitation to sexual assault (*Outlook*, November 3, 2003). But in our conversations with young women across Mumbai, it is clear that girls in salwar-kameez, even those in burkhas, are just as harassed as those in skirts. The difference is that a girl in a salwar-kameez will be able to garner more public support to thrash her perpetrator than the girl in a short skirt.

There's another opinion we encountered that contends that women in tight jeans are harassed less because they come across as more confident, and molesters prefer to focus on those they consider meek and less likely to retaliate.

The other reason why society concerns itself with women's clothing has to do with wanting to control a woman's body and her sexuality, an idea as old as Adam and Eve and the apple in the Garden of Eden (remember, Eve got them kicked out of paradise). Women's clothing, actions and behaviour are reflective of the honour of the entire community. A violation of their bodies is considered a violation of the honour of the community as a whole. Community honour may also be besmirched by women's consensual actions, and steps are taken to ensure women do not have the opportunity to meet the wrong kind of men. For instance, in Indore, the Bajrang Dal has demanded that no Muslim men be permitted to enter commercial garba celebrations as they believe Muslim men will mingle with Hindu girls and elope with them at the end of Navratri (*The Indian Express*, September 30, 2005).

The dress code debate then is about much more than clothing — it encompasses ideas of family and community honour, community and national identity, appropriate femininity and masculinity, rules of endogamy and the drawing of a number of other boundaries. When we take on the dress code, these form the implicit sub-text of our arguments. As feminists, this places us at the locus of multiple contradictions. How do we assert that women have the right to wear what they desire without endorsing the mini-skirts-and-lipstick brand of market-modernity-led-liberation? How do we problematise the pressure on women to achieve gravity (and other natural law)-defying body shapes without suggesting that certain kinds of clothing are unilaterally bad? How do we articulate the need to promote the widest variety of choices, while articulating that all of these choices are located in contexts of class, caste, gender, race, community and sexual preference that influence our capacity to exercise them?

Yes, it is important to fight the dress code, but it is equally important to fight it as only one manifestation of a larger malaise — where not just the way people dress is sought to be controlled but also the way they walk, behave, and exchange thoughts, ideas and affection. The largely unopposed move to impose a dress code — with the media expressing faint disapproval at the pre-modernity of it — is not pre-modern at all. It is a very modern response to the very modern anxieties that, today, women will wear spaghetti straps to college, tomorrow they will have careers, the day after refuse to be chaste Indian women, the next week make love to the wrong kind of men, the next month declare they prefer women to men, and from there who knows what else...

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Shilpa Phadke, a sociologist, and Sameera Khan, a journalist, research issues of gender, space, citizenship and respectability in Mumbai, as part of the PUKAR Gender & Space project. They recently made an audio documentary on dress codes — Then They Came for My Jeans (12 minutes). If you'd like a copy, please write to gendespace@pukar.org.in

Women make demands, but only ladies get protection

The law remains entrenched in conservative sexual morality. It believes that only the 'good body' can be raped, assaulted or outraged. The good body is that of the good woman — the chaste and loyal wife, maintaining the integrity of the family, culture and nation. A bad woman's sexuality is illegitimate. Her body doesn't conform to the legal construct of a body that can be violated, so she has no legal recourse

OISHIK SIRCAR

"...[T]he essence of a woman's modesty is her sex. The modesty of an adult female is writ large on her body." — A 1967 Supreme Court of India judgment

"...[V]irginity is the most precious possession of an Indian girl and she would never willingly part with this proud and precious possession." — A 1984 Rajasthan High Court judgment

THE LAW'S ENGAGEMENT with the 'body' is primarily about protecting it. As soon as questions of violation of the body arise, the law jumps in with forms of incarceration and surveillance to protect the 'good body' from the 'bad body/ies'. These 'bad bodies' violate the 'good body' in very many ways: from rape to assault to outraging of modesty... The important question to ask is: When does the law think a 'body' can be raped, assaulted or outraged? In the cases mentioned above, it is the 'good body' that can be raped, assaulted, or outraged. However, only when the legal construct of the 'good body' is 'under threat of violation', or has been 'violated', will the law be of any use. If the 'body' does not meet the legal standards of a 'body that can be violated', there is no recourse. Further, there have been attempts by the judiciary, the police and society to maintain the *status quo* of the 'good body'. Thus, the 'good body' remains violable forever and is in need of perpetual protection.

The law also locates the 'good body' in constructed spaces. If the 'violation' happens on a 'good body' in a space which does not meet the notions of the legal construct, it is not considered a violation at all. The law's decision not to intervene is based on the construction of some sex as private, as part of a cultural and sacred space and beyond legitimate intervention; in certain other cases, legal intervention is justified if the sex is public, and falls outside the constructed acceptable category of cultural and sexual norms.

Let's look at criminal law's attempts to 'protect' (read: regulate) the 'sexual' (read: compulsorily heterosexual/monogamous/married), 'female' (read: victim) body. And let's examine the spaces that can 'accommodate' the 'sexual female body', and where the law deems it fit to intervene.

Feminist legal scholar Ratna Kapur points out that law draws a defining line between 'good sex' and 'bad sex' and works on the basis of dominant cultural assumptions about sexuality, which construct women as chaste, loyal wives who maintain the integrity of the family, culture and nation. These are the 'good women'. 'Bad women' transgress these dominant norms, and

they are either unable to secure the protection of the law, or their sexuality is regarded as illegitimate, hence criminalised and punished. In her latest book *Erotic Justice*, Kapur says that the criminalisation of some activities — such as rape, adultery and sodomy — and the non-criminalisation of other activities — such as the rape of a woman by her husband — are marked by the idea that there are certain forms of sexuality that are private, culturally accepted, and exercised legitimately within the family or marital relationship, which are legitimate spaces for containing women's sexuality in the name of protecting it. Despite sustained lobbying by the women's movement for law reform on issues of sexual violence, the law continues to maintain the public-private dichotomy, the dominant sexual ideology and the cultural assumptions on which they are based.

In her political analysis of feminist engagements with law, Nivedita Menon in her book *Recovering Subversion* points out that recourse to the law is seen as necessary and inevitable because it is believed that designing a law around an experience proves 'it matters'; law is the concrete delivery of rights through the legal system. The idea is to publicise private injuries, make them legally cognisable, and thus politicise them. Law is seen as the primary legitimating discourse and it is believed that legal criminalisation will socially delegitimise a practice. During 1980-1990, every issue concerning violence against women taken up by the women's movement resulted in legislative reform. These were very significant achievements for the women's movement, but the statistics each year of the number of rape cases kept on increasing, negating the deterrent value of the law reform. Why couldn't these new, more stringent laws tackle the menace of violence against women?

Women's rights lawyer Flavia Agnes, in her book *State, Gender and the Rhetoric of Law Reform* provides some answers. She points out: "The campaigns themselves were limited in scope... The solutions were sought within the existing patriarchal framework and did not transcend into a feminist analysis of the issue... They seldom questioned the conservative notions of women's chastity, virginity, servility and the concept of the good and the bad woman in society... The rape campaign subscribed to the traditional notion of rape as the ultimate violation of a woman and a state worse than death."

The violence against women and other campaigns focused only on the woman as victim. They did little to displace the dominant sexual ideology and conservative sexual morality on which law is based. Sex remained something from which good

and decent people ought to be protected. The movement's engagement with law reform has, in the evocative words of Alice Miller, been a classic case of where “women make demands and ladies get protection”.

The rhetoric of rape law reform

The provision on rape in the Indian Penal Code (IPC) reinforces not only Victorian morality but also the non-agency of women. The general principle in Section 375 is that if a man has sexual intercourse with a woman below the age of 16, with or without her consent, he is guilty of rape. But if the woman is his wife and above 15 years of age, the act is not rape. A nominal punishment is provided if the wife is between 12 and 15 or is living separately from him under a decree of separation or under any custom or usage (Section 376-A). “The undeniable conclusion is that a wife is presumed to have given irrevocable consent to a sexual relationship with her husband even though there is no presumption of consent for any other purpose, including the marriage itself,” mentions Ved Kumari in her gender analysis of the Indian Penal Code.

Rape and sexual violence in India has been one of the most visible and strongly articulated issues in the women's movement since the infamous case of Mathura (1) in the late-1970s. Mathura was a 16-year-old tribal girl from Maharashtra, who was raped by two policemen within a police compound. The sessions court acquitted the policemen on the grounds that since Mathura had eloped with her boyfriend she was habituated to sexual intercourse and hence could not be raped. The court further held that Mathura had consented to sexual intercourse with the policemen. On appeal, the high court convicted the policemen and held that mere passive submission or helpless surrender due to threat or fear cannot be equated with consent. The Supreme Court set aside the high court judgment and acquitted the policemen. The apex court held that since Mathura had not raised any alarm and there were no visible marks of injury to her body, her consent was not consent, but it could be brushed aside as passive submission.

The Supreme Court judgment in the Mathura case triggered a campaign for change in the rape laws. The campaign called for a redefinition of 'consent' in Sections 375 and 376 of the IPC, which had remained unchanged in the statute books since 1860. The case had shown that it is extremely difficult for a woman to prove that she did not consent 'beyond all reasonable doubt', as was required by criminal law. In response, the government promptly set up a Law Commission, on whose recommendation the Criminal Law Amendment Act of 1983 was passed. The amendment to the IPC allowed submission of a non-corroborated statement by a woman who had been raped, but only in case of rape in custody. Also, the mandatory minimum punishment was made more rigorous.

Although the amendment had only partly accepted the demands of the campaign, the enactment was an indication of some measure of success. However, in 1989 when the Suman Rani (2) case happened, the campaign had died down. In spite of the rigorous punishment brought in through the amendment in cases of custodial rape, in this case the Supreme Court

reduced the sentence from the minimum 10 years to five years on grounds that the woman was of 'questionable character' and 'easy virtue' with 'lewd' and 'lascivious behaviour'. The court also dismissed a review petition filed by women's groups. The Suman Rani case was no exception; the judiciary was routinely awarding less than the minimum sentence in rape trials despite the statutory mandate laid down by the amendment. The Suman Rani case was reason enough for the women's movement to sit up and take notice of the fact that its recourse to legal reform as the final means of addressing sexual violence was proving ineffective. The amendment also did not bring about a positive change in the attitude of the judiciary, in spite of the well-publicised campaign.

A section of the Indian Evidence Act (Section 155 [4], now repealed), which allowed the defence to introduce evidence to demonstrate that the prosecutrix was of 'generally immoral character', was increasingly being used by the courts to reduce the sentence. The purpose of the section was to discredit the testimony of the witness. It was based on the assumption that 'unchaste' women cannot be believed when it comes to matters of sex. As soon as the defence demonstrated that the woman was sexually promiscuous, her sexuality belonged in the public sphere. She was no longer entitled to the protection of criminal law. Instead, she was penalised.

Sexual passivity on the part of women has, then, been looked at as necessary to ensure that male lust is kept under control and also to be able to deserve protection. As the Shiv Sena mouthpiece *Saamna* suggested, it is women's responsibility to dress and carry themselves properly to ensure that men don't get turned on. Also take the case of the bar dancers who were protesting with placards saying, 'We are not prostitutes', an open articulation that they are sexually less tainted than sex workers are and thus deserve protection. An articulation which attempts to claim legitimacy by creating hierarchies of sexual behaviour, or invisibilising the 'sexual' to make things look 'good' and 'respectable'.

Despite the amendment, there was no progression in the judiciary's attitude towards rape as a violation of women's rights. “Unfortunately, judgments in the post-amendment period convey a dismal picture: the courts seemed preoccupied with the rape victim's future prospects of marriage and concerned over the loss of her virginity,” says Agnes. In fact, the same old notions of chastity, virginity, premium on marriage and a basic distrust of women and their sexuality were reflected in judgments of the post-amendment period. The dominant image of the raped woman as 'victim', 'in need of protection from male lust' was also not dislodged.

The question of loss of virginity is built into the way statutory rape is defined under Section 375 of the IPC. Penetration of the vagina by the penis is a necessary prerequisite for the offence of rape to be committed. Thus, forcible penetration of any object/organ other than the penis into any other orifice, apart from the vagina, is not rape according to the patriarchal IPC. The location of 'rape' is inside the woman's vagina, and any form of force without consent outside of the vagina would amount to an archaic crime called 'outraging of modesty of a

woman' (Section 354), provided it is established that she can be said to be possessing modesty. So, in 1967, you had a two-judge bench of the Supreme Court deliberating on whether a female child of seven-and-a-half years could be said to be possessed of 'modesty', which could be 'outraged'. (3)

Reading Agnes's and Kumari's works one understands that the penetration requirement is linked to conservative notions of chastity and the fear of pregnancy by someone other than a legitimate father. The concept of penis penetration is based on the control men exercise over *their* women. In other words, the priority given to penetration by the penis over all other forms of penetration or sexual assault is historically based on the need to defend the rights of the legitimate father rather than the woman's bodily integrity. Rape violates these property rights and may lead to pregnancies by other men and threaten the patriarchal power structures.

The penetration requirement also leads to the categorisation of offences — one deserving greater punishment than the other. Given the fact that penis penetration continues to be the governing factor in the offence of rape, sexual assault is categorised on the basis of proximity of penetration. Thus, an unsuccessful attempt at penetration is categorised as attempt to rape, and warrants only half the punishment (Section 376 r/w Section 511). The rest falls into the above-mentioned category of outraging of modesty.

For instance, a high court judgment convicted a rapist for the offence of *attempt to commit rape* on the grounds that the perpetrator could not penetrate deep enough. (4) "How deep is deep enough," asks Kalpana Kannabiran, well-known women's rights activist from Asmita in Hyderabad. "Ironically the rapist's unsuccessful attempt at penetration is equated with the loss of his manhood and forgiven as attempt to commit rape. All the acts of force, gagging, the violence involved in this case, were wiped out by the failure to penetrate, which alone could place at risk the 'modesty' of the woman," she adds.

Later petitions and campaigns by women's groups did make the Law Commission, in its 172nd Report (5), and the Supreme Court in 2004 (6) mention that all forms of forced/non-consensual penetration — vaginal, anal or oral — should be considered equivalent degrees of sexual assault. Nevertheless, the dominant ideology of the judiciary towards women's sexuality remains entrenched in its conservative sexual morality. Illustrations abound of recent cases where lower courts have acquitted rapists following their promise to marry the victim. "And marital rape still remains an exclusion from the statutory rape definition, to the extent that even the 172nd Report of the Law Commission rejected any proposal to repeal the marital rape exception, on the grounds that it would amount to 'excessive interference with the marital relationship,'" says Kapur.

In one of her most acclaimed works, Carol Smart writes that the development of judicial discourse has happened within the binary logic of the law, which is unable to look beyond the dyads of consent/non-consent, penetration/non-penetration, public/private, and is completely inappropriate for addressing questions regarding the 'ambiguities of rape'. This calls for some

strategic caution while feminists engage with the law that Nivedita Menon directs us towards. She points out: "The dominant modes of constituting the self — as woman, as criminal, as victim — are maintained and reinforced through legal language. Judgments are never only about the 'crime' being discussed in the trial, but constantly imply and refer to deviations from dominant norms. Thus, the law legitimises dominant norms, which ultimately is what feminist practice contests."

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Endnotes

- 1 Tukaram v State of Maharashtra, AIR 1979 SC 185
- 2 Premchand v State of Haryana, AIR 1989 SC 937
- 3 State of Punjab v Major Singh, AIR 1967 SC 63
- 4 Madan Lal v State of J&K 1997 (SC 2) GJX 1047 SC
- 5 Law Commission of India, Review of Rape Laws, 172nd Report, 2000, Chapter 3, p 14
- 6 Sakshi v Union of India, 2004 SC

References

- Ratna Kapur, *Erotic Justice: Law and the New Politics of Postcolonialism*, Permanent Black, New Delhi, 2005
- Nivedita Menon, *Recovering Subversion: Feminist Politics Beyond the Law*, Permanent Black, New Delhi, 2004
- Alice M Miller, *Sexuality, Violence Against Women and Human Rights: Women Make Demands and Ladies Get Protection*, Health and Human Rights 7 (2), 2004, p 17
- Ratna Kapur, *Sexual Justice and Postcolonial Theory: An Overview*, Paper Summaries, Seminar on Postcolonialism, Sexuality and Law: Critiques, Reflections and Disruptions, India Habitat Centre, New Delhi, July 18-19, 2003
- Kalpana Kannabiran and Vasanth Kannabiran, *De-Eroticising Assault: Essays on Modesty, Honor and Power*, Stree, Kolkata, 2002
- Ved Kumari, *Gender Analysis of the Indian Penal Code*, in Dhanda and Parashar (eds) *Engendering Law: Essays in Honor of Lotika Sarkar*, EBC, Lucknow, 1999, p 139
- Ratna Kapur and Brenda Cossman, *Subversive Sites: Feminist Engagements with Law in India*, Sage, New Delhi, 1996
- Flavia Agnes, *State, Gender and the Rhetoric of Law Reform*, Research Centre for Women's Studies, Mumbai, 1995
- Carol Smart, *Feminism and the Power of Law*, Routledge, London and New York, 1989
- Carole Vance, *Pleasure and Danger: Towards a Politics of Sexuality*, in Vance C (ed) *Pleasure and Danger: Exploring Female Sexuality*, London, Pandora, 1984

Is there such a thing as the metrosexual male?

In the vast grey zone between the media-bolstered façade of metrosexuality and the deep-rooted structures of patriarchy, an unprecedented transformation of Indian masculinity is taking place

MANGESH
KULKARNI

IF THE ENGLISH LANGUAGE PRESS is to be believed, a new species has appeared in the staid zoo of Indian masculinity: the metrosexual. As the name suggests, he is a denizen of the urban world. His favourite haunts include the fashion industry and the audio-visual media. Unlike his conventional counterpart, he takes a keen interest in personal grooming, has an open attitude towards sexuality, and is in touch with his feminine side. The Hindi film star Shahrukh Khan — who has recently featured in a gender-bender soap advertisement — is often cited as an icon of Indian metrosexuality.

Is metrosexuality an Indian reality or a figment of the journalistic imagination, with its penchant for the latest Western trends? After all, the term was coined in 1994 by the British journalist Mark Simpson to refer to a new breed of young metropolitan males who had a strong aesthetic sense and spent a great deal of time and money on their appearance and lifestyle. Not surprisingly, men's fashion magazines eagerly lapped up and used the expression. With the assimilation of gay men in mainstream society, 'effeminacy' lost its sting and the metrosexual subculture became quite prominent in many Western countries. The word itself entered popular parlance after Simpson wrote an article in 2002 projecting the soccer star David Beckham as a metrosexual *par excellence*.

Simpson clearly understood the political economy of the phenomenon: "For some time now, old-fashioned (re)productive, repressed, unmoisturised heterosexuality has been given the pink slip by consumer capitalism. The stoic, self-denying, modest straight male didn't shop enough (his role was to earn money for his wife to spend), and so he had to be replaced by a new kind of man, one less certain of his identity and much more interested in his image — that's to say, one who was much more interested in being looked at (because that's the only way you can be certain you actually exist). A man, in other words, who is an advertiser's walking wet dream." Quite logically, marketing agencies deployed metrosexuality — the word and the mindset — extensively both to tap and create demand for a wide variety of products targeting men.

Contemporary urban India reveals many telltale marks signalling the arrival of metrosexuality: billboards sporting male models in various states of undress, beauty parlours catering exclusively to men, and the proliferation of 'gay' characters on the celluloid screen. Mumbai recently witnessed a 10-day festival that sought to explore and celebrate indigenous metrosexuality. It offered a

rich fare including talks, films, plays and an art exhibition. Himanshu Verma — the young, Delhi-based organiser of the festival, who was himself an incarnation of the metrosexual persona — had explained his perspective in a pamphlet which offered a critical account of metrosexuality in the West, even as it tracked various sources like the *Kamasutra* to construct an authentic Indian version of the phenomenon.

