Problematics of Human Rights in Contemporary Indian English Fiction

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By

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DECLARATION

I, Ms. Rekha Kumari, hereby declare that the Ph.D. research entitled "**Problematics of Human Rights in Contemporary Indian English Fiction"** has been completed by me under the supervision and able guidance of Dr. Sanjiv Kumar**,** Head of Department of English and Foreign Languages. The work presented in this thesis is original and all the sources used in the course of this work have been duly acknowledged in the Works Cited and Select Bibliography. I hereby declare that the content of this thesis has not been submitted so far in part or in full for any degree or diploma in any other institution.

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CERTIFICATE

It is hereby certified that Ms. Rekha Kumari (Regn. No. CUH-30/2012) has worked under my supervision for her Ph.D. thesis entitled "**Problematics of Human Rights in Contemporary Indian English Fiction"** for the Degree of Doctor of Philosophy. She has completed this work sincerely in the prescribed period. To the best of my knowledge it is the result of bonafide research work carried out by the researcher. This thesis has not been submitted so far in part or in full for the award of any Degree/Diploma of this University or any other institution. I deem the present research work fir for being evaluated for the award of degree of Doctor of Philosophy in English.

Signature of the Supervisor

(Sanjiv Kumar)

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CONTENTS

Introduction: Symbiosis of Human Rights and Literature

To start with the title of the thesis, "**Problematics of Human Rights in Contemporary Indian English Fiction",** it is important to first explain the phrase 'Human Rights'. The concept of human rights is rooted in the philosophy of humanity which means kindness, sympathy, love, affection, and compassion to mankind. Humanity demands equal treatment and opportunity to all people without any discrimination. It is speculated by Samuel Moyn in his book *The Last Utopia: Human Rights in History*, that:

> When people hear the phrase "human rights," they think of the highest moral precepts and political ideals… The phrase implies an agenda for improving the world, and bringing about a new one in which the dignity of each individual will enjoy secure international protection. It is a recognizably utopian program…. Human rights in this sense have come to define the most elevated aspirations of both social movements and political entities—state and interstate. They evoke hope and provoke action. (Moyn 1)

All human rights spring from the human spirit. The characteristics of human nature are stretched in a vivid spectrum by the American poet, William Blake in the following quote:

> For mercy has a human heart,
> Pity a human face
> And love, the human form divine,
> And peace, the human dress. (44)

Without morality, man is mere an animal whose purpose of life is to eat, drink and be merry. The human relations in a society are shaped by values such as dignity, liberty, equality, justice, ethics, and morals. In this context, human rights are not only used as alternative to moral values; rather, they are themselves moral in nature. This is the reason that today people have an aversion to the word 'morality'. Human rights is a response to suffering or a set of objectives toward achieving a better world. But the major question is where exactly the idea of human rights is invoked. The existence of Human Rights is not like Big Ben or Legislated Law in the statute book. It is a notion that 'Human rights' is as old as the history of human society on earth, but it is also a fact that human rights has no golden legacy from the past on which one can draw for contemporary moral sustenance. The fertile breeding ground of human rights is the mind, not the heart. Immanuel Kant is the modern godfather of human rights. But it was Blaise Pascal who summed up this perspective when he famously claimed that thoughts constitute the very essence of humanity and remarked: "the human being is just a reed, the weakest thing in nature but it is a thinking reed…so our whole dignity consists in thought. That is what we should rely on… so let's work at thinking well; that is the basis of morality." (30)

Its real origin goes back to 539 B.C when Cyrus, the great king of ancient Persia, conquered the city of Babylon and freed all slaves. The historical beginning of human rights starts with the Magna Carta of 1215. These rights were further extended with English Bill of Rights in 1689. American Declaration of Independence 1776, the French Declaration of Rights of Man & Citizen 1789, and the first ten Amendments of the Constitution of United States (Bill of Rights 1791) proved to be the most significant

milestones in the development of the concept of 'Human Rights'. These rights gained flesh and blood with the adoption of United Nations Charter. Later, in 1948 due to the sufferings of the Second World War, came the proclamation of the Universal Declaration of Human Rights. In 1966, the United Nations General Assembly adopted the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), which together formed the International Bill of Human Rights. This bill laid the foundation for the formulation and adoption of human rights treaties and incorporated concerns relating to equality, non-discrimination, education, health, social security, administration of justice, social development, violence against women, and the status of refugees and minorities. It advanced the claims of dignity, its maintenance and declared the grounds typically used to exclude others from receiving equal regard as illegitimate. It established that all human beings are entitled to equal treatment and human rights are of justice for them. A clay tablet in the Akkadian language with Cuneiform script is the first human rights document which is translated into all six official languages of the United Nations and its provisions parallel to first four articles of UDHR.

The human rights process is evolutionary. It began with the notion of 'natural' right propounded in the seventeenth century by the philosopher John Locke who argued that all individuals are gifted by nature with the inherent rights to life, liberty and property. As natural rights are intrinsic and independent of rights provided by the state, these cannot be taken away. Later Rousseau in his book *The Social Contract*, put the natural order to an end. He called the real will of the society as the General Will which is sovereign. He also regarded that government is an institution functioning under the

General Will of the people. The American independence movement of 1776 and the French Revolution of 1789 were inspired by the ideal of 'natural' rights, and both movements sought to challenge governments that curtailed the natural rights of people. It was during the French Revolution in 1789 that natural rights were elevated to the status of legal rights with the 'Declaration of the Rights of Man'. Several political and social movements through the nineteenth century used this Declaration. For instance, the suffragette movement was premised on the natural equality between men and women. John Stuart Mill claimed that rights are founded on the principle of utility and the assault upon natural law intensified during the ninetieth and twentieth centuries. Apart from it, Darwin's assumptions 'Might is Right' and 'Survival of the Fittest' have universal connotations in the sense that mighty people are likely to belittle and exploit the weak, while the fittest will survive at the cost of rights of other human beings in all times and ages. The prominent political thinker Harold Laski also accepts utility as the basis of rights and says that in fact rights are those conditions without which no man can aspire to cherish self-esteem and self-respect. These philosophical concepts have a profound impact on law as law in any society is to regulate the relations between men and to alleviate the intensity of conflicts. The expansive set of human rights was codified by the Universal Declaration of human rights. It declares that "all human beings are born free and equal in dignity and rights."(UDHR). It also foregrounds that human rights are the basic standards of equity and justice without which people cannot live in dignity. The central tenet of human rights is the equal dignity of all persons. Human rights can thus be defined as the inalienable and indivisible rights held by all human beings, and yet

ironically, their abuse is a daily occurrence. In this context, human rights theorist Jack Donnelly rightly describes human rights as "possession paradox." (9)

Historically, human rights have been classified in terms of three generations, viz. (i) civil and political rights, (ii) economic, social and cultural rights, and (iii) solidarity rights. The first generation human rights includes both the personal rights such as the rights to life, liberty and security of the person, prohibition of slavery and torture, freedom of movement and protection against arbitrary expulsion, rights to privacy, marriage, family life and rights of children, as well as the political freedoms and political rights which seek to secure to the people a respectful space in the public and political life of the country are in the nature of negative rights of the people whereby the state has been barred to interfere in the individual matters of the citizens. On the contrary, after the independence of a number of Afro-Asian countries, the second generation human rights emerged as the provisions of positive obligations on the part of the state to secure for the people the basic social and economic facilities and requirements which form the basis of a contended, delightful and autonomous life to the common people. The third generation of human rights emphasized on the 'group rights' of the vulnerable and weaker groups in the society such as women, children, refugees, displaced persons, minorities, tribal, landless and bonded labour, unorganized labour, peasants, under trials, prisoners of war and people with disability etc. It also argued for special provisions for the protection and promotion of these groups. More importantly, in the context of the contemporary trends towards globalization and liberalization, the collective rights of the socialist and the third world countries especially the right to protect environment and natural resources, right to development and the right to peace appear to be the most significant for the survival of

the developing countries against the economic imperialism of the multinational corporations having their roots in the developed countries.

But the Frenchman Rene Cassin being the principal drafter of declaration won the Nobel Peace Prize in 1968. He pointed out that the Declaration is founded on the fundamental pillars i.e. personal rights (the right of equality; the right to life, liberty and security, etc. Articles 3 to11). Then come the rights that belong to the individual in his relationships with the social groups in which he participates (the rights to privacy of family life and to marry; to freedom of movement within the national state or outside it; to have a nationality; to asylum in case of persecution; rights to property and to practice a religion: Articles 12 to17). The third group is that of civil liberties and political rights exercised in order to contribute to the formation of government organs or to take part in the decision making process (freedom of conscience, thought and expression; freedom of association and assembly, the right to vote and to stand for election; the right of access to the government and public administration: 18 to 21). The new generation of human rights i.e. fourth generation of human is the survival kit wherein right to development vis-a-vis - rights which operate in the sphere of labour and production relationships and in that of education, rights to work and social security and to free choice of employment, to just conditions of work, to equal pay for equal work, the right to form and join trade unions, to rest and leisure, to health care, to education and the right to participate freely in the cultural life of the community: Articles 22 to 27).

There are mainly three approaches to the study of human rights. They are 1.Western or Liberal approach. 2. Marxian or socialist approach. 3. Third world approach. The Western approach which is also known as the liberal democratic approach

is based on the natural law and natural rights view of human rights. The advocates of liberal approach argue that the duty of the government is just to maintain law and order so that everybody will get a chance to enjoy their rights. It laid stress on the Civil and Political Rights. Thomas Hobbes, John Locke, J.S, Mill were the ardent advocates of the liberal approach. The Marxist approach of the human rights can be seen in the writings of Karl Marx, the Engels and Lenin. It gives more importance to the social rights than the individual rights. Therefore, the duty of the state is to guarantee the civil and economic rights to its citizens. Marx is of the view that inequality exists in a capitalist society. The capitalist enjoys all the rights and majority working class is deprived of the rights and they are exploited. He is of the view that only in a classless society the people can enjoy the rights in its full meaning. The Third World countries never agree with the universality of the human rights due to diverse socio-cultural matrix. Human Rights violation is a common feature in most of the third world countries. These countries face tremendous problems of state building, economic reconstruction, ethnic conflicts, the criminalization of politics and lack of accountability has become common in these countries. Thus, human rights are illusory to the large sections of populations of the third world countries. In the process of pursuing socio-economic goals the developing countries do not show the desired respect to civil and political rights.

In this way, though, the concept of Human Rights is relatively new, but traditionally it was known by the name of natural rights of man. In true sense, today's human rights are the outcome of ancient natural rights or we can say a new form of natural law of mankind. These natural-law ideals of respect for human dignity were extended to the whole world. The Declaration was prefixed with the term 'universal'. But

for the socialist countries this Declaration was a Pyrrhic victory because these countries did not see it as a solemn Decalogue valid for all, but merely as a weapon in the cold war to attack the West. Countries like South Africa and Saudi Arabia dissociated themselves from the final declaration, demonstrating that they were not prepared to yield to its demands. It was also less impressive in absence of any form of legally binding. However the closer inspection makes it clear that the Declaration was a real victory not only for the west but also for other countries and for humanity as whole. Consequently, Socialists countries began to participate in it and most importantly during 1950s and 1960s, the Declaration acted as a lodestar consistent with human dignity for various third world countries who recently gained independence. Its fact except Iran all newly independent states maintained this Declaration as an inspiration.

In common parlance, the word ‘right’ refers to both being right and having right that is rectitude and entitlement. It suggests an interactive relation between right and duty as no right is possible without duty and vice versa. It promotes peace, security and orderly behaviour of mankind to establish a conflict free value based society. The increasing reliance on right based approach developed a number of values from ancient to modern times. These values have had a great impact in the realization, promotion, and protection of human rights. In this way, the spirit of human rights have been transmitted from one generation to another and the notion of human rights is the most precious legacy of the classical and contemporary thought. Virtually, the idea of human rights has remained significant in all forms of human organizations. Beginning in the form of the natural rights, conceptualized by the social contract theorists, and in its present state, human rights have become the sine qua non of the humanity at large. Various treaties

have developed to protect the rights of women and children; to abolish racial discrimination. The International Convention for the Protection of All Persons from Enforced Disappearance (2006) and further conventions in the domain of Prevention of Genocide / Refugee Convention / Convention against Human Trafficking and The Convention on the Rights of Persons with Disabilities (2006) are some of the examples. All these commitments made human rights a matter of international concern and governments liable to implement these rights. But there are some problems in implementation of human rights as state governments do not adhere to their promise and continue to violate the treaty obligations in pretext of their sovereignty to deal with their domestic problems. The controversies over the rights of groups like indigenous people, women, and transgender have complicated the original focus on the rights of individuals. In this way, human rights claim is most meaningful in a situation of rightlessness and vulnerability. So, it is hyperbolic to use human rights language where rights are always (or almost always) guaranteed. In real sense of the word, human rights discourse appears irrelevant where they are freely enjoyed and relevant when they are under threat. The discourse of human rights puts people first in place of the growing inequality and wide spread poverty that characterized the era of neo-liberal movement coupled with the uneven distribution of the benefits of the processes of globalization.

Various factors like the nature of society, needs of the people, values or norms of the society, socioeconomic, political conditions and cultural content are responsible for the development of Human Rights. For example, right to life has no meaning for a poor man if he has no food to eat. Above all, the inventions and discoveries of science which have revolutionized the very life style of human beings and the indefensibility of torture,

cruelty, inhuman and degraded treatment, hunger, genocide, arbitrary arrest and detentions make the applicability of human rights more relevant. The perceptions regarding human rights keeps on changing from time to time, place to place and people to people. These perception vary within the same society from one level to another. It is a generally perceived notion that ‘Human rights’ is as old as the history of human society on earth. The word ‘Human’ means belonging or pertaining to the nature of man or mankind. The word ‘Right’ denotes the freedom and advantages that everyone should be allowed to have as rights are those essential conditions of life without which man cannot be at his best. These rights are sometimes called fundamental rights or basic rights or natural rights. As fundamental or basic rights, these are rights which must not be taken away by any legislature or any act of the government and which are often set out in a constitution. As natural rights, these are seen as belonging to men and women by their very nature. These rights are commonly shared by all, therefore, the state is obliged to protect these rights. The legal duty to protect human rights includes the legal duty to respect them. The preferable forum for the legal realization of human rights is the nation-state. However, this makes the protection of human rights dependent on the protective capability of the nation-state, and this seems to contradict the claims of universality of human rights which is based simply on human identity. There is no single definition or theory to embrace in explaining the multidimensional facets of human rights. Human Rights are those minimal rights that every individual must enjoy by virtue of being a member of human society, irrespective of any other consideration. These rights are shared equally by everyone regardless of sex, race, nationality and economic background. We are all equally entitled to our human rights as they are inherent in human dignity

without any discrimination. Lyn Beth Neylon describes the concept as: “You are a human being. You have rights inherent in that reality. You have dignity and worth that exists prior to law.” (Qtd in Parekh 78)

Another important and significant feature of human rights is that they are not earned, bought or inherited, nor are they created by any contractual authority unlike fundamental rights. The colour of one's skin may be white or black, the level of one's mental make-up may be high or low, his or her way of life may be modern or primitive to the core, yet the fact remains that essentially all of us belong to the species of human race. This fact cannot be dismissed by any stretch of imagination. Contrary to this preamble, we quite often witness the violation of human rights of those who are economically poor, socially backward, and those who belong to religious minority. Even the discrimination against the race and gender is also very commonly witnessed. There is an indestructible link between civil and political rights on the one hand and economic and social rights on the other. So, all these rights are interrelated, interdependent and indivisible. These are essential and necessary because in the absence of these rights material and moral upliftment of the people is impossible. These rights are universal and concerned with freedom, equality, justice and human dignity. For example, in 1993, India enacted a law that forbids the practice of carrying human excreta. This law is called the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act 2013. Human rights are irrevocable and universal simply because they are enjoyed by a person simply because he is a human being. Universal human rights are often expressed and guaranteed by law, in the form of treaties, customary international law, general principles and other sources of international laws. International human rights law lays down

obligations of Governments to act in certain ways or to refrain from certain acts, in order to promote and protect human rights and fundamental freedom of individuals or groups.

