

# Rupkatha Journal

On Interdisciplinary Studies in Humanities

An Online Open Access Journal

ISSN 0975-2935

[www.rupkatha.com](http://www.rupkatha.com)

Volume VI, Number 1, 2014

---

## Special Issue on LGBT & Queer Studies

---

### Chief Editor

*Tirtha Prasad mukhopadhyay*

### Editor

*Tarun Tapas Mukherjee*

---

### Indexing and abstracting

Rupkatha Journal is an international journal recognized by a number of organizations and institutions. It is archived permanently by [www.archive-it.org](http://www.archive-it.org) and indexed by **EBSCO**, **Elsevier**, **MLA International Directory**, **Ulrichs Web**, **DOAJ**, **Google Scholar** and other organizations and included in many university libraries

---

### Additional services and information can be found at:

About Us: [www.rupkatha.com/about.php](http://www.rupkatha.com/about.php)

Editorial Board: [www.rupkatha.com/editorialboard.php](http://www.rupkatha.com/editorialboard.php)

Archive: [www.rupkatha.com/archive.php](http://www.rupkatha.com/archive.php)

Submission Guidelines: [www.rupkatha.com/submissionguidelines.php](http://www.rupkatha.com/submissionguidelines.php)

Call for Papers: [www.rupkatha.com/callforpapers.php](http://www.rupkatha.com/callforpapers.php)

Email Alerts: [www.rupkatha.com/freesubscription.php](http://www.rupkatha.com/freesubscription.php)

Contact Us: [www.rupkatha.com/contactus.php](http://www.rupkatha.com/contactus.php)

---

# Performing Pride/Performing Protest: LGBT Activism Post Recriminalizing of Section 377

Priyam Ghosh

Jawaharlal Nehru University, India

---

## Abstract

The landmark judgment delivered by the Delhi High Court on 2<sup>nd</sup> July 2009 for reading down Section 377 of the Indian Penal Code and its reinstatement on 11<sup>th</sup> December, 2013 seemed to spearhead search for alternative spaces for performances. This paper aims at mapping and studying some LGBT protest performances emerging post recriminalisation of homosexuality under Section 377. Events and performances including LGBT pride parade, gay for a day (on facebook) and Global day of Rage have stirred public conscience and are known for the level of performativity and feminist/queer strategies like parody and camp. Considering the events during this period the categorization of the performances as feminist/queer itself is problematised. This paper aims to identify potential common ground wherein the feminism-queer divide breaks to produce alternative performance spaces. The case studies are historicized and considered through impact of state surveillance, the market, globalization, culture and changing feminist/queer ideology in the above mentioned case studies.

[**Keywords:** Performance, Protest, LGBT, Queer, Parody, Camp]

## Introduction

The 90s in India has seen the emergence of the political assertion of the 'private realm of sexuality' (Narain, 2004: 1). The euphoric outburst post the 2009 judgment reading down Section 377 seemed to be a culminating moment of the 'performative coming out' of queer sexuality in public space. In the capital, celebratory spectacles like pride parade, flash mobs and other performances contrasted the earlier more clandestine subcultures of queer life. The performative euphoria reflected through the effects of decriminalization was seen as the 'new lease of life' for different feminist/queer communities, legitimizing a space where their sexuality could be performed without the constant surveillance or harassment by the State. While the recriminalisation of Section 377 in December, 2013 curbed individual rights and 'right to life', LGBT activists along with people from the LGBT community and supporters for equal rights resorted to occupying strategic public spaces as well as virtual world through social media.

The euphoric celebration of sexuality in form of protest indeed contrasted a number of defiant performative incidents initiated by feminist and queer groups before. These earlier incidents were now recalled and re-contextualized as significant 'performative' expressions, which were reflected the mood for change. For example the incident of the Mangalore Pub Attack and the subsequent 'pink chaddi campaign'

(Bangalore 2009), performance art on sexual harassment by Blank Noise, FKBBK etc (Manola Gayatri: 2009). The self-confessed 'frivolous' response of the Pink Chaddi Campaign nevertheless set a precedent for later modes of protest whose impact may even be seen on the later slut walks.<sup>1</sup> While citing particular feminist/ queer performances, I contextualize how one is inherently connected to the other in a more complex way than cause-effect syndrome.

