

HOPEFUL RANTINGS OF A DALIT- QUEER PERSON

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Two years have passed by. Law, in a much-celebrated verdict, had acknowledged our sexual citizenship in India. Still, I am afraid, I can only represent an unpopular opinion in the queer movement. I can only share stories from the vantage point of a Dalit queer person. My humblest apologies if it doesn't feel celebratory enough of *Navej Singh Johar v Union of India*.¹ I want to put across that the LGBTQ+ movement or what has come to be known as the gay agenda works for us no different than the courtrooms that often acquit the perpetrators of caste violence inflicted on many in my community. Our lives beyond law are more complex and the tactical moves that lawyers adopt to win cases are often an erasure of these complexities.

So be it; in 2018, when this victory was achieved, let's also remember which voices were foregrounded and which voices were removed from the petitions. Let's recall how respectability was played up through the caste and class privileges of certain petitioners and how sex workers were asked to tone down, or better leave. What does it reveal about law and justice? What does it speak about rights and citizenship—about who can claim them? Indeed, what does it say about us as the queer movement?

Many promise of a magical trickle-down, an inverted funnel through which rights will mystically flow in a top-down manner. We are told that there is a hierarchy of oppressions. Everybody will reap its fruits. This trickle-down, however, is a false hope. Queer movements like our courtrooms care not for everyone but only a few who “deserve” justice and rights.

Many of us are just residuals. Rights sieve through our bodies but do not touch us in the same ways as judgments promise.

We are tired of being the residual of the queer movement and will no more remain its nondescript fringe. This movement is ours to claim. If sheer numbers are to be taken, then it is already a false premise that even queers were offended with in 2013 when the Judge asked the lawyers in the courtroom “if they knew any gays”, because he definitely didn't. If we are to remain mired in numbers, should we then

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¹ (2018) 10 SCC 1.

even worry for the rights of this so called “miniscule minority”? Must we take the same logic ahead just because visibility for cis-gendered gay bodies come with privilege and access, and the visibility of trans* and non-conforming bodies results in routinized violence? As Dalit Bahujan Adivasi queers, we know where our solidarities lie. For we have been historically denied the respectability on the backs of which rests this victory that we celebrate. For many of us “coming-out” as Dalit has been more difficult a journey than “coming-out” as gays. You won’t see many of us in your fancy parties that imagine inclusivity through gatekeeping. Some of us might secure entry because we have claimed some access through education and mobility. Yet we must still hide our social locations to assume desirability. In fact, if sheer numbers are to be taken in terms of demographic proportion, then Dalits, Bahujans, Adivasis should also make a majority of the queer population. But we cannot be visible. Some of us cannot afford the same means through which queerness is now globally legible. Many of us you do not want to see and touch because it takes away the glamour. Many of us you kill and humiliate because they are trans*, while all of us continue to live in shadows of the humiliation that you serve us every day through caste oppression. This movement is not queer till it’s for everyone. Angela Davis called for the intersectionality of struggles and not only identities. Its only there that true celebration lies.

On the pride mailing list of a major city in this country, there is disdain for the anti-caste flag. People question why a few carried it in the pride. “Why do we dilute the queer movement by bringing in caste and misplace our agendas that should rightly focus on gay suicides, adoption rights, and blood donations?” All of these are important issues—so are housing and labour rights and dignity—but none of them are mutually exclusive from the various other marginalities that amplify these problematics. When one creates such hierarchies, we are again treated as a residue. Again, erased and asked to leave the party. Lest you forget that we are also queer and lest you forget that had it not been for a Dalit person writing the Constitution of this country and ensuring the possibility for the judges of 2018 to grant us what we celebrate today, there would have been no rights and no party tonight. Queer movement owes immensely to the anti-caste movement.

In another major city pride, when a few students raised slogans against the ruling regime’s Citizenship Amendment Act that excludes one minority, the “elder” gay activists labelled these students as seditious and anti-national, primarily to distance from such voices that taint the rainbow flag. Let me remind you in the humblest way possible that it doesn’t remain rainbow anymore. Your flag might be saffron—and saffron is a beautiful colour—but it is steeped in crimson blood. It archives how in the same moment when we proclaim ourselves as a minority and seek sexual citizenship from law, we simultaneously minoritize our own people and efface those who are also queers. The queer movement is not just in the pride parades and parties but in the long roads that migrants walked to go back home during the pandemic. Many of them would have had “queer” desires. Their lives, by virtue of their precarity, are already

queer. The state doesn't care about them like it doesn't for us. It just cares for a "miniscule minority" that can easily be co-opted for its neo-liberal political gains.

The queer movement lies in the protests of Shaheen Bagh where Muslim women, like many of us who dread but feel free when we go to prides, were protesting against the denial of citizenship. Today, when we celebrate two years of some kind of citizenship and recognition that we have earned through law, let us not forget that there is no difference in "their" rights and "our" rights, except the distances we want to create and maintain.

