Article

Caste Concerns in Transgender Communities in India: Contesting Cohesiveness, Broadening Horizon(s)

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In this article, we recount the development of an anti-caste consciousness in queer and transgender rights movements in India. We begin by tracing the history of queer mobilisation in India, especially the political participation of Hijras and the movement for decriminalisation of consensual adult homosexuality. This movement was shaped by the context of economic liberalisation and a burgeoning public health crisis due to a rise in HIV infections among several sexually minoritised groups. The movement, however, was focused on the law, and issues of caste and marginality within the queer and trans communities were not addressed. This changed in the 2000s. We trace this phase of the movement in which questions of class and non-urban geographies were foregrounded and look at the way critical moments in the second decade of the twenty-first century precipitate the foregrounding of caste questions in contemporary queer and transgender movements in India.

Keywords
Trans movements, queer movements, Section 377, caste, class

Introduction

In the last decade, dalit transgender (trans) persons in India have articulated their experiences with caste marginalisation within trans communities. Further, they have also been at the forefront of the demand for horizontal reservations for trans persons as opposed to vertical reservations. However, when queer mobilisation in

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India began in the 1990s in the wake of globalisation and liberalisation, caste was not considered an important issue for discussion. Instead, sexual and gender oppression was seen as a common ground for mobilisation as compared with intersectional issues of caste and class, which would complicate the precipitation of a large-scale queer- and trans-rights movement. This focus on gender and sexual oppression and the attempt to see it as independent of the politics of caste and class were partly driven by the global agenda and funders' priorities in India in the backdrop of the increasing incidences of HIV/AIDS among gay men and several transfeminine groups. During this time, HIV infection was projected as the most dangerous aspect of sexual oppression, which would threaten the nation as well as global humanity in an era of hypermobility set into motion through the opening of economies and transnational opportunities offered thereupon.

The non-governmental organisations (NGOs) that arose in the backdrop of the HIV/AIDS movement, 'supported by massive global funding,' focused their attention on 'men who have sex with men' (MSM), but their deployment of the term 'sexual minorities' allowed other identities to connect and mobilise against Section 377 of the Indian Penal Code (IPC) introduced by the British colonial establishment in 1861 to regulate sexual and gender non-conformities.[1] This draconian section of the IPC rendered any sexual and gender identity beyond the heterosexual and the reproductive as illegal and unnatural. This illegal subjecthood and the resulting violence and suffering faced by gender and sexually transgressive groups was identified as a common ground for queer mobilisation. As a result, the arrival of caste as an important issue within queer and trans communities had to wait almost two and a half decades in the history of queer and trans mobilisation in India.

This article historicises the queer and trans movements in India and maps their journey to demonstrate the absence of caste in the beginning. While intersectional issues, particularly of class inequalities, were articulated in the 2000s, they remained confined to the domain of writing and critical reflections from a small number of queer and trans people. In other words, class never became a common factor for working-class queers to mobilise as a collective due to the movements' preoccupation with Section 377 as an instrument of harassment and barrier to civil rights of the sexual minorities in India and other parts of South Asia.

Though Hijras have been mobilising against violence and seeking political participation even before the queer 'movement' took shape, a separate trans movement at national and local scales with specific demands was witnessed only after the 2014 Supreme Court verdict in the case of *NALSA v Union of India* that extended citizenship rights to trans communities in India. Post-2014, we witness a collective mobilisation of trans groups and communities against the Government of India's reluctance to translate the court's verdict into law and policy.

The emergence of anti-caste consciousness and demand for horizontal reservation within the community context is a recent phenomenon due to the assertion of some vocal dalit trans persons in contemporary India. The paper charts the absence and emergence of caste consciousness within queer and trans movement in India in four sections: The first begins by briefly discussing the political ambitions of Hijras and their efforts at entering mainstream politics; the

second documents the anti-law (anti-Section 377) orientation of the queer movement; the third charts out the class discourse as an emerging concern within the queer movement; and the fourth details the anti-caste consciousness among dalit members of trans communities.