Does all this mean that the stereotypical Indian man is undergoing a million mutations now? It is not easy to answer the question. Despite the appearance of books like Shobhaa De's *Surviving Men* (1997) and Sandhya Mulchandani's *The Indian Man: His True Colours* (1999), there simply isn't enough reliable information on the subject. While feminism has taught us to look at women as 'gendered' beings and spawned the discipline of Women's Studies, men are rarely seen (or see themselves) through the lens of gender, and the emerging field of Men's Studies has, at best, a tenuous foothold in India.

But even if we discount the media hype, it is hard to deny that significant changes are taking place in the domain of Indian masculinity.

Signs of a New Age masculinity are apparent in the urban, upper-class milieu centred on the nuclear family typically comprising well-educated, employed spouses and their children. In such a setting, men often depart from the rigid patriarchal framework by participating in domestic work and child care, forming closer emotional/sexual bonds with their wives, and involving the latter in financial and other decisions formerly considered male prerogatives. Boys growing up in such families tend to imbibe the new values and modes of behaviour. They are also likely to develop more wholesome ties with their fathers, quite unlike the distant and even sullen filial relations that commonly prevailed. As the earlier account of metrosexuality has revealed, another characteristic of the New Age man, especially evident among the youth, is a preoccupation with the 'body beautiful', and a less inhibited, unconventional attitude towards sexuality.

This transformation of masculinity derives from and feeds into the logic of the globally integrated New Economy centred on the knowledge-driven service sector and geared to non-traditional, varied patterns of consumption. Such an economy requires greater participation of educated male and female workers in the production process, enhanced purchasing power, as also demand for novel products like cosmetics for men. This is not to discount the autonomous role of ideologies and

Contemporary urban India reveals many telltale marks signalling the arrival of metrosexuality: billboards sporting male models in various states of undress, beauty parlours catering exclusively to men, and the proliferation of 'gay' characters on the celluloid screen

movements that have brought about a genuine alteration both in forms of social existence and consciousness. The role played by feminism and the women's movement is of paramount importance in this context.

Though the male response to feminism has often involved indifference or even outright hostility, this is not the whole story. Many men have treated the cause of women's liberation with sympathy and solidarity. An organised and self-reflexive manifestation of this affinity may be found in the pro-feminist men's groups that have emerged during the last decade. The Mumbai-based group Men Against Violence and Abuse (MAVA) — claiming to be the oldest group of its kind in the country — is a prominent representative of the pro-feminist tendency. Formed in 1993, and run as a voluntary agency by a small group of middle class men, MAVA has conducted several awareness-raising/training/counselling programmes and campaigns geared to gender justice. Along with women's groups and other like-minded organisations, it has particularly sought to target the youth through initiatives like sexuality education workshops.

Especially noteworthy is the annual Marathi publication *Purush Spandana* (Men's Heartbeats) that MAVA brings out in collaboration with Purush Uvach — a like-minded group in Pune. Probably the only publication of its kind in India, the magazine focuses on gender issues from the pro-feminist man's point of view. It carries essays, autobiographical narratives, stories and poems voicing the ideas, views and sentiments of men from diverse walks of life. It has a niche readership and has received prizes from various literary bodies in Maharashtra.

New Age masculinity is also reflected in the modicum of visibility and social acceptance gained by gay men in recent years. The publication of *Yaraana* (1999) — an anthology of gay

literature in India — by a mainstream publisher like Penguin signals this changed scenario. But discrimination against homosexuals continues and groups championing the gay cause seek to end it through different forms of intervention. Specifically, they target Section 377 of the Indian Penal Code — a colonial piece of legislation that criminalises homosexuality by treating it as an 'unnatural offence' involving 'carnal intercourse against the order of nature'. Their efforts to get this section repealed or amended have so far not borne fruit, and it continues to hang over the gay community like the sword of Damocles.

However, the concerns of gay rights groups are gaining a wider audience in the aftermath of the AIDS pandemic. The gay cause has vocal and media-savvy spokesmen like the Mumbai-based activist Ashok Row Kavi. He launched the newsletter *Bombay Dost* in 1991 to provide a forum for the lesbian, gay, bisexual and transgender community. As it could not adequately address the problems of the community, the Humsafar Trust was formed in 1994. Over the last decade, the Trust has grown into a recognised organisation dealing with issues concerning gay men and men who have sex with men (MSM). It seeks to free these men from the bane of invisibility and infamy. It is active in educating them about sexually-transmitted diseases and HIV/AIDS. It also provides them support structures and access to health facilities.

All this is not to claim that patriarchal masculinity has ceased to hold sway, or that feminist interventions have met with no organised resistance from men. The depressing statistics of violence against women and the declining sex ratio sufficiently testify to the ravages of patriarchy. And, as Anand Patwardhan vividly demonstrates in his film *Father, Son and Holy War*, the mainstream constructs of aggressive, sexually warped and misogynist masculinity feed sinisterly into the communal politics that has been playing havoc with our society. Moreover, the limited but very real achievements of the women's movement in the field of legal, institutional and policy reform have provoked palpable anxiety and resentment among certain sections of men, who have sought to defend their supposedly threatened rights.

Yet, the fact remains that an unprecedented transformation of Indian masculinity is occurring in the vast grey zone between the media-bolstered façade of metrosexuality and the deep-rooted structures of heteropatriarchy. This is the space to watch, for those seeking to understand and shape gender dynamics in the country.

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Busting the myth of the Great Indian Sexual Revolution

Recent surveys in the national media suggest that urban Indian women are shaking off years of conservatism and asserting their sexuality: they are having sex, paying for sex and indulging in forbidden sex. Is this picture accurate? And what are the consequences of this portrayal by the mass media?

MIRRA SAVARA

OVER THE LAST FEW MONTHS several magazines have bombarded us with surveys and opinions on what Indian women are doing with their sex lives. The picture that is being drawn is of Indian women entering the globalised, liberalised sphere of sexuality "free of the burden of her barren sexual history," as *India Today* puts it. "She is looking fearlessly into a future teeming with sensual possibility." *India Today* also tells us that India's smaller-town women are sexually proficient: "In Patna, a majority of single women claim to have had an orgasm"; Ahmedabad tops in terms of frequency of sex, with 33% claiming they had sex more than once a week, while the nationwide average was only 14%; in Hyderabad, 49% approved of live-in relationships.

Is this a true picture? Obviously not. Anyone with a little bit of common sense knows that it isn't. But as the mass media knows only too well, sex sells: raising these questions is often enough to get the articles read.

The tough part is that these magazine surveys make it seem that this is what is happening generally in Indian society.

According to *India Today*, among urban women in the 18-30 age-group, 65% believe men and 66% believe that women should be virgins before marriage. In contrast, in the BBC study, 96% of women in this age-group believe that both men and women should be virgins at the time of marriage

"Nationwide survey," you are told. Percentages scream at you in larger-than-life figures on the page. But what do these percentages mean? Who are these surveys actually talking about? And how are the surveys being conducted?

One of the main questions in research is the sample — how it was drawn and how representative it is. In the case of *India Today*, imagine a young unmarried woman walking down a street. She is approached by someone at the corner. Most women would likely tell the person to get lost. If she did listen to what this person had to say, she would be invited to a "central location" to fill out a questionnaire. Would she agree? Some 2,035 women in 11 cities in India actually did go... and answered a questionnaire. Since they don't give the details, we can presume that that's about 180 women per city. How many women refused to go to the central location after being approached on a street corner, we don't know. But there must be something special and different about those young women who did go to the central location and then actually sat down and answered questions. Questions like: What do you prefer — long foreplay or quick sex? What is your preference in foreplay? What do you do after sex? Do you share sexual fantasies with your boyfriend? Have you masturbated in front of your partner?

After these and a host of other questions, the women walked out of the central location with a little gift in their hands, perhaps.

These women were in the age-group 18-30, we are told. Sixty-two per cent were graduates, 54% students, and 33% working women. All belonged to the upper-income group.

Of these women, 24% said they have had sexual intercourse. That's a royal sum of 488 women, and across 11 cities. This means that when the magazine reports how women in Ahmedabad are so forward-looking, or that more Patna women are having orgasms we are probably talking about 20-40 women. Is this a sufficient enough sample to conclude that "women have started experimenting with their bodies"?

A smaller survey of men was also conducted: 517 men from the same cities were surveyed on the street corner itself. Imagine answering the question "Have you ever peeped through keyholes or stealthily watched other people having sex?" on a street corner as people saunter by (20% answered 'Yes').

While the cover of *India Today* promises to give you the scoop on 'Sex and the Single Woman', *Outlook's* cover screams

41% DON'T THINK LOVE IS REQUIRED

What would you rather do to improve your sex life?
 Have more and frequent sex with my boyfriend
 Have more variety in the sexual act
 Nothing
 Have sex with different men
 Buy sex toys

Do you know what an orgasm is?
 Yes: 27
 No: 55

How often do you have sex?
 Once a month or two: 64
 Once a week: 20
 More than once a week: 14
 Daily: 2

Are you happy with your sex life?
 Very happy: 17
 Reasonably happy: 25
 Just about: 19
 Not at all: 7

Where have you most often had sex?
 At home: 39
 At a friend's home: 29
 In a hotel: 25
 In a car: 7

Are you afraid of AIDS?
 Yes: 53
 No: 33

What do you think about oral sex?
 It is not all right: 24
 It is okay as long as the woman won't get pregnant: 17
 It is okay as long as it is not considered intercourse: 15
 It is the best because it is the most pleasurable: 44

Do you think women should remain virgins till they are married?
 Yes: 66
 No: 29

'Women Buy Men for Sex' and offers a 'Nationwide Survey on Forbidden Sex'.

If you read the fine print you find that these articles claim to reveal the sexual attitudes and behaviour of urban middle class men and women in metropolitan cities, in certain age categories (and in *India Today*, only singles), but the text gives the impression that they are talking about *all* urban women and, in some cases, *all* Indian women. Because of the convenience sampling method and the likelihood that women willing to go to a central location to fill out a questionnaire would be unrepresentative (over half of the *India Today* respondents were students), the findings cannot be reliably generalised to urban metropolitan women or to Indian women in general. Another reason why these findings seem unreliable is that they are so different from a recent survey carried out by BBC World Service Trust, New Delhi. As part of a knowledge, attitude and practices study on HIV/AIDS, a survey was carried out in 17 states, covering 169 towns and 570 villages in June-July 2005, with respondents chosen randomly by interviewing individuals in every fifth household. The BBC World Service Trust covered all the socio-cultural regions (SCRs) in 17 states (57 SCRs in all). In each SCR, three towns (with populations less than 5 lakh) and 10 villages were chosen by systematic random sampling using 2001 census figures. A total of 200 respondents were chosen in each SCR, half rural, half urban, half male, half female, from the age-group 15-49.

Although the population studied is different (smaller urban areas and rural areas), the picture of the behaviour and attitudes of young adults in India shows that it is far from the picture drawn by the media studies.

The few comparable questions yield extremely different answers. While 24% of *India Today's* unmarried female respondents claimed to have had sex, this was the case for only 8% of men and 0.59% of women aged 15-29, in the BBC study.

According to *India Today*, among urban women in the 18-30 age-group, 65% believe men and 66% believe that women should be virgins before marriage. In contrast, in the BBC study, 96% of women in this age-group believe that both men and women should be virgins at the time of marriage. There was no difference between rural and urban areas, or between men and women.

Some may dismiss the *India Today* and *Outlook* articles as harmless fluff, but there are consequences to such kinds of mass media portrayals. It is only when you read the fine print that you realise that this is not a portrayal of Indian women. The surveys on sex and the single Indian woman, and the nationwide survey on forbidden sex, appear to be drawing a picture of Indian women. But this is simply not the case.

Who is it that these surveys are reporting about? Those urban men and women who would want to participate in a sexual study of this kind. It does not even represent the young educated urban woman. The fact that individuals were stopped at street corners, or given questionnaires that they mailed in two days later, itself creates a bias.

So what difference does it make, you may wonder. People do read these articles and they do form a picture about what "young single women" in their cities are about. If they are having sex, paying for sex, having forbidden sex, then these women are (or should be) available for me (men) too.

Young women, in colleges or working, have been reporting that there is increased peer pressure from men to get into sex. And if women say no, they are branded as prudish, traditional, not with-it, not cool. Surveys like this contribute towards creating an image of the young urban woman.

Agreed, there are changes taking place in the lives of women and men as the economy moves forward. Many youth (not all) are getting independent sources of income, and living out of their homes. It is important that we support these women who are entering new ways of living. However, does creating a false picture of what is occurring in their lives help? Not all of these women are engaged in the drugs, disco, dancing, drinking lives that Page 3 journalism celebrates. And by creating such a picture the media is certainly doing damage. These articles could contribute to promoting sexual aggression among men. They could be reducing women to the position of sexual consumers, putting a globalised gloss on women as sexual objects. The mass media is attempting to link the globalisation and openness of the market economy with a growing "globalisation of the mind and body". But they might be stretching the point, and the truth.

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Written on the body

Positive images of the 'independent' woman are everywhere in the mass media: the woman astride the bike — and the man. But what percentage of these popular images of a woman's body in the visual market are, in reality, produced by women? Between the global open market and the 'traditional' Hindu Right that seeks to control and domesticate her body, where does she stand? Where is her *real* body?

TRINA NILEENA
BANERJEE

DURING THE CLIMAX of Manipuri director H Kanhailal's play *Draupadi* (based on Mahashweta Devi's short story of the same name) (1), veteran actress Sabitri Heisnam appears in the nude on stage, having discarded all her clothes one by one — screaming her protest out to the men who are her rapists.

For this defenceless rebel, at this point, her body becomes her voice. Her nakedness is her power, her only weapon against the political/personal oppressors who have continuously, throughout her life, sought to subjugate and silence her.

Draupadi's nakedness is her war cry, her autonomous answer to sexual violence. Cornered and desperate, she fights male aggression with the very thing that is the object of that aggression. The only thing in the world that she owns completely is her own body.

For those who are aware of the content of Mahashweta Devi's short story, the irony and force of this radical statement will be self-evident. Unlike the mythical Draupadi, this rebellious tribal woman has no benevolent Krishna to come to her defence. She has no protector. She must be her own woman, in every sense of the word, because no male body defends or owns her. She claims her body as her own, and, more importantly, claims control over the symbolic potential of her body. She makes it mean *what she wants it to mean*, turning male lust on its head and making the obscure object of desire/violence into a potentially disruptive object of horror. She demands her right over her own 'body language', in the face of the most gruelling odds. In doing so, she subverts the system of oppression with the very thing that is its primary object, turns her ostensible weakness into her source of power. In a profound sense, she is born again — having, with this act, *re-created* her own body.

As citizens of India, we will be aware how close this piece of fiction is to reality. It is not just contemporary but prophetic, even prophetic, in its concerns and final statement.

In July 2004, a group of Manipuri women stripped naked in front of the Western Gate of Kangla, where the 9 Sector Assam Rifles and 17 Sector Assam Rifles are housed. The 17 Assam Rifles personnel had picked up old Thangjam Manorama from her house and shot her dead on July 11. The possibility of rape was acknowledged. I quote from a relevant news report that appeared in *The Sangai Express*:

"Following the naked outburst of anger and bottled-up rage, the district administration of the two districts of Imphal acted swiftly and imposed an indefinite curfew in Greater Imphal

areas from 11 am today. The women folk started gathering in front of the Western Gate of Kangla from 10 am onwards and taking everyone by surprise stripped off their clothing and raised slogans to lodge their protest. Banners denouncing the excesses of the security personnel were also put up by the women folk. [...] They also challenged the security personnel to come out and outrage their modesty, if they wished. Policemen who rushed to the site found themselves in an awkward position not knowing how to deal with the women who had bared all. The women folk raised a number of slogans, questioning how long they have to suffer, while their sons and daughters are being trampled, tortured, raped and killed by the security personnel." (2)

I do not know whether these women in Imphal were aware of Kanhailal's theatre or of the existence of *Draupadi* as a play. But the complex interface between theatrical performance and political action, once again, comes to the fore when we think about this strange time lag between performance and reality.

And one remembers the words of the Jewish-American poet Adrienne Rich. Rich had once written, in a poem aptly titled *Power*, that a woman's "wounds came from the same source as her power".

Mahashweta Devi's narrative achieves this radical potential with ease. However, one wonders how this works when translated into performance. Does Draupadi's nakedness on stage achieve the same goal as Draupadi's nudity in the text? Indeed, in Kanhailal and Sabitri's able hands, performance makes the radical force of the text even stronger. It succeeds in reproducing the textual narrative and also takes it one step further. The horror and the jolt of this unprecedented act (pun intended) breaks multiple rules at one go. Initially perhaps, it flouts the conventions of the Indian stage.

The effect of this blow is dual. The shock of this protest affects not only the characters on stage — Draupadi's violators — but also the audience. It drags the spectators together to stand with these men whose violent gaze was fixed on the woman a moment ago. Their horror becomes our horror. Their fear and discomfort turn into our fear and discomfort.

In a deft theatrical sleight of hand, Kanhailal makes *us* the violators of Draupadi, making us share in the crime that we did not in reality commit. Our reaction is the exact same as that of the men who represent authority on stage. We feel a violent rush of disapproval, shock and disgust, and in doing so become

complicit with the crime that we were here to condemn. Her nudity becomes *our* nakedness. Her power *our* humiliation.

At the time that I watched this performance, I was in college. Sabitri Heisnam would have then been in her early-60s. I remember clearly that some women in the audience walked out in the middle of this scene. Some sobbed. Some howled inconsolably outside the hall after it was over. Most men were frozen into a stunned, dazed kind of silence.

Theatrical conventions had been broken. But something bigger than that had happened simultaneously. A naked woman's body had refused to titillate, to evoke lust or desire, to assume forms that were publicly considered immoral — but were implicitly more acceptable than this powerful, horrifying, completely autonomous nakedness.

The worst thing, perhaps, was that Draupadi had refused to ask for our sympathy in this performance. She had said instead, in her wordless scream, "You think this is the body of a victim? Do you desire and pity this body? Look at it. It's more powerful than anything you have ever seen". She was screaming pain and rage, but she was not weak. With one swift blow she had demolished all that made a woman's naked body acceptable to us as an audience — desirability, vulnerability, maternal tenderness, weakness.

Manipuri women protest the excesses of security personnel: Their completely autonomous nakedness stated forcefully that the body can be pitted against the world that has marked and regimented it.

I had never been so horrified by a theatrical performance before. After a point, when I realised what was about to happen, I remember having to close my eyes in spite of myself.

I didn't want to watch this. She reminded me of my grandmother who was dead. I didn't want this to happen to her. She was old, for god's sake. I couldn't watch this.

This, in spite of all my radical ideas and avant-garde theatrical leanings. I had, however, realised even at that point that something of momentous theatrical importance had just happened in that old auditorium in Calcutta.

In the conclusion to his book *The Politics of Cultural Practice*, Rustom Bharucha makes an important statement about the autonomous body in performance. I quote:

"I would emphasise that in activating the imagination we — those of us who are involved in the actual making of cultural practice — should not lose sight of those psychophysical resources rooted in the body that do not necessarily feed 'the new global order' [...] It is at this critical juncture that 'the body' can be pitted against 'the world', even as it has been marked, shaped, regimented, and violated by its disciplinary codes. To imagine an absolute autonomy of the body would be as facile as it would be to imagine the innate freedom of the



intercultural. What is needed, perhaps, is a more critical imaginary of the body whereby its relatively uninvestigated agency for social transformation can extend beyond the limited horizons of the existing laboratories of intercultural theatre practice.”(3)

While agreeing almost entirely with Bharucha in his theorisation, I wish to ask a few related questions. Questions that concern me as a female performer in India, as it stands today — an increasingly 'globalised' (putatively) and forever more complex nation: Is it possible for a woman performer today to retain a modicum of control over the symbolic content of her body — over what her body *means*, so to say?

What Kanhailal and his wife Sabitri were able to achieve was profound, simply because of the difficulties involved in such an enterprise — in the 'making new' of a woman's body in performance.

