



By ALBERTINA ALMEIDA

When Transgenders Organise

An organisation, possibly the first, of transgenders, was recently established in Goa. If one carefully listened to the voices of the persons from the community, the issues were typical – difficult to get a house on rent, difficult to access hospitals and clinics, a dehumanizing gaze, harassment from the police, lack of decent job opportunities. “When we go to a hospital, which ward do we get admitted to – female ward? male ward?”, was a poignant question asked.

Often, many of us have ridiculed transgenders, simply because we failed in recognising the humanity of transgendered persons. If you have travelled by train, transgendered persons are a familiar sight, seeking alms and heaping blessings if you oblige and cursing you if you don't. Can you blame transgenders for this conduct, when it is one of the scarce avenues of acceptance, legitimised in Hindu religious texts? It is that quaint kind of recognition that cuts both ways, where recognition comes with the price of outcasting and minoritisation.

The other avenue is the tradition of transgenders being invited for blessing the wedding couple and the new-borns. There is a conditioning that if one does not give the transgenders enough *bakshish*, they will curse you. So for the fear of their wrath they are given some token money. The hankering for higher amount of *bakshish* is considered part of wedding ceremonies. Such token integration does act like a relief where at all other places they are othered. But even this token integration in society is problematic because the weddings and birth ceremonies are the very events that transgenders cannot otherwise participate in.

Then again, other workplaces do not offer jobs to transgenders because of misconceptions about their capacities, as they do not fit into the binaries of male and female. It is convenient to maintain a dominant workplace aesthetic that simply sweeps what it dislikes under the carpet. Transgenders indeed do not fit into those binaries. Why should they? Why should the world revolve around binaries?

By now, the Supreme Court has recognised in a judgement pronounced by it in a case filed before it by the National Legal Services Authority (NALSA) – that transgenders have a different gender identity than male and female, and must enjoy all legal and constitutional protection. Further, the Apex Court has also left it open to transgender persons to identify themselves as male or female, as per their sense of association, if they so choose. The Supreme Court has in fact called out society's morally failure by its unwillingness to contain or embrace different gender identities and expressions.

The Supreme Court has directed that the Centre and the State Governments should take steps to make transgenders feel a part of society and to treat transgenders as socially and educationally backward classes of citizens and extend all kinds of reservation for admission in educational institutions and for public appointments, besides framing social welfare schemes for their betterment. The Governments are directed to take proper measures to provide medical care for transgenders in hospitals and also to provide them separate public toilets and other facilities.

Needless to say, like men and women, transgenders also have various other identities that determine the course of their lives. This means that transgenders from depressed castes, or economic backgrounds face double victimisation because of these other axis of marginalisation, and transgenders from privileged sections of society face an intersection of privilege and disadvantage.

Hence, building alliances with struggles for housing rights, struggles for appropriate and sensitive health care, becomes critical as a way of expressing disapproval over the core politics of discrimination, exclusion and inequality for exploitation and oppression that informs the State's and society's attitudes.

For, if housing *per se* becomes difficult and inaccessible, because of large areas, often forcibly acquired and exclusively appropriated for gated communities, a battle for housing rights of transgenders will have no meaning, when the very retention in Goa of basic housing, is made difficult. This holds true for working people's struggles as well. If workers' rights and the mechanisms to access these rights do not stay strong, then this further undermines and

disempowers workers who bear an additional identity on the margins, such as transgenders.



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If the fundamental right under Article 19 (1) (c) of the Constitution of India of forming cooperatives, is denied to any section of the population, as has presently been the case with tribals at Caurem seeking to form a mining cooperative, that is a situation that bodes ill for all marginalised sections including transgenders, who can also be beaten with the same stick.

This also works conversely, calling for various other socio-political movements to build alliances. If a transgender is subjected to police harassment or torture in custody, and the same is justified with a perspective that the transgenders deserve it, then that opens the pandora's box for police harassment and torture in custody, to be justified in certain circumstances. If a transgender is subjected to discrimination and harassment at the workplace, and the same is ignored, this is the slippery slope down which discrimination begins to entrench itself and gets justified in all spheres.

It is time that the State is held accountable for taking the lead in doing away with binaries in true spirit – both by adding another column of 'other' in the gender column and by having proactive policies which embody the spirit of inclusion and non-discrimination.

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