Hijra Protests and the Unity for Civil Rights

Before the protest and organising against Section 377 of the IPC by queer and trans communities in the early 1990s and before the NGOisation of the HIV/AIDS prevention and intervention programmes under global governance (Bhaskaran, 2005), Hijras, the most visible face of gender-transgressive communities in India, came forward for their welfare and to fight for their socio-economic rights. While hypervisible, Hijras have been a highly stigmatised gender minority group without any governmental and formal support structures in cities and small towns (Khan, 2015; Nanda, 1998; Reddy, 2006). Historically, other queer identities, viz., gay men, lesbian women, and bisexual and non-Hijra trans persons, were almost invisible in the public, with no public assertion of any collective identities till the 1990s. The colonial and post-colonial heterosexualised[2] Indian modernity (Srivastava, 2007; Vanita & Kidwai, 2000) did not allow such sexual and gender minorities to express their subjective experiences and live comfortably with their sexual/gender identities. The Hijras, whose primary occupation continues to be ritualistic begging and sex work, held an all-India conference in 1981 in Agra and formed the All India Hijra Kalyan Sabha (Welfare Board) on 4 November 1983 (Khan, 2015). They demanded civil rights from the government, drawing upon the constitutional guarantee against discrimination on the basis of sex and gender. Subsequently, Hijras were granted voting rights by the Government of India in 1994 (Khan, 2015; Gwalani, 2021).

Since then, there have been many attempts by community members to contest as candidates in the local and state elections, with community leaders such as Shabnam Mausi (i.e., aunt) and Kamla Jaan making it to public offices as political leaders. Shabnam Mausi entered the Madhya Pradesh State Assembly as a member, while Kamla Jaan became the first trans Mayor of Katni, also in Madhya Pradesh (Gwalani, 2021). In April 2000, Hijras of Madhya Pradesh united to form the Jan Vikas Kinnar[3] Front under the leadership of Kamla Jaan and Shabnam Mausi for the welfare and development of their community, which also resulted in the formation of a political party in the state called 'Jeeti Jitayi Party' (Already a Victorious Party [Khan, 2015, p. 37]). Nearly 20 Hijras contested the state assembly election in 2003 under the banner of this party but none were elected (Cody, 2021).

Political positions via electoral participation still constitute a desired dream for many Hijra and trans persons, evident from the filing of nominations and active participation of such aspirants in contemporary India (Datta, 2023). Initially, however, the community's political consciousness and aspiration did not focus its attention on Section 377 of the IPC, which in 1861 had introduced the idea of 'carnal pleasure against the order of nature' in describing penetrative same-sex

behaviour, despite sex work being its (the community) mainstay. The pan-India anti-377 campaign involving the broader LGBT communities begins with the liberalisation of the economy, the HIV/AIDS pandemic context, and humanitarian interventions under 'global governance' during the early 1990s.

Kaunsa Kanun Sabse Badtar? *Teen Sau Satattar, Teen Sau Satattar*[4]: The Anti-377 Movement

Queer and trans movements in India began in the early 1990s as a product of liberalisation and the consequent opening up of the economy (Bhaskaran, 2005; Kole, 2007). Liberalisation was also, in addition to economic restructuring, an experiment in global governance through humanitarian aid from globally funded NGOs. This was the time when HIV infections were increasing in India, and many donor agencies from the United States and Europe were coming forward to support HIV/AIDS eradication programmes backed by massive funding to the Third World. In the Western discourse, the Third World—including India—was constructed as a sexually conservative and oppressive society for 'sexual minorities' (i.e., LGBT[5] communities), and as a moral and material geography where 'illegality' of certain sexual practices pushed people with different sexual orientations to negotiate their sexual lives underground, engendering 'risky' sexual behaviours, which in turn led to the higher incidence of HIV/AIDS.

The root cause of such a burgeoning sexual health crisis and the disempowerment of 'sexual minorities' was attributed to the existence of Section 377 of the IPC, whose legacy continued till it was read down in 2018. Any sex beyond reproductive purposes was criminalised; practically, however, Section 377 targeted 'sexual minorities,' especially homosexual persons, 'engaged in carnal pleasure against the order of nature' as defined by the law. The law not only planted a culture of shame about certain sexualities (Vanita & Kidwai, 2000) but also resulted in police brutalities and familial and 'mainstream' violence against the queer and trans communities (Fernandez & Gomathy, 2005; PUCL-K, 2003; Revathi, 2010).

In this backdrop, India saw an NGOisation of the HIV/AIDS eradication programme and simultaneously of the queer movement, as NGOs with Western funding began working among Indian gay men, Hijras,[6] Kothis,[7] and many other categories of male homosexual persons included in the epidemiological category of 'MSM' (Bhaskaran, 2005). For the first time, in the early and mid-1990s, the Indian mainstream (read: urban metropolitan) began hearing about the language of 'sexual rights' and of Section 377 as an instrument of oppression. The NGOs reiterated that Section 377 is not only oppressive towards queer and trans populations but also an impediment in eradicating HIV/AIDS by pushing same-sex activities underground. Many members of the middle-class were also finding employment in the rising NGO sector, and several middle-class journalists began writing about the rights of sexual minorities in English print and electronic media. This period also saw the emergence of influential individuals speaking and writing about the plights of sexual minorities: gay activists such as Ashok Rao Kavi; HIV/AIDS activists like Anjali Gopalan; intellectuals like Hoshang Merchant, Saleem