Is it possible for a woman to actively form some sort of autonomous physical language, let alone an independent language for her sexuality, given how inscribed her body is by its pervasive use in the popular media? Given how she is hardly ever the agent/producer of the visual representations of her own body that flood the global open market? Between this 'open market' and the 'traditional' Hindu Right that seeks to control and domesticate her body, where does she stand? Where is her *real* body? Can there be one 'real' body to speak of, or are there many?

Then, how does one negotiate this multiplicity as a performer and a woman? Of the multiple images of the woman's own self/body that flood her mind and the world outside, which is her own? What is her 'body language'? How does she find it? These are questions that are not easy to answer, or deal with.

I would like to clarify that my primary question is not about the alleged 'commodification' of the woman's body in the visual mass media. I am not an advocate of censorship. Nor do I consider the moral/ethical/social 'harmfulness' of popular visual representations of women to be within the scope of my discussion and my most important concern. I do not believe that the mass audience's reception of these images works through any sort of unmediated, unfiltered, de-contextualised 'direct impact'. In fact, I agree completely with film theorist Shohini Ghosh when she writes:

“...feminists must insist, against the religious right, that the problem with sexist pornography is not that it is 'explicit, kinky, anti-family... or pro-queer' but that, like sexist representation in other... cultural forms and practices, it erases alternative representations. In fact, there is little difference between sexist pornography and religious fundamentalism as both discourses naturalise women's subordination. [...] It would make more sense for women to demand space for greater sexual expression on the part of women. There has to be conscious attempt to struggle to create space for consensual erotica in which women are willing and active agents.” (4)

Our concern, therefore, as feminists is not with 'good' versus 'bad' images or with 'harmful' versus 'moral' representation. Our concern is with agency — female agency (sexual or otherwise)



Mallika Sherawat lets her short red skirt fly: A planted image that she has no control over?

in relation to her own body, which must be depicted positively in popular film, advertisement and television.

I anticipate that readers will throw up 'thousands of instances of 'career women' and 'power girls' represented positively in the popular media. Surely these are images of empowerment, they will ask. Indeed, it is a fair question. And the answer, broadly, is 'yes'.

But my concern is with the fostering of difference, with allowing multiplicity to flourish. My concern is with an alternative space. With potentially multiple alternative spaces.

That the development of such spaces is crucial is obvious and beyond question, but what are its chances? What are the odds against which these alternative representations will have to make room for themselves? As a theatre performer and a woman who is looking continually to create an alternative space for performance — a space where even a minimal sort of autonomy could become possible — I need to ask these questions. I need to go a little beyond simply stating that such spaces are necessary and must be created. As a theorist, it is possible to stop there. As a performer, knowing the odds, one asks — *how?*

Positive images of women as agents in the popular mass media exist. Undeniably so. There are representations of 'independent' women who are, to borrow a ubiquitous phrase, 'comfortable with their own body'. When examined closely, however, these

images will betray a certain pattern — a collection of well-established signifiers whose meanings are rather simplistically pre-determined.

After all, in a 30-second capsule, the message must be clearly discernible. The 'independent, liberated' woman must know immediately that it is she who is being portrayed on screen, so she knows exactly what to buy and what not, which film to watch and which one to reject. Hence, for very obvious reasons, these representations have a certain pervasive 'production line' quality that is determined primarily by market forces.

For example, the woman sitting astride a bike and the woman sitting astride a man in popular advertisement are essentially the same. That posture, the look in her eye, the word 'astride' all connote a woman in control. Display that image, and I will know immediately what you mean.

This is a 'rule-breaking' image — this is the 'unconventional'/'radically modern' belt of the production line. This is where, in this open market, 'I', the 'independent woman', belong. That bike is mine. That man is (or should be) under me.

One needs to ask what percentage of these popular images of a woman's body in the visual market are in reality produced by women? How many women occupy significant creative positions on either end of the production line?

When Sakshi Tanwar as Parvati Agarwal in Ekta Kapoor's *Kahani Ghar Ghar Ki* pulls her *pallu* over her head in deference to the elders in the family, who has conceived of this gesture? When Mallika Sherawat lets her short red skirt fly, who has told her that this will be 'sexy'? It is possible, indeed probable, that both these women are completely complicit with their portrayals and might even sometimes be active agents in their creation.

But the force of their most tiny physical gesture is such that I, as a performer on the group theatre stage, must think twenty times before using that same gesture in performance. Primarily because its meaning is not mine to either create or determine. If I, a 24-year-old woman were to appear on stage naked, wishing to make the exact stage statement that Sabitri had made in *Draupadi*, where would I stand? Could I cut through the sexual meaning of each part of my body to reach a language where I could inspire fear, horror, repulsion? How would I negotiate this thickly pre-inscribed space between my audience and me? If I failed to do so, where then would be that space of creative freedom that I consider indispensable as an artiste and a performer? How would I avoid the jeers within and outside me?

One might argue here that all 'body language' is culturally pre-determined. It is the task of alternative performance to re-make that language.

Indeed it is.

My point is that this task is becoming increasingly more difficult today. It is certainly a greater challenge now than it was 15 years ago. Regimentation has all but disappeared; it is the time for multiple voices speaking at the same time. True. But the sheer scale and reach of some of these voices, given the powerful media that they speak through, is such that my body is effectively no longer mine.

I want to sit astride a man and mean violence, not desire. I want to pull my *pallu* over my head, and mean anger, not respect. I want to let my short red skirt fly, and be, not sexy, but horribly repulsive.

But how do I do it? How do I erase the multitudinous simulacra of that act that have flooded the public imagination — with direct or indirect impact? Where do I begin to break down that planted image? How do I create and re-create my limbs, when they are being written over every minute and distributed all over the world in a matter of seconds? Over no aspect of this continuous, unceasing production and reproduction do I have the least amount of control.

The genius of H Kanhailal of Kalakshetra, Manipur, is here. The genius of numerous other alternative theatre workers and performers in the suburbs of India today is here. Theirs is a mammoth task. Sometimes it is an impossible task.

They must not only create registers where they do not exist, as Rustom Bharucha did when he made two of his male performers kiss on stage in the mid-'80s. (5)

They must also continually break down and deconstruct existing registers — finding *aporia*, significant points of weakness with which to unravel the whole texture of these mass-produced 'bodies'. Create a new 'body language' every day. The task becomes doubly difficult when the performer/artiste in question is a woman. The currency and scale of visibility of her body everywhere in this seemingly equitable multiplicity has robbed her of even the *possibility* of an autonomous language. She is at a loss like never before.

My desire is only that this disadvantage be recognised. That the free play of multiple voices in this pluralist world be seen with a little less theoretical naiveté. Again, my argument is not for censorship. But for the legitimate desire of the marginal to be recognised and respected as such, in this continual and joyous celebration of the popular.

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Endnotes

- 1 *Draupadi* can be found translated with a foreword by Gayatri Chakravorty Spivak. *Critical Inquiry*, 8.2 (1981): 381-402. The translation was reprinted in *Writing and Sexual Difference*. Ed: Elizabeth Abel. Chicago: U of Chicago P, 1982
- 2 'Women give vent to naked fury in front of 17 AR at Kangla', July 5, 2004 (Imphal), in *The Sangai Express* <<http://e-pao.net/epRelatedNews.asp?heading=12&src=150704>> (last accessed October 14, 2005)
- 3 In Rustom Bharucha, 'Afterwords', *The Politics of Cultural Practice: Thinking Through Theatre in an Age of Globalisation* (Oxford University Press: New Delhi, 2001), p 201
- 4 Shohini Ghosh in 'The Troubled Existence of Sex and Sexuality: Feminists Engage with Censorship'
- 5 See Rustom Bharucha, *The Politics of Cultural Practice*, pp 112-119

Sex books and the mediation of masculinities

A Bangalore study reveals that popular printed material on sex continues to be the first and principal source of sexual information for young men. These books reinforce gender stereotypes and the Madonna/Whore dichotomy, encourage violence in male sexual activity and portray women as either passive receptacles or dangerous partners who need to be “controlled” by their men

AKHILA VASAN

READING POPULAR PRINTED MATERIAL on sex, known as “sex books”, seems to be an important initiation into “manhood”. A study in Bangalore on 60 college-going young men revealed that nearly all of them used these books as their first exposure to sex and their main source of information on it.

One of the key themes of this qualitative research study was young men's participation in sexual activities, their range and type, with whom and in what context they were negotiated. The study was conducted to understand young men's peer groups and friendship relations and their influence on risk-taking behaviour. The participants were all male, predominantly Kannada-speaking, studying first- and second-year BCom, from low-income communities within Bangalore and the surrounding peri-urban and rural areas.

The contents of 11 different Kannada sex books were reviewed, and the quality of information and key messages in them assessed. The 25-60-page booklets cost between Rs 10 and Rs 50 each. The quality of paper was poor, the photographs and printing smudged. Except for the covers, they were in black-and-white. They carried no information about the publishers.

The staple fare in all the books was sexually explicit photographs, mostly copied from Western magazines. There were also stories, not linked to the photographs. Each book had

The language in these books was graphic and crude. Male genitals were described as “weapons” while female genitals were referred to as “passive receptacles”. Violent verbs such as stuffing, shoving, kicking were used to describe sexual acts and sexual pleasure

around 40 photographs: two-thirds had only women involved in different heterosexual or masturbatory activities, and three-fourths of them were Western women. It was interesting to note that there were no pictures of homosexual activity or of male masturbation. There were several pictures depicting group sex, and there were some of only male and female genitals.

We reviewed the stories in these books for language and key messages. The language was graphic and crude. Male genitals were described as “weapons” while female genitals were referred to as “passive receptacles”. Violent verbs such as stuffing, shoving, kicking were used to describe sexual acts and sexual pleasure. Stories typically described “illicit” sexual relations — a young man/woman with an older neighbour or relative; co-passengers on a train; a hostel warden with a student; a spouse's friend and so on. Most of the stories seemed to suggest that women were intrinsically dangerous and needed a man's control to keep them in check. The women at the centre of most stories were single women — unmarried, widowed, those in sex work or those whose sexual “appetites were not 'satisfied' by their husbands”. Conversely, a “real man” was one who could “control” his wife by sexually satisfying her and therefore he needed to know more about sex than the woman. Otherwise there was always the danger that his wife would cheat on him. Further, a “real” man was one who could hold his liquor, have sex several times within a short span of time and with several partners.

We found interesting parallels in what young men reported in the interviews. One set of participants, calling themselves bad boys, put a premium on sexual experience as a marker of masculinity, where the size of one's genitals, one's ability to engage in sex for a long time without ejaculating, and one's experience with different types of partners and positions were key criteria for being a “man”. Such young men believed that “watching and reading” was passé and one had to move on from merely “watching” to “doing”. Nearly half the men who subscribed to this view had engaged in penetrative sex with multiple partners.

“This is the age to do things practically and not read. Reading is only up to SSLC and PU (pre- university/college).”

They nevertheless did engage in 'reading and watching', but it had to be spiced up with several other activities to make it more interesting and challenging. So these young men tried different strategies — they read stories from the sex books in groups and enacted them:

A “real man” was one who could “control” his wife by sexually satisfying her. A “real” man was one who could hold his liquor, have sex several times within a short span of time and with several partners

“One of us reads the sex book and there are volunteers who act it out. If somebody asks what we were doing, we say, ‘We were reading the *Bhagavad Gita* and had organised a *bhajan* group for that.’”

Others organised a masturbation competition at these events:

“One of the guys blows the whistle and says, ‘Get, set, go’, and then we start. Whoever gets ‘out’ (ejaculates) last is the winner. From our room I am the only participant.”

Checking on the hardness of the erection was also part of the competition.

Alcohol was a “must” at these events.

“We get a lot of *maja* (enjoyment) after drinking. But we are not completely out (drunk) but just for zoom (equivalent of “high”).”

Stripping, masturbating and passing crude comments added to these young men’s enjoyment.

Sex books/movies were also used to harass men who the bad boys consider Gandhis (the equivalent of a nerd). Gandhis were at the opposite end of the spectrum of masculinity and believed that at their age they had to study and not “lose their head” over sex and women. They did not deny their sexual needs but felt they had to be “controlled” or fulfilled in a safe and acceptable manner. And reading sex books, watching sex movies and masturbating, if done discreetly, were safe ways to release their sexual energy:

“Such things (sex books, movies and masturbation) are needed or else boys will go crazy.”

“My experience with these books is that they are important to help young boys control their desires and focus on their studies. When I have such desires I cannot concentrate on my studies. At such times, if I read the book and do *jataka* (masturbation), I feel fresh. But I don’t like what X and others do — doing it openly and talking about it.”

While sex books/movies were a necessary evil, it could also be a double-edged sword. If one was not cautious, instead of getting liberated from sexual thoughts, one could end up

getting addicted to them:

“They (sex books) can be dangerous in some ways. One can get addicted to them. Then we will start thinking only about girls and spoil our heads.”

None of the Gandhis reported any sexual experience and said they wanted to remain virgins until marriage, as a way of demonstrating their love for their partner and also because it was more exciting:

“I want to be pure till my marriage. I don’t want to have sex with anybody other than my girlfriend who is going to be my life partner.”

“I want to be fresh till I get married. I am not interested in it now. There is thrill to do it after marriage.”

The difference in the way Gandhis and bad boys perceived and used pornographic material seemed to be closely linked to the difference in their notions of masculinity. However, the point of convergence for these two kinds of masculinities and messages from sex books was in their attitude towards girls and women. Both Gandhis and bad boys seemed to subscribe to the classic Madonna/Whore dichotomy, which the sex books also seemed to reinforce. They believed that a girl/woman was either “good” or “bad”. Good girls/women were those who were like “sisters”, who did not wear revealing clothes, were “innocent” and did not overtly interact with men. Bad girls/women, on the other hand, tried to attract men by wearing revealing clothes and being “free” with men, and they were cunning and scheming. Those from rural areas were more likely to be “good”, while those from the “city” were more likely to be “bad”. While “good” girls/women deserved one’s respect and “protection”, “bad” girls had to be taught a lesson.

Young men’s peer and social environment provided no space for sexual diversity or gender-equitable relations. This was further aggravated by their constant exposure to sex books with their misogynist slant and reductionist notions of masculinity. Therefore, it was not surprising that seemingly “safe” (as in the prevention of STI/HIV) notions of masculinity, which the Gandhis subscribed to, also had hidden prejudices running deep and threatening gender-equitable interactions and relations. Those working with young people are recognising the role of gender norms and notions of masculinity/femininity in increasing young people’s vulnerability to violence and disease. One realises that information campaigns and interventions with young people need to comprehensively address their information needs, not through sterile ‘scientific information’ but through material that connects to their context and realities and provokes and sustains their interest.

Note: The study was conducted by the Foundation for Research in Health Systems (FRHS) with funding support from the NIMHANS Small Grants Programme on Sexuality and Sexual Behaviour, Department of Health Education, NIMHANS, Bangalore

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Sexual rights as human rights

Why is a hijra being tortured by the police less of a human rights concern than the torture of a Naxalite? If development is to be seen as the process of expanding the real freedoms that people enjoy, then the freedom to express one's sexual orientation or gender identity is a development issue as important as any other

ARVIND NARRAIN

GROUPS WORKING WITH DEVELOPMENT ISSUES understand the rights claims of marginalised groups, and would inevitably be sensitive to such claims by those who identify as gay, lesbian, bisexual, kothi, hijra or the numerous other identities in the Indian context that do not conform to the heterosexual model. But even within the development sector, the response to those who dare to bring 'queer' sexualities into the rights discourse is mixed. (By 'queer' we're referring to the range of positions from

which the norm of heterosexuality as the only way of being is being questioned, be it through people who identify as gay, lesbian, hijra, kothi or bisexual, or by people who refuse to espouse any identity but still question the heterosexual norm.)

At one level, there is an open embrace of 'queer rights' as a legitimate part of the human rights discourse. The way in which human rights groups have, in fact, been able to represent queer suffering is an interesting comment on the potential that rights language has to represent the suffering of diverse communities not contemplated at the point when the rights discourse began.

On the other hand, one faces certain resistance to the quaint notion that queer people do have rights. This, of course, being the development sector, the resistance is embodied in more sophisticated forms and speaks the language of rights. In the rest of the essay I will try and address at least three forms of this resistance to taking on board the suffering of queer people as a development concern.

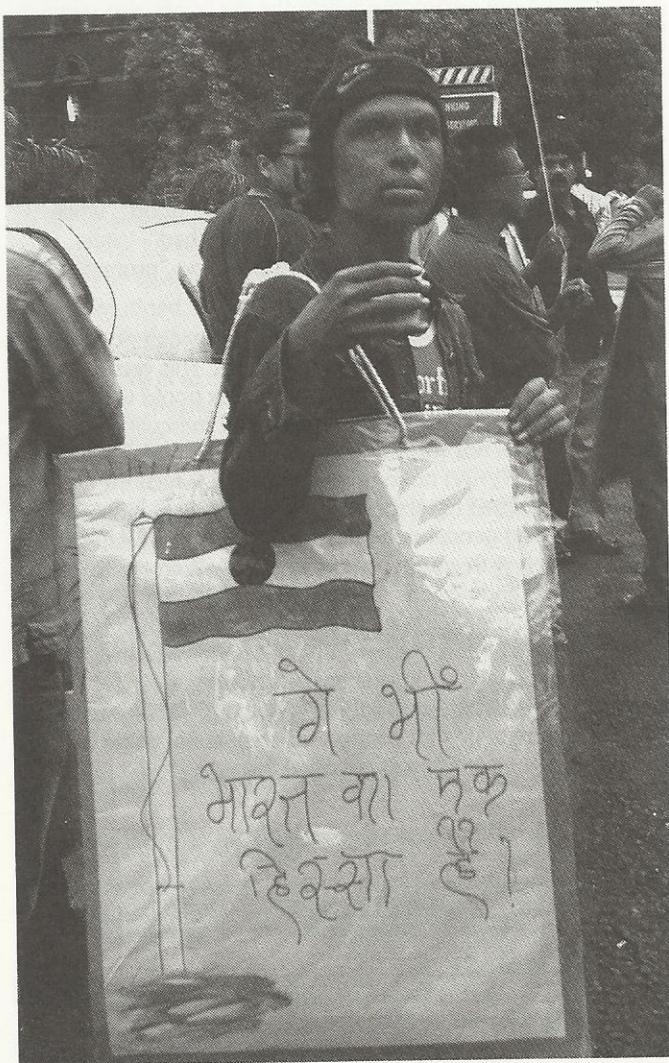
1) In India, there are more important issues than sexuality

The prioritisation of human suffering has been an integral part of our social history. At various points of time there were and continue to be excluded people. The women's movement and the dalit movement are both examples of social groups that have had to struggle and still have to struggle to find a voice at the 'mainstream' human rights table. Due to the sustained struggle of these social groups, today it is difficult, if not impossible, to openly say that in India there are more important issues than caste or gender. This is not to say that dalits and women have been successful in ensuring that their voices are always heard, but only to note that in public discourse you will not hear any human rights activist saying that there are more important issues than these.

Today, the same logic of prioritisation of suffering is now applied to delegitimise the suffering of the queer community. In one sense, the human rights community has not learnt anything from its past history, whenever the above-mentioned logic is applied.

The logic of prioritisation itself breaks down under any sustained interrogation. If one concedes the basic humanity of all people then it is difficult to say within the terms of the human rights discourse why a hijra getting tortured by the police is any less of a human rights concern than the torture of a Naxalite. Similarly, it is very difficult to exactly justify why two

Sudharak Olwe



women wanting to live with each other and not get married to men is any less of a human rights issue than a woman wanting a divorce from her cruel husband.

While clearly noting that issues such as hunger and poverty continue to be of vital importance in the Indian human rights discourse, the work of economists like Amartya Sen points to the idea that it's only when we see rights as indivisible and interconnected that we can address human deprivation in all its facets (Sen, Amartya, 1999, *Development as Freedom*, Oxford, New Delhi). If development is to be seen as the process of expanding the real freedoms that people enjoy, then the freedom to express one's sexual orientation or gender identity is a development issue as important as any other developmental concern.