On the other hand, human rights are never absolute – Man is a social animal and he lives in a civic society, which always puts certain restrictions on the enjoyment of his rights and freedoms. For example, freedom of expression is liable to a number of restrictions. Human rights are not static, they are dynamic and evolve with time. Human rights go on expanding with socio-eco-cultural and political developments within the State. Judges have to interpret laws in such ways as are in tune with the changed social values. For example the right to be cared for in sickness has now been extended to include free medical treatment in public hospitals under the Public Health Scheme, free medical examinations in schools, and the provision for barrier free environment in schools as well as universities and other public platforms. Human rights imply that every individual has legitimate claim upon his or her society for certain support and benefits. Human rights limit the state's power. These limitations may be in the form of negative restrictions. Besides, the powers of the State in violating the inalienable freedom of the individuals or in the nature of demands on the State, i.e. positive obligations of the State. Thus, human rights are based on humankind's increasing demands for a decent and civilized life in which the inherent dignity of each and every human being receives respect and protection.

Yet conflicting political traditions across the centuries have elaborated different visions of human rights rooted in past social struggles. Despite the universal reach and domain of the term, there are conflicting connotations of human rights. Micheline R. Ishay, in her book *The History of Human Rights*, cleverly blends various controversies

regarding human rights. The first controversy concerns the origin of human rights. She first corrects the mistaken modern secular notion that religion and human rights are antithetical. Indeed, what we now know as human rights have their unmistakable origin in the great religious traditions. She addresses the contribution of Buddhism, Hinduism, and Islam. Her second claim is all the more interesting as she writes that the European contribution to the notion of human rights has been the strongest of all of the world's civilizations. In this way, human rights is a western concept. It is believed that although non-western cultures have important ethical concepts, they have traditionally lacked the concept of human rights. The western liberal tradition often dwells upon the neglect of socialist contributions to human rights thinking. Her third claim is that notions of economic and social equality have been very significant in the development of modern human rights practice. The reaction and opposition to the pernicious effects of the Industrial Revolution were just as important as opposition to the ancient regime. The fourth claim is more prescriptive than descriptive. By way of an exploration of the role that nationalism has played in the acceptance of the right of self-determination, Ishay draws the very wise conclusion that while the pursuit of the rights of cultural groups can be a powerful force for good, these groups must observe certain standard universal principles. Autonomy should not be used as an excuse for internal repression. Despite setbacks, it is possible to speak of steady progress in human rights over the course of time, contrary to realist claims that power and security always trump values. Human rights themes, even when they fail in one era, survive in our minds and inform the next generation of activists. She makes the case for incorporating human rights as an integral part of security. Finally, she contemplates the viability of human rights in an era of

globalization. She sees both dangers and opportunities. One of the most damaging assertions about the idea of human rights is that the concept of human rights is a western construct. According to Upendra Baxi, human rights have been seen as “the gift of the West to the rest” (25). Many thinkers see human rights as the strategy of neo-colonialism to further the economic and political interests of the ‘first’ world countries. As Susan Koshy argues “Neo-colonial strategies of power are increasingly articulated … through a new Universalist ethics of human rights, labour standards, environmental standards, and intellectual property rights.” (Koshy 1)

Prof. Panikkar, a human rights philosopher, also argues that the notion of human rights is a Western concept. He also argues that these human rights are very necessary for a decent life in the modern world. What he and other scholars believe is that these rights need to be adopted and adapted to different cultures. Because, the proponents of the cultural relativism highlights the temporal as well as the spatial parochialism of the notion of universal human rights. Human rights activists and NGOs emphasize that there is a need to learn from different cultures and draw lessons from the humanity of these cultures to deepen respect for (universal) human rights. Different cultures should be allowed to co-exist and their positive aspects must be respected by all. These organisations insist that those cultural practices which go against universally accepted human rights, including women's rights, must not be tolerated. The UN specialized agencies like UNESCO, ILO, WHO, FAO, UNICEF also have a great role in protecting the Human Rights.

Human Rights in Indian Context

Just as the Babylonian Laws and the Assyrian laws in the Middle East, and the jurisprudence of Lao-Tze and Confucius in China, the "Dharma" of the Vedic period in India has championed human rights throughout the history of human civilization. For instance, the equality of all human beings is proclaimed by the *Vedic* literature and it fosters the sense of fraternity amongst them all. It also brings the idea of "Sarve Bhavantu Sukhinah*"* by reiterating the equal claims of the human beings on the basic amenities like food, water, air and shelter. The historical account of ancient Bharat proves beyond doubt that human rights were given prominence in Hindu and Islamic civilisations. The Epics like the *Arthasastra* (Kautilya) and *Sukranitisara* are the texts primarily underlining the place of human rights. He also disapproved of the theory of royal absolutism and subordinated the King to the law. He not only affirmed and elaborated the civil and legal rights first formulated by "*Manu,*" but also added a number of economic rights. He categorically ordained that the King should also provide the orphan, the aged, the infirm, the afflicted and the helpless with maintenance. The seeds of human rights in Indian context sprout from the Buddhist doctrine of non-violence, non-hatred and friendliness. Jainism too contained similar doctrines. They believe that every creature has life and they are all similar in their sensitivity to pain and pleasure. In the Post-Vedic period, the rise of Buddhism and Jainism were certainly a reaction against the deterioration of the moral order as against the rights of the privileged class. Life was more human and liberal in the Post-Vedic era. Ashoka, the prophet Mohammed and Akabr cannot be excluded from the genealogy of human rights. Ashoka was the first ruler who developed a totally anti-war perspective. His anti-war statement is treated as one of the oldest and a very important

human rights document. Being, the champion of civil liberties, he allowed even the forest folk in his domain to enjoy security of life, peace of mind and dignified life at par with other people in the society. The European travellers who visited Ashoka's empire highly appreciated his zealous regard for rights and justice. Torture and inhuman treatment of prisoners were prohibited under his benign dispensation. The Mughal history of India, began with the adoption of the policy of 'Universal Reconciliation and Tolerance'. His justice-loving tradition was followed by his son Jahangir too. Unfortunately, this trend came to be reversed by Aurangzeb, though the Marathas and the Sikhs opposed and fought the fanaticism of Aurangzeb.

It is also a fact that because of social stratification and strong regimentation, a section of the people does not have access to 'social equality' which is considered to be the founding-stone of the notion of human rights. The foundations and genesis of the modern human rights movement in India may be traced to the colonial period. Under the British rule, human rights and democracy were suspect and socialism was an anathema. It was the dark period of Indian History. Lord Macaulay rejected the ancient Indian legal political system as 'dotages, brahminical superstition', and condemned ancient legal heritage and its inner core as an 'immense apparatus of cruel absurdities'. Lord Wellesley condemned the Indians as vulgar, ignorant, rude and stupid and Lord Cornwallis described that every native of Hindustan is corrupt. The English East India Company debarred Indians from high offices and deprived them of their political, social and economic rights. All these things created the impression of inalienable human rights in the Indian minds which were ignored, denied, and trampled by the English rulers. The ill

treatment and the harsh repressive measures of British rule in India encouraged resistance against them.

Lokmanya Tilak advocated for freedom as a birth right of Indians. Consequently, the Charter Act of 1813 and the Government of India Act, 1833 were passed to allow the Indians to enjoy some political rights. In India humanitarian ideas become popular from the beginning of the nineteenth century. The abolition of sati (1829), abolition of slavery (1843), introduction of widow remarriage by legislation (1856), and prohibition of child marriage (1929), the enactment of Indian Penal Code in 1860 and a series of prison and jail reforms by legislation and acts were based on reformist's tendencies. The proclamation of Queen Victoria on 1st November, 1858 contained some principles of state policy, which were similar to fundamental rights in nature. The concrete demand for fundamental rights came logically with the birth of the Indian National Congress in 1885. The Constitution of India, Bill 1895, known as the "Home Rule Document" paved the way for a constitution guaranteeing every citizen the basic human rights. Further, the Government of India Act, 1915, in pursuance of the demands for fundamental rights, guaranteed equality of opportunity in public services. A series of resolutions adopted by the National Congress between 1917 and 1919 repeated the demand for civil rights and equality of status with the English. In 1925, the Indian National Congress adopted a 'Declaration of Rights'. Its incorporation in any future constitutional framework was demanded by the Madras Session of the Congress held in the year 1927. A committee under Motilal Nehru was appointed by the National Congress to study the fundamental rights. It is interesting to note that the Constitution of the Republic of India, enacted in 1950, incorporated ten of the nineteen rights enumerated in the Motilal Nehru Committee

Report, 1928. It was the 'Sapru Committee' of 1945 that subsequently stressed the need for a written code of fundamental rights and the Constituent Assembly raised a forceful demand for the inclusion of human rights in the Constitution. The Indian Constitution was framed by the Constituent Assembly of India, which met for the first time on December 9, 1946. Ultimately, the Constitution of India gave primary importance to human rights and fundamental rights.

The makers of modern India like Mahatma Gandhi, Dr. B. R. Ambedkar, Jawaharlal Nehru and Maulana Abul Kalam Azad denounced the British rule for its utter disregard even to the basic human rights of the Indians. Therefore, Gandhi's call for an egalitarian society, Dr. Ambedkar's life-long struggle for the advancement of the down-trodden people, Nehru's vision of a socialist society or Azad's call for a secular face of the Indian society – all aimed at one particular objective: creation of society based on justice, equality and fraternity. But mere theoretical and philosophical pronouncements will not be sufficient in a complex Indian society. That is why, it is felt that there should be proper institutionalization and protection of such noble values relating to human dignity. To serve this purpose and to give these ideals a legal and constitutional sanction, the fundamental document of the country, i.e. the Constitution was drafted very carefully. In fact, the Constitution of India can be regarded as the finest piece of document which upholds the basic tenets of human rights, discussed so far. The Constitution of India, as the fundamental and supreme law of the land, guarantees human rights to all its citizens through specific provisions and impeccable scheme in Part III and IV. Despite all these constructive efforts, the operationalization of the human rights in the post-independence times became quite problematic due to the stark realities of running a democratic system

of government in a heterogeneous country. The height in this regard came during 1975-77 when the national emergency showed its inadequacy to maintain the human rights movement in the country to cope up with extreme situations. In this way, the human rights movement got the cognizable shape and its discernible contours became obvious only during the early twentieth century. It led a new vigour in terms of rise in the number of human rights bodies and expansion in the functional domain of these bodies. The sphere of the human rights movement no longer remained confined to the protection and promotion of civil and political rights of the people rather, it went on to encompass almost all spheres like economic and individual rights and collective rights. It left no area of human activity to ensure that the basic rights of the people can be infringed in any way and anywhere. In this context, Indian Judiciary is able to protect the human rights, Public Interest Litigation (PIL) stands for litigation in the interest of the public and its related human right violations. It emerged as a by-product of the influence of welfare ideology on the judiciary and introduced in the aftermath of the emergency in India. Apart from it, the governmental bodies like National Human Rights Commission (NHRC), State Human Rights Commissions, LGBT organisations, National Campaign on Dalit Human Rights, the National Commissions for Women, Minorities etc. served for the ostensible purpose of promoting and protecting the human rights of the targeted people in India. In the contemporary democratic states the role of media is very important, especially in protecting and promoting the human rights. Because, it can inculcate certain values in society like peace and non-violence, fraternity etc. and it can also invite the attention of the authorities by publishing the human rights violation stories. Recently many scams were brought into light by the media for example the Noida online scam by Anubhav

Mittal, Vyapam' scam in Madhya Pradesh, hazardous prison conditions, arbitrary arrest and detention, excessive use of Armed Forces (Special Powers) Acts, or AFSPA corruption and lack of transparency in government etc. The call of late Iranian spiritual leader, the Ayatollah Khomeini, to execute the author, Salman Rushdie who allegedly had been guilty of blasphemy against the prophet Mohammed is an example of sheer violations of freedom of speech. Apart from these violations, the growth of human rights movement in India also came from the various socio-religious reform movements like social reform movement in Maharashtra, launched by Jyotiba Phule under the auspices of *Satyasodhak Samaj* to seek the protection and promotion of the human rights of the people belonging to the oppressed castes. The other socio-religious reform movements are Arya Samaj of Swami Dayanand Saraswati, the Ramakrishana Mission of Swami Vivekananda and the Aligarh School founded by Syed Ahmad Khan. The other prominent movement launched by Sri Narayan Guru for *sanskritizing* the norms and customs of the Irava community in Travancore initiated in various parts of the south India. The organization emerges out of the People's Union for Civil liberties and the Democratic Rights (PUCLDR) founded by Jaya Prakash Narayan in 1976 is working for the protection and promotion of human rights. In spite of it the important environmental movements like the Silent Valley Movement, the Chipko Movement, Narmada Bachavo Andolan, Nirbhaya Movement, Jharkanthi organization against radiation and National Fish Workers Forum etc. are have significant role in promoting the third generation human rights in India. However, even after these substantive initiatives, the numerous instances of violations of the human rights against Dalits, tribal, women, children, and other minorities, expose the dysfunctionalities of these bodies. That is why there is much

more needs to be done to enrol the citizens to enjoy the dignity of human life in general. There is a notable insensitivity among Indians towards the issues concerning human rights. The educated citizenry of the country is expecting the government to be more sensitive and prompt in addressing the issues of human rights.

Human Rights and Literature

Rights have become the most powerful idiom of our contemporary intellectual discourse and as an outcome many of the influential political theories developed in last one and half century. This right-centric world view has become the root cause of the major problems confronting our contemporary world where rights are widely regarded as the basis of law. There is considerable disagreement about what is precisely meant by the term 'rights' because it is used in manifold ways:

> A right to life, a right to choose; a right to vote, to work, to strike; a right to one phone call, to dissolve parliament, to operate a forklift, to asylum, to equal treatment before the law, to feel proud of what one has done; a right to exist, to sentence an offender to death, to launch a nuclear first strike, to carry a concealed weapon, to a distinct genetic identity; a right to believe one's own eyes, to pronounce the couple husband and wife, to be left alone, to go to hell in one's own way. (Qtd.in Badaracco 54)

In this context, Human Rights are strong ethical pronouncements as to what should be done. After much deliberations on human rights, these can be interpreted as principles and a set of moral propriety to achieve a better world. The legal, sociological, psychological, philosophical and political discourses of human rights are quite advance. But there is need to study human rights within cultural domain, and the culture of human

rights emerges through the circulation of discourses of victimage, oppression and suffering in the form of autobiography, memoirs, media coverage, documentaries and other creative works.

In this way, the focus of this study is to establish the relationship between human rights and literature. The concept of human rights is as old as literature. Being about life, literature takes its sustenance from life and as such, it is an artistic manifestation revealing a profound aesthetic construct written for social cause bearing human significance. At one level, this artistic concern manifests itself through the exploration and postulation of human rights. In this process, literature not only engages itself with human right concepts and their vicarious possibilities, but also paves the way for interdisciplinary readings of these two interrelated disciplines. These seemingly distinct subjects inform each other at the level of theory, praxis and pedagogy. Literary works can, therefore, be seen as potent and rich resources to correlate and study the concepts of human rights as both literature and human rights become complementary to each other. Since the mid-twentieth century, the language of human rights has become the dominant tool in articulating claims against oppression or injustice. In the past three decades, human rights have provided a preferred language for statements about morality and claims about justice and injustice. This is so because of its universal nature. Costas Douzinas notes, "[human rights] can be adopted by the right and the left, the north and the south, the state and the pulpit, the minister and the rebel" (1).