Kidwai, Ruth Vanita, and Ashwini Sukhthankar; and diasporic authors and activists such as Giti Thadani, Vikram Seth, and Shivananda Khan. As several NGOs began emerging to work for the sexual rights of queer people, the Delhi-based Naz Foundation emerged as an apex NGO to work among queer communities under the ambit of HIV/AIDS prevention and care. The foundation also enabled NGO networks to grow around different parts of the country. Naz was also a petitioner in the famous Delhi High Court case against Section 377.[8]

As gay men and transfeminine individuals emerged as groups perceived worthy of engagement by the massive NGO sector working around HIV/AIDS, the health issues of these groups were reduced to infectious diseases, and the political mobilisation of entire communities of gender and sexually transgressive groups was directed against the draconian and archaic Section 377. During this time, a slogan in colloquial Hindi gained immense popularity and was seen articulated in collectivisations against Section 377: *Kaunsa kanun sabse badtar? Teen sau satattar, teen sau satattar* [*Which law is the worst? 377, 377*]. In other words, the queer and trans mobilisation was focused largely on getting Section 377 struck out from the IPC. The 377-centric focus of the queer movement remained until a 2018 Supreme Court judgment struck the law down. However, since the 2000s, there has been an emergence of writing around how class and geographical locations of queer and trans persons complicated their experiences of gender and sexuality (discussed below).

Even as class issues emerged in these articulations, caste remained a background question. As queer and trans mobilisations remained heavily mediated by West-funded NGOs under the aegis of HIV/AIDS prevention and care, the donor-dictated agenda failed to employ an intersectional lens to understand how other social and cultural identities, particularly caste and class locations, of gender and sexually transgressive people shaped their negotiations with gender and sexuality. When the nodal agency National AIDS Control Organization was instituted in 1992 to implement the first phase of the National AIDS Control Programme, caste, class, and other axes of inequalities were left out of its agenda. Besides, upwardly mobile queer people were more concerned about sexual freedom than material inequalities based on caste, class, and other axes of inequalities (Tellis, 2012).

Englishpur ki Kothi: Expressions of a Class Divide

In 2005, Alok Gupta, a leading legal and gay rights activist, wrote an essay titled 'Englishpur ki Kothi' in the seminal queer anthology *Because I Have a Voice*. The article speaks of words used by subaltern Kothis to refer to the campy English-speaking better-off gay men in Mumbai. Gupta, who calls himself a member of the global gay citizenry, recounts how he once visited a Mumbai suburb and encountered some lower-class effeminate homosexual men who addressed themselves as 'Kothi' and referred to the English-speaking campy gay men as *Englishpur ki Kothi* [Kothis from English-land] (Gupta, 2005). Other works that foregrounded the issues of the class divide and the unequal worlds of queer and trans people in different parts of India include Maya Sharma's *Loving women: Being lesbian in underprivileged India* (2006), Chayanika

Shah et al.'s *No outlaws in gender galaxy* (2015), and A. Revathi's autobiographical account, *The truth about me: A Hijra life story* (2010). Below, we briefly discuss each of these works to outline how activists and academics felt the need to speak about class issues among members of queer and trans communities in pre–legal-reform India.[9]

According to Gupta (2005), Kothis come mostly from the working or lower-middle-classes. What also makes them more vulnerable than upper-middle-class[10] or upper-class gay men is their effeminacy (Kumar, 2018). Describing the weekly meetings of gay men in different metropolitan cities, including Mumbai, Bangalore, and Delhi, Gupta says that the participants were largely urban middle-class gay and bisexual men, and that the meetings were predominantly held in English. The issues discussed centred around the experiences of being gay, the social compulsion to marry, and being out in the workplace and family. The predominantly middle-class focus and environment of these informal networks alienated people from working- and lower-middle-classes at the time of initial organising (Kumar, 2018). Referring to upper-middle- and middle-class metropolitan gay and lesbian members, Gupta (2005) says, 'Queer they may have been, but like any middle or upper-class people, they were best at reaching out to their own' (p. 127). In the context of the outreach work around HIV/AIDS that started in the early and mid-1990s, he mentions that a central question for organisations has been who would go and distribute condoms at railway stations (generally considered cruising and sex work spots). Kothis were mobilised to do these low-paid 'outreach' jobs that sophisticated middle-class gay men would shy away from and would never associate with. Gupta makes another important remark to delineate the different worlds of Kothis and English-speaking gay men. He mentions the Humsafar Trust, another apex NGO started by gay activist Ashok Row Kavi, where weekly meetings were attended by better-off gay men. As lower-class Kothis and working-class gay men began joining these meetings, the number of middle-class English-speaking gay men declined substantially. There was, in fact, an exodus of middle- and upper-middle-class gay men from the Humsafar Trust meetings to GayBombay, a rather elite gay support group, when neither was meant to compete with the other.