2) The groups we work with such as tribals, children, women in extreme distress, people from rural areas, will not be comfortable with this issue

Sometimes, the rights of queer people are conceded as perhaps an inevitable right. But what is strongly asserted is that it is difficult for us as human rights or development activists to take this issue on board, as we work with communities that are terribly vulnerable.

Perhaps the example most cited is that we work with children who are eminently impressionable, and it would not be right for us to take on board issues such as these. This is based on the assumption that sexual orientation and gender identity are concerns which are relevant only once we cross the threshold of childhood. However, if you ask the warden of any children's shelter you will find that there are always children who are more attracted to others of the same sex, or boys who like dressing up as girls. Often the response is to panic at this incipient challenge to the heteropatriarchal order and ruthlessly stamp out such gender insubordination.

The effect of this gendered violence can have extreme consequences on one's sense of self. Perhaps being open to sexual orientation or gender identity as issues of marginalisation will help those working with children to build a more inclusive and tolerant space for children who are indeed different.

Similarly in every issue of extreme vulnerability, be it women in distress, or tribals, or any other group, one cannot proceed on the assumption that sexual orientation/gender identity are issues outside of these groups. What one needs to factor in is that in every group there is likely to be a marginal voice that struggles to find space for the expression of his/her gender/sexual non-conformity. It is often the blindness and prejudice of the mainstream development sector that refuses to acknowledge the existence of even more marginal voices within vulnerable communities.

It is also to be noted that there is the assumption of 'discomfort' by these vulnerable groups. But it is not inevitable that the only response from these vulnerable communities will be discomfort and intolerance. There are remarkable stories of tolerance and a deeper acceptance of differences in cultures that are different from ours. The question to be asked is whether it is these vulnerable groups that are uncomfortable with 'queer'

expressions, or whether development and human rights groups are just trying to hide their own discomfort behind the veil of protecting vulnerable groups from harm.

3) The very notion of rights of queer people is the result of a funding agenda with no indigenous roots

Funding has always been viewed with deep suspicion within human rights circles. Social movements in particular have been rightly critical of a lot of funded initiatives. While taking on board the problems regarding funding, which one always needs to interrogate critically, one should not use the critique of funding to delegitimise an issue.

Simply put, if we realise that the right to live with dignity is being compromised by the existence of an archaic anti-sodomy law (Section 377 of the Indian Penal Code which criminalises what it calls carnal intercourse against the order of nature and is used to target queer people), regardless of our position vis-a-vis funding, it is a just struggle to try and press for the law's repeal.

Thus, once again, while the critique of funding is always a necessary corrective, the critique itself cannot be used to delegitimise an entire issue. As is the case with both women's rights and dalit rights, there are funded groups and non-funded groups that have a rich history of disagreement on the direction of the movement. At no point in time is it ever suggested that the struggle for women's rights is illegitimate because of the presence of funded groups. In the case of queer rights, the political language of concern with the effects of funding is used to hide a deeper discomfort with the rights of homosexuals and other such 'perverts'.

What is required is an analysis of how homophobia (an irrational fear of homosexuals) might be woven into both the development discourse and the human rights discourse. We need to be aware of the human rights language in which the plain child of prejudice is clothed. If need be, we must be prepared to expose the emperor as indeed having no clothes on.

If we want to build a more inclusive vision of human rights, one that truly enhances what we mean by the right to live with dignity, then there is no alternative to taking on board queer rights as an integral human rights concern. If we take development in the Amartya Sen sense, as "the removal of various types of unfreedoms that leave people with little choice and little opportunity of exercising their reasoned agency", then we have an ethical obligation to take on board queer concerns as development concerns.

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Limiting sexuality

The discourse on AIDS has conflated sexuality with sexual behaviour alone. Thus, kothi sexuality is understood only as a high-risk group. There is a biological reductionism that dislocates sexuality from social, economic, cultural and gender relations

GEETIKA BAPNA

A group of men had slipped into women's clothing. Some of them were wearing false breasts while others sported bras on their flat chests. Dressed in flamboyant costumes, their female dressing was typically accompanied by 'feminine' jewellery — bangles, nose-rings as well as gaudy make-up. Few of them sat in one corner of the room, busy plucking their facial hair and getting their eyebrows in shape. Some others danced to the hip Bollywood numbers in most sensuous ways.

THIS IS A BRIEF ACCOUNT of my first visit to the weekly support group meetings organised by Naz Foundation — a non-governmental organisation in New Delhi working on issues of sexual health.

The men described above identify themselves as kothis. Kothis define themselves as homosexual men who take pleasure in

"Today people do not enjoy sex as much with women as with a kothi. They like it with a kothi because a woman cannot offer sex to a male partner as openly as a kothi can... I get attracted to a man. I have a girl-like disposition... My body language is like a woman. I want to grow my hair. I like to wax, to make eyebrows, to use nail polish. This is what it means to be a kothi..."

dressing in 'women's' clothing. Therefore the kothi identity is simultaneously a sexual as well as a gender identity.

Kothis identify themselves as homosexual men. However, the articulation of same-sex desire in a culture where homosexuality is criminalised inevitably brings with it social constraints. The pressure for marriage is one of the important ways in which regulatory processes reinstate their hegemonic control over acceptable sexual roles. Consequently, many kothis are married. It is in fact within this conformity with acceptable sexual roles that sexual dissidence is produced. But the kothi identity is further complicated, as it entails not only sexual dissidence but gender dissidence as well: not only are these men sexually attracted to other men, they also see themselves as 'women' and adopt 'feminine' gender roles in relation to those men.

Theorists of drag have tried to analyse the complex phenomenon of cross-dressing. Marjorie Garber sees transvestism as disruptive, seeking to destabilise the binaries of sex and gender. Garber suggests that cross-dressing is essentially subversive. Theorists like Judith Butler and Anne McClintock suggest that not all drag can be seen as radical and disruptive of normative sex and gender codes. In the context of the kothi, sexual speech and the discourse on clothing and body parts are important ingredients of the practice that we understand as drag. From the feminist perspective, while kothis do interrogate normative gender codes, they simultaneously reiterate conservative understandings of female sexuality as 'passive', firmly locating women in the mould of victims and not only eclipsing any possible sexual desire or agency on the part of women but simultaneously reiterating normative masculine roles. The following narrative exemplifies this.

"Today people do not enjoy sex as much with women as with a kothi. They like it with a kothi because a woman cannot offer sex to a male partner as openly as a kothi can... I get attracted to a man. I have a girl-like disposition... speak like a girl. My body language is like a woman. I want to grow my hair. I like to wax, to make eyebrows, to use nail polish, facial massage. This is what it means to be a kothi... some kothis hate women. But I do not share this sentiment. We have this much strength that we can marry a woman and produce children... A kothi can tell his wife about his sexual preferences. Some women accept this, others don't. Those who do not accept it should not be told. A kothi is already risking so much by marrying a woman. It is not easy to marry."

— Excerpt from an interview with a kothi

The excerpt points to an understanding of female sexuality that is clearly influenced by notions of sexual conservatism and passivity, where reproductive sexuality is the only imaginable form of sexual expression within heterosexual relations. The reference that the subject makes when he says, "Women cannot offer sex as openly as a kothi," suggests that with women one cannot have oral and anal sex, or indulge in other forms of sexual expression. Not only is there a negation of any possible sexual desire or agency on the part of the women in their lives, there is a simultaneous reaffirmation of the normative patriarchal masculine roles. Clearly many kothis are married. A complete silence on the issues confronting these women suggests that sexuality within conjugal relations still remains de-politicised and under-theorised.

The global sexual health movement

The global public health movement around male sexuality, in the wake of the AIDS crisis, is the context in which large sections of male populations in South Asia having same-sex relations are being mobilised. These public health interventions have focused on sexual behaviour rather than on sexual identity. In India, in the field of sexual health, many prominent activists argue that the language of identity and western constructions of sexuality are markedly inappropriate in delivering culture-specific HIV/AIDS health services to some men in South Asia. Instead of the term 'gay' or 'homosexual', public health activists have opted to use the term 'men who have sex with men' (MSM).

MSM is a diverse group, kothis being a part of it. And it is argued that within MSM there is no straightforward relationship between sexual practice and sexual identity. Use of this term is necessary for effective health interventions, because MSM do not possess a gay self-identity, do not see themselves as bisexual, yet are not conventionally straight. As one prominent health activist notes: "South Asia has an incredible diversity of identities, desires and frameworks of expression — a true queer space. Hijras, transvestites, transgendered, gay identified men... men/males who have sex with other men/males, in all its variety of terminologies, behavioural choices, desires and constructions. Are we truly saying that we should reduce this diversity into the singular construction of a gay identity?"

Within this sexual health discourse under which the kothis are being mobilised, there are a number of separate strands that must be clearly delineated. There is an inherent tension within the strategies embraced by these public health interventions. Many of the sexual health discourses define kothis as passive, penetrated, effeminate homosexual men. There are a plethora of other sexual identities within MSM that are narrowly defined on the basis of specific sexual practices and behaviours. Terms such as *gandu* (one who is penetrated), *khush* (happy gay) *jankha* (effeminate gay man, mtf transvestite) are some examples of the terms that are used within the MSM community. However, many of these terms actually bracket and stifle diverse sexual practices within fixed identity categories. The kothi group, which itself is extremely heterogeneous, would hardly fit within such a narrative. And the sexual as well as gender practices of many kothis clearly disrupt such a narrowly defined account of sexual identities.

There are two other important implications of such institutional interventions, which need to be critically evaluated. In many of the arguments made by public health activists, there is a claim for indigenous identities as against "gay" identity, which is seen as western and thereby elitist and something that needs to be rejected altogether. Ruth Vanita points out in the introduction to *Queering India*, that it is "significant that it is usually those who have already obtained most of their basic civil rights and liberties in first world environments who object to the use of these terms (gay and lesbian) in third world contexts".

The discourse on AIDS, which is one of the notable ways in which sexuality as an issue has come to the forefront of debate and discussion, has simultaneously limited our understanding of sexuality and, in a curious way, has conflated sexuality with sexual behaviour alone. Given this context, kothi sexuality is often understood only in terms of a high-risk group, multiple penetrations, and STD treatment services. In other words, there is a biological reductionism within these discourses that dislocates sexuality from social, economic, cultural and gender power relations.

Further, as a recent report points out, the HIV/AIDS pandemic has led to an extension of the notion of safe sex — from that which prevents unwanted pregnancy to that which prevents the transmission of HIV.

What are the implications of such shifts in meaning for the feminist struggle? The discourse on AIDS and sexual health has been able to raise questions about sexual behaviour without actually opening up a discussion about the larger structures of polity, economy, culture and society within which sexuality is produced and regulated. Such a limited understanding of sexuality has simultaneously served to obscure its multiple as well as complex sites of articulation. So, not only are the assumptions about femininity and female sexuality that are reaffirmed through kothi identity disconcerting for feminists, but equally limiting and problematic are the understandings produced about male sexuality, divorced as they are from any social underpinnings critical to an understanding of issues of sexuality.

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References

- Butler, Judith, 1993, *Bodies that Matter: On the Discursive Limits of Sex*, Routledge, New York
- Garber, Marjorie, 1992, *Vested Interests: Cross Dressing and Cultural Anxiety*, Routledge, New York
- McClintock, Anne, 1995, *Imperial Leather: Race, Gender and Sexuality in the Colonial Contest*, Routledge, New York
- Vanita, Ruth, 2002, *Queering India: Same-sex Love and Eroticism in Indian Society and Culture*, Routledge, New York

Questioning 'queer'

'Queer' was a movement that came into existence to encompass all non-heteronormative sexualities. It reminded us that labels and categories can easily become part of oppression. But along the way has the 'queer' movement itself constructed an identity that is based on standards that must be met, excluding those who don't meet these standards?

OISHIK SIRCAR

"I'm permanently troubled by identity categories, consider them to be invariable stumbling-blocks, and understand them, even promote them, as sites of necessary trouble." — Judith Butler

I AM A HUMAN RIGHTS ACTIVIST. I identify as an Indian (though not as a nationalist), as a man (not a patriarch), as a Bengali (not as a bourgeoisie babu), and well... umm... as... sexual (no prefixes attached). Yes, I am very sexual. I enjoy watching porn. I enjoy sex talk. I feel like being monogamous. I feel like being a swinger. Though I'm in a 'heterosexual' relationship now, I do drool over hot men. Nah, nah... I don't identify myself as bisexual.

Through my human rights work I came to know about Stonewall, the LGBT (lesbians, gays, bisexual and transgender) movement, about sexual 'minorities', about discrimination on grounds of sexuality. About 'coming out'. Though I work on issues of sexual rights, personally, given my 'multisexual' (?) identity, I have never been able to categorise myself and belong to any 'sexually marginalised community'. A reason for that could be that I've never felt marginalised and I've never had any reason to 'come out'. Then I came to know about being 'queer', an identity that is all-encompassing of non-heteronormative sexualities. I was inspired by a quote in an anonymous leaflet called 'Queer Power Now' distributed on the streets of London in 1991, which robustly called out:

*"Queer means to f*** with gender. There are straight queers, bi-queers, tranny queers, lez queers, fag queers, S/M queers, fisting queers in every single street in this apathetic country of ours." (1)*

Queer politics questions the unity, stability and political utility of sexual and gender identities. It reminds us that labels and categories can easily become part of oppression. But the question that has been lurking in my mind since my own discovery of 'queerness' is: How queer am I to join the freedom dance of sexually marginalised groups? Do I have to be crazy about visiting drag parties and frequenting cruising places? How important is it to 'feel' like 'others' to join their liberation movement? What does this 'feeling' entail? And who are these 'others'? Why am I calling them 'others' if I 'feel' like them? Is my feeling deep enough? How deep is deep enough?

Can I get married, have kids, build a family, and feel 'queer' at the same time? Do the actions I've talked about earlier, the ones that I love doing, 'belong' to the 'queer' category, however all-encompassing it might be? Is being 'queer' about 'behaving' in a certain fashion, living a 'queer' life? Or is it about believing in an

identity, a position from where you challenge the oppressive nature of dominant heteronormativity? Can I be part of a 'heterosexual' relationship and claim to be 'queer'? My reading of the 'Queer Power Now' leaflet suggested that this is possible. But my work with 'queer' communities doesn't suggest the same.

I understand the reasons for that. In the process of building a movement, a campaign to claim human rights, there is a need to come together, feel togetherness, share a common ground, and, of course, a common dream. What is otherwise called solidarity. But what can also be called assimilation. Does the 'queer' identity subsume other identities under its all-encompassing weight? Is inclusivity a process of creating sameness? Well, not completely, though tendencies exist. The 'queer' identity does provide an opportunity for sexually marginalised groups, beyond the peripheries of the LGBT, to come onto the rights-claiming platform, get visibility.

But the cardinal questions still remain. I don't feel like a 'minority', but I don't form part of the 'dominant' majority either. So if I'm not one, can I become an integral part of a movement claiming 'queer' rights? I'm sure of my 'queerness', but do I identify with the 'queer' identity necessary to be part of the movement? So I ask myself: Am I 'queer' enough, or do I have to be the 'genuine queer' to be able to celebrate my 'queerness'? Which means, am I fake? Is there nothing genuine about my 'queer' feelings? Or is 'queer' itself a misnomer? With the promise of a 'common' struggle, 'queerness' has actually constructed an identity that is based on standards that you must meet. If you don't, then you still remain on the periphery, or even outside it.

Take the case of a very dear friend. He's biologically a man, and also dresses and 'behaves' like one. But he feels there's a woman trapped within him, and this woman inside him has same-sex preferences. He is obviously labelled heterosexual, is unable to fit into a 'category' and, at the same time, desires to remain uncategorised. But according to me, he's as 'queer' as one can be.

Take the film *Fire*, which ran into infamous controversies. Did Sita and Radha, the two women protagonists, 'develop' same-sex attraction? Were they lesbians in a marital fix? Or were they frustrated wives satiating their suppressed desires because their husbands wouldn't/couldn't? The film created controversy; it also created visibility for non-heteronormative sexualities. But the debates around it seldom questioned the 'representation' of

the relationship, except for the communalised one. It was the same with the film *Girlfriend*, where sexual 'minority' groups did question the problematic representation of 'lesbian' sex as depicted in the film, but didn't engage closely with issues regarding whether the depiction of two women almost having sex, for whatever reason, should be considered 'lesbian'.

The problem lies in the fact that in the process of creating and challenging the politics of categories, the 'queer' movement has progressed on the assumption of 'behaviour being equal to meaning'. (2) What you see is what you make of the 'other'. Though the very genesis of the movement was based on the celebration of difference, the multiplicity and discursive nature of human sexuality has become difficult for the movement to handle. We were talking of 'differences of the same kind'. But over time, it has become difficult to deal with difference, to be really plural. 'Queer' itself has become a labelled category/identity. We kept adding letters to LGBT: K for Kothi, H for Hijra... but then what happens to me? Where do I fit in? What happens to my friend? And why do I have to think of joining a movement where I'll have to 'fit in'... meaning, get assimilated? Movements are definitely built on commonality of experience — of discrimination and oppression. But aren't movements also built with the dream, the goal, of liberation for all? What's at the core of the 'queer' movement, I ask, 'queer' freedom or sexual autonomy as a human right?

The issue of sexual identity came into the public arena partly as a result of AIDS. In infection, what was concealed in social life was revealed. HIV revealed the truth about often-concealed sexual activities. (3) The emergence of MSM (men who have sex with men) then can be completely attributed to medical interventions; what does it have to do with the acceptance of a different kind of sexual practice? MSM remains a 'target group' for HIV/AIDS work. Is it possible to think of a WSW (women who have sex with women) category, who are not lesbians? Or is it because they do not pose health threats, or that their health is not a primary concern, that they don't exist at all?

In April 1994, a team visiting Delhi's Tihar jail found that there was 'homosexual' activity between prisoners, and recommended that condoms be made available. The then Inspector General of Prisons, Kiran Bedi, was opposed to the distribution of condoms on the grounds that it would promote homosexuality. In the same year, the AIDS Bhedhav Virodhi Andolan (ABVA), a human rights group, filed a public interest litigation in the Delhi High Court challenging the constitutional validity of Section 377 of the Indian Penal Code (IPC). (4) The petition argued that the section violated the right to privacy guaranteed as a fundamental right under the Constitution. This petition was not followed up.

It took another six years for the Naz Foundation, a group working with MSM and other sexually marginalised people, to file a comprehensive petition in the Delhi High Court asking that the section be repealed. (5) By this time, the sexual identities of lesbians, gays, bisexuals and transgender (LGBT) had become a lot more visible with AIDS interventions addressing them as high-risk groups. This visibility also led to incidents where NGOs working with sexual 'minorities' were targeted for promoting homosexuality under Section 377. (6) Naz Foundation then

followed up the petition by asking the court to read it down by decriminalising adult, private and consensual sex.

What is interesting to note is that the law reform campaign undertaken by LGBT groups in India looked at law reform as the final emancipatory tool for ending oppression and discrimination based on sexual identity. Over-reliance on the law led to the government response where it dismissed the petition and remarked: "Section 377 has been applied to cases of assault where bodily harm is intended and/or caused and deletion of the said section can well open floodgates of delinquent behaviour and be misconstrued as unbridled license for the same." (7) The government further contended that Section 377 is the only provision in the IPC which can be used against child sexual offenders, thereby tactically pitting child rights groups against sexual minority rights groups. The final word of the government was: "Objectively speaking, there is no such tolerance to practice of homosexuality/lesbianism in Indian society."