The multidisciplinary attention to human rights in the humanities and social sciences today explores the exchanges between political, legal, and ethical discourses on human rights and cultural texts including literature, the visual and performing arts, film,

and popular culture. As Domna Staton opines, “connections between the humanities and human rights have existed historically and conceptually in the West through the mediation of humanism.” (34)

Today, we are living in a cosmopolitan world, which according to Appiah, is ‘universality plus difference’ with a postmodern recognition of the need for multiplicity and uncertainty among people and ideas. In the 21st century, the proliferation of novels have shifted their foci toward the real, the thing and presence and away from the sign, word and absence upon which earlier postmodern fiction fixated. Reality effects not by repressing the machinations of fiction as does traditional realism but by making them visible via metafiction. Inequalities have always existed in the world but in recent years globalization has further widened the gap among the people. From corporate abuses to domestic violence, from ethnic cleansing to genetic engineering, from nuclear war to psychological torture, from international courts to local school boards, from free speech to acts of terror, from outer space to the ecology of the earth, questions of human rights constitute much of contemporary discourse. Not a day passes without papers reporting violation of human rights. Therefore, human rights violation has become a worldwide phenomenon. In a country like India, which boasts of ‘unity in diversity’ violation of human rights is a common happening. Women, children, dalits, adivasis, minorities and other marginalised groups are discriminated for no fault of their own. It is true that many countries, including India have enacted legislations with the sole aim of putting an end to such violations. But quite sadly one does not find any decreasing tendency in the occurrence of human rights violation. The gravity of human rights violation, resulting from corrupt practices, is no less than that of custodial violence or any other form of

violation of civil, political, economic, social and cultural rights. Human rights violation is a rampant malady affecting the world and there is hardly any difference between developing countries and developed countries, as far as human rights violations are concerned. Even in the west, women are treated as second class citizens. Women in the Gulf countries are denied most of their rights. In spite of unparalleled scientific technological and material advances, the finer and delicate bonds of humanity have somehow been forgotten and the world appears to be going back to the primitive age where 'might is right' is a rule of law.

India is not an exception to human rights violation. In India, human rights violation takes place in the form of women right violation, caste based violation and other types of violations. Rape, assault, molestation, brutal killing, abduction and dowry deaths are very common forms of women rights violations. Women rights are generally violated in the form of denial of space and opportunities, sexual assaults and discrimination in different walks of life. Different forms of human rights violations against women include human trafficking, prostitution, insensitive response to physical, mental disabilities of women, rapes, cybercrimes and domestic violence. Due to stigma and the absence of adequate community-based support and mental health services, women and girls with psychosocial or intellectual disabilities in India continue to be locked up in overcrowded mental hospitals and residential institutions, without their consent. Human Rights Watch report revealed the range of abuses such women face in institutions and subsequently the National Commission for Women took up its first-ever study of the issue. Similarly, untouchability, ill-treatment, prohibition of temple entry, non-entry to public places and social ostracism are generally observed forms of violations against Dalits. A

2016 report on caste-based discrimination by the UN special rapporteur on minority issues noted that caste-affected groups continue to suffer exclusion and dehumanization. In January, the suicide of Rohith Vemula, a 25-year-old Dalit student drew renewed attention to entrenched caste-based discrimination in Indian society, and sparked nationwide protests by students and activists calling for reforms in higher education.

In this world of transition, with all the pluses and minuses of globalisation, we need a more eclectic, imaginative and inclusive approach to cooperation with the corporate sector. The research intends to pursue appropriate strategies to ensure that social responsibility in general, and human rights in particular, are firmly anchored in the corporate agenda. Human rights will remain central to many contemporary debates—from the global economy to the environment, gay marriage, human trafficking, and cultural and religious nationalism. As topics like these continue to engage researchers across the disciplines, scholarship will become more comparative in probing the historical, philosophical, rhetorical, and aesthetic contexts of human rights. Certain literary forms with particular focus on the genre of novel have been privileged in relation to construct human rights. For instance, the Bildungsroman is a mode of constituting legal personhoods and sentimental fiction is a means of extending humanity to others. As the genre of literature is universally fixated on the theme of law, it has the potential in some transcendent way to humanize the legal system as well. Understanding Indian English fiction through human rights perspectives will involve a critical dissection, a sociological and an analytical reading of the literary texts chosen for the purpose which would further highlight and problematize certain human rights concepts embedded in them. J. M. Coetzee rightly defines:

> The fiction of dignity helps to define humanity and the status of humanity helps to define human rights. There is thus a real sense in which an affront to our dignity strikes at our rights. Yet when, outraged at such affront, we stand on our rights and demand redress, we would do well to remember how insubstantial the dignity is on which those rights are based. (Qtd in S. Anker 1)

In its problematization of human rights issues the present study would specifically focus on the literary representation of Dalits, transgender and the persons with disabilities in Indian Fiction in English and English translation. It is an attempt to justify that literary writing has a crucial role to play in disentangling what human rights discourse is and how it operates. This work will consequently give a chance to probe into a new dimension of the discussed issues in postulating a theory of human rights that can be applied in the study of literature.

Indian literature is one of the oldest literary representations that highlights the demography and culture of the country. It is interesting to note that Indian culture has never taken the individual and society as antagonistic to each other. The individual and society is viewed as two complementary and incomplete entities tied to a relationship of mutual obligation, a commitment which is essential to ensure the well-being of all. Those who acted as the guardians of society and worked out the delicate nuances and detailed network of the social order were neither concerned about, nor even conscious of, the concept of human rights. They were more commercial about the moral dimension of a human being's activities than the legal aspect. Therefore, much emphasis was placed on the understanding of society from a moral perspective which generally reflected the

Brahminical vision of an ideal Indian society. The analysis of literary texts suggests that certain values of Indian culture are contradictory to, and violative of, many articles in the Universal Declaration of Human rights. Yet there are many others which are similar to and supportive of many of the articles contained in the Declaration.

Because of the vast expanse and hundreds of languages prevailing in different regions of India, Indian literature is varied and vicarious in its approach. In the beginning, it comprised mainly verses written in the form of epics, ballads or poems. It was elitist not only in its presentation but in readership as the authors were patronized to write for the kings and princes and literacy was strictly possible among elites. But with the changing time, Indian literature in general and Indian novels in particular portrayed the lives of common men compressed between the good and the bad, 'dharma' and 'adharma', right and wrong, and rich and poor. Nineteenth century onwards, Indian novels generally depicted stories of subaltern groups with focus on class, caste and gender discrimination. These novels spoke about the grassroots, thereby highlighting the voices against colonial, feudal or social oppression. It was with the popularity of fiction depicting social reality that issues of human rights were analysed through the critical analysis of novels. Early examples of writings of social consciousness can be traced in Bankim Chandra Chattopadhay, whose *Anandamath* is considered as the first Indian novel with proper thematic and stylistic dimensions. Other important names include, Devaki Nandan Khetri and Munshi Prem Chand in Hindi, Rabindra Nath Tagore and Sarat Chandra Chattopadhay in Bengali, Kamla Markandaya, Raja Rao and Mulk Raj Anand in English followed by Dalit autobiographies in Marathi, Hindi and Tamil by writers like Sharan Kumar Limbale, Omparkash Valmiki and Bama.

Novel being the socio-cultural mirror of the society portrays the lives of human beings from various sections of the society, thereby bringing out the fundamental essence of human existence weighing against the negative forces that go against human rights. Keith Oatley, an Emeritus Professor of Cognitive Psychology at the University of Toronto says that "Fiction at its best isn't just enjoyable. It measurably enhances our abilities to empathize with other people and connect with something larger than ourselves" (Qtd in Ward 9). It is interesting to note that the issues that the novels highlight are essentially issues of human rights. A novel speaks about the socio-cultural and political norms in which the protagonist struggles to survive through different phases of his life. In a challenging context, the protagonist is generally posed with the choice to win or perish, withhold the social and psychosomatic pressures against him or wins over these negative pressures depending upon the level of resilience that one possesses to counter the negativity to resort back the lost human rights. Literature, hence, not only brings forward interdisciplinary discourses to view the society but also critiques the socio-political, cultural norms and sometimes the human rights concepts in relation to specific circumstances and conditions of life. As a genre, Indian novel is a recent phenomenon because it emerged in the British era at the end of the nineteenth century when writers were writing to manifest the feeling of patriotism and national movement. It highlighted the issues of colonial times. In post-colonial perspective, Indian writing in English and Indian novel has passed through the stages of adoption, adaptation and now has become adept in representation, style and language, but the content it has reproduced is strictly Indian. Indian fiction plays a vital role in representing the historical culture of the country. Regional fiction or Indian Writing in English puts up a live picture of the

society in which people live at various nodes of time. Whatever goals the writings aim at, be it historical, anti-colonial, postcolonial, modern, post-modern, feminist etc. The common feature is the story of Indian man and woman glorified against all odds of life.

By representing the gravest possibilities in a complex Indian society, literature triumphs in reaching the dark ends of human life that hard-core human rights concepts fail to reach. It is quite interesting and advantageous to study the relationship between literature and human rights because it helps us to analyse the historical growth and development of literature through social protests and historical-social-political-cultural changes through the ages. The study compares and contrasts the essential characteristics of literary texts highlighting the points of views of the authors. It traces the evolution of positive or negative forces in the society, politics, and culture through the times; and analyses the cultural or neo-historical contexts that might have inspired the select writings. There is also a chance to understand the social role of literary imagination, and the relationship between the author and those opposing forces that perpetually threaten fundamental rights. Human rights inquiry continues to examine society and culture in general and artistic culture in particular. This is why, literary writings can be taken as documents to dis-cover the unwritten, hidden history behind the conventional history dealt in general. The texts become solid grounds to decipher the reality behind a tragic incident of violation and atrocities against the marginalized subject. They provide the marginal history a platform that can lacerate the civilized version framed by the oppressors, thereby unmasking the truth behind each oppressed member. As a result, literature facilitates a solid deconstruction of the represented elements. The discussion of human rights from a literary perspective requires a study of human beings and human

nature which has been a common subject of enquiry since ages. In such critical enquiries and researches, literature has been used as a tool to interpret and judge the various appalling, overlooked and misinterpreted customs plying in a socio-cultural set up through the changing times. In most of the cases, literature has generally been neo-historically and culturally studied for criticizing or deciphering society but human rights. It is observed that scholars of literature tend to overlook the role of law and rights in society when studying literature. The literary researches seem to be more inclined towards the idealistic vision of human society based on the idea of Universal Declaration of Human Rights. Human nature and thus human rights cannot be understood merely by logic or by reading the principle concepts embedded in the Declaration. Human rights maintain that we (human beings) are endowed with "reason and conscience" (UDHR Art.1), yet values are not based on reason. A great deal of what is an integral part of human nature and existence is unconscious emotional representation to ensure human well-being in general. Though human rights and humanities in the form of literature speak about the same referred human world, there is a thin line of difference between the two. Recent compelling work on human rights literary criticism has sought to understand how literature contributes to the way people imagine and envision human rights. Joseph R. Slaughter's *Human Rights, Inc.: The World Novel, Narrative Form, and International Law* (2007) and Elizabeth Swanson Goldberg and Alexandra Schulthesis More's edited volume, *Theoretical Perspectives on Human Rights and Literature* (2012) are two seminal works in this nascent but emerging field.

The late twentieth and early twenty-first centuries are widely known as the era of human rights where the sentiment of rights talk is quite prominent. The proliferation of

the norms and ideals associated with human rights, no doubt, represents a hallmark achievement of human civilization, across the borders. That is why, Michael Ignatieff deems human rights as 'the lingua franca of global moral thought' and Elie Wiesel calls them a 'world-wide secular religion'. The global culture of human rights has, among countless advances, worked to combat the oppression of women, to consolidate international opposition to torture, genocide, and severe rights infringements, to minimize conditions of economic disenfranchisement, and to encourage socio-political rapprochement in the aftermath of rights abuses. Despite all, there persist many exclusions and impediments that prevent human rights from attaining universal reach. From a legal perspective, these exclusions and impediments are sometimes dismissed as unavoidable, a necessary by-product of the very structure of the nation-state. In view of the failures of human rights, it seems justified to say that human rights have "only paradoxes to offer," and these paradoxes often appear even more fraught when approached from a postcolonial perspective. For example, in *The God of Small Things*, Arundhati Roy confronts an array of human rights abuses widespread in contemporary India. There are many other literary case studies which further demonstrate, comprehend and redress the failures of human rights. Aravind Adiga, in his novel, *The White Tiger*, redefines India and the concept of individuality because it is a paradox that in lack of identity, one can be everything or nothing. The protagonist who doesn't have any name gets the name Balram Halwai and later on becomes the 'White Tiger'. In this way, the novel empowers him to break out into a kind of individual self-realization. Similarly, U.R. Ananthamurthy's *Samskara* is a novel of immense ironic potential. Later turned into a movie, it exposes the sham of caste system and its in-built rituals of hypocrisy and

injustice. It deals with the crisis that brews around the disposal of dead body of a disreputable man in a close-knit Brahmin village and the conduct of the last rites. Though he wasn't excommunicated for his blighted lifestyle, he finds no one willing to accord him dignity in death. Matters are made worse when, in a fit of despair, his concubine offers her gold jewellery to anyone who is humane enough to embrace the duty. Apart from it, Romesh Gunesekera's *Reef*, Arundhati Roy's *The God of Small Things,* Mahasweta Devi's *Outcast: Four Stories* and Bharti Mukherjee's *Miss New India,* Vikas Swarup's *Q & A* is a novel which later adapted into a movie *Slumdog Millionaire* domesticate the subaltern in Indian Novel in English. In her book *Fictions of Dignity: Embodying Human Rights in World Literature,* Elizabeth Anker observes that liberal human rights discourses and norms exhibit a profound ambivalence towards embodiment. Underwritten by the dual fictions of human dignity and bodily integrity, their discursive vision of the subject negates core dimensions of embodied experience. Anker unpacks a literary critique of the disembodied nature of the liberal subject of human rights through an analysis of the widely read postcolonial novels, including Salman Rushdie's *Midnight's Children* and Arundhati Roy's *The God of Small Things*, Likewise, the theme of Manjula Padmanabhan's play *Harvest* is the purchase and sale of human organs. It becomes a parable of what will happen when the rich of the first world would actually begin to devour bits and pieces of the third world poor. It also strikes the grim realities of life in 21st century where humans confront the issues like poverty, hunger, deprivation and helplessness. In the play, poverty, starvation, unemployment, food shortage and conflicts haunt the people. In order to ward off starvation, the protagonist Om Prakash joins a queue outside the 'Inter planta services". This is a contract firm, a hi-

tech company, which chooses able-bodied candidates to donate their organs to western buyers who live in perpetual fear of old age, accidents or the faintest signs of bodily decay.

On the basis of such themes, Post-Independence Indian-fiction can be analysed in various categories like Diasporic Literature, Partition Literature, Tribal Literature, Marginal literature, North-East Literature, Women Literature, Dalit Literature, and New-Era Literature that emerged out of MNC culture. However, most of the categories fall under the broad term ‘subaltern literature’.

Literature has a crucial role in understanding humanity and consequently the principles of moral propriety defined in human rights. In this case, the novel as a genre brings us closer to human rights. It is wonderful to understand the two distinct disciplines, literature and human rights, where human rights as a subject thrives to achieve is an ideal situation of brotherhood, peace and harmony in mankind and nations marked by love, unity, creation, justice and well-to-do-ness. Literature envisions human as an entity of flesh and blood, vulnerable to pain, pleasure, crime and benevolence. At the end, both disciplines thrive to reach a unanimous end which is characterized by human peace and understanding at both physical and psychological level for the good of mankind. A villain in literature is satirized, while a hero is glorified for his qualities, good deeds and praised for restoring ‘good’ against the ‘bad’ and an anti-hero is left with the realization of truth amidst bewilderment and social injustice. Human rights strive to establish the best in all, protest the wrong, the injustice done to people and show a path towards attaining human dignity and peace in life. But the ultimate goal of both the

disciplines is to realize the dignity of life and human existence. And it makes the two disciplines- human rights and literature complementary to each other.

Reading literature as the mirror of times gives an opportunity to the scholars for realizing literature as a product of society, written for social cause through aesthetic constructs of the authors who are themselves human and vulnerable to the laws and language of human rights. In this case, the legal side of human rights should be interrelated with literature as human rights facilitate literary and cultural discourses. This takes us to a new path to critique in the politics or the problematics of literature and human rights. Thus, reading literature from human rights perspectives serves as a valuable addition. Ian Ward, in his book *Literature and Human Rights,* says that for literature scholars, the engagement of legal texts has helped to enrich myriad areas of literary analysis and criticism. At the same time, it must be admitted that the evident benefits of such a cross disciplinary engagement have proved to be meaningful. Criminal lawyers, for example, appear to have embraced the possibilities offered by literature rather more enthusiastically than those whose intellectual attention is focused on international conventions which address commodity exchanges or secured transactions. If good novels on commodity exchanges are few and far between, poetic muses on secured transactions are still fewer and further. This is exactly what all fictions strive to attain, no matter what the theme or technique of a literary writing may be and this is why, there is a need for the literature to be approached from human rights perspective. But at the back of each interdisciplinary approach towards human rights and literature, law should not overwhelm the cultural mores of a society; rather it should have a balanced approach in understanding literature and vice-versa as both sentimental and legal dominion form a

part of human rights talk. Though we recognize and analyse the limitation of law and culture in solving out the problematics of human rights in a layman's life, we cannot pretend that literature or literary studies will serve as an absolute answer to the problem of human rights violations—or that it will come to rescue the law from lawyers, legislators, politicians, diplomats and the people in power who make and unmake human rights according to the contexts required.