It is significant to observe that the counter-heteronormative movements in India turned to the women's movement as a natural ally (Menon, 2012:101). At a time when sexual violence is fervently discussed and the words 'misogyny' and 'homophobia' has finally crept into mainstream discourse, the December 11<sup>th</sup>, 2013 judgment by the Supreme Court of India, serves as an entry point to pushing those uncomfortable questions further and bridging the gap between feminism and queer studies as purely-academic, closeted concern to a battle waged everyday on streets, in our houses and personal lives.

### **Of law and criminal love: Desire in the times of Section 377**

Section 377 was introduced by Lord Macaulay as part of measures taken by the British education and legislature to keep a check on the so-called 'deviant activities' amongst the colonized natives. It persists as a draconian law because of the idea of 'victimless crime' that has social consequences than legal. The crux of the debate about its utility lies that it's the only law existing to take 'sodomy' as a crime and promises to address a wide range of sexual violations ( in form of oral sex, anal sex etc), which is not only limited to the LGBT population but extends to the heterosexual counterparts. This delimited the understanding of sexual pleasure in terms of only peno-vaginal intercourse, the law states:

*"Whoever voluntarily has carnal intercourse against the order of nature with any man, woman, or animal, shall be punished with imprisonment for life or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine".*

To fight this archaic law, several organizations have been formed since early 1990s which worked with HIV prevention programs and support system for sexual minorities and also are active in mobilizing support to fight prejudices and injustices propagated by the state and build a vibrant space for LGBT activism in India. Organizations like Aids Bhedbhav

---

<sup>1</sup> The aesthetics and performative aids that go into mobilizing the subject of heteronormative oppression in realm of public spaces especially in the city of Delhi and at times Mumbai is based on the model of analyzing street performances with same lens as that of a proscenium stage. The idea of mediatized event derived from *Reconfiguring the body: simulation & corporeality in mediatized performance* (2009) has been the key analytical lens for understanding the performances of dissent (pink chaddi, pride parade and slut walk). In her dissertation Manola K. Gayatri analyses the impact of liveness and mediatization of stage performances along with performance of protest which included the outburst following the Mangalore pub attacks, various non-violent initiatives like Pink Chaddi campaign along with Fearless Karnataka, Birudha Karnataka (FKBBK) etc. Her work looked at performance of ridicule, humor and dissent which gets mediatized with the aid of technological mediations.

Virodhi Abhiyan (ABVA), initiatives like Voices Against 377<sup>2</sup>, Alternative Law Forum, Lawyer's Collective, Humsafar Trust, Naz Foundation, Sangama, Sangini, Sahayatrika, Labia, Sappho For Equality, Karnataka Sexual Minorities Forum (KSMF) to name a few. Also, there have been extensive documentations on the violations faced by the members of the community.<sup>3</sup>

The question of criminality is an interesting diversion at this point. The reading down of Section 377 turned the formerly criminal sexually active queer male into a non criminal one. As Arvind Narain implies the visibility of the so called 'criminal' performer has different meaning making capability. He describes the queer subject as:

hypervisible subjects of criminal law, figures worthy of derision in the media or pathological subject of medicine, this effect of social intolerance is the reconfiguration of the 'absence' which becomes presence when it comes to being object of criminal law (2004:7)

While reading down of Section 377 legitimizes sex between two consenting adults which is largely gay men, kothis<sup>4</sup>, hijras<sup>5</sup> or men having sex with men (msm) due to penetrative

---

<sup>2</sup> This civil society initiative had its origins in the first National Level Community Consultation on PIL organized by Naz India and Lawyer's Collective in 2003. The main objective of the coalition was to engage in public debate to encounter the Government's position that public morality will be affected if Section 377 is not retained in its entirety. The organizations which forms a part of this umbrella include Amnesty International India, Anjuman, Breakthrough, Creating Resources for Empowerment in Action (CREA), Center for Child Rights, Jagori, Nirantar, Partners for Law and Development (PLD), PRISM, Saheli, Sama, Talking About Reproductive and Sexual Right Issues (TARSHI)