It is pertinent to note that the section does not criminalise homosexuality *per se*. What the law regulates is any form of bodily or carnal intercourse, which is not peno-vaginal in nature. This law is an import of Victorian/Judeo-Christian morality and attempts to criminalise all forms of non-procreative sex. What is also of concern is the fact that the question of consent is inconsequential when it comes to sexual acts 'against the order of nature'. Section 377 criminalises voluntary intercourse; this means that this law actually has no human 'victim' to protect. What it protects is normative standards of 'acceptable' sexual behaviour: culture, morality and tradition, that too the ones that are understood to be essentially 'Indian'. Further, nowhere in the IPC has 'nature' been defined for an understanding of what would qualify as unnatural. Though the provision appears to be neutral on the surface, there's been enough documentation to establish that the section is used primarily to harass and extort money from those who do not fit into conservative sexual roles, primarily gay men, hijras, kothis and MSM.

Though the 'queer' movement owes a lot to the women's movement in terms of its ideological base, the women's movement has been a disappointing ally. Gaping fissures are beginning to appear between the two. There seems to be a non-engagement of the women's movement with regard to Section 377, as apparently the section invisibilises lesbian sex. But does it? Section 377 is about non-peno-vaginal penetration between two people, irrespective of their gender. And lesbians can have penetrative 'carnal' sex.

Voices Against 377 and Sappho for Equality, groups based in Delhi and Kolkata, have attempted to bring women's groups and child rights groups on board in the campaign against this Victorian law, but Section 377 continues to be considered a gay rights issue and not really an issue of broader human rights claims. The women's movement in India has had a singular focus on issues of sexual violence and the woman as 'victim'. This has not allowed a powerful articulation of female desire and pleasure, thus denying the movement an opportunity to engage with questions of sexual rights as human rights. Sexual rights have always appeared in claims for reproductive rights,

but lack of constant interrogation has completely pathologised issues in terms of healthy/unhealthy, disease/diagnosis, etc.

Though the lesbian question has been a part of the women's movement's agenda, it existed only in terms of violence faced by lesbian women and not as a process of articulation of lesbian pleasure and desire. And the excrescent, the hijra, the kothi, the tranny, has somehow not been a part of feminist rights claims as they didn't fit the binaries of male/female. Yet, feminism remained the privileged site for theory and thought on sex and sexuality.

The emergence of 'queer' identities has actually challenged that, and feminism has had to respond, though not satisfactorily. Most women's groups engaging with issues of sexuality, for example, still conflate sexual and reproductive rights. The conflation of sexual rights with reproductive rights has caused sexual rights to be viewed as a subset of reproductive rights claims. This subset status has actually made invisible an array of people of non-conforming sexual identities, as well as non-reproductive sexual practices, thus leaving many already marginalised people outside the framework of human rights protection in the context of sexual behaviour. (8)

Given the fact that the 'queer' movement has posed a cerebral challenge to the ideological groundings of the feminist movement, it doesn't seem to have learnt lessons from the troubled engagement of feminism with law reform. It doesn't seem likely that the 'queer' movement's engagement with the law will yield the desired results. This engagement, again, is based on the assumption that more rights equal more empowerment. But the assumption ignores a lot of those who don't seem to fit the 'queer' construct, as is evident in the Naz Foundation petition, which asked for the reading down of Section 377 of the IPC to decriminalise consensual, adult, private sex, leaving out those who do not have the privilege of a private space. "Though law does remain a significant site of struggle, one needs to locate legal change as a necessary part of a wider socio-political change. The premise of change with respect to sexuality is as much a change in societal mores as it is about legal change. The legal outcome should not be looked at as an end in itself, but rather the process of questioning, interrogating and challenging the movement's strategy and ideology," says sexual rights activist and lawyer Arvind Narrain. (9)

So we're back to the questions we began with: Do you need to be the oppressed victim to be able to claim 'queer' rights? Are violations a necessary prerequisite for 'queer' rights campaigns? Can you not be happy, never having faced discrimination, never having had to feel the need to 'come out' and make a political statement about your 'queerness', and yet feel that you are a part; that you belong? Is there a space like that within the 'queer' universe?

What we as 'queer' people need to challenge is not just dominant heteronormativity, but also our discomfort with difference. Differences not just about questions of sexual variation, but ones that include all ways in which we can obtain pleasure. We cannot privilege 'sexual orientation' as the most significant sexual difference among us. Or else we are in danger

of creating our own sexual 'lower orders'. (10)

Queer is here to stay. And I've taken the quotation marks off to signify that it cannot afford to remain an identity constructed on the basis of in-built 'sexual hierarchies'. (11) Just to slightly rephrase the 'Queer Power Now' quote: "Queer means to f*** with oppressive normativity," where identities don't get subsumed under the 'bigger' banner, yet the existence of the 'bigger' banner depends completely on the multiplicities and plurality of identities. Where you can protest against oppression, as well as powerfully and fearlessly articulate pleasure and desire. Where you don't have to 'fit in'; where you'll 'belong'.

I agree with singer Gloria Gaynor's summing up of the assertion of identity:

"I am what I am, and what I am needs no excuses. I deal my own deck, sometimes the ace, sometimes the deuces. And there's no return and no deposit, so it's time to open up your closet! Life's not worth a damn, till you can say, 'Hey world, I am what I am!'" (12)

Can we reclaim Queer from the clutches of identity politics and single unified theories of rights claims? I await answers.

I remain what I am.

Endnotes

- 1 Vanessa Baird, *Sex Love & Homophobia*, London, Amnesty International UK, 2004, at pp 95-96
- 2 Much of the understanding of 'behaviour not equal to meaning' was developed through enriching interactions with Carole S Vance at the Sexuality and Rights Institute 2005, Pune
- 3 Jeffery Weeks, *Necessary Fictions: Sexual Identities and the Politics of Diversity*, in *Invented Moralities: Sexual Values in an Age of Uncertainty*, Columbia University Press (1996)
- 4 ABVA v Union of India, Civil Writ Petition 1993
- 5 Naz Foundation v Union of India, Civil Writ Petition 2001
- 6 The police raided the offices of Naz Foundation International and Bharosa Trust and their workers were arrested under Section 377 and other laws. For a detailed description see Siddharth Narrain, *The Queer Case of Section 377*, Sarai Reader 2005, Bare Acts, CSDS, New Delhi, p 466
- 7 Union of India's response to the Naz petition, September 6, 2003
- 8 Alice M Miller, *Sexual but Not Reproductive: Exploring the Junction and Disjunction of Sexual and Reproductive Rights*, Health and Human Rights 7 (2), 2004, The President and Fellows of Harvard College, at p 70
- 9 Arvind Narrain, *There are no short cuts to queer utopia: Sodomy, law and social change*, *Lines Magazine*, Volume 2, Issue 4, February 2004
- 10 Gayle S Rubin, *Thinking Sex: Notes for a Radical Theory of the Politics of Sexuality*, in Ablove, Barale, Halperin, et al, (Eds), *The Lesbian and Gay Studies Reader* (1992)
- 11 Ibid
- 12 Quoted in Vanessa Baird, *Sex Love & Homophobia*, London, Amnesty International UK, 2004, at p 26

Regulation of disabled women's sexuality

The disability movement focuses on entitlements such as inclusive physical environments, employment, etc. But it scarcely discusses issues of the sexual lives of the disabled, which are denied, resisted and controlled at various levels

NISHA

I BEGAN THIS PAPER by asking two of my colleagues, leaders in the disability movement in India, about their views on sexuality and disability. One response was: "You know better about the issues being faced by disabled persons here than to waste your time on sex-obsessed Western thinking." The other wondered: "...[Disability] still remains a kicked-off affair in the triangle of charity/welfare, medical rehabilitation and vocational training... When and how do we talk about sexuality?" I also remembered a comment that I heard two years ago, at a rehabilitation centre in Cuttack, about a woman with cognitive disability: "She just can't control... they take their eyes off her for a minute and she has done it with someone... Men! I tell you... Third pregnancy... can't even get a hysterectomy... and abortion at this stage is risky."

What are the ways in which the sexual lives of disabled women are denied, resisted and controlled at various levels?

Issues of disability and sexuality do not find a visible space in

The support and protection needs of disabled persons not only make them vulnerable to abuse but also become grounds for infringing their right to sexual expression. Disabled persons lack leisure and privacy. Given the enormity of the barriers surrounding sexual relationships, disabled persons often find it easier to deny their sexual desires

the disability discourse in India. The movement in India has focused on social change in terms of entitlements like inclusive physical environmental access, employment, and so on.

The public image of disability is that of a healthy and sharp young man in a wheelchair, or of an alert and intelligent blind man, both of whom are disadvantaged only due to a physically inaccessible environment. Complicated issues like disabled persons' interaction with gender and other social, cultural oppressions, and the embodied experiences of physical, sexual and emotional rejection, wants and desires are not raised at all.

Within the disability movement there is a kind of vigilant silence about the wants and desires of the "impaired body". It is not just a negation of pain, fatigue, depression and illness but also a denial of dialogue about the body. (1) This denial is blocking opportunities to change notions of attractiveness and attitudes towards disability and sexuality among the disabled themselves and in society.

The feminine body and appropriateness

Feminists have engaged with three broad dimensions of the body: 'objectified bodies', 'regulated bodies' and 'bodies as texts'. (2) Objectified bodies are not naturally but socially produced, reproduced and culturally inscribed. Women as objects of desire must be a 'perfect' whole of eroticised parts. 'Regulated bodies' police themselves to achieve the body ideal and control their own sexuality. 'Bodies as texts' exist in the dominant ideological/theoretical assumptions of the social system, which writes different roles for different types of bodies. Disabled bodies rendered deficient by objectification are subject to abuse, invasion and remodelling. In the process, disabled persons are expected to regulate their bodies to reach close to the body ideal, and discount the biological and subjective experiences of pain, illness, fatigue, age, and physical sexual complexities. The inability of disabled women to conform to the inscribed text of the ideal healthy "wholesome" body means the denial of 'normal' sexual and reproductive roles. An example of this is the attempt made in 1994 to perform hysterectomy surgery on 14 intellectually challenged women at the Sassoon General Hospital, Pune. The effort was seen as a way to manage menstruation and the consequences of sexual abuse, ie, pregnancy. (3)

Closely linked to the notion of attractiveness are the issues of sexual access and the appropriateness of sexual desire and acts. Shakespeare, Gillespie-Sells and Davis dub the dominant form

of 'appropriate sex' as heterosexual, penetrative, man-on-top sex. They find this oppressive for disabled persons who, because of difficulties with positioning and bodily dysfunction, may not be able to adopt it. (4) But surely there is a possibility of non-genital sexuality, and other ways for the disabled to give or derive sexual pleasure? (5)

Socialisation and information

Anita Ghai, a disability rights advocate, recalls: "In the dominant north Indian culture, we are allowed to interact with our male cousins, but not share a room with them at night. When I was young, I was never stopped. Later I grew up and I realised that they had desexualised me because of my disability." (6) Since the family and society do not recognise the sexuality of disabled persons, they do not recognise their need to engage in body and sexuality-related education or the need for information either. According to Meenu Sikand, in India, women with even simple disabilities do not get to learn about reproductive health because reproduction is linked to marriage and disabled women are not considered to have marriage prospects. (7) There is a lack of information *per se*, and wherever available the form in which the information is available is such that it remains inaccessible to many disabled persons. Lack of knowledge about sexuality results in confusion, guilt and silence, which affect self-esteem and the capacity for sexual self-actualisation.

Social construction of dependence and segregation

The segregation that begins from infancy or the onset of disability is maintained by "special needs" institutions. Even in "special needs" institutions, disabled persons are infantilised. Sexual segregation of persons with cognitive disabilities may be cited as an example. Segregation is prompted by institutions and supported by families because they feel that the cognitively disabled are not capable of 'sound' personal decisions and lack the ability to take responsibility for relationships. (8)

Equal opportunity policies meant to provide inclusive access have instead resulted in complacency and hypocrisy — the pretence that a disabled person is equal and can be made normal (9) if she/he is provided with a facilitative physical environment. Most social policies do not address attitudinal issues and fail to view and treat disability as normal. As a result, even in so-called 'inclusive environments', disabled persons remain isolated.

The support and protection needs of disabled persons not only make them vulnerable to abuse but also become grounds for infringing their right to sexual expression. Disabled persons lack leisure and privacy. Given the enormity of the barriers surrounding sexual relationships, disabled persons often find it easier to deny their sexual desires.

Sexual partnerships and relationships

The denial of sexual identity to a disabled person implies that looking for a partner or acknowledging sexuality may make disabled women susceptible to being branded 'crude' or 'sex-mad'. This is so because their sexual desires disrupt set perceptions about disabled persons. (10)

Considering the hurdles in finding a sexual partner from among the "able-bodied", one would assume that all disabled persons would opt for a disabled person as a partner. But the internalisation of notions of attractiveness by disabled persons means that disabled men may refuse disabled women as intimates. (11) Stuart comments: "It's almost like a victory when disabled men go out with non-disabled women." (12) The situation may not be very different for disabled lesbians. Asch and Fine suggest from their research that many disabled women indicate being rejected, shunned or relegated to a position of friend from being a lover. (13)

Just as disabled women are considered asexual, they are also not seen as capable of long-term relationships. (14) In the Indian context, it also explains the large number of existing sexual/marital relationships breaking up soon after the onset of disability. The assumptions regarding the capacity of disabled women to lead normal, ordinary lives also lead to a denial of the roles of reproduction and nurturing. (15) The health sector does not give them information or access to facilities related to birth control, pregnancy or childbirth. Many states forbid persons with histories of epilepsy, cognitive disability and psychiatric disability from marrying. Some states allow the spouse to remarry without a divorce, in the event that a partner becomes disabled after marriage. For example, in India, the Hindu Marriage Act 1955 and the Special Marriage Act 1954 use terms such as 'unsoundness of mind', 'mental disorder' and 'insanity' to specify one of the circumstances in which a marriage can be rendered void, a divorce granted or remarriage sought.

Similarly, children are taken away from disabled persons as they are not deemed fit and responsible enough to be mothers. Disabled women face discrimination in the adoption process, in the provision of foster care and in getting custody of their children after divorce. (16)

The widespread use of eugenic measures in modern history and geneticists' support of eugenics suggest that disabled women are seen as sources of 'defects', and giving them the right to reproduce is regarded as burdening society with disabled children. The recent practice of prenatal testing and selective abortion of foetuses, in the likelihood that the child may have a health problem, puts the woman in a complex situation where the decision is not only about her body but also about a lack of confidence that, were she to give birth to a disabled child, she and her child would have fulfilling lives. These practices reinforce social prejudices and infringe on women's reproductive rights. (17)

Conclusion

Rendered deficient and regarded as unattractive, disabled women are denied socially inscribed sexual, reproductive and nurturing roles. This is a great disincentive for those disabled women who see sex and reproduction as integrated. And for women from cultures like India where marriage must precede sex and reproduction must follow sex, denial of the reproductive role is denial of a sexual life.

Considering that so many negative perceptions about the

sexuality of disabled persons go unchallenged, there is a need to carry out empirical work to reclaim the sexual experiences of disabled people. This must be done for three reasons: to substantiate the fact that disabled people are indeed perceived as asexual and face multiple barriers to their sexuality, and to make the non-disabled world accept and value disabled persons' sexuality; to bring sexuality onto the disability movement's agenda; to validate the experiences of disabled persons. Positive cultural representations of the sexuality of disabled persons are important not only to change public perceptions but also to impact on disabled persons' access to sexually meaningful relationships.

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References

- Asch, Adrienne and Fine, Michelle (1997), 'Nurturance, Sexuality and Women with Disabilities: The Example of Women and Literature', Davis, Lennard J, ed, *Disability Studies Reader*, New York, London, Routledge
- Crow, Liz (1992), *Renewing the Social Model of Disability*, <http://www.leeds.ac.uk/disability-studies/archivewk/archframe.htm>, 3 of online pdf. Last accessed on November 14, 2005
- Fawcett, Barbara (2000), 'Feminism(s) and Disability', *Feminist Perspectives on Disability*, Essex, Prentice Hall, 48-53
- French, Sally (1994), 'Equal Opportunities... Yes, Please', Keith, Lois, ed, *Musn't Grumble: Writings by Disabled Women*, London, The Women's Press, 154-155
- Ghai, Anita (2001), 'In Interview with Hershey, Laura', *Disability World*, a bimonthly webzine on international disability news and views, Issue No 8, May-June 2001. Available at http://www.disabilityworld.org/09-10_01/women/ghai.shtml. Last accessed on November 13, 2005
- Hubbard, Ruth (1997), 'Abortion and Disability: Who Should and Who Should Not Inhabit the World?', Davis, Lennard J, ed, *Disability Studies Reader*, New York, London
- Marks, Deborah (1999), 'Dimensions of Oppression: Theorising the Embodied Subject', *Disability and Society*, Vol 14, No 5, September 1999, Abingdon, Taylor and Francis Ltd
- Meekosha, Helen (1998), 'Body Battles: Body, Gender and Disability', Shakespeare, Tom, ed, *The Disability Reader: Social Science Perspectives*, London, New York, Continuum
- Morris, Jenny (2001), 'Impairment and Disability: Constructing an Ethics of Care that Promotes Human Rights', *Hypatia*, Vol 16, No 4, Fall 2001, 9
- Morris, Jenny, et al (1989), *Able Lives: Women's Experience of Paralysis*, London, The Women's Press, 60-68
- Oliver, Mike (1990), *The Individual and Social Models of Disability*, a paper presented at the joint workshop of the Living Options Group and the research unit of the Royal College of Physicians on people with established locomotor disabilities in hospitals, July 23, 1990. Available at <http://www.leeds.ac.uk/disability-studies/archivewk/Oliver/in%20soc%20dis.pdf>, 3 of online pdf. Last accessed on November 13, 2005
- Paterson, Kevin and Hughes, Bill (1999), 'Disability Studies and Phenomenology: The Carnal Politics of Everyday Life', *Disability and Society*, Vol 14, No 5, September 1999, Abingdon, Taylor and Francis Ltd
- Sengupta, Shampa (2003), 'To Ebrahim, Zofeen, The Hidden Sisters', *Shakti: A Publication of Asia Pacific Conference on Reproductive and Sexual Health*, No 3, October 8, 2003, Bangkok, Thailand. Available at <http://www.ipsnews.net/shakti/shakti>, No 3 pdf. Last accessed on November 13, 2005
- Shakespeare, Tom, Gillespie-Sells, Kath and Davies, Dominic (1996), *The Sexual Politics of Disability: Untold Desires*, London, New York, Cassell
- Shue, Karen L and Flores, Ana (2002), 'Whose Sex is it Anyway?: Freedom of Exploration and Expression of Sexuality of an Individual Living with Brain Injury in a Supported Independent Living Environment', *Disability Studies Quarterly*, Vol 22, No 4, Fall 2002, Hawaii, Society for Disability Studies. Available at http://63.240.118.142/_issues_pdf/dsq_2002_Fall.pdf, 75-77 of online pdf. Last accessed on November 14, 2005
- Sikand, Meenu (1999) 'Disabled have Many Needs for Contraception', *Network*, a publication of Family Health International, Vol 19, No 2, Winter 1999. Available at http://www.fhi.org/en/RH/Pubs/Network/v19_2/disableneeds.htm. Last accessed on November 13, 2005
- Thomas, Phillipa (2005), *Mainstreaming disability in development: India Country Report*, Executive Summary, *Disability Knowledge and Research (Disability KaR)*. Available at http://www.disabilitykar.net/docs/india_ex.doc. Last accessed on November 13, 2005
- Vernon, Ayesha (1995), *Fighting Two Different Battles: Unity is Preferable to Enmity*, <http://www.leeds.ac.uk/disability-studies/archivewk/vernon/chapter17.pdf>, 2-3 of online pdf. Last accessed on November 14, 2005
- Wendell, Susan (1997), 'Towards a Feminist Theory of Disability', Davis, Lennard J, ed, *Disability Studies Reader*, New York, London, Routledge

Endnotes

- 1 Crow, 1992: 3
- 2 Meekosha, 1998: 169-172
- 3 Sengupta, 2003: 5
- 4 Shakespeare, Gillespie-Sells and Davies, 1996: 97-107
- 5 Wendell, 1997: 274
- 6 Ghai, 2001
- 7 Sikand, 1999
- 8 Shue and Flores, 2002: 75-77
- 9 French, 1994: 154-155
- 10 Morris et al, 1989: 80
- 11 Asch and Fine, 1997: 253
- 12 Stuart in Shakespeare, Gillespie-Sells and Davies, 1996: 94
- 13 Asch and Fine, 1997: 246
- 14 Shakespeare, Gillespie-Sells and Davies, 1996: 107
- 15 Thomas, Phillipa, 2005: 6
- 16 Asch and Fine, 1997: 248
- 17 Hubbard, 1997: 187-200

Battling unwelcome sexual attention

In 1997 the Supreme Court issued the Vishakha Guidelines on sexual harassment at the workplace. In 2004, Lawyers Collective and other CSOs formulated a draft Bill on sexual harassment, which, if passed by Parliament this year, will go a long way towards reducing sexual harassment in the workplace

AURINA
CHATTERJI

THE HORRIFIC STORY behind the inception of the Supreme Court's Vishakha Guidelines on sexual harassment at the workplace, etched in celluloid in the 2000 film *Bawandar*, is now famous. Bhanwari Devi, a 50-something-year-old social worker in Rajasthan, fought as a *saathin* against the insidious practice of child marriage. As part of her job in the villages, she tried to stop the wedding of an infant girl, less than a year old. Outraged by the audacity of this woman — of low caste, no less — who challenged their traditions, five men from the upper-caste family of the infant gang-raped Bhanwari Devi in the presence of her husband.