To sum up, both these distinct subjects, human rights and literature, when brought together and studied in the light of each other grow more interrelated and prominent in expression and understanding. Studying human rights while considering literature as a manifesto of the society and times not only raises questions on its premises formulating it but also lends us a scope to see through its politics and problematics working both universally and locally. Again, studying literature through the eyes of human rights not only increases the poignancy of understanding the characters and their circumstances, but also underlines fantastic attainability of literary objectives in real lives. After all, stylistic devices and narrative techniques speak more than dry laws for human understanding. Meanwhile viewing human rights through literature poses a danger of over trusting the author's point of view and overlooking the underlying political implications of a text or context. This is also true for the human rights charters which are also influenced by some political thoughts. A scholar in this case is to look through the nuances of both the disciplines and reach to some just judgment. This work finds the two interdisciplinary cords running undercover in each text, thereby pointing the justness of the representation and enormity of understanding the concerns of human rights in literature.

There have been historical and ideological connections between literary forms and discourses of human rights. On the one hand, human rights have been celebrated for representing a shared vision for social justice while on the other hand these are criticized for charting a path towards imperial internationalism wherein the rhetoric of the civilizing mission of colonialism is sometimes reproduced in an age of military humanism and 'just' wars. Today, the discourse of human rights has expanded to include not just civil and political rights but also economic, social, cultural, and, most recently, collective rights. Given their broad scope, human rights issues are useful touchstones in the humanities classroom and benefit from an interdisciplinary and cross-cultural pedagogy in which objects of study are situated in historical, legal, philosophical, literary, and rhetorical contexts. Teaching Human Rights in Literary and Cultural Studies is a sourcebook of inventive approaches and best practices for teachers looking to make human rights the focus of their undergraduate and post-graduate courses. Hence, the relationship between Indian cultural values and the Universal Declaration of Human Rights is both conflicting and complementary at the same time. This will prove interesting as the work progresses as the major issues would be perceived in the light of dichotomy between human rights and Indian culture as represented in the novels under study. For example, the dictum of Indian culture dictates tolerance in human beings as a virtue in the Indian value system. Though strictly Brahminical in construct, it is embedded in the cultural ego of the country through religion. But tolerance is very much against the codes of human rights which are formulated for the assistance of the suffering lot. Again, Indian culture cherishes the freedom of movement, education, expression, cultural and religious rights in accordance with the human rights approach.

With the world wide acceptability of human rights, a consciousness for and an awareness of human rights has become central to human existence since 1950s. Consequently, a tradition/ culture of human rights and their sanctity have acquired literary-imaginative centre stage throughout the world. While human rights shape the creative credos of the creative writers, literature, in turn, critically/actively intervenes into this aspect of human existence in its various dimensions. Literature has always spoken about human rights through texts written against the formerly established hierarchies and later with post-colonial writings and studies. Literature has the ability to create a narrative out of a human rights struggle because it forces a character to confront unimaginable atrocities. The diversity and complicated nature of Indian society can only be grasped through the lens of literature. In the postcolonial literature, the critics and writers directed their efforts to restore the humanity of those who are dehumanized and are subjected to all humiliations and injustice. In this context, it is observed that although we experience the world as humanists but we do not theorize it in the same way.

The multidisciplinary attention to human rights in the humanities and social sciences today explores the exchanges between political, legal, and ethical discourses on human rights and cultural texts including literature, the visual and performing arts, film, and popular culture. Historians such as David Armitage have provided new understandings of the origins of human rights in transnational discourses of liberalism, Enlightenment, and natural law. Working on locations such as China, Hong Kong, and Iran, the political scientists show their concern for the value of human life. They show a concern for truth, and esteem the values of cooperation, common good, obligation, and justice-seeking among the members in a specific group. Universality is the basic moral

requirement to evaluate human rights standards. As UN Secretary General Kofi Annan, in Amnesty International Report 1998, said:

> You do not need to explain the meaning of human rights to an Asian mother or an African father whose son or daughter has been tortured or killed. They understand it - tragically - far better than we ever will. What they need, and what we must offer, is a vision' of human rights that is foreign to no one and native to all. (9)

Human rights assumed an authoritative meaning and force of implementation through World Conference on Human Rights at Vienna in 1993. In fact, the Bangkok Meet of the NGOs on the eve of the Vienna Conference, and their Declaration on Human Rights in 1993, is usually considered to be the beginning of the Asian challenge. Different cultures should be allowed to co-exist and their positive aspects must be respected by all. As very good disciples of Buddha, Mahatma Jyothirao Phule and B.R. Ambedkar continued the spirit of Buddha and struggled for the rights of those people who are denied social justice in Indian society. As per the Right to Education Act, 2009, the children in the age group of 5-14 must get free and compulsory education but the government is still struggling to implement 25% reservation for disadvantaged sections in all schools. The film *Hindi Medium* (2017), directed by Saket Choudhry is a realistic representation of manipulative Indian society where the poor becomes poorer and rich get richer. The tendency to exclude the subaltern from the mainstream society on the basis of caste, religion, gender, class, age, sexual orientation, disabilities and literacy is still observed. According to law, every human being is entitled to live a dignified life but a significant chunk of population is still denied a dignified life and equal opportunities.

Recently, addressing the issues concerning the patients of mental illness, Upper House of Indian Parliament passed a new 'Mental Health Bill' in August, 2016. The law fails, however, to comply fully with the United Nations Convention on the Rights of Persons with Disabilities, including its provision that people with disabilities should enjoy legal capacity on an equal basis with others in all aspects of life. The failure to execute and implement the law suggests insensitivity and unwillingness of the government.

Similarly, the debates over Transgender and 'third gender and practical failure of the state to ensure equal rights to the sexual minority have attracted the attention of media and academia. Controversies and legal positions over section 377 of Indian Penal Code are yet to be settled. The colonial provision of section 377 of IPC which the court had upheld in 2013, criminalizes same-sex relations between adults. In a literary response to LGBT and transgender issues, Queer literature gives ample space to the voices of lesbians, gays, bisexuals and transgenders. The writings of A. Revathi, Laxmi Narayan Tripathi, Raj Rao, Ruth Vanita and Hoshang Merchant are quite popular among LGBT readers and researchers. Recently, the government introduced a new bill in parliament on the rights of transgender persons. The bill was flawed, however, by provisions that were inconsistent with the 2014 Supreme Court ruling that recognized 'transgender' individuals as 'third gender' and found them eligible for quotas in jobs and education.

In January 2016, the new Juvenile Justice Act came into force, permitting prosecution of 16- 17 year olds in adult court when charged with serious crimes such as rape and murder. The law was enacted despite strong opposition from child right activists and the National Commission for Protection of Child Rights. In July, the parliament approved a new law against child labour that bans all forms of employment of children

below age 14, with exception for children of all ages who work in family enterprises where such work does not interfere with their schooling. Social activists opposed the law saying that it left children from poor and marginalized communities open to exploitation in the absence of effective implementation of the right to education, emphasizing that most child labour occurs invisibly within families. The plots of Indian novels like *Untouchable*, *The God of Small Things*, *Joothan* and *The Outcaste* vividly portray the rampant instances of child right violations and thus, stand as fitting documents for studying the human rights concerns in them. In its analyses, this work delves deep in the working of the narratives in bringing forth the violation, causes and solutions (if any) given by the writers and thereby finds the politics and problematics lying underneath. Although human rights violations can and do take place in any sphere, through any medium, the discourse on human rights is articulated primarily through the state, the machinery that exists to protect them. Rights are meaningful in the context of a state that recognizes them, and education about human rights is an empowering process. One of the main goals of the United Nations is to promote and encourage respect for human rights at universal level because UDHR was premised on the principle of universality and non-discrimination.

While discussing human rights in terms of importance and having contentious nature adopting multidisciplinary approach, the study is based on intertextual analysis of literature. It is elaborative and comparative in nature. Theoretical framework of the present research is provided by the notions of human rights, globalization and the relation between the two. The tools of the research are the primary and secondary sources

including the texts, archival sources, books, print, e-resources, interviews, documentaries etc.

The multidisciplinary approach is very much applicable to the present research as it is very much close to the disciplines of sociology, law, literature and culture. With the myriad forms of human rights violation taking place in Indian society, Indian Fiction in English calls for an awareness of complexities in framing an interpretive paradigm through human rights perspectives. The present research is to approach some of the selected texts from various human rights perspectives to create a better understanding of the context of the victims of human rights violation, be it dalit, women, transgender or differently abled. This study gives primacy not to any theoretical/critical canon, but to the narratives closely read with all their distinctive subtleties. Through an analytical study, the present research intends to underline the human rights activism, which is not merely a rhetorical outpour or a political verbiage but social limelight. In its conclusion, this work compares and contrasts the novels and the authorial standpoints in problematizing the novels as successful human rights documents.

The research is divided into five chapters including 'Introduction' and 'Conclusion'. The introduction entitled as "**Introduction: Symbiosis of Human Rights and Literature:"** maps out historical and ideological conjunctions between literary forms and discourses of human rights. It defines and establishes the concept of human rights vis-à-vis literary representations.

The first chapter entitled **"Dalits: Bottom to Pyramid"** assess the socio-economic and political discrimination of untouchables and their journey of assertion from untouchable to Dalit. It deals with the word 'Dalit' as the symbol of change, and focuses on

problematics of dalit and non-dalit narratives and plight of dalit women and constitutional measures to improve the plight and their status from bottom to pyramid.

The second chapter entitled **"Beyond the Binary View of Transgender"** sketches out the ghetto living and celebration of transgender community through histrio-mythological background, focusing their economic, social, political exploitation leading them to begging, clapping, dancing and sex work at the high risk of HIV/AIDS. The research defines their visibility in context of newly gained status as 'Third Gender' with respect to landmark decision pronounced by the honourable Supreme Court on 15 April, 2014.

The third chapter "**Rethinking** '**Disability' as a Discourse"** deliberates various disability issues with particular focus on social modal. It explores the validity of Butler's claim that biological sex is just as culturally constructed as social gender. Further, the chapter emphasizes on the most peripheral topic in disability studies i.e. sexuality. In India, the sexuality concerns of people with disabilities are rarely acknowledged or have been unaddressed and, therefore, have not been considered an important area for study or research. Human rights concern the inherent dignity of all human beings and the promotion and protection of that dignity regardless of race, colour, gender, sexual orientation, religion, culture, nationality, birth, or other status. Third chapter is primarily aimed at analysing and examining the societal problems of differently-abled population.

At last, **'Conclusion'** sums up the idea that present research is an attempt to develop sensitivity and basic understanding of Human Rights and their enforcement. The research brings to the fore emerging issues and debates concerning human rights with a specific purpose to promote tolerance, gender equality and harmonious coexistence among social, national, ethnic, religious and linguistic groups. It also refers to Gayatri Chakravorty

Spivak's theory of strategic essentialism, a strategy that nationalities, ethnic groups or minority groups can use to present themselves. While strong differences may exist between members of these groups, and amongst themselves they engage in continuous debates, it is sometimes advantageous for them to temporarily 'essentialize' themselves and bring forward their group identity in a simplified way to achieve certain goals.

In this way, the thesis examines the symbiosis of human rights and literature. It analyses select postcolonial texts to challenge the notion of human rights. It also critiques the concept of literary humanities because the reader may fulfil a humanitarian task by just reading a story of suffering which seems to be a lip service. Together, these chapters delineate that the potential of literature not only lies in staging humanitarian resolutions, but also in interrogating the frameworks that sustain inequality and represent the 'unrepresented'.

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Dalits: Bottom to Pyramid

Historical Background of Casteism

All human societies are more or less ridden with the prejudices on the basis of race, nationality, class, ethnicity, religion, gender, age or caste. Among these, caste has been the prime source of inequality in India since ages as it is hard not to think of caste here in India. This glaring caste system segregated the Dalits and positioned them at the lowest rung of the society denying them even the basic human rights that one must enjoy in order to ensure one's bare existence. The Varna/caste system being rigid and complex, it is quite difficult to understand the rationale behind sustenance of caste-based discrimination. In view of the difficulty of the task the researcher attempts to give an overview of the Indian caste system with particular focus on untouchability. Although, the term 'caste' has its origin in Spanish and Portuguese word "casta" which means 'race', 'breed', or 'lineage'. There is no exact translation of the word 'caste' in Indian languages. In the Indian context, there are two most proximate terms i.e., 'Varna' and 'Jāti'. But there is much confusion between the two yet both constitute the basis for the caste system. The term 'varna' literally means colour i.e. the colour of the skin but later on this varna theory played a considerable role in rising of social divisions because the roots of varna system lie in clash of races.. Basically, there are two opposite views regarding the origin of the caste system. One view is called the western or historian's view, and the other one is, the Brahmanical view. The western view is centred on the Aryan invasion theory invented by the German Indologist and it proclaims that Dravidians (the inhabitants (dasas) of the land) were defeated by Aryans and were gradually transformed

into the ‘shudras’. S. Charles Morris came out with a detailed explanation of this theory in the book *Dalit Phobia: Why Do They Hate Us?*. He explains:

> A Caucasian race of nomadic warriors, known as Aryana…. invaded Northern India somewhere between 1800 BC and 1500 BC.…The theory further proposes that this race displaced or assimilated the indigenous pre-Aryan people and that the bulk of these indigenous people moved to the southern reaches of the subcontinent or became the lower castes of the post-Vedic society. (31-32)

It was supported by Jawaharlal Nehru in his book *Discovery of India.* He connected the Indus Valley people with the Dravidians and talked about their fusion with the Aryans. Anand and Shobhna Iyer, in their edited and annotated book *Riddles in Hinduism*, define Aryan supremacy as:

> Several scholars and philosophers in the west from Schopenhauer to Nietzsche believed in Aryan supremacy at a time when the whites were trying to justify both racism and imperialism. Even Gandhi during his South African years espoused the innate superiority of high caste Indians…. This sentiment was to then fuel the racist ideologies of Hitler and Mussolini. The point is that Brahmanic Hinduism even before it assumed the garb of Hindutva, had a fascist tendency. (25)

But later on, Max Muller withdrew this Aryan invasion thesis and defined it as a linguistic category. Ambedkar too rejected it and said that caste is neither racial nor

economic. He observed that Dalit-non-Dalit divide has no racial content and people belonging to all social categories belong to the same racial stock. But Dalits as 'Dasas' and 'Dasyus' formed a different social block, although they belonged to the same race. In his book *Who Were the Shudras?,* he defines that, "the present day Shudras are a collection of castes drawn from heterogeneous stocks and racially different from the original Shudras of the Indo Aryan society" (7). In this way, colour conscious Aryans degraded them and the 'trivarnic' society became 'chaturvarnic', and later on spilt into a large number of castes and sub castes within the framework of their fourfold system of society. They enslaved, oppressed and ostracized the native population. Giving a different dimension to the question of caste in India, Driks argues that:

> Caste is a modern phenomenon, that it is, specifically, the product of a historical encounter between India and Western colonial rule….It was under the British that 'caste' became a single term capable of expressing, organizing and above all systematizing India's diverse forms of social identity, community and organization….in short, colonialism made caste what it is today. (Qtd.in Deshpandey 7)

Gradually, Indian caste system established itself with this chaturvarnic model and as a result, majority of upper castes people still see Aryans as their ancestors. In this context, Dr. Ghurye states, "Caste is a Brahminic child of Indo-Aryan culture cradled in the land of the Ganges and thence transferred to other parts of India." (10). What we call caste system today is known in Hinduism as 'varnasharma dharma' or 'chaturvarna'. As the Tenth Mandala of the *Rig Veda* i.e. 'Purusha Sukta' introduced the Chaturvarna as, "The

Brahmin (priestly class) was his mouth, both his arms were the Rajanya (all Kshatriya, the warrior), his thighs became the Vaishyas (traders), from his feet the Shudras (serving caste) was produced" (Qtd. in Dangle xx). This Chaturvarnya model further becomes more severe with strict Brahminical laws like fixed statuses and occupations with social immobility firmly solidified by rules of endogamy. All these features are strictly backed by the religiously governed principles of 'purity' and 'pollution' which automatically render a social structure to the concept of untouchability. Similar discriminatory laws were articulated in *Manu Smriti*, which is the guiding text for formulation of Hindu laws by the British government.