<sup>3</sup> Human Rights Watch, 'Epidemic of Abuse: Police Harassment of HIV/AIDS Outreach Workers in India', July 2002; People's Union for Civil Liberties (PUCL), Karnataka, 'Human Rights Violations Against Sexual Minorities in India', February 2011; People's Union for Civil Liberties (PUCL), Karnataka, 'Human Rights Violations Against the Transgender Community', September 2003; Sappho for Equality, *Vio-Map: Documenting and Mapping Violence and Rights Violation Taking Place in the Lives of Sexually Marginalized Women to Chart Effective Advocacy Strategy*, 2011; Breaking the Binary: Understanding concerns and realities of queer persons assigned gender female at birth across a spectrum of lived gender identities, a study by Labia- A Queer Feminist LBT Collective, 2013.

<sup>4</sup> The kothi is a feminized male identity, which is adopted by some people in the Indian subcontinent and is marked by gender non-conformity. A kothi, though biologically male, adopts feminine modes of dressing, speech and behaviour and would look for a male partner who has masculine modes of behaviour, speech and dress. The politics of resistance lies in the inherent challenge to the connection between anatomical maleness and gender behaviour, i.e. one expects someone who looks male to act male, but the kothi refuses to behave in conformity with heterosexist norms.

<sup>5</sup> Hijras as a community represent an existing Indian tradition which clearly contests heteronormativity. Hijras include men who go in for hormonal treatment, those who under-go sex-change operations and those who are born hermaphrodite. The hijra community has its own cultures and ways of living, including its own festivals and gods and goddesses. Hijras divide themselves into gharanas or houses and the strength of the hijra community lies in its close-knit relationships. Members of the hijra community have been contested elections, with Shabnam Mausi and Asha Rani becoming a Member of the Legislative Assembly (MLA), Sohagpur in the the state of Madhya Pradesh and a Mayor respectively. The hijra community is one of the most visible of the queer cultures in India.

nature of the intercourse, it had no direct relevance to the lesbian or other queer women issues as it has never been acknowledged by the law.<sup>6</sup> This violent erasure of queer women's experience is disturbing, as the representation of queer women even in cultural spaces or the media is abysmally low. With decriminalization of the law, privileged queer men made himself visible and their sexual choices were reflected and flaunted in public spaces. My work looks at integrated spaces both within the larger queer movement and general public spaces; the objective is to tease out what is seen as the performance strategy which highlights the identity issues of the queer community.

The task for this paper is further complicated with the notion of gendered and sexual violence which is highly debated in the public domain post-recriminalisation of section 377.<sup>7</sup> Hence, while my starting point is the 2009 judgment, I would extend the time period till the recent developments, which unfolded with the December 11<sup>th</sup>, 2013 judgment of the Supreme Court, which ensued various debates and demonstrations which played it out in the public domain.

### **Performing Queer: Pride Parade as site of protest and celebration**

Post 1990s, the neo-liberal state exhibited its liberality particularly in terms of encouraging and sponsoring performances around queer sexuality in public spaces (2009: 78). This is an entry point to critique the new city scapes of India which are increasingly touted in the world market as the new exhibitory space narrating the progress of capitalist success. The city scape is constantly and has become a much used scenographic background, with enormous deployment of technological apparatus to stage everything from street theatres, to queer pride parades and slut walks. These spaces also open up the much required attention to the apparatus of surveillance which are officially then produced as 'safe spaces' for the demonstration of identity politics which the 'neo-liberal' state is supposed to promote.

---

See Serena Nanda, 'Hijras as Neither Man nor Woman', in *The Lesbian and Gay Studies Reader* (Henry Abelove et al, eds), Routledge, New York, 1993.

<sup>6</sup> While Section 377 of Indian Penal Code was formed to punish sodomy of young boys, the absence of phallus in a woman lead to the stipulation that the love shared between two women is homoerotic and since there is no penile penetration between them the act of intercourse is not possible. Also, it was the failure of the state to address the question of sexuality and desire in case of women, beyond the set heteropatriarchal logic of family. It was also the inability of the women's movement to articulate upon the idea of sexuality, as most of the women activists till 1990s, were concerned with the issues of biases on the basis of caste, class, gender and considered idea of 'sexuality' or 'same-sex desire' a western import or problems of the elite.