Drawing attention towards lesbian women, Maya Sharma (2006) narrates the story of working-class lesbian women from congested resettlement colonies of Delhi and poor neighbourhoods from Indore and Kasganj villages of Uttar Pradesh, thus dispelling the myth that being lesbian is exclusively an urban phenomenon. Sharma points to the material deprivation of such working-class women in exercising their 'choice' in living independently with their partners as they must succumb to community pressures to conform to the prescribed gender norms. In contrast, there have been urban middle-class English-speaking lesbian women who would be part of civil societies around sexuality, form their independent groups, and even enter relationships and stay independently, particularly in urban-metropolitan centres (Dave, 2012).[11]

No Outlaws in Gender Galaxy by Chayanika Shah et al. (2015) talks about queer 'persons who have been assigned gender female at birth' (PAGFB), their struggle for identity, and their material lives as they remain invisibilised through the hegemonic conflation of 'trans' with the socially visible collectivity of Hijras—a simplified and reductionist view of what it means to be trans. The study upon which

the book is based included interviews with 50 queer PAGFB. Many of them were compelled to leave their natal homes and migrate to urban-metropolitan cities. Out of 50, 27 such persons were earning not more than ₹10,000, which indicates their lower-class position. Due to their sexuality and complex gender identity,[12] they experienced a downward mobility (Shah et al., 2015). The authors further write that all PAGFBs are not brought up to be economically self-reliant and have an opportunity to navigate the world with confidence. And, when some of them do manage to run away from their natal families, often out of desperation rather than with a well-thought-out plan, it is extremely difficult to survive. The study reveals that when PAGFB move out of heteronormative superstructures, their limited access to education and skill-building institutions creates almost insurmountable barriers to finding and retaining employment. Though this empirical study attempts to relate the caste and class background of PAGFB respondents, we notice that it is the class and material conditions of respondents that are articulated in more pronounced ways as compared with concerns around caste.

In her autobiography, *The Truth About Me* (2010), the Hijra sex worker and trans-rights activist A. Revathi draws attention to the plight of transfeminine individuals. Her narratives reflect that she was not offered a mainstream job as she wore a saree and tried to perform femininity in her everyday life. She found herself compelled to do sex work and ritual begging like her other Hijra sisters. In Revathi's account, poverty emanates from a combination of gender, sexuality, and class background. Revathi (2010, p. 186) writes, 'If you are a hijra and poor, you must expect to be abused and humiliated.' At another place, she talks about the police torture and abuse she underwent while walking in Bangalore city:

> Once when I was walking on the St. Mark Road at around seven in the evening, a police van stopped in my path, picked me up and took me to the Cubbon Park police station. One of the policemen asked… 'Why did you come here'? [Revathi replied:] 'We are Pottais. No one is willing to give us work and so, I came here to earn my stomach'…A policeman brought his lathi down on my legs and hands. Another kicked me with a booted foot…I was made to sweep the station and swab its premises… He then asked me to take my clothes off. When I was standing naked, he stuck his lathi where I had my operation… At around eight o'clock, a man handed me a parcel of food and asked me to eat. I spread the paper packet on the floor and began to eat. Since the paper was soggy, some of the food spilled onto the floor. The man forced me to eat that as well and watched me as I did so. (pp. 205–207)

The above anecdote reveals what it meant to be a lower-class, sartorially assertive trans woman in India and how humiliation, abjection and poor material conditions combine to mediate such existence. The dehumanising treatment she received from the police, her own family, and the 'mainstream' society reduced Revathi to an outcast. So much so that Revathi recounts the time when she left her village for Bangalore after a transphobic assault from her brothers: 'It is best I be with others like me, only that would ensure me of dignity' (2010, p. 186). Revathi's story of feeling outcasted resonates in some ways with the articulation that emerges subsequently in autobiographical narratives of dalit transgender women. We turn to this now.