In the immediate aftermath of the rape, Bhanwari Devi's unthinkable trauma only festered as the village authorities, the police and doctors all dismissed her situation. A trial court acquitted the accused.

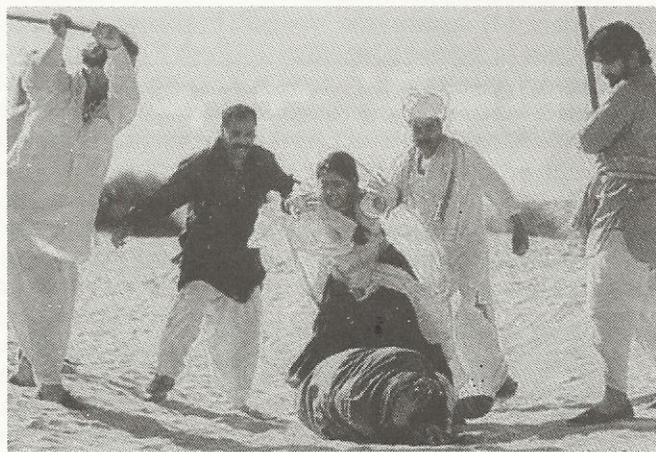
Appalled at the blatant injustice and inspired by Bhanwari Devi's unrelenting spirit, *saathins* and women's groups all over the country launched a concerted campaign to bring her justice. They filed a petition in the Supreme Court of India, under the collective platform of Vishakha, asking the court to take action against sexual harassment faced by women in the workplace: Bhanwari Devi had attracted the wrath of the men solely on the basis of her work. The result was the Supreme Court judgment of 1997, popularly known as the Vishakha Guidelines.

The Vishakha Guidelines augured well for the status of women in India. Finally there was legal recognition of the hostility women face in the workplace, a hostility that all too often results in sexual harassment.

According to the Supreme Court, sexual harassment includes any unwelcome physical contact or advances; demands or requests for sexual favours; sexually-coloured remarks; displays of pornography; other unwelcome physical, verbal or non-verbal conduct of a sexual nature.

What the judgment stresses is the presence of the 'unwelcome' element, in word or action, of a sexual nature. Any form of sexual attention becomes harassment when it is 'unwelcome'. Whether the perpetrator intentionally or unintentionally sexually harasses a person is not the issue. How the person, at whom it is directed, receives that behaviour is crucial because of the subjective nature of sexual harassment.

The judgment created mandatory sexual harassment prevention guidelines for the workplace, applicable all over India. All employers or responsible heads of institutions must institute



A still from *Bawandar*, based on the life of Bhanwari Devi.

certain rules of conduct and take preventive measures to stop sexual harassment in the workplace. The guidelines direct employers to set up complaints committees within the organisation, through which women can make their complaints heard.

These complaints committees must be headed by women, and at least half its members should be women. To prevent undue pressure from within the organisation, the committee should include a third-party representative from a non-governmental organisation or any other individual conversant with the issue of sexual harassment.

Along with the above remedial measures, the judgment also suggested certain preventive steps to be taken by employers:

- An express prohibition of sexual harassment as defined above should be notified, published and circulated in appropriate ways.
- Amendment of conduct service rules to include sexual harassment as an offence and provide for appropriate disciplinary action against an offender.

The Vishakha judgment was historic because this was the first time the Supreme Court had drawn upon an international human rights law instrument, the Convention on the Elimination of All forms of Discrimination against Women (CEDAW). It also pronounced a precedent regarding how courts should rely on international human rights law standards in cases where there is no national legislation.

However, even after such palpable achievements the ground realities remain the same. Few efforts were made to enact the law, even six years after the 1997 judgment. Very few complaints committees were set up, service rules were not amended, and the judgment was flouted both by public and private employers. In some cases, employers felt the ambit of the Vishakha Guidelines was inadequately defined; there was confusion concerning which relationships fell under its purview.

In 1999, following the sexual harassment of a student by a professor at MS University, Baroda, Medha Kotwal and other social activists wrote a letter to the Supreme Court, which got converted into a writ petition in 2001. They claimed that the Vishakha Guidelines were not being adequately implemented throughout the country, and the government had failed to ensure implementation. Besides, the guidelines were too general and did not cover the entire gamut of workplace relationships. Many organisations did not bestow the complaints committees with the same powers as existing inquiry committees. Investigations carried out by the inquiry committees were often bound by red-tape and thus cases were long-drawn-out, delaying punishment for the harasser and adding to the victim's trauma.

The Supreme Court issued interim orders following this writ. Notices were issued to both state and central government bodies to file affidavits stating the extent to which they had implemented the Vishakha Guidelines. The affidavits revealed a dismal picture — most government offices completely ignored the guidelines. In the few organisations that had attempted implementation, the efforts were nascent, or token. As it turned out, only a handful of functional complaints committees had been set up around the country. The court then asked the petitioners and other organisations to file a rejoinder detailing the changes they wanted in the guidelines. In view of this, the India Centre for Human Rights and Law, Mumbai, along with the Human Rights Law Network, Delhi, managed to access the state replies which were then compiled and sent to all campaign members, initiating a process of discussion and debate. (1) A series of consultations were organised to ensure national participation in strengthening the Vishakha Guidelines.

It was partly due to these efforts that the Supreme Court passed two very significant interim orders in the matter. In the first of these, the court issued an order directed at various professional bodies such as the Bar Council of India, University Grants Commission, Chartered Accountants Association, Medical Council of India, etc, asking them what steps they had taken to incorporate the Vishakha Guidelines. The results of this order are still pending. Secondly, the Supreme Court passed an interim order, on April 26, 2004, clarifying that the investigation and report of the complaints committee would be the final word in a sexual harassment case. In addition, the committee was required to make an annual report on complaints and action taken, to the government.

The Vishakha ruling was meant to be a temporary substitute for legislation. In 1998, the National Commission for Women (NCW) produced a Code of Conduct for the Workplace that

clearly codified the requirements of the Vishakha judgment. The code expands the definition of sexual harassment laid out in Vishakha, and clarifies the employer's responsibility to address sexual harassment in the workplace. In August 2001, the NCW set up a group of civil society activists, and in consultation with these experts and several women's rights activists, designed a first draft of the Bill. This draft was submitted to the Ministry of Human Resource Development, Department of Women and Child Development, which made amendments to the Bill and, in turn, invited suggestions from the public. The draft was found to be flawed, and in November 2004, a number of organisations working on the issue of sexual harassment met in Mumbai and drafted an alternative Bill.

Some of the primary concerns regarding the Bill in its present form are its shortcomings in dealing with the unorganised sector. There is also some controversy regarding compensation, which, as it stands now, is not part of the draft Bill. The biggest debate, however, revolves around the inclusion of service-takers, or consumers, as beneficiaries of the Bill. Currently, the Bill provides protection to employees who are harassed by a third party, but offers no measures to deal with an employee who harasses a third party. This non-inclusion of sexual harassment of service-takers is hugely problematic, as the issue is especially prevalent at medical and educational institutions. For instance, the Bill does not protect a student from being sexually harassed by a professor, or a patient who has been molested by her doctor. As the harassment is taking place in the workplace of the harasser, performed by a professional within his professional context, it ought to fall under the purview of the NCW Bill. However, since the victim is not an employee of the workplace, she remains unprotected. Harassment of service-takers also occurs between lawyers, the police, bankers, other such professionals and their clients. In all these contexts, there are unequal power dynamics that often insidiously come to fruition as sexual harassment, making it essential for service-takers to be provided protection against sexual harassment in the final Bill.

If the Bill is passed by Parliament this year, as the Centre has promised, it will be a watershed in the history of women's rights in this country. The Vishakha ruling ought to have been a catalyst for defusing power injustices based on gender that run rampant in the workplace. Unfortunately, though, too little has changed.

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Endnote

1 Desai, Mihir, 'Starting the Battle', *Combat Law*, Volume 3, Issue 5, January 2005

No sex please

Sexual innuendo, unwelcome passes, sexually-coloured remarks and jokes are the target of sexual harassment policies in India. The implicit assumption is that sex is a bad thing that should be kept private as far as possible. Such an approach could, in fact, be producing a negative impact on the right to free expression by increasing restrictions on sexual expression

GAYATRI SHARMA

OUTLOOK MAGAZINE RECENTLY REPORTED a case of sexual harassment where Fantry Mei Jaswal, an officer of the central services, struggled to have her complaint against her former boss, Kailash Sethi, taken seriously. (1) The sexual harassment consisted of Sethi coming into her office from time to time for coffee and a chat, once entering the room in his shorts just after playing golf. On one occasion, she asked Sethi, "Is there anything else I can bring, sir?" regarding a brief, and he responded with, "Get your make-up kit along". Jaswal felt "humiliated" after this incident, which led to the filing of a complaint of sexual harassment.

Sexual innuendo, unwelcome passes, sexually-coloured remarks and jokes are the target of sexual harassment policies in India; the general attitude appears to be to adopt a 'zero tolerance' approach towards such behaviour. As a result, public expressions of sex or sexuality are being penalised. The implicit assumption is that sex is a bad thing that should be kept private as far as possible. The exception is when sexual wrongs occur, in which case it should be a matter of public concern.

Such an approach is producing a negative impact on the right to free expression, by increasing restrictions on sexual expression. The result is that the legal regulations harm more than they help, and produce a paradox where laws ostensibly enacted to benefit women are having an adverse impact on them.

Sexual harassment policies that are all-consuming are, in fact, resulting in what Janet Halley calls "sexuality harassment". (2)

In India there is so far no national legislation dealing with sexual harassment; thus the content of sexual harassment has been judicially constructed. The Supreme Court of India has, in various decisions, laid out what sexual harassment is. In *Vishakha* — a landmark judgment delivered in August 1997 — the Supreme Court stated that every instance of sexual harassment is a violation of fundamental rights. (3) In a subsequent Supreme Court judgment (*Apparel Export Promotion Council v Chopra*), the definition of sexual harassment was expanded and it was held that: 'any *action or gesture* which, whether directly or by implication, aims or has the tendency to *outrage the modesty* of a female employee, must fall under the general concept of the definition of sexual harassment' (my emphasis). (4)

Conservative notions of modesty and decency have become entangled with the definition of sexual harassment. Shame,

humiliation and embarrassment are emotions expected from a woman who has been sexually harassed. More seriously, *all* women are expected to feel the same sense of outrage with regard to sexually-coloured behaviour.

Recently, in July 2005, the Supreme Court upheld the conviction of former DGP of Punjab, K P S Gill, for outraging the modesty of a woman IAS officer, Rupan Deol Bajaj. While the conviction is laudable, the observations made by the apex court, particularly with regard to a woman's modesty, are not. In this case, the complainant was verbally assaulted at a dinner party and when she tried to leave, she was slapped by Gill on her posterior in front of all the other guests. (5) The matter reached the Supreme Court, where it was held that "...the ultimate test for ascertaining whether modesty has been outraged is if the action of the offender such as could be perceived is one which is capable of *shocking the sense of decency of a woman*... the alleged act of the respondent in slapping the appellant on her posterior amounted to 'outraging of her modesty' for it was not only an affront to the *normal sense of feminine decency* but also an affront to the dignity of the lady' (my emphasis)". (6)

There is no denying that the conduct of K P S Gill in the circumstances was outrageous — an unwelcome sexual demand was made, resulting in a hostile environment. But the problem with the judgment is that it imposes attributes of feminine decency on *all* women. For example, there are some women who may pat friends or colleagues on the posterior and not consider it sexual harassment — just a display of affection. A sexually-charged office/workplace is not detrimental to women's interests — *it only becomes so if the sexual atmosphere discriminates*. (7) When sexual harassment gets disassociated from discrimination it becomes hostile to freedom of sexual expression and, in fact, detrimental to the feminist agenda. For example, Jane Gallop, a feminist professor, was accused by two students of sexual harassment. This was possible because, as she puts it: "...I sexualise the atmosphere in which I work. When sexual harassment is defined as the introduction of sex into professional relations, it becomes quite possible to be both a feminist and a sexual harasser." (8)

Dress codes for women in universities, company guidelines where consensual relationships need to be reported to the manager or director or where consensual relationships between co-workers are simply not allowed, or restrictions at women's hostels on timings and male visitors simply control anything related to sex, and not sexual harassment. In private

companies, the fear of becoming entangled in sexual harassment cases where vast sums of money are involved leads to stringent company codes. Employers are duty bound to provide a safe environment, and if they fail to do so may end up having to face a suit for criminal liability. Therefore extreme steps are taken to keep the workplace sexually sanitised.

The issue of sexual harassment is particularly volatile in Delhi. In the case of Delhi University, sexual harassment is defined as:

'Sexual harassment' includes any unwelcome sexually determined behaviour, whether directly or by implication, and includes physical contact and advances, a demand or request for sexual favours, sexually-coloured remarks, showing pornography or any other unwelcome physical, verbal or non-verbal conduct of a sexual nature. (9)

Broadly put, any act that has a sexual overtone and causes discomfort (that is, if the behaviour is 'unwelcome') amounts to sexual harassment. This definition is similar to the definition provided by the Supreme Court in the Vishakha case. It is problematic because firstly, the term 'unwelcome' is ambiguous, and, secondly, the examples included make the definition way too bloated. The definition is capable of penalising students for behaviour that is not severe but merely offensive (for example, a sexist joke).

It is not easy to understand what exactly Delhi University's intention was in drafting such an expansive definition. This definition is hardly likely to stop sexual interaction between students who want it and are confident of receiving approval when they express themselves in some sexual fashion. But the fear of being thought of as a sexual harasser may prevent certain other students or faculty members (in particular those who are thought to be unsophisticated or considered un-cool and are unsure of the reaction they will get) from interacting freely with women students.

If a woman tries to prove the behaviour was unwelcome, she would also have to simultaneously prove herself to be chaste and absolutely unresponsive to any prior flirtatious or sexually determined behaviour. (10) Further, 'sexually-coloured remarks' cannot be avoided even though they are unwelcome. For example, a discussion in a feminist theory class on radical feminism would necessarily entail discussing issues of sexuality. Such discussions may make some students uncomfortable. But this does not mean that the aim of the university should be to protect young innocents from acquiring knowledge. That would, ironically, run counter to the purpose of a university.

The debate about whether to sexually sterilise the workplace so as to make it safer for women is part of a larger debate between 'power feminism' and 'victim feminism'. (11) Victim feminism is stuck on representing all women as fragile victims of violence, which in turn invites a protectionist response from the state. The general idea is that women suffer violence, and it is the responsibility of the state to prevent it or to provide a remedy. (12) In the case of sexual harassment, the law is required to protect women; this increases the power of the state to regulate what should actually be a personal decision. Victim feminism reinforces the idea that all women suffer in the same manner.

The ideology of victim feminism goes back to the initial example of the lady officer who felt humiliated when she was told to bring her make-up kit along to an official meeting. Even assuming that the complainant had reasonable grounds to feel humiliated, a demand for legal intervention in such a scenario would only lead to a ban on all conversations about sex, or even remotely linked to sex, between men and women. Legal intervention is justified under two conditions — *quid pro quo* (when submission to unwelcome conduct is explicitly or implicitly made a condition or the basis for employment decisions) and, secondly, when a hostile environment, as determined by the reasonable perception of the complainant, is created. The law can then effectively emancipate women who face sexual harassment in the workplace.

Power feminism, on the other hand, explores the potential to increase women's independent agency, and, with regard to sexual harassment, the law cannot be the main instrument in doing so. The law will only be able to regulate sexuality. This will deny women (and men) the right to self-representation of sexuality. Discussions related to sex and sexuality in India are primarily restricted to sexual violations such as rape, sexual harassment or health issues like AIDS and other STDs. Discussions on sexual rights — for example, the right to deviate from socially acceptable sexual activity — are not a pressing concern. A more effective, long-term solution is to provide the space to assert sexual rights and encourage healthy conversations about sexual issues.

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Endnotes

- 1 'Babu Black Sheep' *Outlook*, August 15, 2005
- 2 Halley, Janet 'Sexuality Harassment' in *Left Legalism/Left Critique* edited by Wendt Brown and Janet Halley, Duke University Press, USA, 2002
- 3 Vishakha and Others v State of Rajasthan and Others [AIR (1997) SC 3011], paragraph 3
- 4 Apparel Export Promotion Council v Chopra [AIR (1990) SC 625], paragraph 23
- 5 Rupan Deol Bajaj v Kanwar Pal Singh Gill [AIR (1996) SC 309]
- 6 As above
- 7 See for example, Gallop, Jane, in *Feminist Accused of Sexual Harassment*, Duke University Press 1997
- 8 Gallop, Jane, in *Feminist Accused of Sexual Harassment*, Duke University Press 1997, p 11
- 9 University of Delhi, Ordinance XV (D) 'Prohibition of and Punishment for Sexual Harassment', section 2 (viii) available on <http://www.du.ac.in/downloads/SexHarass-Ordin.pdf> (last visited 2-8-2005)
- 10 See for example the Apparel Export Promotion Council (fn 4) case where the complainant's pristine conduct and lack of knowledge about sex redeemed her credibility
- 11 See Gallop, Jane, in *Feminist Accused of Sexual Harassment*, Duke University Press 1997, p 71
- 12 See Kapur, Ratna, 'The Tragedy of Victimisation Rhetoric' in *Erotic Justice*, Permanent Black, Delhi 2005, p 100

Emancipation through legislation?

For too long, the state has recognised and sanctioned the dominant sexual ideology alone: of sex only between differently-sexed, married and monogamous partners. Those outside of this realm — including men who have sex with men and sex workers — are forced into a furtive, unsafe sexual environment. The proposed HIV/AIDS Bill seeks to protect vulnerable groups and provide for health-based interventions

ISABEL GOODMAN

ON WORLD AIDS DAY 2005, the prime minister publicly recognised, for the first time, the need for Indians to overcome their inhibitions about talking honestly about sex, so that successful strategies for reducing transmission of HIV — including honest sex education and the promotion of condoms — could be adopted.

The speech was significant because it opens the door for honest conversations about sexuality and sexual identity. For too long, the state has recognised and sanctioned only the dominant sexual ideology: of sex only between different-sexed, married and monogamous partners. Those outside of this realm have been Others, vectors of HIV who threaten the mainstream population. In this climate, those at the margins face discrimination and isolation.

