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- Nation
- Calcutta
- Bengal
- Opinion
- International
- Business
- Sports
- At Leisure

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- North Bengal
- North East
- Guwahati
- Jamshedpur
- Jharkhand
- Ranchi

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- Careergraph
- Careergraph
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Front Page > Opinion > Story



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## AFTER THE FACT

A political scientist, a psychiatrist and a lawyer comment on the incident in Boro Chupria



**NIVEDITA MENON** (*political scientist*): Have you heard of "nude make-up"? The whole point of it is to spend hours

painting your face in order to make it look like you have just finished scrubbing it clean. The maintaining of social order is rather like that. It requires the faithful performance of daily rituals. Complex networks of cultural reproduction are dedicated to this sole purpose. But the ultimate goal is to produce the effect of untouched naturalness.

There is thus zero tolerance for those who breach this carefully produced natural order of society by refusing to conform to norms of looks and behaviour. The incident in which Mamata was beaten, tansured and stripped naked for "behaving like a boy" is one instance of the effort that goes into maintaining the natural order. It is all too easy to understand it as the action of uncivilized villagers. How different would the response be though in, say, the head-office of a multinational corporation, to a male employee who insisted on wearing a *sari* and *bindi* at work?

Thus, while the horror that Mamata had to live through may be at the more extreme end of a spectrum, the point precisely is that it is a *spectrum* of intolerance to difference. Each of us bears responsibility in some degree for maintaining these protocols of intolerance, which could not be kept in place if every single one of us did not play our part. From bringing up children appropriately, to lovingly correcting or punishing their inappropriate behaviour, to staring at people who look different, to coercive psychiatric and medical intervention, to emotional blackmail, to physical violence. It's a range of slippages all the way.

But the incident was not only about gender-appropriate looks and behaviour. It has another equally significant dimension—the anxiety around maintaining and protecting the institution of marriage. That is, of "actually existing" marriage—the patriarchal, heterosexual kind. For the young girl was tortured not only because she behaved like a boy, but because she refused to give up her friendship with a newly-married woman of the village.

The question of gender-appropriate behaviour is thus inextricably linked to legitimate procreative sexuality as embodied in the patriarchal heterosexual family. This institution is the foundation for maintaining property relations as well as the source of the crucial identities of caste and religion.

The ideology that sustains this institution correctly recognizes non-heterosexual desire and defiance of gendered appearance as signalling the refusal to participate in the business of reproducing society, with all its given identities intact. The same threat is perceived with heterosexual desire too, when it refuses to flow in legitimate directions—hence the violence unleashed on those who fall in love even with people of the appropriate (that is, "opposite") sex, if they are of inappropriate caste or religion.

Mamata is said to be 16, but is small and thin, and "looks about 12". How did she escape the binding force of those protocols that most of us seem to have internalized so unquestioningly? Evidently, the structure built by those protocols is shakier than it seems. There are fissures, leakages, the borders are porous and vulnerable. There are many more Mamatas, perhaps even inside ourselves. It is precisely because the structure is so fragile that such enormous force had to be mobilized against the recalcitrance of one thin little girl.



**CHANDRASEKHAR MUKHERJI** (*psychiatrist*): In today's rural India, tightly-knit hierarchies of caste, class

and privilege allow little room for a tolerant accommodation of behaviour which is perceived to be different or deviant. More often than not, the victims of such disproportionate community responses are women. Societal attitudes to variations in sexual orientation have fluctuated over the ages. References in ancient Indian texts are not always stigmatizing. The unbending morality of the Victorian era brought with it the criminalization of homosexuality. The vigour with which the Indian urban middle class adopted such inflexible notions of correctness stemmed from the need to identify with the colonizer.

The penetration of such adopted attitudes into rural India has been more uneven. Words and phrases like *masti* and *saheli rishte* describe same-sex relationships in rural India. However, where difference is perceived as a threat and perhaps even competition, the

retaliation is massive. But what of the girl-child who starts to wear pants and behaves more and more "like a boy" The outcomes vary. Some defy societal stricture and "marry", as in Ambikapur or in Chhattisgarh. In such instances, the strength of their sexual orientation overcomes the knowledge that they are committing to a life of pain and stigmatization. Occasionally, I have come across cases where the strong-willed and probably privileged of such rural women undertake a sex-change operation. But some, like the girl suspected of "being a boy", are tonsured, stripped and photographed naked. Comments made by her co-villagers reveal not only her pitiful loneliness but also an exaggerated demonization, which often precede or accompany violent acts. The ultimate loss in the small but structured world of the village is that of reputation and identity. There is nowhere to flee. I read with interest Mamata's comment, "I want to marry now. It is the duty of every girl to marry." An act of self-preservation, perhaps appeasement, to ward off the frightening abyss of social oblivion.



TARUNABH KHAITAN (*lawyer*): The drama in Boro Chupria is an old one. Countless Mamatas are tortured and killed at the altar of caste, class, religion and sex. Mamata's transgressions were a combination of who she allegedly was ("boyish"), and what she allegedly did (developed relationships/friendships with other women). These acts of violence violate her most basic human rights, most fundamentally the right to life with dignity and the freedom from torture and other forms of violence.

The failure of the state in providing protection to the vulnerable is telling. The first mark of the movement from a state of nature to civilized society is the state's establishment of a monopoly over the use of force. The state alone may judge and punish, following due process of law. The Indian state may be failing its *raison d'être*, for it protects unequally.

The demand, then, is one of fairness. For queer identities that question the rules of gender and sexuality, even a normative recognition of the right to a dignified life is not forthcoming. Legal provisions, such as Section 377 of the Indian Penal Code, aid rather than counter societal violence against sexual and gender minorities. But the state alone is not to blame. A society that engages in and tolerates collective acts of violence against helpless people is in urgent need of moral introspection. The denial of the suffering of *hijras*, *kothis*, gays, lesbians and bisexuals is usually disguised as a need to deal with "more important issues", like poverty. But suffering cannot be hierarchized. Different facets of vulnerability like class, caste, gender, sexuality, race, religion and so on do not act independently of one another, they intersect. The movements founded by Dalits, women, religious minorities and the poor share their most important article of faith with sexual and gender minorities — a belief in the equal moral worth of every individual. Mamata's story should be the last word on the concern that gender and sexuality are "elite" issues.



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