The Struggle for *Swabhimana*: Emerging Caste Concerns in the Trans Movement

Perhaps one of the earliest assertions of synergies between experiences of caste and being trans in India comes from dalit trans woman Living Smile Vidya, who in 2013, declared in an interview with Gee Semmalar and Bittu Rajaraman that transphobia is a 'type of brahminism.' Talking about transphobia, Vidya said, 'It gives us no other option but to do "dirty" jobs like sex work and begging and then calls us "dirty", just like caste system did with Dalits' (Vidya et al., 2013). In other words, Vidya invokes the familiar caste-based connotations of untouchability—'dirty work' that gets metonymically associated with the bodies that perform this work—and speaks of how the trans subject is constructed as an 'untouchable.' Her narratives also highlight what Teltumbde calls the 'persistence of caste' (2010) in gender-transgressive communities like the Hijras. While she mentions that caste in the 'hijra community' is often invisibilised because 'everyone's names are changed,' she also adds that resilient markers of caste—those that do not change simply because of changing names, geographies, or languages[13]—were used by other members of the commune to identify her as dalit. In this context, she says, 'A few members of the trans community who are Dalit have figured out I am Dalit and have secretly told only me because they knew I'm Dalit. They have also told me not to talk about eating beef so that no one in the trans community figures out I am Dalit' (Vidya et al., 2013). Further, she also speaks of how caste is visibilised by upper-caste members of the commune through 'proud' assertions: 'I have seen some Kothis and hijras…say things like, "I might be a trans [sic.] like you, but I am a Thevar[14] in the village"' (Vidya et al., 2013). Vidya has also recounted in a different interview that the occupational choices of dalit Hijras/*thirunangais* (Tamil for trans women) are shaped by caste. Speaking to *LGBTQ Nation*, she remarked, 'I have never seen a Brahmin trans person resort to begging' (Datta, 2022).

In line with Vidya's assertions, recent scholarly work has also documented the persistence of caste in gender-transgressive groups like the Hijras. For example, in an ethnographic study, Ina Goel (2022) has identified that Hijra women from marginalised castes are kept away from *badhaai*, i.e., performance for exchange of money in auspicious ceremonies, and are instead relegated to roadside begging and sex work. Goel also identifies that renunciation of last names—often a caste marker—is seen more in Hijras from marginalised caste locations, and dominant caste Hijras often retain their last names.

Prior to Vidya's autobiographical narratives, it was generally believed that the Hijra communities were insulated from the workings of caste. For example, in her seminal book *With Respect to Sex*, Gayatri Reddy (2006) observes that the Hijras are not 'governed by the logic of the caste system.' However, Vidya's narratives highlight how cultural practices of the Hijras might at their heart have a caste logic. For instance, in her interview with Semmalar and Rajaraman, Vidya speaks of a 'fine' that is imposed on a thirunangai lower in the rungs of the discipleship–kinship network (Vidya et al., 2013; also see Goel, 2022) if the free end of her saree touches the body of an elder thirunangai (i.e., someone in the higher rung of

the discipleship–kinship network). Responding to Semmalar's provocation that this practice might be a remnant of caste-based untouchability, Vidya says, 'I don't know where this particular association of not touching as a way of showing respect comes from. You may be right in guessing that it comes from caste practice' (Vidya et al., 2013). Further, in her interview with *LGBTQ Nation*, Vidya alluded to '*paam padti*' [I touch your feet], a common salutation invoked by junior members of a Hijra commune to greet their elders (Datta, 2022). According to Vidya, the translation of respect into the symbolic act of feet-touching is an example of how caste persists in gender-transgressive collectivities despite such collectivities' ritualistic efforts to undo other symbolic markers of caste.

While Vidya's autobiographical assertions are useful to understand how caste structures the lived experiences of Hijra persons, caste assumed an increasingly central location in contemporary trans discourse after the 2014 verdict by the Supreme Court in the case of *NALSA v Union of India* (Centre for Law and Policy Research, 2014). In its landmark judgment, the Court granted civil and substantive rights to trans persons along with the right to self-identify their gender. Importantly, the Court also directed central and state governments to implement reservation provisions for trans persons. Below, we document two moments that lead to the visibilisation of caste questions in the Indian trans-rights movements: a 'radicalisation' of the movements in parts of the country with the cultivation of dalit-trans solidarity, and an intensification of the call for 'horizontal reservations' for trans persons following the Court's 2014 judgment.