The Brahmanic view is the mythological-religious theory. Its roots are buried so deep in a dim and distant antiquity that we can trace numerous instances of discriminatory status of dalits as a result of divine sanction. It is believed that the practice of untouchability began during the rule of Pushyamitra Sunga (187 B.C. onwards) who killed Bruhadatra and established Brahmin rule with the help of Manu who codified all inhuman and unethical laws against the Shudras in the name of religion in his work *Manushastra* or *Manusmriti.* This was the beginning of Brahminism. During this time, Brahmins were given the highest status in society and caste divisions were enforced by the kings. The role of the king was seen to be in protecting 'dharma'. In this context, dharma was interpreted as *'varnashrama dharma'* or the law of the castes (and ashrama or stages of life). To keep the vested interest of the upper castes intact, *varnashrama dharma* was often supported, propagated and reinterpreted through the *Sutras*, the *Smritis*, and the *Puranas*, which are collectively known as the *Dharma Shastra* today. But in the era of the *Upanishads,* the supremacy of brahmins was challenged in various

overt and covert ways. In *Chandogya Upanishad,* we find a story in which a procession of white dogs holding the tail of preceding dog in his mouth is pictured like Brahmins singing 'vahishapavamana' hymn. However, in Varna scheme, there are only four varnas and there is no mention of untouchables. But in Vedic literature there are references of 'chandal', 'nishada', and 'ayogava' etc. In 'Chandogya' Upanishad, dalits are called 'Chandal' (outcaste). The four castes are presented in the following pattern:

> Those who are of pleasant conduct will enter a pleasant womb either the womb of a Brahmin or the womb of a Kshatriya or the womb of a Vaishyas. But those who are of stinking conduct here… they will enter a stinking womb either the womb of a dog or the womb of swine or the womb of a chandal. (Qtd. in Massey 107)

The Upanishadic period was succeeded by well-known Hindu epics *Ramayana* and *Mahabharata* which are replete with archetypal Dalit symbols. In Uttarakanda of *Ramayana,* it is mentioned that Samvuka was slained by lord Rama because despite being a shudra, he was making penance which was forbidden to him by Vedas. Traditionally, a shudra was not entitled to study the Vedas or hear it being pronounced and if he did so intentionally, his tongue was cut off and molten lead was poured into his ear. They had no right to 'Upanayana' (sacred thread ceremony). Shudras were always subjected to humiliation and exploitation. In *Mahabharata,* Eklavya (shudra) was tricked by his Brahmin guru, Dronacharya who asked him to cut off his thumb and offer it to him Guru 'Dakshina'. In fourth chapter of *Bhagavad Gita,* Lord Krishna clarifies the origin and purpose of the caste system in Sanatana dharma on the basis of difference in their qualities and actions. The shaloka runs like this, "Chaturvarnyam maya srishtam

gunakarmavibhagasah tasya kartāram api maaṃ viddhya kartaram avyayam" (Chapter 4, Shloka 13). These instances are capable of stirring the sensibility of a common reader. Thus, through the centuries, the ancient *Dharma Shastra* of the Hindus imposed a series of social, political, economic and religious restrictions in form of exclusion, humiliation, and exploitation on the lower castes, making them completely dependent on those above them in caste hierarchy. As a result, the Panchamas were relegated to menial occupations only; they lived outside the village and fed on the leftovers of the high caste people. Physical contact with the untouchables was said to be 'polluting' and worse still, even their shadows were considered defiling. They had no access to public facilities such as wells, rivers, roads, schools, markets, temples etc. They were not permitted to cover the upper part of their bodies. Ironically, the men of privileged castes had undisputed rights over the bodies of Untouchable women. In case of Dalit women, it seemed as if, "Love is polluting. Rape is pure." (25)

The most perverted practices of untouchability are described by Arjun Dangle in the introduction of his book *Poisoned Bread*. He narrates the agony of Dalits and the untouchables who were compelled to tie an earthen pot around their neck so that their sputa should not fall to the earth and pollute others. Another such practice was the compulsion to tie a broom behind them so that their footprints would be erased before others set their eyes on them. All these forced conditions made them destitute, deprived and the most depressed section of mankind. As a result, they remained socially degenerate; economically impoverished; and political servants of the upper castes.

In this way, 'casteism' has entered into the psyche and bones of a sizeable section of the society, particularly among Hindus not because they are inhuman or wrong-headed but because they are deeply religious. It crumbles down the process of development by encouraging corruption, nepotism and blind caste loyalty as defined by Dr. Ambedkar who sees caste as, "An artificial chopping of the population into fixed and definite units, each one prevented from fusing into another through the custom of endogamy" (Qtd in Mandal, 43). The very notion is depicted by Kaka Kalekar as: "Casteism is an overriding, blind and supreme group loyalty that ignores the healthy social standards of justice, fair play, equity and universal brotherhood." (Qtd. in Thorat)

Apart from monopolizing state power and property, the upper castes of ancient times made the Sanskrit language (the repository of their knowledge and wisdom) their exclusive terrain, where untouchables, the Shudras and women were denied access to learning of Sanskrit. In such circumstances, Buddha was the first social revolutionary who challenged Vedanta philosophy based on magic and rituals because Buddhism is seen as a kind of protestant Hinduism based on rationality and ethics. Its defining feature is the adoption of Dalits as its own and rendering service to uplift them on par with generality. In the medieval period, radical thinkers and mystic reformers of the Bhakti movement challenged the Varna system and stratification of human society on the basis of caste. Many of the well-known poets, singers, and saints in the Bhakti cults were Chokhamela, Eknath, Namdev Dhasal, Kabir, Raidas, Mirabai, Tukaram, Surdas etc. Chokhamela, a thirteenth-fourteenth century saint was a Mahar from Maharashtra. He, launched his protest against untouchability through his abhangas. He questions the very basis of the caste system and interrogates the rigid notion of purity and impurity as:

The only impurity is in five elements

There is only one substance in the world.

Then who is pure and who is impure?

The cause of pollution is the creation of the body.

…

Chokha says, in wonder, who is pure? (Abhanga11 Qtd.in Zelliot 5-6)

The poems in which the Mahar is the speaker are Johar poems, beginning with the greetings used by Mahars to their superiors. As Chokhamela uses the customary right of Mahar to receive any discarded food as a way to worship Vitthal. He says:

Johar, May-Bap, Johar.

I am the Mahar of Your Mahars.

I am so hungry I have come for Your leavings.

…

Chokha says: I have brought a bowl for Your left –over food. (Abhanga 71, Qtd.in Zelliot 7)

Next important figure of the Bhakti cult was Shri Eknath Maharaj (C.I533- 1599) who belonged to a Marathi Brahman family. He wrote some three hundred bharuds, dramas and poems which were meant to expose untouchability. His writings make it clear that there is no caste distinction in the sight of God. Similarly, Namdev (1270-1350 A.D.)

who belonged to Shimphi (tailor) caste from Maharashtra exposes the hypocrisy of Varna system as quoted in the introduction of *The Outcaste* as:

> I curse you, curse your book.
>
> Curse your culture, your hypocrisy.
>
> I wasn't going to say this,
>
> But now my hands have woken up. (Qtd. in Limbale xx)

Kabir (1398-1518 A.D.), who born in a Muslim family, was a weaver from Uttar Pradesh who asserts:

> We eat by touching, we wash
>
> By touching, from a touch. The world was born.
>
> So who's untouched?
>
> Asks Kabir.
>
> Only he who has no taint of Maya (Qtd in *Buddhism in India*, 194)

Kabir wrote about untouchability in a way that took up and transcended earlier Dalit laments and caste inequalities as unjustified in his popular songs:

> baman se gadaha bhalla, aan jaat se kutta, mulla se murag bhalla, raat jaagaave suta
>
> (A donkey's better than a Brahmin, a dog better than other castes, a cock is better than a mullah to tell us night is past)
>
> janmate maanus hot sab, yah jaanat sansaar, bancak suud karaavahii, kahai kabiir pukaar
>
> (All are born as human beings, this is known by all, Sudras are made by lying rogues: this is Kabir's call.) (Qtd. in Omvedt, 99-100)

Raidas (a contemporary of Kabir) was a cobbler from Uttar Pradesh. He was the first radical Bhakti saint who formulated an Indian version of utopia in his song 'Begumpura'. Sena (another contemporary of Raidas) and a barber from Uttar Pradesh and renowned bhakti poet Mirabai accepted Raidas (dalit) as their guru without thinking about caste hierarchies. Tukaram (born in 1608 A.D.) from Maharashtra says that god made him a Kunbi otherwise he might have died an arrogant hypocrite. These saint-poets used local languages (colloquies) for their songs, *dohas,* and *abhangas.* Thus, with the growth of nationalism and the awakening interest in the upliftment of the depressed classes, Bhakti movement is still very much alive. Mahadeo Govind Ranade, a judge and a member of the reformist religious group, the Prarthana Samaj, wrote about the historic importance of the Bhakti movement:

> .... like the Protestant Reformation in Europe in the sixteenth century, there was a Religious, Social and Literary Revival and Reformation in

> India ....This Religious Revival was not Brahamanical in its orthodoxy; it was heterodox in its spirit of protest against forms and ceremonies and class distinctions based on birth, and ethical in its preference of a pure heart, and of the law of love, to all other acquired merits and good works….At its head were Saints and Prophets, Poets and Philosophers, who sprang chiefly from the lower orders of society tailors, carpenters, potters, gardeners, shop-keepers, barbers, and even Mahars. (Zelliot 8)

By the end of the eighteenth century, the Bhakti movement was dying out without reforming the caste-ridden society because of their eclectic and metaphysical worldview. With the birth of new sects, Indian society became more rigid and stratified. Like Hinduism, Islam, Sikhism, Christianity also subscribe to the theory of stratification and demean the human beings on the basis of caste. It is at this juncture of time that India came directly in touch with the British. As rulers, the British studied the nature of Indian society and life of its people. They had a tough time with Indians in the governance of the country. For getting intermediaries Macaulay's famous *Minute* (1835) made a strong case in defence of the English language as the medium of education. Their sole motive was to create an official class “Indian in blood and colour, but English in taste, in opinions, in morals, and intellect" (Qtd.in Krishanswamy 32). Thus a new hierarchy was established where competence in English would be the crucial factor for financial security and social status. But this new opportunity opened up by the colonial government was grabbed largely by those who were already on the top of the traditional social structure.

By the time British were convinced that the people of India are religious at heart, they started popularizing Christianity among the people by applying the formula 'meet the Father through the Son'. They gave a lot of allurements like job, food and shelter to convert the common Indians into Christianity. They built schools, hospitals and many churches at Bihar, Madhya Pradesh, West Bengal and the whole of the North East came noticeably under the influence of the missionaries. As in Africa, the coastal regions of India such as Kerala, the coastal part of Karnataka and Tamil Nadu became the centres of their activity. But today, 'ghar-vapsi' or re-conversion is a common trend. There are evidences of mass re-conversion from tribal belts of Bihar, Orissa and Madhya Pradesh. However, forced conversion or re-conversion is against the Indian Constitution. Article 25 states that all persons are equally entitled to freedom of conscience and have the right to freely profess, practice and propagate religion. Justice Ray interpreted the word "propagate," to mean "to transmit or spread one's religion by an exposition of its tenets," but not to include the right to convert another person to one's own religion. "It has to be remembered that Article 25(1) guarantees 'freedom of conscience' to every citizen. Of course, it is observed that the neo-converts have nothing to cheer about because repression is the constitutive feature of conversion. It would be appropriate to say that the phenomenon of conversion is like jumping from the frying pan into the fire. Some of the novelists of the 1930s like Shivram Karanth and Mulk Raj Anand in their respective novels *Chomana Dudi* (Kannada, 1933) and *Untouchable* (English, 1935), while depicting the lives of their heroes, rejected Christianity as a viable alternative. Even M.K. Gandhi, who was believed to be the champion of the cause of the untouchables, was against conversion for his own reasons. Forester quotes one of Gandhi's articles,

published in *the Harijan* in December 1936 where he advised, “a missionary to pray for the Harijans, but not to try to convert them because they did not have 'the mind and intelligence to understand' what the Gospel said. He would say that, “Would you preach the Gospel to a cow?" (Qtd. in Raj Kumar 210). The dalit Christians are known as Rice Christians. An eminent scholar of alternative religious movements, Gauri Viswanthan, in her book *Outside the Fold: Conversion, Modernity, and Belief,* defines conversion as not just a spiritual phase but as a political activity. She critiques secularism as a most flawed project in colonies like India which believes in heterodoxy. She says:

> Conversion is arguably one of the most unsettling political events in the life of a society. This is irrespective of whether conversion involves a single individual or an entire community, whether it is forced or voluntary or whether it is result of proselytization or inner spiritual illumination. Not only conversion alter the demographic equation within a society and produce numerical imbalances but it also challenges an established community’s assent to religious doctrines and practices with the departure of members from the fold, the cohesion of a community is under threat as just as forcefully as if its beliefs had been turned into heresies. (Vishwanthan 1)

In this way, conversion is not a way of resurrection or renunciation whether it is forced or voluntary India's first Dalit billionaire, Rajesh Saraiya says that people should change themselves from within and look around the world full of so many opportunities.

But the British Indian Empire gave some reform schemes to the historically disadvantaged men and women. They passed the “Government of India Act 1935” and identified the untouchables as Depressed Class or the Scheduled Castes and Scheduled Tribes. During their reign British Government offered basic advantages like education, employment, and franchise to Dali community. In addition to political identity, the Dalit discourses highlight caste based problems in the national and international forums. The writers and researchers were brought out to understand the social discrimination and debated on the issues. Dalit literature has been producing new forms of intellectual representation in various languages. It voices social and political consciousness and monitors the Dalits' welfare.

In nutshell, the period between fifteenth to seventieth centuries was dominated by radical saints who preached the ecstasy of devotional Bhakti songs, freeing them from Brahmanic ritualism and laid the foundation for new values of equality and rationality. But these saints could not achieve the use of reason that gives a socio-historical analysis of caste. It was only with the British that history took place. The shift from Kaliyuga to Colonial Yuga was also a shift from an ahistorical cyclical vision of time and cosmology to historical, creative one in which human, rather than the divine agency, was predominant. In this way, colonialism itself was a boon for Dalits and non-brahmins, since it gave them the economic and political power to break away from brahmanical dominance.

Perspectives of Change

No doubt, British enlightened Indians and infused them with new secular and democratic ideas. Different ideological strands like Gandhian, Ambedkarite and Dravidian are the legacy of the anti-colonial struggles. Mainly, these movements can be divided into two segments: Non-Dalits and Dalits.

Non-Dalit Response: Integration in the Fold of a Reformed Hinduism

After Bhakti Movement, Neo-Vedantic Movement came into being. It attempted to re-interpret the doctrines of Hinduism to cleanse its evils. Its exponents are Raja Rammohan Roy, Swami Dayanand Saraswati, Ramakrishna Paramhansa and Swami Vivekananda. These movements attempted to remove Untouchability. Under the impact of the Brahmo Samaj initiated by Raja Rammohan Roy, meaningless rituals of pantheistic worship were given up and doctrines of *karma* and *samskara* were rejected. Though he attacked some of the evils of the caste system, but he concentrated more on the issues pertaining to the upper castes, e.g. sati, child marriage, widow remarriage etc. The movement was mostly confined to Bengal and, therefore, it could not succeed in removing untouchability. Those who felt attracted towards the new faith were basically the educated and westernized class.