I am sure many reading this today would feel, like the two powerful upper-caste queer lawyers who declared so in an Oxford Union address, shouldn't the next natural step be our fight for gay marriages? Much like the United States order in *Obergefell v Hodges*² granting the right to marriage and our rainbow profile pictures on Facebook. Recently a group of LGBTQ+ activists approached the Delhi High Court for recognition of gay marriages within the Hindu Marriage Act. While many from within the movement questioned the intentions of these activists and their right-wing affiliations, the response from the Solicitor General stated that same sex marriages are against Indian culture. What do marriages mean in the Indian context? What do they tend to hold together as culture? – patriarchy? Patrilineality? property? Does the voice of these petitioners disrupt this social reproduction? I want to bring in Dr Ambedkar again and his lecture at Columbia University on the genesis of caste, where he vocally stated that "caste is endogamy".³ When our queer spaces and modes of desires are already shaped through caste, class, and other power dimensions, what change is gay marriage going to bring except strengthening the caste regime? Don't we always fall for the rich and classy, the well-dressed in the party, the presentable and the respectable; all of which comes from caste and class histories? Don't we see people on Grindr flaunting their caste identities, where "Jaat" and "Gujjar" in North India and "Reddy" and "Gowda" in some parts of the South become markers of sexiness and desirable bodies? What difference will the demand for marriage bring but a celebration of respectability through the maintenance of our caste pride?

Caste is the currency through which sexuality is traded in India. Can our struggles for more recognition and rights for sexual heterogeneities assail this element? Intersectionality is not some game of addition and subtraction. Our identities and experiences are interlocking and co-constitutive. I often jokingly say it is like a *khichdi*. My identities are messy like a *khichdi*. There is no easy separation possible, neither it is as simple as adding some of us to a political agenda and stirring it to appear more "inclusive", or as the buzzword is, "intersectional". However, unlike the easy digestible nature of *khichdi*, I often wonder why aren't our voices so easily digested in the

² (2015) 576 U.S. 644.

³ BR Ambedkar, 'Castes in India; Their Mechanisms, Genesis and Development' (Lecture presented at An Anthropology Seminar taught by Dr AA Goldenweizer in Columbia University, 9 May 1916).

movements we participate? Beyond cosmetic remedies of acceptance and tolerance, should we not aim to radically disrupt the structures of power that keep us in place and hold us back? The story is not merely of an erasure of some identities that we speak of from the political movements in which we are invested, but how our movements themselves lack imagination to hold our complexities together. The key is to recognize that if the sustenance of the compulsory heteronormative family as the “natural” cornerstone of our society disallows an imagination for queer desires to be seen as equal, and such is maintained through the institution of marriage that reproduces caste and gender relations in India and sustains hierarchical material conditions, how can the queer movement afford not to be anti-caste? The critique also applies to anti-caste spaces where queerness is seldom acknowledged and has now come to mean, especially in emerging Dalit-Bahujan-Adivasi student-led movements, an additional identity category to fight for. This complicity is possible, as I mentioned earlier, if our priorities are only cosmetic re-adjustments within the existing systems of power. Such designs will always leave many of us outside the doorsteps as we build our house of justice and equity through social change.

Last year when we celebrated one year of this victory, trans* people were fighting for their right to self-determination against a bill that claimed to protect them but didn't feel necessary to include them. Two days before the Delhi pride, a protest was called at the same place where the pride was supposed to culminate. Only thirty people showed up to this protest, against the 7000 that walked in the pride. Where are our priorities? Where is the queer movement? Is the celebration of this verdict just a celebration of a moment and not a movement? Because for sure it has erased the contributions of trans* people and sex workers and the women's movement and the anti-caste movement to make this moment even imaginable. When the LGBTQ+ pride can conveniently choose to ignore the *T* that is a part of its acronym, I dare say, I have very little faith that it would remember the Dalits, Bahujans, Adivasis, and Muslims that make a majority in all of these categories. As the Combahee River Collective statement said in 1977, nobody of us is free until every one of us is.⁴

I will end with a poem. Because we are often asked to show numbers, some of us are always minoritized when we seek justice from the courtrooms and movements that we are deeply invested in. This is my poetic response. Because many of us, even when want to, cannot afford to come to your celebratory party—because you do not want us to.

Yet again today
You pulled me down
Through numbers;
You choked my throat
And silenced me

⁴ 'The Combahee River Collective Statement' (1977)
<https://americanstudies.yale.edu/sites/default/files/files/Keyword%20Coalition_Readings.pdf>.

Like every other time
With names;
That did not resonate—
I could not relate to,
But which told me
Rather reminded me
That I don't belong here...
In this space
Which I otherwise inhabit daily
Or the "bodies" I otherwise live in.

Till the time,
I can also produce with me
An army of numbers...
Like the bodies
That walk the streets
As if they own them;
Forgetful of what and why
Gives them this visibility
This power to tell me—
That I will never have it
Or do I even need them?

So, that's it!
Isn't it?
Till then, I should be silent
Let the norm have the last laugh
Why don't I just fuck off...!

Yet again, today,
Like every other day,
You pulled me down,
You pushed me away
You walked over me
My bodies, our bodies,
Visible bodies, invisible bodies
Invisibilized bodies.
Dead, alive,
How does it matter?
Matters is your walk...
Which overlooks my kind
Like a voyeur does
Such is a privilege of distance,
My friend!
You won't understand.
Just tail end nibs
Of your rainbow feathers,
What about us? you call—
Your "intimate", but "others".