<sup>7</sup> The reading down of Section 377 'applies to acts only in 'private' where innumerable cases of harassment occur in public places. Sappho for Equality, *Vio-Map: Documenting and Mapping Violence and Rights Violation Taking Place in the Lives of Sexually Marginalized Women to Chart Effective Advocacy Strategy*, 2011

The first category of performance, which I address, demonstrates its significance in the enormous deployment of marches, processions and flash mobs in the post 2009 scenario. They have almost become the unique proposition of queer performance strategies. The queer pride parade, which happens annually in the 3rd week of November, is known for transgressing gender norms. Covering the distance between Tolstoy Marg to Jantar Mantar Road, it is the most common distance travelled by the participants of these marches or protests. The parade often look like a mob scene, with hundreds of people cramped in a space whose centre one could hardly locate ; people donning outfits take centre stage to politicize agendas from civil liberty to same-sex union within a largely heteronormative society. The space not only becomes a space for voicing protest but as well as celebrating various sexualities. What is interesting to observe is the aesthetics of the pride parade and, performance embedded within itself. The participants of the walk don colorful outfits and masks and wave the rainbow flag, walk under strict surveillance of the law enforcing authorities. The media highlights the events for its blatant sexual overtones and capture the images of the participants flaunting their sexuality.<sup>8</sup>

The use of percussion instruments like dholak and dafla<sup>9</sup> by the hired percussionist accompanying the participants of the parade, add rhythm to the performance of many trans\* men and women, who shake their belly's and bosoms and occupy the middle of the street, where they dance. This action signifies a powerful moment, where these participants reclaim the public space where they are often ridiculed, harassed, victimized and punished by the state surveillance and heteropatriarchal society.

While reading performance strategies of the parades etc it is also important to note the hierarchies of class and gender within this performative space. While gay men take the centre-stage, they are followed by lesbians and trans\* and at the periphery would be the hijras and kothis.<sup>10</sup> The space becomes an 'inclusive space' only in terms of class. Also, while walking the distance of the parade, gay men are simply uncomfortable marching alongside hijras and kothis. There is absolutely no recognition of similar struggles and aspirations, at least in context of sexuality between hijras, kothis, gay, lesbian and bisexual men and women. (Gupta, 2005: 139) Here of course the critique

---

<sup>8</sup> Some of the participants do not want to disclose their identity as queer men and women and hence device to wearing mask, which saves them from facing blatant homophobia within their family and their workplace etc. Interestingly the participants who wear the masks are photographed more than the 'out' participants by the media present during the event.

<sup>9</sup> Percussion instruments accompanying these performances such as dholak, etc are symbolic of the phallus and hence the symbolic male desire. The tabla incidentally is a masculine noun in Hindi. In fact, dholak might be a phallic symbol suggested by the slang usage of the term. dholak bajana ('to beat the tabla') denotes sexual activity in a given context.

<sup>10</sup> In conversation with Research scholar and friends, Manola Gayatri and Ankush, the various demarcations operating within the pride parade was discussed. While Ankush pointed out the general observation of gay men leading the pride march, MG through act of transgression during Nov.2012 pride parade entered a space where only hijras and trans\* were dancing.

made by feminists like Madhu Kishwar on its Eurocentric reading, are significant, though the complexities of the debate require more detailed attention(1998:10)

The route of the pride parade in New Delhi is designed to go through the heart of the capital, most famously known as the Lutyen's Delhi. Interestingly, the first space that was occupied as part of 'Reclaiming the Republic' movement held on 26<sup>th</sup> January, 2014 by various organizations was the Barakhamba-Tolstoy intersection till Jantar Mantar. Barakhamba-Tolstoy Marg houses many cultural vistas like Sangeet Natak Akademi, National School of Drama and many premier educational institutes along with corporate houses along with Janpath and Jantar Mantar, and hence becomes one of the busiest business centre's of the city.