In 2014–2015, as the state of Telangana bifurcated from the erstwhile state of Andhra Pradesh, we also witnessed the radicalisation of the trans movement in Hyderabad city and the newly formed state. According to leaders of the Hijra community, in the mobilisation for a separate state, the leaders of the Telangana movement 'used' Hijras in protests, but in the post-formation period, Hijras and transfeminine communities were not endowed with any entitlement. This led to community mobilisation to make specific demands of the government. This period also saw a separation of the trans movements from the larger LGBT rights movement. In Hyderabad, as the trans leadership attempted to forge an alliance with dalit and dalit-feminist groups—and the latter responded to the former's calls for solidarity—the trans movement took a radical turn (Kumar, 2017). Many members of trans communities also belonged to low caste groups, and this led to the identification of a 'kinship of common suffering' between trans communities and dalit groups. Like Vidya's articulation mentioned above, many trans persons in their public addresses began articulating similar experiences of untouchability of trans and dalit persons.

A focal moment for forging alliances between trans and dalit groups was the 2016 death by suicide of Rohith Vemula, a doctoral student at the University of Hyderabad (Syamprasad, 2016). With the death triggering intense student mobilisations against caste injustice across the country, the University of Hyderabad campus became the epicentre of student protests. Notably, these protests also witnessed the participation of trans persons not affiliated with the university. Trans groups entered the campus in good numbers to show solidarity with the protesters and sat on relay hunger strikes. The momentum saw a resonance between trans

oppression and dalit oppression as being mutually recognised. A dalit scholar, Sarath Naliganti, from Osmania University, Hyderabad, had already composed a Telugu poem on Hijras, whose English translation meant that Hijras are the 'diamonds' of humanity. In 2015, when the Hyderabad Queer Pride was renamed 'Queer Swabhimana Pride' ('swabhimana' refers to self-respect), Naliganti also gave the slogan 'Jai Hijra, Jai Jai Hijra' [Ovation to Hijras]. The slogan was adopted by many participants in queer marches and continues to be used. In the 2016 march, renamed 'Hyderabad Queer Swabhimana Yatra' ('yatra' refers to march), a special candlelight procession was held in memory of Rohith Vemula. The trans leaders then began foregrounding the ideas of anti-caste reformer Dr B. R. Ambedkar in their speeches, leading to a visible consolidation of dalit-trans solidarity.

Around the same time, the government's failure to translate several substantive provisions of the *NALSA v Union of India* judgment 2014 to its various draft bills for trans-rights, including the *Trans Persons (Protection of Rights) Act 2019*, led to an intensification of the trans-rights movements in the country. From 2014 to 2020, trans communities kept mobilising against the government due to the discriminatory and undemocratic contents of various draft bills (Kumar, 2021). While some demands of trans communities have been accommodated in the *Trans Persons (Protection of Rights) Rules 2020*, there is no mention of reservations for trans persons in education and employment. Thus, the battle continues, and at its forefront is dalit- and trans-rights activist Grace Banu.

Banu, like Vidya, hails from a dalit caste and is an engineer and trans-rights activist. Speaking of how untouchability shaped her childhood experiences, she talks of her school headmaster's 'conditions' for her to pursue her education, which included coming half an hour after classes formally began in school and leaving half an hour earlier. Further, Banu also mentions having to sit outside the classroom where the 'school principal used to remove his slippers' (Datta & Gautam, 2020). Banu also recalls that acts of gender and caste transgression were often carried out simultaneously. For example, she recounts how her childhood friend Nagajyoti had let her wear an anklet. To perform this act of gender transgression, the duo had entered the classroom after school had ended. This was a double transgression as dalit students were expected to sit outside the classroom (Datta & Dali, 2023).

At the age of 16, Banu attempted suicide owing to her parents seeing her transgressive gender and sexuality as a 'problem.' This precipitated her parents to force her into an asylum where she would undergo conversion therapy to 'cure' her of the perceived problem (Tiwari, 2023). Banu recounts encountering writings of Ambedkar and Karl Marx during her time at the asylum, which helped her make sense of the discrimination she faced throughout her childhood (Tiwari, 2023). After securing a seat in an engineering college in 2013 and eventually completing the degree, Banu turned her attention to securing rights for trans persons. In the last decade, she has emerged at the forefront of securing horizontal reservations for trans persons.