With the harm inherent in stigmatisation come material harms too. Discriminated groups are less likely to access information, service networks, employment and other social goods. They are therefore more vulnerable to HIV infection. And, identified as such, the discrimination against them is perpetuated. As a result, people who face stigma go underground; they hide their identity, they deny their HIV status, they avoid public services, including testing, that might identify them as within the stigmatised group. Forcing vulnerable groups underground prevents open HIV interventions and contributes to the spread of the virus.

Protecting the rights of those who are HIV-positive or those who are particularly vulnerable to HIV, then, is good public health strategy. It enables people to access the information and services they need to protect themselves and others from HIV transmission, and to take care of themselves when they are HIV-positive. This is the rights-based approach. It accepts that legally acknowledging the rights of all creates a (relatively) non-discriminatory environment where people are protected in achieving what they need and desire.

The Lawyers Collective HIV/AIDS Unit (LCHAU) has undertaken a project to draft legislation tackling HIV/AIDS and the issues surrounding it. The aim is to reduce stigma, violence and inequity by promoting the rights of people living with HIV/AIDS, those affected by it and those vulnerable to it. It was felt that legislation would provide clarity, consistency and broad, binding equality rights. The proposed Bill is intended as an inclusive measure that deals realistically with the epidemic, rather than relying on assumptions of what sexual practice is or should be.

It may be an important first step in the prime minister's call to act against HIV.

Key provisions of the draft legislation

The proposed Bill expands on the rights in the Indian Constitution to equality, autonomy, privacy, health and a safe working environment. Cumulatively, it adopts a broad risk-reduction strategy aimed at reducing group vulnerability.

Vulnerability is the result of, and enmeshed in, various types of discrimination, much of it legally approved. Indian law continues to criminalise “unnatural” sex under the infamous Section 377 of the Indian Penal Code. Although the section is apparently gender-neutral, it is used against men who have sex with men, with the result that men are impeded in realising their sexual identity, inhibited in when and where they can have sex, and are pushed into a furtive, unsafe sexual environment. They are labelled criminals and denied social, mental and physical support structures. This denial and neglect makes them vulnerable to HIV infection, and also to blackmail, harassment and violence from different sectors including the law enforcement agencies.

The state is also partly responsible for the vulnerability of sex workers. Regulation of sex work is mainly through the provisions of the Immoral Trafficking (Prevention) Act (ITPA). Although the Act purports to target trafficking, it contains no provisions dealing with trafficking, coercion and exploitation. Instead, it creates a paternalistic regime whereby sex workers are either victims who must be “rescued”, or deviants who must be punished. The Act does not criminalise sex work *per se*, but all related aspects: brothel-keeping, soliciting and practising prostitution within the vicinity of a public building. The latter two offences account for 90% of convictions under ITPA.

Sex workers are provided very little social protection. Their means of livelihood enjoys minimal respect and is just short of criminal. This opens them up to police harassment and public disgust. They are without the protection of labour, safety and health safeguards. To the extent that they organise or negotiate safe sex methods, they do so without the support of the state. The law fails to create participative or self-regulatory methods. The proposed Bill mandates a reconsideration of all legal provisions that perpetuate stigma, and calls for legislative change.

Apart from seeking to change the legislative climate, the proposed law seeks to protect vulnerable groups and provide

for health-based interventions. Interventions including the distribution of condoms, clean needles and sterilising equipment are risk-reduction strategies that cannot be impeded. But people are also expected to take responsibility for their behaviour: the proposed Bill includes a duty to prevent transmission to another by notifying a sexual partner of one's HIV status, engaging in safe sex practices, or sterilising drug paraphernalia that is to be shared. This provision creates a duty of care that, if breached, may allow for delictual damages to be claimed. The provision is supplemented in criminal law by provisions of the Indian Penal Code that render reckless transmission of a dangerous disease a crime (Sections 269 and 270).

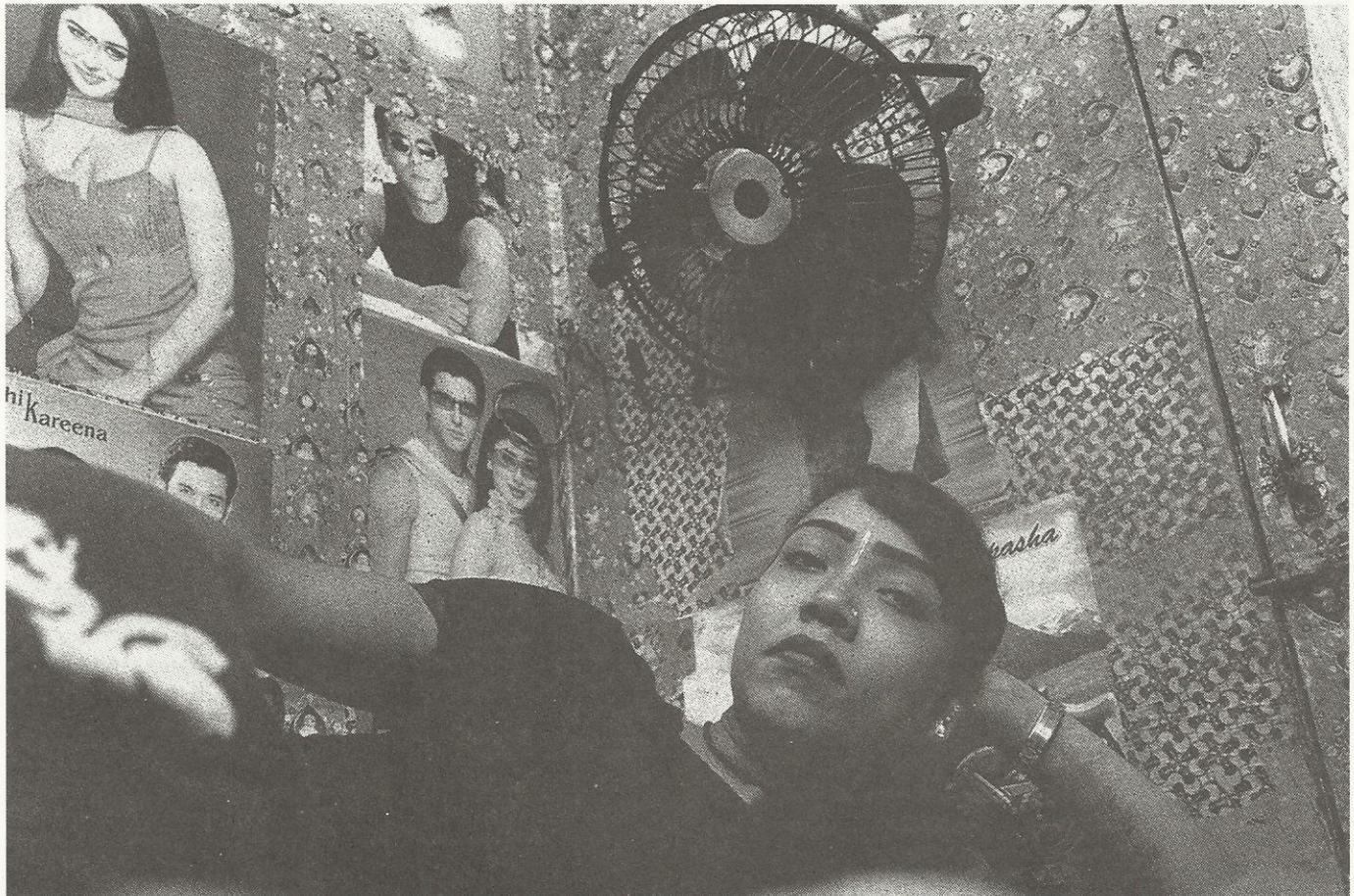
People can only be expected to meet this duty if they know how to prevent transmission. The proposed law mandates increased education on sexuality, HIV transmission and sexual health. In particular, it introduces mandatory counselling prior to marriage. This is only one of several measures aimed at protecting women. Women are far more susceptible to HIV infection than men, for biological, social, cultural, economic and political reasons. Once infected with HIV, women also face acute economic risk. Particularly, their marital status may be denied and they may be kicked out of their homes. In

addressing this, the proposed legislation provides for the compulsory registration of marriages and provides a right of residence in the family home, even where the relationship is a domestic partnership akin to marriage but not registered, or is a family arrangement.

The rights of HIV-positive pregnant women are promoted by providing a right to information and counselling that will enable them to make informed decisions about whether to terminate their pregnancy or have children (both choices being regarded as legitimate), and to access HIV treatment and health facilities. Importantly, the proposed law prohibits forced sterilisation or abortions based on HIV status. It contains provisions on sexual assault — to be read along with the provisions of the Domestic Violence Act — and provides for prophylactic treatment of women who may have been exposed to the virus through sexual assault. Simultaneously, women's autonomy of choice is protected, since no sexual assault may be reported without her consent.

Children are vulnerable to HIV, either through their own infection or because family members are infected or have died from AIDS-related illnesses. The current law in India provides a uniform age of consent of 18 years for all children, regardless of their maturity or social context. This disempowers children by

Vulnerable groups: Sex workers have little social protection, and no labour, safety or health safeguards.



Sudharak Olive

requiring guardian consent that may not be available and preventing them from making their own choices with regard to treatment and testing. The proposed Bill seeks to remedy this by providing for consent based on maturity and understanding, demonstrated through practical factors like living arrangements. It further recognises that older siblings or a person who has taken on a practical guardian role without any blood connection to the child should be regarded as legitimate guardians. These provisions are important for AIDS orphans — children whose parents have died from AIDS-related causes and are left without adult, familial guardians. Without recognition of *de facto* guardians, children may be unable to access treatment, get ration cards or reap the other benefits of the welfare state.

The general welfare of those infected with or affected by HIV is also a consideration of the proposed law. Travel subsidies to allow those who are sick to access hospitals are provided for; health insurance and social security schemes for vulnerable groups must be planned and implemented. Access to cheaper medicines is promoted by creating tax-incentive and exemption schemes and encouraging research and development into new drugs. Further, the proposed HIV/AIDS authority is empowered to enter into agreements with foreign states or international organisations, presumably including arrangements for the parallel import of drugs and negotiated treatments where such would be cheaper than products available in India.

Discrimination against protected persons is specifically prohibited. Protected persons are people living with HIV/AIDS, anyone who is or is perceived to be at risk of exposure, and anyone who is or is perceived to be a member of a group vulnerable to HIV infection. This covers all vulnerable groups discussed and anyone who is assumed to be a member of a vulnerable group, even if they are not. It prohibits both direct and indirect discrimination; either the intention to discriminate or a disproportionate impact would be sufficient to show that the provision is violated. In addition to listing specific instances of discrimination — the failure to appoint to employment on the basis of sero status, or compulsion to take an HIV test, for example — the proposed legislation generally prohibits actions or omissions that amount to discrimination, or anything that compels a person to act in a certain way. In judging discrimination, it is necessary to consider existing patterns of discrimination, including patriarchy.

The provision is significant for a number of reasons. Firstly, it broadens the equality protection of the Constitution to bind non-state or private individuals. Stigmatisation often takes place at the level of personal interactions or by private companies. The legal gap in not regulating these relations is therefore breached. Secondly, the proposed law regards existing inequalities as a relevant and remediable state of affairs, rather than as an acceptable and unchangeable background. In taking systemic discrimination into account, the legislature and the courts are entitled to put affirmative measures into place to bring about social change. Positive discrimination measures to ensure equal opportunity are specifically allowed. Thirdly, there is a provision that explicitly forbids hate speech or propaganda

against protected persons, ensuring that both deed and expression that restrict their enjoyment of rights are curtailed.

To protect privacy and the individual's autonomy of choice, testing is highly regulated. Mandatory testing is disallowed except in a very narrow set of circumstances, primarily ordered by a court. Testing must be accompanied by counselling and be undertaken by professionals. Anonymous testing must be available. The state may do surveillance testing only where results are not linked to the person's identity. These measures ensure that people going in for testing are protected from having their identity publicised. They are empowered to reveal their status when and to whom they choose. No person can be forced to disclose any HIV-related information.

The exception to this lies in the difficult area of partner notification. There is a significant risk of further transmission of HIV if a person who is HIV-positive does not plan to notify his or her partner of his/her HIV status. In such cases, a healthcare worker or counsellor knows that the partner may be infected without their intervention. In such a case, the proposed law provides a duty to disclose to that partner the risk of transmission. However, such disclosure can only be made where the health practitioner has counselled the HIV-positive patient to notify himself, he has refused to do so and the health practitioner has warned the patient that she plans to notify the partner herself. A health practitioner is exempted from partner notification if she suspects that such disclosure will put her patient in danger of domestic violence or harm. The measure is therefore a carefully curtailed breach of confidentiality only where it is necessary to protect another from transmission.

Conclusion

The law is not just an enforcement system; it sets normative values that shape how people see society and those within it. The proposed HIV/AIDS Bill is an important instrument for change. It seeks to recognise the range of practices and identities that exist in India, and make room for them to co-exist in a manner that reduces risk and encourages education and talking about sex, in line with the prime minister's call.

The proposed Bill creates an enabling environment with more information available for people to make choices for themselves and understand those of others, more services that can support their lifestyles, and legal protections that they can access as need and choice counsel. It is geared for use by the public. Its provisions do not give the state power over information, or empower law enforcement agencies to commit further harassment. It shifts the focus on HIV into the public realm, but maintains the power of choice firmly in the private.

The emancipatory potential of the proposed HIV/AIDS Bill is enormous. What is required now is the political will to bring this promise into effect.

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Do helplines help?

The New Delhi-based TARSHI helpline service claims to have logged over 55,000 calls over the past nine-and-a-half years, on a wide variety of issues on sexuality and reproductive health

PRABHA
NAGARAJA

"Ma'am, can you please explain the reproductive system to us? We have a test tomorrow and our biology teacher skipped this chapter." — Three school students on speaker-phone calling the helpline for information

"I am pregnant... how can it be when I only had anal sex? My boyfriend thinks I have been sleeping with someone else, but I have not! What should I do?" — A 21-year-old woman

"I am getting married next month... I have had sex with men before but never a woman... my wife will expect me to please her on the first night... Should I visit a sex worker for experience and practice?" — A 29-year-old man

THE NEED TO TALK about these and other issues related to sexuality is obvious and urgent. And the telephone provides an excellent medium of communication, as it promises anonymity and confidentiality whilst speaking to 'experts' from the privacy of one's home/office. There's no need to commute great distances, stand in long queues, wait in waiting rooms where there's always the possibility of being recognised, or pay hefty consultation fees. Also, anonymity creates an instant rapport between counsellor and caller and allows the caller to share her/his most intimate concerns.

The last decade has seen the proliferation of helplines all over India. The services being provided focus on a range of issues from suicide prevention to sexuality, mental health to disability.

One such service, the TARSHI helpline service, claims to have logged over 55,000 calls over the past nine-and-a-half years, on a wide variety of issues and from people from all walks of life.

TARSHI (Talking About Reproductive and Sexual Health Issues) is a non-profit organisation based in New Delhi, India, that works with issues of sexuality and reproductive health. The organisation believes that "all people have the right to sexual wellbeing and to a self-affirming and enjoyable sexuality". Established in 1996, TARSHI seeks to enhance people's sexual and reproductive health choices. It recognises that reproductive choices cannot be isolated from sexuality, and that sexual and reproductive behaviour emerges from and impacts on a person's life.

The TARSHI helpline, that's manned by a team of trained counsellors, has been up and running for over nine years, three days a week (Mondays, Tuesdays and Wednesdays from 10 am to 4 pm). The service provides information, counselling and referrals on sexuality, reproductive health and related issues. It is

available to everyone, regardless of age, gender, class or sexual orientation. And it's free, confidential, anonymous and aimed specifically at women and young people.

The non-judgmental nature of the TARSHI service encourages people of all ages to call in and discuss their problems freely. The helpline's youngest caller has been just 7 years old, and the oldest 73. Most calls, however, are from people between the ages of 18 and 35.

The kinds of questions people ask range from changes in the body to attraction between people of the same/different sex, conception and contraception to infertility, sexual pleasure enhancement to sexual problems, complex relationships to problems with body image.

Issues concerning sexuality are deeply personal and intimate, and socio-cultural restrictions preclude an open dialogue on them. This is precisely why such issues must be discussed in an open, non-judgmental manner.

The secrecy surrounding sexuality has led to a proliferation of damaging myths and misconceptions, which could lead to unsafe sexual practices. Here are a few examples that TARSHI has encountered in the course of its work with the helpline:

- Having sex with a virgin can cure a man of a sexually-transmitted disease.
- Having (unprotected) sex just once cannot cause infections or lead to pregnancy.
- Anal sex as a substitute for vaginal sex is practised for two reasons — one, to prevent pregnancy and two, to 'preserve' the hymen of the unmarried partner. Since anal sex is considered safe in terms of preventing pregnancy, condoms are dispensed with, thus increasing the risk of infection.
- The twin misconceptions that masturbation is harmful and that men have an uncontrollable sexual appetite lead men to have (unsafe) sex with casual partners or sex workers to satisfy their sexual needs.
- Masturbation is often seen as the cause of sexual problems like erectile dysfunction and premature ejaculation in later life.
- One common belief is that a man should be experienced before his wedding night. This means a few visits to a sex worker are required to gain experience.
- If a woman shows any interest/initiative in sex the first time,

it is assumed that she has had other sexual experiences before and is therefore 'of loose morals'. Many marriages start out on this note of distrust.

- Condoms reduce pleasure and sensation. This is a belief held also by those who have never had sex or used a condom before, and dissuades men from even considering using a condom.
- Abortion is often believed to be illegal in India. This is a case of morality being conflated with legality; because a person considers it wrong, s/he also assumes that it is illegal. This leads many to seek back-street abortions, often in advanced stages of pregnancy, thereby increasing the risk of complications.
- The silence surrounding homosexuality makes people who are attracted to others of their own gender feel lonely, isolated and grappling with issues of their sexual orientation in silence and in fear. They may not access help and medical care for fear of being judged or harassed, thus compounding their problem.
- Regarding people with disabilities as being asexual and childlike (and consequently not needing information or experience on sexual matters) makes them vulnerable to abuse not only as children but even as adults. People with disabilities often do not have the skills or the vocabulary to communicate what they are going through.

Some challenges the helpline faces:

- Counsellors are products of the same society that holds and reinforces the above misconceptions. They often have to overcome their own hang-ups/inhibitions in order to be comfortable with the issue of sexuality and about talking about it to callers who may be older/younger or of a different gender.
- One of the biggest challenges has to do with adequate training in counselling skills to deal with issues like sexuality, mental illness and disability. Regular training, in-house seminars, and information and skill-refresher sessions contribute towards providing quality service and preventing burnout.

Then there are the ethical challenges. For example, is a counsellor over-involved with a caller or asking for unnecessary details to satisfy his/her own curiosity? Other challenges include boundary issues and issues of maintaining confidentiality and anonymity. Also, maintaining confidentiality about any documentation related to calls.

There's also the issue of using data and information for research. Again, the counsellor needs to be aware of the purpose of maintaining records — to maintain the continuity of calls, to ensure quality service, and for research purposes. As a tele-counselling service-provider, TARSHI's primary goal is to help the caller. If, in the process, it is able to collect data without in any way jeopardising the caller-counsellor relationship, the information can be used for research purposes.

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The Champa story

The creator of the Champa kit describes the process of putting together the sexuality and reproductive health package

HIMALINI VARMA

ON MY FIRST FIELD VISIT to a village in South 24 Parganas, West Bengal, I was accompanied by *Banidi*, an elderly health worker with 21 years' experience of working with communities. When we reached the village hut where meetings usually took place, she complained about her latest predicament. She had been instructed to take sessions on reproductive health with girls — adolescents young enough to be her granddaughters. She fished out a crumpled single sheet of paper from a tin trunk on which was typed a list of topics that she was expected to educate the girls on. She admitted to me in a soft voice that despite her best intentions she had somehow never got round to discussing the issues with the girls — it never felt like the right time, she said. When I nodded in empathy, she confided to me how she felt this “new requirement” was quite unnecessary. She had always gone beyond the call of duty — but she also had her self-respect to consider. What would the village elders think? Talking about sex to teenage girls in a village!