One of the interesting aspects of the parade is the colorful and innovative posters on display and how the same ideas of sexuality and freedom are used to voice dissent during protests against the recent judgment resulting in recriminalisation of homosexuality in India. Protests like Global day of Rage was observed in 35 cities across India and the globe with LGBTQI supporters from cities like New York, London, Montreal etc coming together in large numbers to show their solidarity with the struggle of the community in India.

Posters such as '*Nach nach kar kranti layenge*' (we will bring the revolution through dancing) resonated first-wave feminism tag-line, 'If I can't dance, it's not my revolution'<sup>11</sup> given by American writer and feminist Emma Goodman. The poster also resonated with the earlier women's movement protest rally in the late 1970s and early 1980s. To protest against rising food prices to anti-rape and dowry movement, the women strategized by employing performative gestures like beating utensils with spoons as a direct critique of rising food prices at that point.

The space of protest was a joint platform, which saw the coming together of many student organizations, women's NGOs, women's wing's of the left political parties and human rights lawyers, this space was further explored once the idea of 'gender, sexuality and desire' entered the public imagination and domain.<sup>12</sup> The pride parades not only foreground the need for collective socio-political responsibility which took a backseat after retreat of women activist's from the public spaces to micro level institutions. Various pride parade performances and the hierarchies of gender that is created in that space, as

---

<sup>11</sup> The full tag-line goes like  
 'If I can't dance, it's not my revolution!  
 If I can't dance, I don't want your revolution!  
 If I can't dance, I don't want to be part of your revolution,  
 A revolution without dancing is not a revolution worth having.  
 If there won't be dancing at the revolution, I'm not coming.

<sup>12</sup> The first time woman's sexuality was discussed in a national conference of the women's movement was in 1990 in Calicut, in an evening capsule on 'single women'. There was a quiet 'coming out' and lesbianism was heard of in hushed tones and hesitant whispers. In the next conference in Tirupathi 1994, massive convulsions were precipitated by a lesbian group's proposal to have a separate session on the issue. In 1997, the convulsions resolved to give way to a session organized by *Stree Sangam* at the Ranchi conference.

discussed above and various embodiment of gender performances as well. The performance of plurality and exploration of various gendered nuances, that tried breaking the normativity of gender binaries was witnessed in these spaces and raised through the posters.

Expressing love and desire through old romantic hindi and English songs are given 'queer' twists by the participants. Songs like '*Pyar kiya toh Darna Kya*', '*Pyar hua iqrar hua hai, queer hua toh kya hua*' and the queer anthem by Macklemore and Ryan Lewis called '*Same Love*' with lines from the song, '*I can't change, even if I try, even if I wanted to*', making an appearance.

Some posters emphasized on freedom of choice, equality, human rights and critiqued the state sanctioned surveillance post-recriminalization of Section 377. '*Be Straight not Narrow*', '*Genders are diverse not disordered*' was strong criticism for the hetero-patriarchal and normative understanding of viewing gender in set compartments. Other posters included but entrenched criticism of the retrograde judgment delivered by the Supreme Court, like '*Went to bed in 2013, woke up in 1860*', '*Supreme Court stop peeping in my bedroom*' etc. some participants of the parade, engaged in public display of affection with person of the same gender, which is now deemed 'illegal' by the judgment, and displayed placards like '*Arrest me, I'm proud to be a criminal*' and '*Supreme Court, stop peeping in my bedroom.*' This strategic mode of defiance spilled into the virtual space, with social networking sites like facebook, coming up with initiatives like Gay for a day.



Image 1: File Photograph of Women protesting against Price Rise, Source: Tribune.com



Image 2: File photograph of dancing at LGBT pride parade, 2012, Source: TOI



Image 3: One of the posters at Delhi Queer Pride 2013, Source: Personal documentation.



Image 4: Various posters on display, during protests after recent recriminalization of Sec. 377.



Image 5: Participants at Global Day of Rage, held on 15<sup>th</sup> December, 2013 in New Delhi. The event included a delegate of students of Tagore International school joining the protest. (see far left). Source: Personal documentation.