Later in the 19th century, Dayanand Saraswati founded rationalist Arya Samaj in 1875 to fight against orthodox Brahmanism. Arya Samaj appealed the people to "Go back to the Veda" by debunking myth and idol worship. It was intended to revive the glories of Hinduism and to counter the influence of Christianity and western values. To achieve this

goal, Dayanand was ready to reform the caste system and abandon the *Puranas* and *Shastras.* He advocated the abolition of untouchability, the emancipation of women, and the development of education in Sanskrit and Hindi. He also preached worshipping of a single god and condemned polytheism. He also organized the *shuddhi* movement where the persecuted untouchables, who were once known as the outcasts, were given sacred threads to wear like the three upper castes to become caste Hindus. However, the agenda of the Arya Samaj, like the Brahmo Samaj was limited to reforming Hinduism and hence it could not widely spread across all castes.

Another, widely acclaimed mystic, Ramakrishna Paramhansa (1834-1886) abhorred the practice of untouchability. He said that no one was born high or low. During the early stages of his penance, he could not overcome the pride of his superior birth. In order to scorch this disturbing trait of his personality, one day he went to the hovel of an untouchable and swept the courtyard, not with a broom but with his own long and overgrown hair. His disciple, Swami Vivekananda (1862-1902) condemned untouchability in unequivocal terms. According to him, untouchability was a strange and astounding belief and it did not form part of Hindu religion. It was neither in the *Vedas* nor in the *Puranas.* He was of the view that untouchability was the cause of India's downfall and made Indians coward and thoroughly contemptible. He prescribed a conception of an ideal Indian society taking goodness of all the four castes - *Brahman, Kshatriya, Vaishya* and *Shudras* and rejected their evils. This view of Vivekananda seems to be the same as other religious reformers mentioned earlier in defending the 'religious idealist philosophy' of Hinduism. During the freedom struggle, leaders like Bal Gangadhar Tilak too castigated untouchability in unmistakable words. Tilak, for

example, believed that untouchability had no connection with Vedic dharma and it was due to ingenuity and insolence of ancient Brahmins that untouchability could be born. He was a Chitpavan Brahman by caste and wrote a book *Gita Rahasya,* supporting Hinduism but criticizing 'brahmanism'. It is said that his book, especially dealing with the origin of the Aryans, was so much appreciated by Queen Victoria of Great Britain that she set him free from imprisonment which he had to undergo due to his political activities. Later, Tilak introduced Ganapati as well as Shivaji festivals to be celebrated annually to bring unity among Hindus in his home state of Maharashtra. The attempt was a great success. Even today, the tradition of celebrating these festivals is in practice though the Hindu fundamentalists have started using these festivals for their caste politics.

In the nineteenth and twentieth centuries, many prominent writers sporadically took up the cause of the untouchables. Bankim Chandra Chatterjee, a very important Bengali writer once wrote that for the oppressed, oppression by high caste countrymen was not less galling than oppression by arrogant foreigners. Rabindranath Tagore (1861-1941), in his essay on nationalism, condemns the unjust social order of Indian society and seeks justice for the lower castes. He observes that it is a narrow mentality to deny social, political or cultural rights to certain groups. In his poem, *Gitanjali* (1913) he lashes out at the humiliation meted out to untouchables in our country, predicting that the asymmetry borne out of the caste system will one day drag down the privileged upper caste to the same level of degradation. His play titled *Chandalika* (written between 1925 and 1933) deals with the subjectivity of an untouchable girl whom a Buddhist monk asks for water to quench his thirst. Bhikku's request is something undreamt of by the girl. In the deft hands of the poet, her pathos and poignancy turned into hope and aspiration and she

started believing that social tyranny, however unbearable, was worth suffering if only a person like Bhikku could befriend an untouchable.

Gandhi (1867-1948) acknowledged untouchability as a reproach to Hinduism and believed that it was a pathological growth that had nothing to do with the essential nature of the caste system which was a framework for the division of labour. He defends the Indian caste system as:

> .... The spirit behind caste is not one of arrogant superiority…. It is the best possible adjustment of social stability and progress. Just as the spirit of the family is inclusive of those who love each other and are wedded to each other by ties of blood and relation, caste also tries to include families of a particular way of purity of life (not standard of life, meaning by this term, economic standard of life). Only, it does not leave the decision ... Caste does not connote superiority or inferiority. It simply recognizes different outlooks and corresponding modes of life …. (Qtd. in Ramashray Roy 111)

To elevate the social position of untouchables, he gave them a new name '*Harijan'* which means the 'children of God'. However, this could not challenge the deep-rooted caste-structure, which was accepted as the foundational social-order. This clearly indicates that the social situation of Dalits is not just confined to the strong social stratification, but their position in the society is inextricably connected with the religious legitimization of social order given by the upper castes and governed by the laws of Manu. Thus, the so-called reform movements in India, which began with Raja Rammohan Roy and continued till Gandhi down to his followers, were mostly led by the upper castes who were worried

about the ‘decadent’ Hinduism of their day. Though all of them talked about social equality and other things, their main objectives were updating Hinduism, modifying it in tune with an idealized Vedic belief. This condition generally led to, what is termed as the ‘Renaissance’ or ‘Awakening.’

Sociologists acknowledged another avenue open for social change that is ‘Sanskritisation’. But it is not a free and spontaneous step on the part of the untouchables or other backward castes, but an induced process which sees Hindu way of life as an ideal practice to be followed and internalized. For instance, in 19th century Gujrat, after owning economic progress, a whole class of peasants including several lower castes claimed to be Patel caste that is higher in rank. But as a social process ‘Sanskritisation’ may account for change for some extent, but it is another variation within the walls of caste-prison. It alienates the Dalits from their authentic self and leads them to assume a false identity. It is clear by now that the Dalit movement in pre-Independence period had achieved a respectable status through reformative movements like the Bhakti movement, the Neo-Vadantic movement, and Sanskritization. These movements proliferated political consciousness among Dalits for the Dalit Liberation movement whose agenda include recognition of human existence, social mobility, political participation, social change and establishment of an egalitarian society.

The Non-Brahmin Movement

Along with the upper caste reformist (Renaissance) movement, another movement named 'Non-Brahmin Movement', or ‘Enlightenment’ or ‘Anti-Caste’ movement was also led by the lower caste leaders like Phule, Periyar, Narayan Guru and Babasaheb Rao Ambedkar. These leaders talked about creating a new society and followed a belief

system forwarded by the French Revolution based on 'liberty, equality, and fraternity'. This Non-Brahmin movement was inaugurated in Maharashtra by Jyotiba Phule (1827-1890), the first theoretician of the caste and the father of Indian social revolution who hailed from *Mali* (gardener), a shudra community. He led the Dalit Bahujan struggles against brahmins by establishing the 'Satya Shodhak Samaj' (Society for Truth Seekers), in 1873 because he considered education the only way to demolish the roots of caste hegemony. He defended Tarabai Shinde who attacked Hindu Patriarchy in her, 'Stri-Purush Tulna' (Comparison of Women and Men) and Pandita Ramabai who founded Arya Mahila Samaj and later converted to Christianity.

Phule simply views the ancient history of India was nothing but the struggle between Brahmins and non-Brahmins. He asserted that the 'Shudras and Atishudras' simply listed as 'Kunbis, Malis, Dhangars ... Bhils, Kolis, Mahars and Mangs', were the original inhabitants of the country, enslaved and exploited by conquering Aryans. They formulated a caste based Hinduism as a means of deceiving the teeming masses and legitimising their own power. Officers like Manu were anxious to maintain the sanctity of the regulations laid down by Brahma. Hence they composed many imaginary stories about Brahma. He attacked empty demystification of the Hindu concepts. His central point was that Brahamanical system is bipolar and that caste or 'varna' is a relationship of power and dominance and has to be attacked at that level. In his ballad, *Priestcraft Exposed*, Phule endowed the same story with an enormous emotional appeal:

Lawless men leagued together

They made Brahma their chief

… Beating the people and bringing them to their knees

Degrading them into slaves

See, these are the Shudras

The rest left over, a tiny number

Rose up and challenged Parashuram

They took care to remain united

Of their countrymen, their beloved brothers,

Many were slain

The shudras no longer cared for unity

The maha-ari aatacked Parashuram

Many women became widows

Parashuram routed the maha-ari

In constant fighting he broke their spirit

… The great enemies of the twice-born

Came to the end of their strength

Thrust down and defeated

> Those that were left were punished severely
>
> Abused as Mangs and maha-aris, great enemies
>
> See, these are the Kshatriyas of the olden days. (Qtd in O'Hanlon *Caste Conflict and Ideology, 143*)

Another powerful critique of caste system is found in the writings and campaign of E.V. Ramasamy Naicker (1879-1973) known as Periyar led this anti-caste or Non-Brahmin Dravidian movement in Tamil Nadu seeking to discard the priestly service of the Brahmins by asserting Dravidian culture far superior to the Brahmanic Aryan culture. He demanded a separate non-Brahmin or Dravidian country. He attacked all religions more than Phule and denied the existence of god by calling the worshipers of god barbarians. Another contributor to this Non-Brahmin movement was Narayana Guru, the founder of Sree Narayana Dharma Paripalana Yogam, popularly known as S.N.D.P. movement originated in the late nineteenth century, among the Ezhavas (toddy tappers) of Kerala who suffered from different types of caste disabilities. They were not allowed to worship in the temples of caste Hindus; women were not allowed to cover their breasts; and the Ezhavas could neither wear any footwear nor build pukka houses until the third and fourth decades of the twentieth century. Even today, tapping is considered a defiling occupation. He preached that worship of God should not be denied to any individual or caste group. An offence in this regard was an offence against God. He tried to give equal opportunities to the untouchables by establishing many temples of Lord Shiva and by appointing them as cooks. He asked his followers (Ezhavas) to abstain from eating meat, drinking liquor and worshipping lesser deities and spirits.

B.R. Ambedkar, as the saviour of the 'broken men' and being the chief architect of Indian constitution, played a key role in anti-caste movement. Throughout his life he struggled relentlessly against unjust features of Hindu society to ensure religious, social, economic and political equality among all the downgraded untouchables. Gandhi described him as ‘fierce and fearless’ and Nehru acclaimed him as a ‘symbol of revolt against all the oppressing features of Hindu society’. Being an indefatigable defender of human rights, he was of the view that society should be based on the three fundamental principles of liberty, equality and fraternity. In his book *The Untouchables* (1948), he defines that the two roots for untouchability are contempt and hatred for the broken men and continuation of beef-eating by them. For destroying caste, he started many periodicals like *Mook Nayak*, *Bahishkrit Bharat*, and *Equality and Janata* to give a voice to millions of voiceless people. The poems and songs published in his weekly *Jana* described how Dravidians were suppressed at the hands of Aryans and how the ‘Brahmins’, ‘Kshatriyas’ and ‘Vaishya’s’ became all powerful and he also depicted anti-caste radicalism with calls for class struggle:

> …
>
> Congress”, “Hindu Mahasabha”, “Muslim League” are all agents of the rich,
>
> The “Independent Labour Party” is our true house…
>
> Take up the weapon of Janata
>
> Throw off the bloody magic of the owners’ atrocities,

Rise workers! Rise peasants! Hinduism is ours,

Humanity will be built on labour,

This is our birth right! (Qtd. in Omvedt, *Understanding Caste*, 50)

His first organized attempt was his establishment of the central institution Bahishkrit Hitakarini Sabha. He launched several protest movements like Satyagraha in Maharashtra to worship in Hindu temples without hindrance. Another very significant movement was Mahad March from the Chawdar Lake to assert the rights of Dalits to take water from public watering places. He also established the Samaj Samata Sangh to achieve social equality among untouchables and to encourage inter-caste marriage. On 25th December, 1927, he with thousands of his follower's burnt copies of *Manusmriti*. That is why 25th December is celebrated annually as *Manusmriti Dahan Din (Manusmriti Burning Day)* by Ambedkarites and Dalits. In 1930, the temple entry movement was launched with the attempt to enter the Kala Ram Mandir at Nasik. In this way Ambedkar is seen as another incarnation of Jesus for the Dalit–Bahujan masses of India. In his article entitled "First the Pillars, Then the Base" he invoked the base-superstructure architectural model. It was reprinted again in *Janata* as "The Illusion of the Communists and the Duty of the Untouchable Class". It clarifies that in economic relations a building is erected of religious, social and political institutions. This building constructed on it has to be knocked down with the change in base. In this way, the economic relations of society can be changed by destroying the existing social, political and other institutions.

But he was not a fierce opponent of Marxism. In the World Buddhist Conference held in Kathmandu in November, 1956, he spoke on 'Buddhism and Communism' and maintained that the two are similar and the only difference is that Marxism subscribes violence to achieve power while Buddhist employs non-violence. By the time, he came to realize that unless this socially suppressed section of the Indian society secured political power it was not possible to completely wipe out all social, legal and cultural disabilities from which they suffered. That is why his slogan was: "Be a ruling race"(). But, political power which Ambedkar wanted for the untouchables during the British rule could not be obtained due to the stiff resistance of the Congress with its caste Hindu character. He characterized it as a full-blooded and blue-blooded Hindu body. After a long deliberation towards the end of his life on 14th October 1956, Ambedkar, along with his five lac followers took *Diksha* in Buddhism at Nagpur. It is his first and foremost contribution to establish Buddhist demography in Indian society. In his book *The Buddha and His Dhamma,* he wrote,

> Society has to choose one of the three alternatives. Society may choose not to have any Dhamma as an instrument of govt….this means society chooses the road to anarchy. Secondly, society may choose the police, i.e. dictatorship, as an instrument of Govt. Third society may choose Dhamma plus the Magistrate whenever people fail to observe the Dhamma. In anarchy and dictatorship liberty is lost only in the third liberty survives. Those who want liberty must therefore have Dhamma. (Qtd. In *Buddhism in India* 19)

Ironically, however, his dream could not be materialized even after more than six decades of the introduction of the Constitution. The suppression and torture inflicted on Dalits today stand testimony to the fact that Dalits are yet to achieve the desired emancipation Post-Ambedkarite movements and parties such as Dalit Panthers, BSP revival of RPI and other alternative efforts attempted to create an alternative socio cultural structure where caste domination is eliminated and every person can lead a dignified life. Some notable dalit leaders who came into being are Kashi Ram, Jitan Ram Manjhi and Mayavati. To mention a few, Babu Jagjivan Ram became Deputy Prime Minister of India from 24 March 1977 to 28 July 1979. K. R. Narayanan was the first Dalit President of India (1997), K. G. Balakrishnan (Dalit origin) was appointed Chief Justice of India on 14th January 2007. In the same year, Mayawati, a Dalit, was elected Chief Minister of Uttar Pradesh.

