Section 377 verdict: ‘Like India got independence in 1947, my sisters and I have got our freedom today’

Run by NGO Space, the community centre is a shelter space for LGBTQ community, especially those who come from the economically and socially weaker backgrounds.
Members of the Transgender community celebrate the verdict at the community center in Kashmere Gate run by an NGO, Space, in New Delhi on Thursday, September 06, 2018. Express photo by Abhinav Saha

A trip to the community centre in the middle of Kashmere Gate’s Ganda Nala Bazaar is a must every Sunday for Aarti, Anu and Madhu. Members of the transgender community, it’s a place where they come to unwind – dance, sing and share their stories. But on Thursday they made a special trip to the centre to celebrate Supreme Court’s verdict decriminalising a part of Section 377 – which did not recognise homosexuality. And they could not stop dancing.

“I’m very happy. Like India got independence in 1947, my sisters and I have got our freedom today,” says Ashu (23). On cue, the fiery Aarti announces, “Humare liye aaj hi 15 August aur 26 January hai. Humare like sanvidhan aaj laagu hua hai.” They are celebrating the decriminalisation of Section 377.

Run by NGO Space, the community centre is a shelter space for LGBTQ community, especially those who come from the economically and socially weaker backgrounds. “We’re very happy today. The judgment was long due and we were eagerly waiting for it. But there are many more rights – the right to adoption, marriage, property and surrogacy, that are yet to be challenged in the court, this is
just the basic fundamental recognition of human rights,” says Anjan Joshi, executive director of the organisation.

Many say they are relieved, as the police cannot blackmail and torture them now. “The policemen constantly got hold of us. I have a friend who used to strip for them and get sexually assaulted. Now that we’re free, I will see which policeman stops me on the road,’ she says. At this point, Reena Rathore, 25, speaks up. “They used to scare us so much, threaten to arrest us under section 377. Bahut darate they, bahut hi zyada. Now will see who will put us behind bars,” says the beautician.

Ashu also narrates an incident. “I was roaming around with my partner when a policeman got hold of me and harassed me, he accused me of indulging in bad sex. He threatened me to hit me and put me in jail. In the end, he extorted some money and let us go,” she said, adding that her journey has been long and painful. “My boyfriend’s family used to tell him to leave me as I don’t have a life. Do I not have a life?” asks 22-year-old Ashi. Apart from blackmails from police, people from the community faced abuse in intimate relationships, says Joshi. “Since the law did not recognise them, they could not file any complaint,” he says.

Ravi Kumar, a social worker, feels as if there were shackles on his legs that have now been removed. “Since hundreds of years, there was this blemish on us. After the 2013 verdict, there was no support from our families, neighbours and friends. As they were confident we had no rights, they would do anything and we had no one who would listen to us. For us, heaven is here today, as there was a lot of pain suppressed in our hearts. Now we know our rights, and we can fight for them,” he says.

Now that the law has recognised the community, many have found confidence to face their families and fight back. “After today’s verdict, we’ve got a way to fight,” says Kumar, who also hopes to get a room with his partner in a hotel now. “The fear to raise our voice is no more, we’ve thrown it away. Hum aise hain, hum aise they aur aise hi rahenge,” says Aarti, drawing a huge applause from everyone.

“Abhi toh yeh angrai hai, aage aur ladai hai,” the slogan is raised. The community is ready to embrace the change and not give up on their fight. “We’ve endured a lot, but this verdict would be good for the younger ones and the future generations, they can come out of the closets now,” says Anu. They are prepared for the future, but all they want to do right now is dance.
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