### **Performing Sexuality in Virtual spaces: Gay for a day campaign**

The growing proportion of political communication involves digital means, where an anonymous status is granted to the users who log on to various social networking sites to express their opinions without the fear of being under the constant state surveillance. While revolution (referring to post- December 16<sup>th</sup> 2012 gang rape protest and December 11<sup>th</sup> 2013 recriminalization protests) were certainly televised, what television, *Facebook*, *Twitter* and others disseminated are pictures and narratives of physical events, which inspired a lot of online campaigns. Some of these campaigns went viral due to its politics and the subversive nature of the message.

One such campaign that foregrounded the invisibilized and now marginalized body of the queer subject post-recriminalization in an effort to get support from various other communities and member from 'straight' community by Delhi-based gay activist Tanmay Sahay, who started the campaign 'Gay for a Day' on social networking sites facebook and twitter. The idea behind 'Gay for a day' campaign was to change facebook user's profile picture to kissing or displaying affection to the person of the 'same gender'; an act which blatantly illegal' under Section 377.

The campaign was one of its kind, with its tongue-in-cheek approach, where it not only challenged narrow understanding of Section 377 but also Public indecency act or obscenity act, by its highly defiant performance of sexuality at a now alternative public platform created in virtual space via facebook and twitter.<sup>13</sup> The campaign besides garnering support for the LGBT community, looks at the innovative and qualitative shifts in the aesthetics of performance on the internet and of the changed viewing experience and interaction engendered on a site like facebook and twitter, which now have become the digital outlet of protest.

Gay for a day campaign's aesthetics brings together a complex montage of simultaneous narratives of individual stories in testimonial form and historical events intertwined with texts, images and sounds. The emphasis on how digital images in virtual spaces becomes this safe haven for expressing views on tabooed issues without been subjected to now state-sanctioned surveillance and harassment which is largely seen in urban space.

The campaign, however was not devoid of criticism, while it came under attack by various right wing homophobic groups, one of the entrenched criticism was the fact that it reduced the experience of the LGBT community to an act of 'subversion. The supporters and community members effort to challenge state surveillance, was by 'being

---

<sup>13</sup> With the coming of virtual space, the distinction between Private and Public space have changed. The earlier space of the World Wide Web, now due to its easy accessibility can be seen as a public space and social networking sites like facebook, twitter which were devised for the sole purpose of 'networking', further blurs the divide. The High Court recently ruled that 'privately viewing obscene photographs, films on laptop doesn't constitute an offence, under Section 292 of the IPC. Section 292 of the IPC, makes it an offence to sell, distribute, circulate, publicly exhibit or even possess obscene content for public exhibition. 'Obscene' here is defined as that which "appeals to the lascivious or prurient interest" of the person viewing it. But a crucial aspect of this offence that it should involve a public element.

gay' for just a day, and then returning to their daily lives and lacked direct engagement with the larger issue. The effort, however was well lauded for its approach and more than 5000 facebook users logged on and changed their profile picture to kissing or displaying affection to a person of the same gender.





Image 6, 7 & 8: Various photographs uploaded as part of 'Gay for a day' campaign.

### To a dream deferred: A way forward

*What happens to a dream deferred?  
Does it dry up like a raisin in the sun  
Or does it explode?  
-Langston Hughes*

On 11<sup>th</sup> December, 2013, Justice Mukhopadhyay and Justice Singhvi's decision in the PIL 'Suresh Kumar Koushal vs. Naz Foundation' upholding the validity of Section 377, recriminalized the lives of million of LGBT citizens of India, who in the judgement were referred as the "so-called rights of the miniscule minority". This judgement was eloquently described by the celebrated author Vikram Seth as 'a great day for prejudice and inhumanity and a bad day for law and love'. <sup>14</sup>This decision brought a bad end of a very bad year which began ominously with brutal gang rape of a young girl in delhi on December, 16<sup>th</sup> 2012.