In 2010, the Karnataka State Commission for Backward Classes, under the leadership of C. S. Dwarakanath, recommended that trans persons be provided reservations under the Other Backward Classes (OBC) category (Vidya et al.,

2013; also see DHNS, 2012). This would amount to 'vertical reservations' in that all transgender persons—including those who are dalits—would be considered 'OBC.' Dalit and trans-rights activists like Vidya and Banu, however, have highlighted that clubbing all trans persons in the OBC category erases the 'double marginalisation'[15] faced by dalit trans persons (Egomonk, 2020). Instead, proponents of horizontal reservations—i.e., reservations for transgender persons within each of the categories of Scheduled Caste, Scheduled Tribes, and OBC—argue that providing such reservations would prevent unfair competition between trans persons from different caste locations, which, in turn, would prevent the exclusion of most-marginalised trans persons (i.e., those who are dalit, bahujan or adivasi) from spaces of education and employment. Further, this would allow dalit trans persons to not forego their dalit location to seek reservations (for details, see, Datta et al., 2022; Kothari et al., 2018).

In 2016, a Private Member's Bill by Tiruchi Siva, a member of the parliament from the Dravida Munnetra Kazhagam (DMK), sought to mandate horizontal reservations for trans persons. Despite overwhelming support from the Rajya Sabha, the ruling government's 2017, 2018, and 2019 Trans Persons (Protection of Rights) bills, and the 2020 rules, did not include reservation clauses. Since then, a key concern around which the trans communities in India have organised themselves is their right to horizontal reservations. Civil society organisations—notably, the Centre for Law and Policy Research—have emerged as persistent allies in this fight. The fight continues. In early 2023, when Banu filed a petition in the Supreme Court seeking clarifications on whether the reservation provision mandated by the *NALSA v Union of India* judgment 2014 stood for horizontal or vertical reservations, the Supreme Court denied the petition. Consequently, Banu led members of her collective, called the Trans Rights Now Collective, to protest in Tamil Nadu. The team, including Banu, was arrested and later released. At the time of writing this article, the state of Karnataka remains the only state to have implemented one per cent horizontal reservations for trans persons. Perhaps owing to the growing support for Banu and her comrades' cause, the draft LGTBQIA+ policy of the Government of Tamil Nadu also promises one per cent horizontal reservations for trans persons. We will have to wait to see if this is implemented.

Concluding Remarks

In this article, we have traced a trajectory of the emergence of caste concerns in contemporary trans movements in India. In doing so, we document a stark difference between the queer movements of the 1990s and the trans movements of the last decade. While the former was largely geared towards challenging the draconian Section 377 of the IPC and did not engage with caste concerns, the latter is simultaneously contesting the law (e.g., by protesting the draft Trans Persons [Protection of Rights] bills) and mobilising the law (e.g., by invoking the *NALSA v Union of India* judgment 2014 to negotiate horizontal reservations for trans persons) in order to articulate their concerns with caste. This difference challenges the cohesiveness of a singular 'LGBT movement.'[16]

In this closing section of the article, we wish to briefly touch upon the impact of caste occupying an increasingly central articulation in contemporary queer and trans discourses, particularly owing to the efforts of trans activists: the visibilisation of how caste structures the lived experiences of queer and trans people in India, and the consequent emergence of an internal critique of casteism perpetuated within queer and trans communities and movements in contemporary India. Other than the critiques from dalit trans persons like Living Smile Vidya and Grace Banu, the last decade has seen dalit queer persons speak about how caste shapes desire and togetherness within queer community conformations (Das, 2022; Jyoti, 2018; Kang, 2023). Nishant Upadhyay, writing about the decriminalisation of consensual adult homosexuality and its consequent appropriation by the Hindu nationalist project, has written about how queerness is being deployed by the Hindu Right to propagate islamophobic, casteist, and 'homohindunationalist' agendas (2020). Upadhyay, therefore, argues that 'decolonizing the law, state, and sexuality would also mean annihilating caste and brahminical structures.' Grace Banu in a poster that says 'Smash Cis Brahminical Patriarchy'—an extension of the slogan 'Smash Brahminical Patriarchy'—echoes Upadhyay's concern (see Dass, 2022).

Further, there has been a small but substantial rise in popular culture's exploration of what it means to be queer and dalit/adivasi in contemporary India (e.g., Neeraj Ghaywan's *Geeli Puchhi* [*Sloppy Kisses*, 2021] and Hansda Sowvendra Sekhar's *My Father's Garden* [2018]). From these critiques and explorations, it is clear that queer and trans community formations, despite being marginal and unique in their constitutions, often mirror and inculcate trends in the larger society. The interruption of the assumption of a homogeneous 'LGBT movement' through an invocation of caste also enables queer and trans movements and scholarships to reflect on the impact of caste and class on the experience of being queer and trans in India. Such a recognition of the diversity of experience and marginalities is welcome.

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Notes

1. In parallel there have been many autonomous sexual rights groups in many metropolitan cities of India such as the Mumbai-based Lesbians and Bisexuals in Action (LABIA),

Delhi-based Nazariya, and the Kolkata-based Sappho for Equality, among others (see Chandiramani & Misra, 2005).