Soon the young girls poured into the room — some looked as young as 12 years old, others may have been as old as 16. “Most of these girls cannot read. They have never been to school or have dropped out so long ago that they remember nothing. How will they ever understand all this technical reproductive health stuff,” *Banidi* muttered to me under her breath.

I began to make friends with the girls and explore their comfort levels. We talked about many issues... their village, their routines, etc. When the subject of physical changes taking place in their body was raised, the girls giggled. Some put their heads down on their knees. *Banidi* left the room in shame. A male supervisor who had come to ensure that the session was on, left discreetly. One of the girls got up, tightly shut the wooden door and covered the cracks with a sheet. There was tension and expectation in the air.

Let's play a game, I said, to break the ice. I pulled out some picture cards that I had carried along with me. The first picture was of a teenage girl with a little baby on her lap, looking wistfully at some other children playing. I held the card up and asked the girls if they could tell what was happening in the picture. Slowly the girls raised their heads. The giggles subsided and the group concentrated on describing the picture. One girl said the girl in the picture looked just like one of their friends who had got married when she was really young. Soon a hearty discussion was in progress on early marriage, social customs, etc.

The session was the beginning of my education, and I learned two useful lessons on that very first day.

Lesson number one: Social issues were a great way to break the ice. By starting from an area of comfort and knowledge for young people, they felt at ease and could easily participate in the discussion.

Lesson number two was the use of pictures. Evocative and intelligently constructed illustrations helped make the substantial leap into an issue that needed to be discussed. They also helped focus the discussion.

Later, when I asked the girls if they knew about how their bodies worked — about body systems — they looked completely blank. One of the girls mentioned that periodically a doctor visited their village and would give a lecture on “such things”. But they never really understood what she said and were too shy to ask.

This was my third lesson. I would have to develop a way in which the distance between the facilitator and learner could be reduced. The technical subject would have to be made accessible and friendly to non-literate girls, and the methodology had to have space for them to share their doubts and raise their questions.

At another session I learned about all the myths and ideas that the young girls had — menstruation was the release of bad blood; girls were dirty and impure during those days; since women gave birth they were responsible for the sex of the child; women who were blessed and had good karma got sons, the rest had daughters; the number of children a woman had was destined by God, and so on...

I realised that because the female reproductive system was inside the body, girls had absolutely no understanding of any of the bodily processes. It was then that I realised the importance of using models; something that would help make the invisible reproductive system come alive...that was lesson number four!

On one of my field visits, the girls shared with me how their friend Champa was being pressured into an early marriage against her will, just like the girl you showed us in that picture...

I learned lesson number five that day — having a character running through the teaching process could help build continuity and increase identification. I also realised that a series of graded sessions would be quite important for this education.

As a communications designer, the challenges before me became clearer. Over the next few months I journeyed between the village and doctors. At the village I tried figuring out all that the young girls wanted to know — also the prevalent myths and stories. From doctors and development professionals I absorbed the gamut of problems that needed to be addressed, as well as the biological concepts and medical vocabulary that had to be decoded.

When determining the content of the curriculum, and later while field-testing the tools, there was a lot of debate. Village workers asked: Why should girls learn about boys' bodies? Did they really need to know how a baby was born? What was the

need to bring up STIs and HIV? Why would girls in our village need to worry about sexually-transmitted infections — what was being implied?

Once a prototype of the reproductive health education kit was ready, I initiated an intensive field-testing process. While this was on, one group of village elders said discussing the concept of family planning was okay but there was no need to describe the specific methods. A senior health worker was uncomfortable about a picture showing the physical changes taking place in an adolescent girl's body. Another younger health worker argued vehemently in favour of showing the pictures.

Sexuality was a subject where people's comfort levels varied, and health workers who would eventually carry the message had to first come to terms with their own inhibitions. The journey was a difficult one. The lessons that I learned in my early days of field research were important building blocks and became the framework for the tool kit and methodology that was finally developed.

The idea was to create a generic tool kit on reproductive health that could be used by facilitators, even peer educators, to create a platform for discussion with non-literate young girls in villages and slums. Considering the sensitive nature of the subject, the challenge was to create a tool that even a fairly new educator could use with a group, with only minimal training. The tool would also have to work without any dependence on technology. Rather than be a one-way process, the objective was to make the entire subject come alive for young girls and relate to their reality, irrespective of their academic background.

The year-long development process resulted in the creation of an educational package of pictorial stories, games and models to discuss reproductive health with rural adolescent girls.

Through the story of Champa and her friends, various issues around reproductive health were raised. These stories were illustrated using watercolour drawings/paintings that were widely understood and allowed the girls to let their imaginations flow.

To break the ice and bridge the facilitator-learner divide, a card game showing social situations was introduced where the girls played as teams and challenged, argued and convinced each other on how different social situations influenced their lives.

To reduce inhibitions and clearly understand the biological concepts of menstruation, conception, sex-determination and the use of contraceptives, games and models were developed.

It has been close on 10 years since the kit was developed (1996). Since then it has been fine-tuned over a dozen editions, with changes introduced to accommodate specific needs as they emerged with use in the field.

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Does pleasure count?

Sexuality is today an integral part of discussions on reproductive health, gender, HIV/AIDS, sexual health, adolescents, queer rights, violence against women, and much more. But where does sexual pleasure fit in? We seem to have grasped the language around sexual violence, but are uncomfortable with the language of sexual pleasure

NEHA PATEL

IN SOUTH AND SOUTHEAST ASIA, principles of sexuality are included in many discourses — reproductive health, gender, HIV/AIDS, sexual health, adolescents, LGBTIQ rights, violence against women, class, religion, sexual rights and many more. These diverse frameworks constantly engage each other when we develop programmes, policies and guidelines around sexuality. Yet, it isn't enough. We are still looking for the language and space to learn more and articulate the diverse realities we see around issues of sexuality. Sexuality has enabled us to expand debates further in terms of critiquing rights, wellbeing and health.

Pleasure is a recent addition to the discussion; one that has previously been viewed as “peripheral” or “elitist”. However, with the growing interest taken by medicine, the media, private sector, academics and activists in how sexual pleasure plays a role in sexuality, there is a need to delve deeper into the conceptual basis of the nature of pleasure. And examine the connections to choices people make, individual and public health, and wellbeing.

So what's the big deal?

Is sexual pleasure an act? A thought? A feeling? An anticipation? Is it experienced by individuals or a collective? Can it always be claimed by one group and society in general as the same kind of right? Is it something we experience naturally or is it constructed? Modified by ourselves or external influences? Fluid or fixed? Contextual or biological?

There is no one constant about sexual pleasure — because there is no one way to think, talk, analyse, construct, express, experience, view, or ensure it. And when you do, whether it is for yourself or someone else, it is not static — what is defined as sexual pleasure in one context today, may not be defined as such the next day. The diversity and subjectivity surrounding sexual pleasure are further compounded by people's inability to address sexual pleasure in public and private spaces. Further, since sexual pleasure is thought of as something you “indulge” in, its relationship with health, wellbeing and rights remains unclear, if not inconsequential. It took us long enough to start talking about sexuality, so how does sexual pleasure fit into the picture?

How we talk about sexual pleasure sets the tone for how sexual pleasure is communicated, understood, and judged — individually and at a larger societal level. What kinds of terms are used to talk about sexual pleasure? Is it necessary that we all

use the same kind of language? It also stands to reason that if we have one standard language for talking about sexual pleasure, we inevitably dismiss all the ideas and concepts that don't have a label, category, or term, rendering them “outside” the language norm. We seem to have grasped the language around sexual violence much more clearly; why is it that we are uncomfortable with making language around pleasure more mainstream? In addition, our language limits the scope of sexualities that exist (and those that don't exist yet!). We have to move beyond the assumptions of the gender binary framework and include diversities that don't have labels. Adequate ways to communicate the diversities of pleasure in a more affirmative manner are critical in formulating a dialogue on sexual pleasure, sexuality, and rights.

Sexual pleasure is measured by “how much is too much?” without addressing the assumption that “too much” is “wrong”. Who decides those acceptable limits, when the activity or thought becomes a transgression of the rights of others? For some spheres, it is the state: where in many countries in South and Southeast Asia, same-sex behaviour is criminal, where public displays of affection warrant fines, where sex work is associated with “obscenity” and “lasciviousness”, and where pornography is always associated with “depravity of character”. In other cases, it is society that sets limits: where sexual relationships are accepted only within the context of marriage, pleasure-seeking behaviour in women is thought to be a sign of too much aggressiveness and “loose” morality, where adolescents are bombarded with fear-based messages to elicit “behaviour change”.

And still in most cases, it is we who do much of the regulation of sexual pleasure, whether it be self-censoring our fantasies, acts, desires and behaviour, or censoring those who are in our immediate sphere. How we set limits or give ourselves the freedom to express and experience sexual pleasure sets the stage for the kind of role it plays in our lives — internally and externally. It is what helps us negotiate what we want, what we don't want, and what we are curious about. But how can we talk about creating spaces for talking about pleasure when we do not create the space for ourselves? Even though we might talk mainly about how society and norms regulate our sexual pleasure, we must also examine how we censor ourselves — in our thoughts, actions, beliefs. This will provide a more nuanced perspective on how what happens in the privacy of our minds, homes and relationships becomes the topic of debate, discussion and censorship in public domains. The larger debate

we need to have is on whether these same institutions that regulate pleasure can also affirm it.

How we articulate our claim to sexual rights influences how those rights are recognised, protected and fulfilled by society and the state. Claiming rights by an identity is not always constant; the identity by which we claim a right changes over time and context. Claiming a sexual right to pleasure raises serious issues about the state's role in ensuring that right. Should the state even be in a position to ensure sexual pleasure? When groups of people articulate a claim to this right, should we then make a case for extending the right to sexual pleasure to everyone? How different would those rights be for adolescents, sex workers, disabled people, or the elderly? Issues such as age of consent, the price sex workers can charge based on client desire, assisted sex, or social security for pleasure, respectively, would all become part of the public debate on sexual pleasure as a right. Can rights be divided between different groups of people when public health is also at stake? Some group rights are ensured only when they are attacked for being a threat to the public. Then that becomes the only legitimate reason to ensure their rights. And if that is the case, how does that infringe on the civil liberties of people in that group? It becomes important to examine some of the contentions of combining the public health framework and the human rights approach, and discussing some common ground.

In addition to excitement, curiosity and anticipation, the topic of sexual pleasure elicits feelings of shame and guilt. It is a topic that generates a sense of discomfort even among those who work with sexuality and related issues. Although other issues, such as HIV/AIDS, have legitimised the discussion around pleasure to a certain extent, it is only connected to safety and risk, as opposed to an issue in and of itself. Sexual pleasure is often talked about as an afterthought — as something we can indulge in only after we have removed all pain and abuse. As if when we remove all the violence, what will remain is a sexuality we can automatically enjoy! Or else, sexual pleasure is something we may or may not experience as a result of sex (which, according to society, almost always has to be sanctioned by marriage between a man and a woman). Pleasure has emerged as a smaller part of the entire picture. A luxury. One of the more controversial topics to debate within sexuality. We have then to ask ourselves: How does pleasure matter?

What kind of space do we want anyway?

In an effort to provide a more constructive space to talk about issues of sexual pleasure, the South and Southeast Asia Resource Centre on Sexuality designed an e-forum discussion on 'Sexual Pleasure, Sexuality and Rights' where those interested in debating concepts and ideas could further critique and analyse the discourses around sexual pleasure, sexuality, and rights. The e-forum is designed for activists, practitioners, academics, students, researchers, and anyone who is interested in issues around sexuality, to dialogue with each other, express their opinions, contribute ideas, and share experiences of working on issues of sexuality. There are a few limitations to utilising an e-forum space, as many people in South and

Southeast Asia do not have access to email, and the forum caters to those who write in English. Often, when we talk about the need for a language of pleasure, many terms related to sexuality do not translate into local meanings, which doesn't necessarily mean that those concepts don't exist in those communities, just that local meanings for sexuality and related terms don't always translate literally. However, using the e-forum as a starting point for discussion will provide a platform for translation of the discussions into various languages in the region, and a more expanded dissemination strategy which includes electronic and print resources.

The e-discussion forums are structured, moderated spaces that address a particular topic every two months. In those two months, the topic is broken into four sub-topics, each addressing a different aspect of the debate and linking the concepts together.

We asked colleagues to think about sexual pleasure in terms of all the things they were curious about and wanted to discuss with others; the topics they thought were relevant for discussion, but were never part of the discourses on sexuality. An exciting list emerged — with ideas ranging from sexual practices, behaviours, norms, concepts, theories, entire frameworks turned upside-down, and challenges to the status quo. Next, we researched topics so as to include some of the major debates and contentions among the suggested topics. Categories emerged from the list and we tried to define what some of the questions around the categories would look like. What did we know? What were we more confused about? What were some of the debates that had no clear answers?

The language of pleasure

The question that we needed to address was clear: What is the language we use to talk about pleasure, and what is the need for this language? In the first sub-topic, we felt it would be critical to understand how we communicate about pleasure. What are our assumptions and ideas around it? Why do we construct pleasure in the ways we do? Where does that come from?

Depending on the framework one uses, there is a certain language used to describe and talk about sexual pleasure, whether it is from a medical perspective, an academic one, or a media-related approach. They have each carved out a space for themselves in owning the discussion around sexual pleasure. The medical community commonly leads the discussion on medicines and implants that enhance pleasure; the media has sanctioned the space that allows them to create ads that have bold sexual pleasure-seeking messages and images; the 'pleasure industry' largely markets and develops toys and pleasure supplements without addressing issues of taboo and discomfort. But what about the activist space? Our engagement with issues of sexual pleasure has been mixed — uncomfortable, contentious, and with varying degrees of importance given to the topic, depending on the context of the "primary problem". There is also no clear understanding on how sexual pleasure is linked to sexuality and wellbeing in South and Southeast Asia. And although there are a number of frameworks that address sexuality and incorporate certain

principles of sexuality, there is no uniform framework from which to operate when talking about sexuality and sexual pleasure. But then again, do we *want* a uniform framework anyway? Forum members commented on how it would be difficult to devise a framework around sexuality, since the fact that devising boundaries and parameters to discuss something that was so subjective and diverse would in itself be problematic. So, there are fragmented spaces to talk about sexual pleasure, but what did those discourses look like?

Several participants shared what they had experienced in the form of safe spaces, and offered suggestions as to what those spaces would need to include in order to facilitate an open dialogue about sexual pleasure. Online fora, discussion groups, trying to expand the understanding of terms such as 'man', 'woman', 'gender', etc, creating a dictionary of terms to give us a larger vocabulary to talk about sexual pleasure, and creating environments that made it okay for people to accept that they could define pleasure for themselves, were a few of the suggestions put forward on the forum. These discussions led to a much more complex question: Where do we get our ideas about sexual pleasure? Culture, society, history, peers, government, traditional norms were all highlighted as influences on the way we construct and think about sexual pleasure.

The regulation and freedom of pleasure

When talking about sexual pleasure, we often hear about the space to say 'No' as opposed to the space to say 'Yes'. Why is sexual pleasure censored? Is there any space where there are no regulations on pleasure? The discussion started out with fantasies as a possible space for total freedom of pleasure. Is it even possible to set boundaries on individual fantasies? It is almost humorous to think about how that would be policed! A further exploration into what we fear about unrestricted fantasies, and what drives self-censorship of these fantasies, might yield a deeper understanding as to what drives the need for censorship in the public sphere as well.

Participants also highlighted the limitations of using the health framework when discussing 'healthy' pleasure, because it implies that there is an equal and opposite 'unhealthy'. A participant responded to this issue by stating that if the health framework could be used without the 'moral' strings attached, then it solved the problem of unintentionally defining a moral version of 'healthy' and 'unhealthy'.

There was also a discussion on pleasure and power: Was power more a regulated or a negotiated exchange? Using examples from power exchanges within the S&M scene in the UK, one participant highlighted the explicit power discussions and negotiated consent that do not take place in other kinds of non-S&M spaces. S&M relationships and interactions include shifting power among those who are engaging in it. For those who have consensual and negotiated interactions in private, it is no business of anyone else's to regulate and censor.

Sexual pleasure and rights

'Sexual rights' is a contentious term that is misunderstood by most people, whether they refuse to use it, or insist on it. It is important to be clear when using the term 'sexual right': Is it the

freedom to decide your sexual partner, irrespective of their sex or gender? Is it the freedom to choose to express pleasure in whichever form pleases you? What if that expression is harmful to another? There are lines that might be definitive concerning 'harm', but what about those grey areas that are not free and clear 'harm' to all people? Is it the right to mainstream non-traditional views of sexuality into society? When we talk about the concept of 'sexual pleasure' as a right it becomes complicated.

As a forum participant pointed out, it has traditionally been easier to talk about sexual rights in terms of what's being restricted, as opposed to what's free. This is obviously due to the discomfort associated with the topic and because sexual pleasure has never been a given part of the public debate on sexuality. Claiming sexual rights highlights a host of issues — some conflicting. As one forum participant noted, conceptually, rights can't be wrong. But, could they be if the state started defining appropriate and acceptable forms and 'levels' of sexual pleasure? One participant asked if we wanted the government in our bedroom, deciding acceptable levels and forms of pleasure. Does that mean that government-funded programmes on sexuality would have to include indicators of acceptable levels of pleasure that the state has the responsibility to ensure were experienced as a result of the programme in question? This gets blurred with the concept that the right to sexual pleasure might just be the choice of one's partner, or partners, without the state encroaching on personal liberties that they are entitled to as a result of being a citizen. So, it becomes even more critical to make sure we are always specific about what we mean when we say 'sexual rights', and create a more critical dialogue on the freedoms and regulations we have to be ready to talk about when we ask for the 'right to sexual pleasure'.

What do we do now?

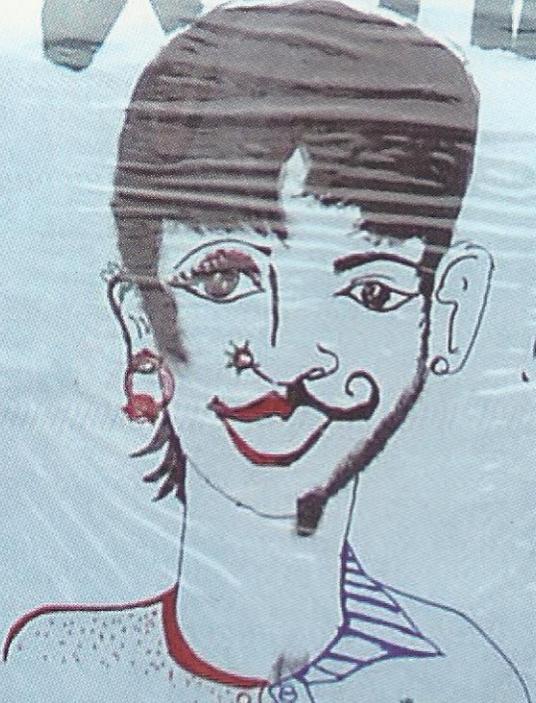
The e-discussion forum has enabled us to frame different kinds of questions. It has also shown us more of what we aren't discussing. It has thrown up questions that have not been asked. The forum has also been able to shed some light on what we already know. There is a need for a more creative and affirmative language around pleasure; there is a need for us to explore the self-censorship that translates into public censorship; there is a need to highlight the debate between the 'public good' and individual rights. And the discourse only begins there. We have a long way to go. Understanding how pleasure is debated and discussed in the region might help in understanding sexuality and pleasure, and how it might bring about a broader realisation of a person's rights and wellbeing, consequently breaking barriers that exist so that discussions, debates and further analyses on pleasure move towards legitimacy.

Note: The e-forum is an ongoing initiative. This work is a work in progress for an upcoming publication on the e-forum initiative. To learn more about the Centre and the forum initiative, sign up for e-forum discussions and read past messages from the forum. Please visit us on the Resource Centre's website at www.asiasrc.org

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