

India Case Study
**Livelihood, Exclusion and Opportunity:
Socioeconomic Welfare among Gender and
Sexuality Non-normative People in India**

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Quotable Quote

I have never applied for any schemes because of lack of money and well-wishers. We need to come together to rectify the negative mindset of people towards our gender identity. I also want to get help and knowledge from learned people.

Manipur FGD participant: 46-year-old primary school teacher who is a trans man and has been in a relationship with a woman for 24 years

Background

- Study part of “Sexuality, Poverty and Law Programme” of Institute of Development Studies, University of Sussex, UK
- Funding support from DFID
- Programme implemented in India and a few other countries
- Focus on Manipur and Odisha states apart from overall India policy coverage
- Study authors: Pawan Dhall and Dr. Paul Boyce
- Study partners: All Manipur Nupi Maanbi Association (AMaNA), SAKHA

Objectives

- Study aimed at gaining qualitative understanding of economic inclusion status of people with non-normative genders and sexualities in India
- Investigated barriers and facilitators to economic inclusion:
 - *How government poverty alleviation programmes (social security schemes) include or exclude people with non-normative genders and sexualities*
 - *Community responses to economic exclusion*
- Recommends immediate and long-term strategies to improve economic inclusion at policy and programme implementation levels

Methodology

- Study examined government poverty alleviation programmes and their capacity to include people with non-normative genders and sexualities
- Mix of primary and secondary methods
- Preliminary literature review (policy analysis)
- Semi-structured interviews with government, donor and NGO officials
- Semi-structured interviews and FGDs with people affected by economic exclusion*
- Lived experience of authors as development professionals and activists

* People with non-normative genders and sexualities – explain that this expression includes not just those who identify with terms like lesbian, gay, bisexual, transgender, trans woman or trans man, MSM, *nupi maanbi* or *nupa maanba*, but also many other individuals who may not identify with these terms and yet have non-normative genders, sexualities, sexual behaviours, intimate relationships and families

Findings: Introduction

- Since 1990, India experienced considerable economic growth (increase in GDP)
- It also experienced poverty reduction, but poverty measurement methods are debated
- At the same time income inequality shot up
- Economic growth story also cannot ignore continuing gender inequity – for women and gender and sexuality minority people
- Challenge lies in tackling hetero-patriarchy

Findings: Introduction contd.

- Contradictions in socio-legal environment – criminalization on one hand (Section 377, ITPA, other laws), recognition and protection on another (Supreme Court NALSA verdict)
- Political parties still hesitant to show full-fledged support for gender and sexuality diversity
- But India is a welfare state with commitment to tackle factors that lead to economic exclusion
- Does it tackle exclusion because of gender and sexuality non-normativity?

Findings: Socioeconomic Assessment

- Limited population data (invisibility because of stigma, fluidity of identities)
- Poor educational status (loss of education because of stigma and discrimination)
- Loss of shelter and property rights
- Impact of stigma on health status (HIV and mental health vulnerability, limited options for safe SRS for trans persons)
- Severely limited set of livelihood choices

Findings: Social Security Availability

Broadly, social security available consists of:

- Identity and citizenship proof documents (birth certificates, ration cards, passports, PAN cards, Aadhaar cards)
- Social welfare schemes (food, housing, pension, employment)
- Free legal aid services
- Public health programmes (including health insurance schemes)

Findings: Barriers to Access

- Overall barriers: Inadequate budget, leakage of funds, misappropriation of funds, illiteracy
- Specific barriers:
 - Lack of acknowledgement of **gender diversity** at social security policy and service delivery levels (even after NALSA)
 - Lack of legal / policy recognition for **non-normative intimate relationships** or marriages and **family structures**
 - Stigma and discrimination at service delivery level
 - Lack of awareness about NALSA ruling (service delivery level)
 - Complexity of paperwork for application process
 - Difficulty in applications follow-up because of migration

Findings: Key Omissions

- Child protection laws not able to prevent family violence, sexual abuse, loss of shelter, school / college dropping out among children/adolescents with non-normative genders and sexualities
- No protection under laws to prevent sexual assault or sexual harassment at workplace
- Health insurance schemes don't cover SRS costs
- No public health programmes to address mental health and disability needs

Community Responses

- Traditional choices: *Hijra* networks
- Reliance on sex work (even as a secondary occupation)
- Individual entrepreneurship – needs to be supplemented with training, marketing support
- Initiatives of CBOs: SHGs, support for small trades, livelihood training projects
- Donor-supported NGO initiatives to facilitate access to social security services

Economic Inclusion: Caution

- Reservations in educational institutions – will they on their own eliminate stigma and discrimination by students, faculty, families?
- Exclusive educational institutions versus sensitizing and monitoring existing institutions, providing scholarship support
- Identity-based and reservationist social welfare schemes versus sustainable skills building programmes

Recommendations

- Immediate: 'Demand' vs. 'Supply' for social security:
[Table 7.1, Chapter 7](#)
- Intermediate: Infusing equity in education syllabi, media representation
- Long term:
 - Discourse on gender and sexuality at policy and legal levels
 - **Decriminalization** leading to positive spin-offs around non-normative marriages and families, property inheritance, child adoption
 - Revisit definitions of 'marriage', 'family' as in case of 'gender'
 - Revise sexual assault laws – make them inclusive
 - Anti-discrimination law in line with constitutional values

For decriminalization, mention need for change in anti-vagrancy and obscenity laws along with Section 377

Photo-documentation Exercise



Picture courtesy: AMaNA

Example of Way Forward



Clipping from "The Sangai Times", Imphal, February 16, 2015

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Thank You!