The years of struggle for human rights, law reforms and years of advocacy received a severe blow with reinstatement of Section 377 which now criminalizes sexual acts between consenting adults, jeopardizing the self respect, dignity and safety once enjoyed

<sup>14</sup> In an interview given by Vikram Seth to NDTV hosted by Barkha Dutt on 11<sup>th</sup> December, 2013. The full quote goes as " a great day for prejudice and inhumanity and a bad day for law and love. But law develops and love is resilient. So prejudice and inhumanity will be beaten back. Law and love will prevail." He further added, "I wasn't a criminal yesterday but I am certainly a criminal today ... I do not propose to take the permission of their lordships, when deciding whom to love and whom to make love with." Interview available on ndtv.com dated 12<sup>th</sup> December, 2013

by sexual minorities post-decriminalization in 2009. Despite several arguments by organizations like Naz Foundation and Voices Against 377, about how recriminalization hampers efforts at HIV/AIDS prevention and treatment since it drives members of gay and transgender community underground. The decision not only have legal but also social implications as LGBT individuals are ostracized from their natal families and suffer harassment at workspace and other social spaces. This fear is further propagated by the now state-sanctioned violence propagated by law enforcement agencies, leading to daily harassment of the members of the community.

While the judgment have direct implications on Article 14, 15 and 21 of the Indian constitution<sup>15</sup> as it strips the LGBT individuals of their 'rights to life and dignity', what the ruling have done is to make every member of the community as well as the supporters 'an activist'. People from across the globe have been voicing their dissent against this retrograde judgment along with various other anti-homosexuality bills signed by regressive regimes in Russia and Uganda. Supporters of the community are coming up with various strategic performances to resist and condemn the decisions to uphold criminalizing homosexuality and are garnering support.

## References

### Books, Thesis and Journals articles

- Butler, Judith (1990). *Gender Trouble: Feminism and Subversion of Identity*. New York: Routledge.
- Gayatri, Manola K. (2009). *Reconfiguring the body: Simulation and Corporeality in mediatized Performance*. Unpublished thesis. Department of Theater and Performance Studies, School of Arts and Aesthetics, Jawaharlal Nehru University, New Delhi.
- Gupta, Alok (2005). Englishpur ki Kothi. In Arvind Narrain and Gautam Bhan et al. (Eds.), *Because I Have a Voice: Queer Politics in India*. New Delhi: Yoda Press.
- Menon, Nivedita (2012). *Seeing like a Feminist*. New Delhi. Zubaan Books.
- Narrain, Arvind (2004). *Queer: Despised Sexuality, Law and Social Change*. Bangalore: Books for Change.
- Nanda, Serena (1993). Hijras as Neither Man nor Woman. In Henry Abelow et al (Eds.), *The Lesbian and Gay Studies Reader*. New York: Routledge.
- PUCL Karnataka Report (2003). Human Rights Violations against the Transgender Community: A Study of Kothi and Hijra Sex Workers in Bangalore, India.  
<http://ai.eecs.umich.edu/people/conway/TS/PUCL/PUCL%20Report.html>. Accessed on Jan 24, 2014.

---

<sup>15</sup> Article 14 and 15 promises 'Equality before the law, and prohibits discrimination of the grounds of religion, race, caste, sex or place of birth. Article 21 promises 'Protection of life and personal liberty.' No person shall be deprived of his life or personal liberty except according to procedure established by law.

### Websites and News Portals

<https://sites.google.com/site/labiacollective/history>. Accessed on 2/24/14

<http://whaq.blogspot.com/2009/11/were-here-and-queer.html>. Accessed on 2/24/14

<http://sapphokolkata.org/>. Accessed on 2/24/14

<http://sangama.org/>. Accessed on 2/24/14

Section 377 Hearing in Delhi High Court',

Section 377 Hearing in Supreme Court on 12/11/13

<http://qmediawatch.wordpress.com/category/section-377/page/4/>. Accessed on 6/6/13.

<http://indiankanoon.org/doc/1199182/>. Accessed on 2/25/14

---

*Priyam Ghosh is currently working as an Archive Assistant at Indira Gandhi National Centre for Arts, New Delhi and is also pursuing her M.phil in Theatre and Performance Studies, School of Arts and Aesthetics, Jawaharlal Nehru University, New Delhi. She has previously taught as an Assistant Professor in Department of Journalism, Kamala Nehru College, Delhi University. Her research interest lies in Media Studies, Performance Studies, Feminism and Queer Studies along with Law and Governance regarding Criminal offences against women.*

---