Literature during the Freedom Struggle

During the Indian freedom struggle, many literary organisations came up in different parts of the country but none of these lasted long except an all India organisation that came to be known as the Progressive Writers Movement. The writers of this movement viz. Manto, Premchand, Ismat Chughtai, Ahmad Ali, Faiz Ahmad Faiz, Amrita Pritam and Sahir Ludhiannvi etc. were basically influenced by the socialist philosophy. In 1936, the first meeting of All India Progressive Writers Conference was held in Lucknow. It was presided over by the doyen of Hindi literature, Premchand (1880-1936), who read a paper entitled "Sahitya ka Uddheshya" (The Purpose of Literature). There he laid stress on a new kind of writing that would help the Indian

society to fight against all kinds of inequality and establish a new social order. The writers who met at this conference pledged to highlight in their writings the condition of the poor and the oppressed and work for the eradication of inequality in society. As a matter of concern, writers like Premchand and Mulk Raj Anand wrote about the oppressed and exploited with empathy and understanding. Premchand wrote *Godan,* "Thakur Ka Kuan", "Kafan", "Mukti Marg" and many other intresting novels and stories to portray the miseries of untouchables, women and exploited masses. His most controversial story "Kafan" (The Shroud) portrays Ghisu and his son Madhav insensitive and inhumane who instead of buying 'kafan' for Budhia celebrates her death with drinking and eating. Mulk Raj Anand's *Untouchable* (1935) and *Coolie* (1936), can also be taken into account in this regard. *Untouchable* is considered to be the first novel which exposed the religious bigotry and hypocrisy of caste Hindus. It deals with the single day life story of an untouchable boy Bakha who is fed up with the pranks of upper-caste and finally accepts: "For them I am a sweeper, sweeper untouchable! Untouchable! Untouchable! That's the word Untouchable! I am an Untouchable!" (Anand, 43). The representation made by these non-dalit writers of the poor and the downtrodden were bound to be different from the self-representation of the poor-a trend which began in the post-independence era. Anand's novel *Untouchable* exposes the indignities against untouchables. In this connection E.M Forster observes:

> The sweeper is worse off than a slave, for the slave may change his master and his duties and may even become free, but the sweeper is bound to his master and forever born into a state, from which he cannot escape and where he is excluded from social inter course and the consolation of his

> religion. Unclean himself, he pollutes others when he touches them. (Forster iv)

The Post-Independence Condition of Dalits

The Indian Dalit–Bahujan masses, who constitute a great majority of the national population as it is published in *The Hindu* that every sixth Indian is a Dalit. Despite the legal abolition of untouchability in independent India (the Untouchability Offences Act passed in 1955 followed by the Protection of Civil Rights (PCR) Act in 1976 and the Prevention of Atrocities Act (POA) 1989) and various statutory provisions against exploitation of Dalits continue even to this day in rural India the untouchables are still struggling to assert themselves in the orthodox rural caste structure while their urban counterparts are getting a little better treatment and are unitedly agitating against the various caste discriminations practiced against them. Some contemporary dalit intellectuals like Gopal Guru and Kancha Ilaiah, presented dalit analysis. They are of the view that the insertion of Indian society into global capital through the workings of free market, subaltern communities are getting lines of upward mobility. But it is sad that it has not effaced their age long experiences of caste oppression. In this context, Wankhde presents the analogy with the predicament of the tragic hero who works between "silence (the horror of caste discrimination and empowerment as caste communities in electoral states" (5). Kancha Ilaiah reviewing the post-Independence caste phenomenon, thus writes:

> ... by 1947 itself an all India 'upper caste elite' - the new 'bhadralok' was to take over the whole range of post-colonial political institutions. From

> the village institutions of pate! and patwari to tehsil officers… to state legislatures and the central Parliament, each institution was made the preserve of ' the 'upper' caste forces, with Brahmins being in the lead in many of these institutions. The neo Kshatriyas, while co-existing with them, accepted their hegemonic role in lawmaking and interpreting history. (Ilaiah, 49)

There are numerous instances of non-dalits suppressing the protests of Dalits and untouchables. What is more amazing is that, in recent past, the untouchables are also the victims of state-sponsored terrorism, which is carried out subtly but systematically in the guise of various developmental programmes. To quote Ilaiah again:

> In post-colonial India…. Parliamentary democracy in essence became brahminical democracy. Within no time the colonial bureaucracy was transformed into a brahminical bureaucracy….They recast their Sanskritized life-style to anglicized life-styles, reshaping themselves, to live a semi capitalist (and at the same time brahminical) life…. All apex power centres in the country were brahminized and the power of the bureaucracy greatly extended…. Such top brahminical elites were basically unconcerned with the development of the rural economy because it would result in changing the conditions of the Dalit-bahujan masses and thus new social forces might emerge. Thus the anglicized brahminical class also became an anti-development social forces. (Ilaiah, 51-52)

In this way non-dalit writers and reformers like Gandhi, and other social and religious reform movements, instead of curbing caste system, only depict the evil of untouchability in isolation. There is an urgent need to uproot the caste system because it is necessary to crush the head and not the tail to kill a poisonous snake. The partial strikes on its body may further intensify the ferocity of the devilish creature. As B.R Ambekar in his book *Annihilation of Caste* says that caste is not a physical entity to be pulled down, rather it is a notion and a state of mind to be changed.

The New Dalit Movement & Dalit Literature

Today, the term untouchable has been substituted with Marathi word 'Dalit' (broken People) which is in turn used interchangeably with Scheduled Caste. In this context, Rupa Viswanath points out that it is incorrect practice because the term Dalit includes converted untouchables whereas Scheduled Caste does not. According to Wikipedia, the word "dalit" is derived from the Sanskrit past participle adjective दलित (dalita), and it means 'divided', 'split', 'broken', 'scattered', and it is derived from the meaning of the verbal root दल भेदे - to divide. It is found in *Molesworth's Marathi-English Dictionary* (1813) in its reprint of 1975 meaning "ground, broken or reduced to pieces generally" (54). It was first used by Jyotirao Phule in the 19th century. Now it is widely used to substitute the word untouchable as Negro is replaced by Black. Over the years, there have been several terms used to describe the people of untouchable community, such as 'Ati-Shudra', Panchamas,, Avamas, Antyajas, Untouchable, 'depressed classes', 'exterior castes', 'Harijan' 'Scheduled Castes' etc. Dalits are called by different names in different parts and languages of the country like 'Chura' or 'Bhangi' implying scavengers in northern states, 'Mahar' in Marathi, 'Mala' in Telgu and

'Periyar' in Tamil. Later on, the term was revived and extended by radical Dalit Panthers in their Manifesto in 1972. This movement included schedule castes, schedule tribes, poor peasants, neo-Buddhists, women and all those being exploited politically, economically and in the name of religion. But, the term exclusively refers to the victims of the cast- ridden society. The main objective of this movement was to create an atmosphere of a counter culture and to bring a separate identity for the Dalits in the society. Therefore, before talking about dalit literature it is pertinent to talk about dalit consciousness (dalit chetna) because dalit literature is the product of 'dalit chetna' and caste oppression. As Toral Jatin Gajarwala, in his book *Untouchable Fictions*, says, "Dalit chetna implies an anti-casteist, anti-feudal and anti-capitalist position, and a challenge to traditional aesthetics… (2)". The journey of dalit consciousness is generally studied in two different phases. In the first phase, dalit thinkers, and non-Buddhists reinterpreted the history as they were the autonomous inhabitants of the country and some claimed that dalits were originally Buddhists. As it is reflected in political understanding of Swami Acchutanand who used to start his address with:

Sabhya Sabse Hind Ke Pracheen Hakdaar Hum;

Tha Banaya Shudra Humko, Theya Kabhi Sardar Hum;

Ab Nhi Hai Vo Zamana, Zulum Harihar Mat Saho;

Tod do Zanjeer, Jakde Kyon Gulaami Mein raho. (Qtd. In Sharma 84)

In the second phase, the efforts were extended from reinterpretation to assert dalitism in terms of art and culture. It is used in book titles, in newspaper and reports to

depict both violence against Dalits and their accomplishments. The term Dalit is not merely a rejection of the very idea of pollution or impurity or ‘Untouchability’, it reveals a sense of a unified class, of a movement toward equality. Dalit consciousness became more blatant by getting impetus from Karl Marx, Russian literature, Black Literature and Ambedkar. The term 'Dalit literature' was first traced in the first conference of Maharashtra Dalit Sahitya Sangha In 1958. The founder editor of ‘Asmitadarsh’ says that dalit is not a caste, rather, it is a symbol of change and revolution. The call given by the Panthers for a social reconstruction was further activated by the Dalit writers, poets and activists through their writings and speeches in various forms. Thus emerged "Dalit literature" in Maharashtra, which subsequently spread to the neighbouring states of Gujarat, Karnataka, Andhra Pradesh and others. The emergence of Dalit autobiography gives a new dimension to the study of autobiographies. Apart from being marginal, Dalits have been denied education for quite a long time in the Indian caste society. Now, that they are getting educated, and some of them have been using writings as weapons for their social assertion, sense of identity and mobilise resistance against different forms of oppression. Dailt literary movement gained colossal momentum by the writings of Baburao Bagul. His debut collection of stories *Jevha Mi Jat Churoli* (when I had Concealed My Caste) is considered epic of dalits while others compared it to the 'jazz music of the Blacks’. He contemplates that the established literature of India is Hindu literature while Dalit literature is revolutionary to bring about a total transformation. The first poem on dalits is ‘Achut ki Sikayat’ by Hiradom. The first major autobiography by a dalit writer is Daya Pawar’s *Baluta (Social Claim).* Some of the major contemporary dalit writings include *Changiya Rukh, The Prison We Broke, Untouchable God, Joothan, The*

Outcaste, Growing Up Untouchable in India, Murdaiya, Mera Bachpan Mere Kandho Par, The Grip We Change and Serious Man. Apart from these, some contemporary non-dalit writers like Arundhati Roy, Mahasweta Devi and Vijay Tendulkar eloquently presented the agony and exploitation of dalits in their writings *The God of Small Things, Outcaste: Four Stories and Kanyadan,* respectively. But there have been an ontological war between dalit writers and non-dalit writers because non-Dalit writers presented Dalits as the meek sufferers, having no voice of their own. Therefore Dalit writings by non-dalit writers are always doubted. This is not only true of non-dalits but also of educated, elite dalit Brahmins who are affected by White Collar attitude. In this context, Sharatchandra Muktibodh remarks, "There is as much a difference between a Dalit view and Dalit vision as there is between having a look at the map of a city and actually living in that city" (Muktibodh 271). The above discussion shows that dalit literature is the literature of 'anubhava' (experience) not 'anumana' (speculation). Instead of relying upon conventional Walter Pater's notion of aestheticism 'art for art sake' it believes in 'art for life sake'. Contextualising the intent and content of Dalit literature, Limbale rejects the aesthetics of mainstream literature on the sociological ground as:

> Rejecting traditional aesthetics, they insist on the need for a new and distinct aesthetic for their literature–an aesthetic that is life-affirming and realistic. In other words, Dalit writers have demanded different yardsticks for the literary appraisal of their works. It is the firm conviction of the Dalit writers and critics that if yardsticks change, the concept of aesthetics will change too. (*Towards an Aesthetics* 19)

Dalit writers explore grace of their literature with the portrayal of frustration, humiliation, suppression, anguish and revolt against pollution, Karma and justified caste hierarchy felt by marginalized section of the society. Because of crude language and graphic descriptions the dalit writers are often attacked for their lack of 'aesthetic sophistication', lack of variety, reactive and propagandist. With the advent of marginal literatures, the entire debate regarding aestheticism in literature has taken a new turn. It is observed that-

> The very concept of aestheticism is being defined differently because instead of form, symbols and artistic features, what is considered crucial, is the social sensibility and representing the people belonging to the underprivileged communities who were earlier considered as 'unrepresented' and voiceless. Here, the questions of essential human dignity, representation, identity, subject hood, existence and survival, remain more important than the idea of beauty— aesthetic or otherwise. (Kumar 15-16)

In this context a leading scholar on caste in modern India Gopal Guru, in *Humiliation: Claims and Contexts,* highlights the need to make humiliation an object of academic interest. He concludes by encouraging us to reject rejection through self-respect and a strong moral courage to stand up to an oppressor. Baby Kamble, through her writing *Jeena Amucha* translated as *The Prisons We Broke* in 1986, represents her community and critiques the Hindu caste system. It is one of the first Dalit women autobiographies which talks about position of women in Indian patriarchal construct. She talks about the life of a woman of the Mahar community. Mahars suffered from

ignorance and starvation, they never saw a prosperous side of life. They were always considered as dirt by upper caste Hindus while Mahars considered upper caste people as pious as God. Baby Kamble wrote her autobiography in order to speak out her misery and expresses her resistance towards age long traditions of suppression. She describes the posture a Dalit has to adopt before the upper castes: “He had to stand with his back bent all the way and greet anybody who happened to pass that way…He had to bend down, till his head touched his knee…” (78). Another dalit collection of stories is *Father May Be an Elephant and Mother Only a Small Basket, But...* by a Telugu writer Gogu Shyamala. It looks at the lives of the most deprived people of the Madiga community of Dalits. Her descriptions of the everyday village practices, like the beating of drums or the right to wear slippers in the presence of the upper castes, are touched with pathos and a grim sense of humour. She also looks at the world and its big problems — water crisis, irrigation and gender violence — that besiege the poorest of the poor. She is able to put human faces to these social evils, making them real and poignant to her readers. The graphic biography of Ambedkar *Bhimayana: Experiences of Untouchability* by Srividya Natarajan and others pieces together the story of the pioneer of India's Dalit movement using his autobiographical notes and mind-blowing artwork. In spite of his origins and early years as an untouchable, Ambedkar battled poverty and institutional discrimination with incredible gusto and fortitude, going up to Columbia University in New York for higher education and travelling across the world. A fierce campaigner for the rights of Dalit people, Ambedkar went on to draft the Constitution of India. This book is a must-read for the tumultuous times.

The present chapter studies the seminal works, *The Outcaste (Akkarmashi)* by Sharan Kumar Limbale and *Karukku* the first Tamil dalit autobiography by Bama Faustina Soosairaj. Limbale is a well-known dalit writer, activist, poet and literary critic. He has penned more than forty books, but he is known for his autobiogarphy *Akkarmashi*. His critical work *Towards an Aesthetics of Dalit Literature* (2004) is considered as the most important resource book on Dalit criticism. *The Outcaste (Akkarmashi)* is a well-known contemporary classic. Just after two years of its publication, Limbale wrote an article, "Chronicle of a Fatherless Being" in which he writes, "I have sown the events, incidents and experience from my life of twenty seven years…This is the story of my life, an expression of my mother's agony and an autobiography of a community. Being fatherless is as much my fate as it is to be in a general ward (in the hospital) of suffering" (Limbale, xxiv). Primarily the autobiography deals with the identity of the author who is an outcaste or illegitimate child born out of illicit relationship between Masamai, a Mahar and upper caste Hanumanta Limbale, the Patil of Baslegaon. It also deals with hunger in a philosophical way with two different perspectives i.e. lust and hunger of food. Sharan Kumar Limbale is an offspring of lust. To be a Dalit in a caste-ridden society is a curse and to be an illegitimate within the Dalit community is to be doubly cursed. It is the record of "the woes of the son of a whore" (ix). He says, "In the Maharwada I felt humiliated as I was considered a bastard; they called me 'akkarmashi'. Yet in the village I was considered Mahar and teased as the offspring of one" (62). He expresses his longing for the identity as, "A man is recognized in this world by his religion, caste or his father. I had neither a father's name, nor any religion, caste. I had no inherited identity at all" (59). At last, he owes his father's name 'Limbale' from his sympathetic teacher

Bhosale, the headmaster. He represents his dilemma and narrates his enigma in words: "The girl I married needed to be a hybrid like me to ensure a proper match. A bastard must always be matched with another bastard. No one else will marry their daughters to a bastard like me" (98). Even his mother, Masamai treats him like a stepson. He says, "Half of her was my mother and the other half a woman for that Patil. She had to satisfy the Patil. Her milk meant for me went dry even as her arms were busy embracing the Patil. My mother was snatched away from me" (65). Another baby of lust, an offspring of Devki, a Devadasi, was buried under the garbage like a sow that eats her own piglet. In tune with Kate Millett's *Sexual Politics*, Limbale's *The Outcaste* exposes sexual politics of upper class people. Uma Chakravarty a well- known historian in her seminal work *Gendering Caste: Through a Feminist Lens* explores the relationship between caste, gender and patriarchy. She describes the cultures of violence that gives rise to an unequal society. The Brahmanical patriarchy regulates the sexuality of women through the caste system. It also influences the labour of women and the transfer of gendered resources within the society. The practice of endogamy reproduces multiple forms of discrimination against the women. The married life of a beautiful dalit lady, Masamai was wrecked by an upper caste Patil, Hanmant Limbale. Later on, he deserted her and she was kept by another Patil. Limbale pities her lot as, "What sort of life had she been living, mortgaging herself to one owner after another and being used as a commodity? Her lot has been nothing but the tyranny of sex" (59). It also depicts that dalit women are not only victims of upper caste male lust but also males of their own community who take part in their degradation. Limbale even talks about incestual relationships and exploitation of daughter by a father. Dhanavva woman from his village became a victim of her father's

lust. Shankar, her father, says, “I have sown the seed from which she has grown as a plant. Now why shouldn’t I eat the fruits of this plant?”(67). Author’s loving maternal granny Santamai and Chandamai were blood sisters. Their marriages were failures because Chandamai was barren and Santamai gave birth only to a daughter. Later on, his sister Nagi had to marry a man old enough to be father of two kids. The marriages of his sisters Pami, Indira, and Vani were broken up like a game of dolls because their mother Masamai was a ‘Mahar’ by caste. While discussing about hunger, Limbale says that starvation is written in their lot from very moment of their birth. He describes:

> Most of the time all my sisters went to sleep without eating anything. Nobody woke them up for dinner, because there was nothing to eat. I at least ate something. Mother gulped only water. Dada satisfied his hunger by smoking bidies. At the sight of my sisters who had gone to sleep hungry, I lost my appetite and couldn’t sleep. I felt like giving a portion of my food to my sisters. (21)

The author says that he survives even by swallowing his own saliva. It is the hunger which makes a woman whore and a man a thief. The stomach makes ‘you clean shit, it even makes you eat shit’ (8). Further, he depicts hunger in a philosophical way as:

> Bhakari is as large as man. It is as vast as the sky, and bright like the sun. Hunger is bigger than man. Hunger is vaster than the seven circles of hell…. Hunger seems no bigger than your open palm, but it can swallow the whole world and let out a belch (50).