2. Sanjay Srivastava uses the expression heterosexualised modernity to show the emerging nationalist discourse in colonial and post-colonial India, where idealised notions of Indian masculinity and femininity were debated, propagated and internalised by the growing middle-classes. In this discourse, there was no scope to discuss and represent the voices of gender and sexual non-conforming subjects. Vanita and Kidwai (2000) also demonstrate the heterosexualisation of cultural traditions, such as the heterosexualisation of homoerotic Urdu poetry (*ghazals*) in an attempt to reform the Muslim community. Also see Gupta (2012).
3. See Ung Loh (2013) for details.
4. Translation: Which law is the worst? 377, 377.
5. LGBT stands for 'Lesbian, Gay, Bisexual, and Trans.' Despite being non-inclusive of several transgressive gender and sexual identities, it is commonly used as an umbrella term to refer to gender- and sexually transgressive groups.
6. Please see Kumar (2017) for details.
7. Please see Kumar (2018) for details.
8. The case of *Naz Foundation v. The Government of NCT of Delhi*, 2009, is the first instance where Section 377 of the IPC was held unconstitutional (see Bhatia, 2017). However, in a 2013 verdict, the Supreme Court of India overturned the High Court's verdict.
9. Pre-Legal Reform India refers to the time period before 2014 and 2018, when the Supreme Court of India granted civil and substantive rights to trans persons and decriminalised consensual adult homosexuality respectively (Kumar et al., 2024).
10. Gupta (2005) defines the middle-class in terms of access to money and ability to speak English.
11. Some urban metropolitan organisations for lesbian/bisexual women and transmasculine persons, like Sappho for Equality, Kolkata, and Sahayatrika in Kerala, reached out to many subaltern lesbian women who were ethnic and religious minorities. The picture of urban lesbians if they do not belong to privileged classes is also not rosy (see Mokkil, 2011).
12. Shah et al. (2015) mention that the way their respondents identified themselves is very difficult to classify. A respondent identified hirself (a gender-neutral pronoun used for non-binary persons) as 'a woman with a difference,' another described hirself as 'fluid woman,' another used FTM (female to male) as (s/he) was unable to convince others that she is 'man.' But, in self-perception s/he imagined hirself as a man. The authors thus point to how (gender) identities are much more complex and defy any easy classification.
13. Dalit queer and transgender scholars like Akhil Kang (2023) and Sudipta Das (2022) have written about how certain geographies, skin colour, clothing choices, sexual practices, etc. are used as caste markers by upper-caste people to identify people from marginalized castes. Kang in 'Brahmin men who love to eat ass' (2023) speaks of a respondent, Rangeela, who speaks of not engaging in anilingus with sexual partners from Kurla, Mumbai, owing to the predominantly 'muslim and lower caste, working class residents' of the suburb. In this regard, Kang comments, 'The brahmin logics of who is dirty transgresses geographies' (Kang, 2023). Das also recounts, both from their lived experience and those of their respondents, how despite migrating to urban-metropolitan locations, dalit queer and transgender people are profiled as lower-caste through their skin colour and clothing choices (2022).
14. Thevar is a dominant/upper-caste group in Tamil Nadu.
15. Banu has spoken about how trans persons' caste locations impact their experience of being trans in India. For example, she has mentioned how stereotypical caste markers

are used to decide whether transfeminine individuals will participate in ritual begging or sex work (Banu, 2021). She also speaks of how during sex work, dalit, bahujan and adivasi trans persons encounter savarna cisgender men, who torture 'us and our community' (Banu, 2021).

16. A similar challenge to the apparent cohesiveness of the 'women's movement' is seen in feminist debates around women's reservations. Nivedita Menon (2000), for example, has identified how during the 2000 debates around the Women's Reservation Bill (WRB), 'women' as a category had become 'acceptable to ruling elites as a counter-measure to rising backward caste presence in Parliament' (p. 3838). Within debates for and against the WRB during that time, Menon identifies four strands: pro-women pro-reservation, pro-women anti-reservation, caste-based pro-reservation, and caste-based anti-reservation (Menon, 2000). Reflecting on feminist politics and its mobilisation of 'women' as a political subject, Menon says, 'feminist politics has been coming to the difficult recognition that "women" do not simply exist as a category that is available for feminist mobilization' (p. 3839). In 2023, when the most recent version of the WRB received approval from both houses of the Indian parliament, Datta (2023) asked in a journalistic essay if the category of 'women' as invoked by the Bill included transgender women.

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