They cannot afford ‘chapaatis’ and usually eat ‘bhakaris’. Even Santamai eats bhakari made from the Jowar collected from the dung without showing any sign of nausea. He also talks about the paradox of stealing like, “The poor steal for the sake of hunger. If they had enough to eat would they steal? Black-marketers become leaders, whereas those who are driven to steal by hunger are considered criminals” (21). The starvation leads them to do business like illegal brewing and selling wine for the sake of belly. The only remuneration for their labour is begging or picking up whatever they could from the market because village council never paid them. The Brahmanic society projected the vegetarian food as ‘divine’ food. The taste of vegetarian food has been written about and such food has been eulogized and glorified as pure food, whereas the tribal food culture has been condemned as that of uncivilized people. Spiritual democracy does not discriminate between different food cultures. In a spiritual democracy on the other hand, notions of the divine are related to all positive, health-centred food habits of the people. Neither beef nor pork is prohibited food, nor do they pose hurdles in one’s becoming a priest of a temple. “if a tribal gave up eating meat it was tantamount to getting ‘sanskritised’, but if a Brahman started eating meat and fish he/she was not ‘tribalised’. If at all they are changed, they just got ‘westernized’!”(Ilaiah, *The Post Hindu* 6)

It also represents that there are so many caste factions even in educational institutes. Limbale says that Mahars could not join the upper caste boys in playing Kabbadi. He says, “We played one kind of game while the high caste village boys played another. The two games were played separately like two separate whirlwinds” (2). During school picnic, they were not allowed to sit under the banyan tree among high caste boys rather they have to sit under a tattered tree like owls seeking leftovers.

Leftover food is nectar for them. They were made to sit at the entrance in the class and on Saturdays the teacher asked them to smear the floor and walls with cowdung paste. They were called by names like 'son of bitch', 'base born', bastard or 'akkarmashi'. The similar naming strategy is described in *Joothan* by Omparkash Valmiki where the Tyagis don't address them by name and they call them out as, 'Oe Chuhre' or 'Abey Chuhre.' Even the non-dalit writer Arundhati Roy, in her Booker winning novel *The God of Small Things,* portrays this ugly treatment meted to Dalits. It is for the first time under the leadership of Velutha that untouchables demanded not to be called as, "…. Achoo Para van kelan Para van on Kuttan Pulayan but just as Achoo, or Kelan or Kuttan" (Roy 69). Limbale exposes the illogical and double standard of caste Hindus. Mere touch of untouchables makes them impure or pollute. But untouchability does not bother them when they penetrate dalit women. They worship cow as mother but when mother cow dies they need a Mahar to dispose it off. The autobiography poses the question, "Is it man who is a hindrance to religion or is it the other way round? Is the premise of religion greater than man's? Is religion made for man or man made for religion? Does man cause religion to degenerate, or is it religion that degenerates man? Can't man exist without religion and caste?" (39-40). At last, Limbale asks, "Why this labyrinth of customs? Who has created such values of right and wrong and what for? If they consider my birth illegitimate what values am I to follow?"(113). Limbale also analyses the dimensions of caste and gender in his *Chhuachhut* translated by Nishikant Thaka. This collection of short stories is divided into three sections. The stories of the first section are written from the viewpoint of an upper class, the stories from second section are from the Dalit point of view and the third section stories are about Dalit women. It represents the

victimization of the Dalits, their self- colonization and their confident rejection of the same i.e. decolonization.

Another Dalit feminist writer, Bama Faustina Soosairaj is famous for her autobiography *Karukku.* Subsequently, she wrote two more novels, *Sangati* (1994) and *Vanmam* (2002) along with two collections of short stories: *Kusumbukkaran* (1996) and *Oru Tattvum Erumaiyum* (2003). In her oral autobiography *Viramma* (1997), she beautifully portrays the plight of Dalit. Her texts focus on the Dalit caste of the Paraiyars, one of the largest "Untouchable" castes in Tamil Nadu. In her extraordinary work *Sangati* (2005), Bama represents the difficult lives of paraiya community women in South India. In the very introduction of the book she acknowledges that it is not only about the sorrows and tears of dalit women but also about their rebellious culture and eagerness to swim against the tide. It is about self-confidence, self-respect and their passion to live life with vitality. *Sangati* seems to be the most outrageous in its exposure of the sexual violence, violent domestic quarrels that often underpins the language of her female characters. In this way, Bama's *Sangati* explicitly performs an intersectional critique of both the caste system and patriarchy where the lines of solidarity and opposition constantly shift. The text condemns and explains often brutal behaviour of Dalit men towards the women of their caste community. Here Paatti reflects:

> Why can't we be the same as boys? We aren't allowed to talk loudly or laugh noisily; even when we sleep we can't stretch out on our backs nor lie face down on our bellies. We always have to walk with our heads bowed down, gazing at our toes. You tell us all this rubbish and keep us

> under your control. Even when our stomachs are screaming with hunger, we mustn't eat first. We are allowed to eat only after the men in the family have finished and gone. (*Sangati* 29)

In her autobiography, she adopts confessional mode to avoid a linear narrative. She vociferously condemns all forms of oppression, be it caste, class, gender and predicament of dalit Christians. Pramod K Nayar finds *Karukku* closer to a testimonial than an autobiography. He asserts:

> Generally in autobiographies narrator has a social status but testimony described the common man/woman who stands in for the community. In testimony in place of 'problematic hero' 'problematic collective situation' is found. And that problematic collective situation in *Karukku* is caste. (85)

The title of her autobiography signifies the validity of the world she lives in. The word 'karukku' is a pun in itself that means the saw like double-edged stem of the palmyra leaf and another Tamil word 'karu' means embryo or seed which also suggests freshness or newness. In the preface to the book she brings the connection between the saw edged palmyra leaf and her own life. She recollects: "Not only did I pick up the scattered palmayra 'karkku' in the days when I was sent out to gather firewood scratching and tearing my skin as I played with them, but later they also became the embryo and symbol that grew into this book" (Bama xiii). According to Bama, the embryo refers to the dalit consciousness to regain their lost dignity. Bama, at the very beginning, focuses on the different caste formations of her village. She depicts as to how the upper caste

communities and the lower caste communities were separated like different parts of the village. People meticulously followed caste rules while carrying out their day to day socio-cultural and economic activities. Bama asserts, “We only went to their side if we had work to do there. But they never, ever, came to our parts. The post office, the panchayat board, the milk depot, the big shops, the church, and the schools-all these stood in their streets. So why would they need to come to our area?” (7). The lives of the Parayas entirely depended upon the mercy of the Naickers. If Naicker families did not call them for any agricultural labour then they would go up to the woods on the mountains, and make a living by gathering firewood and selling it. Either way their earnings were meagre and poverty was rampant in dalit families. Except during harvesting seasons most of the families went hungry. Even their food was different. During rainy days when the streets were overflowing with fish, people sold all sorts of fish like ‘silabi kendai’, ‘paaruku kendai’, ‘keluti’, ‘ayirai’, ‘koravi’ and ‘viraal’. But in the streets where Bama lived most of the people bought and cooked curries out of silabi kendai and paambu kendai, the cheapest they could get. On the other hand, the upper caste enjoys keluti, ayirai and viraal. Each Paraya family was attached to a Naicker family as ‘pannaiyaal’, bonded labourers. Bama remembers how people of her community labored hard to produce grains for the rich upper caste farmers while they themselves went hungry or gained leftovers. When Bama came to know that both her grandmothers were regularly given leftovers by the Naicker families in return of their hard physical labour, she was horrified and protested. But she gets reply from her grandmother Paatti who said, “These people are the maharajas who feed us our rice.

Without them, how will we survive? Haven't they been upper caste from generation to generation, and haven't we been lower-caste? Can we change this? (17).

Bama laments that there is no place that is free of caste. Even in the so called temples of learning, it is considered that all unsocial activities are done by 'Cheri childern' (lower caste). In the narrative, Bama was blamed to steal coconut from the tree. When she approached the priest for permitting her in school he says, "After all, you are from the Cheri. You might have done it. You must have done it" (19). The warden-sister of the hostel often scolds Cheri children for no rhyme or reason. She says, "Look at the Cheri children! When they stay here, they eat their fill and look as round as potatoes. But look at the state in which they come back from home-just skin and bone!" (20). When Bama asked for permission to go home for the 'First Communion', of her sibling, she was humiliated by warden as, "What celebration can there be in your caste, for a First Communion? (22). If we see the plight of dalit woman she is dalit among dalits and gets triple exploitation on the basis of caste, class and gender. No doubt, people belonging to dalit community work hard from sunrise to sunset and find themselves unable to earn the two meals a day. Inspite of article 39 (a) and (d) which secure equal right to work and equal pay for equal work, a woman is always paid less than man for the same work. It is not necessary that only upper caste people exploit them but the people of her own community also don't respect her dignity and labour.

The man named Uudan from their community is known to all, "Because every day he'd drag his wife by hair to the community hall and beat her up as if she were an animal, with his belt"(61). There is a fight between the Paraya community and the

Chaaliyar community over the ownership of cemetery. The Chaaliyar stabbed Izhava's husband, the stout man of the Paraya community. They challenged the Chaaliyar to fight face to face and not like cowardly women. The Chaaliyar bribed the police to beat Paraya black and blue. The police behaved deplorably towards Paraya Women as, "They used obscene language and swore at them, told them that since their husbands were away they should be ready to entertain the police at night, winked at them and shoved their guns against their bodies"(40). In this way, at home they have to pester their husbands and children and outside, the landlord.

She also depicts that education, marriage, professional career and growth of an individual girl depend on the mercy of the patriarchal set up. Bama was not allowed to go for further education on the plea of her parents as, "It would be difficult for them to find a husband for me in my community" (74). She also talks about the sorry state of a single woman who faces difficulties of being alone in this man centred world. She says, "If a woman so much as stands alone and by herself somewhere , all sorts of men gather around her showing their teeth"(119). While exposing the hypocrisy of Christianity she says that she had firm faith in Christianity and its rituals, be it Catechism, Pusai, Benediction, Midnight service at Christmas and Easter, Communion etc. She joins convent with high aspirations of serving humanity, but, there she finds that her convictions do not match the meaningless prayers in beautiful and decorative language without connection between prayer, worship and life. Her perspective is different as she says, "We should never believe in one thing and do another. We should speak up about what we believe and act according to that. That is being true to oneself" (105-6). There she also finds a wealthy Jesus with no connection between God and the suffering poor.

They claim that God was born into a poor family, lived among the poor and died poor. But she says, “If by accident a poor and lowly person appears within the precincts of the convent or the school, they’ll fall upon that person like rabid dogs” (107). After her sojourn with them she understood the lack of humanity in their piety. She feels that she has come to Naicker house where she, “couldn’t act or speak or even eat independently” (111). She discovers that, “In the churches dalits are the most in numbers alone. In everything else, they are the least. It is the only upper caste Christians who enjoy the benefits and comforts of the church” (80). Even conversion in Christian Religion fails to wipe out the tears of dalits. She is shocked to find that all the sweepers, attendants and the lower rung officials in the church were dalit Christians and the higher officials who control them were from the upper castes. She is not happy the way Jesus has been made to belief:

> All those people who had taught us had taught us only that God is loving, kind gentle and who forgives sinners, patient, and tender, humble, obedient. Nobody had ever insisted that God is just, righteous is angered by injustice, opposes falsehood never countenances inequality. There is a great deal difference between this Jesus and the Jesus who is made known through daily pieties. The oppressed are not taught about him, but rather are taught in an empty and meaningless way about humility, obedience, patience, gentleness. (94)

In the Convent, the nuns are required to make three vows- poverty, chastity and obedience. But in truth these vows have become a means of control and enslavement. She says, “ Inside the convent I could not see even the traces and tracks of poverty, we could

only go round and round always within our luxurious cages, trapped in comfort"(113). Ultimately, after serving seven years in the convent she decides to leave it because she thinks that it is better to lead a life weeping real tears than to live with a fraudulent smile. She describes her departure from the church through a series of comparisons as she is transformed from a strong teak tree to a feeble murunga tree. She feels like the fish that has at last returned to water. She also feels like a bird with broken wings which can only flap and is unable to fly. She concludes very positively, "For the time being I cannot see my way ahead. Yet I believe it is possible to live a meaningful life" (122). She appeals to the dalits that, "They too are created in the likeness of God. There is new strength within them, urging them to reclaim that likeness which has been so far repressed, ruined, obliterated and to begin to live again with honour, self-respect and with a love towards all humankind"(109).

Bama also portrays dalit women as brave and confident. Even the police were furious to know that the women were smart enough to attend their usual work, child rearing and caring, and the responsibilities of the house in absence of their husbands. She highlights the importance of unity and solidarity of suffering dalit women to face challenges. When a woman who feels apprehensive for digging the grave, the old lady Patti replies, "If we go together at evening time and stand together, they won't come out, even to shit"(42). Unlike *The Outcaste,* dalit women in *Karukku* are more assertive, awakened, confident and progressive. Their awakened consciousness enables them to go to the court to defend the cases filed against their people and to ultimately win the trial. Both autobiographies show that the dalits are deprived of basic amenities, Roti (food), Kapda (clothes) and Makan (house), which is in gross violation of their human rights.

The question of dignity comes later. Limbale had to wear patched shorts and had to sleep in stinking bed sheets. His granny Santamai had to wear a torn blouse exposing her breast. Her sisters had to bath in open. Bama also gets humiliated by her class mates for wearing her only skirt, jacket and daavani for a whole week. She could not attend 'Collge Day' celebration because of dress code i.e 'Silk Sari'. After leaving her job, she feels like a mongrel in search of clothes, food and a safe place to live. Paradoxically, the mainstream society does not allow the literary or cinematic representation of human rights violations of Dalits. A documentary "Caste on the Menu Card" made by TISS's students from Mumbai was the only film to be denied permission from screening in Jeevika Asia Livelihood Festival in Delhi. It was not about beef eating, rather, it attempts to portray the prevalence of caste discrimination as seen in the food choices of people in the city, and touches upon concerns related to livelihood, social inclusion and human rights. Both the autobiographies reflect that dalit women face discrimination at both hands being woman and being dalit, as Ashwani Deshpande in his book *The Grammar of Caste* argues:

> The caste system not only determines the social division of labour, but its sexual division as well. For instance, in agriculture, women can engage in water regulation, transplanting and weeding but not in ploughing….the concepts of purity and pollution segregate groups and also regulate the mobility of women. Indeed the prescribed social sanctions against anuloma marriages (upper-caste men marrying women of lower caste) are not as censorious as those against pratiloma marriages (the reverse), since the purity of the upper caste woman is not violated in the former. (107)

The 'I' in Dalit autobiographies stands for the 'we' and represent the experiences of the entire community. As Limbale in the introduction of *The Outcaste* acknowledges that they are not autobiographies, rather, they can be best described as 'social epiphanies' which delineate the social system, communalism, injustice, exploitation and the lives of people who had been subjected to these evils. Dalits constitute nearly 17% of Indian population out of which Dalit women number more than 100 million. Author-activist Arundhati Roy in her Film Review entitled, "The Great Indian Rape Trick", questioned the right to "restage the rape of a living woman without her permission", and charged Shekhar Kapur with exploiting Phoolan Devi and misrepresenting both her life and its meaning. According to Rashida Manjoo, UN Special Rapporteur on Violence against women:

> The reality of Dalit women and girls is one of exclusion and marginalisation … They are often victims of civil, political, economic, social and cultural rights violations, including sexual abuse and violence. They are often displaced; pushed into forced and/or bonded labour, prostitution and trafficking. (Manjoo)

Article 46 of Indian Constitution specifically stipulates that the State shall promote the educational and economic interests of the weaker sections of the people and in particular, of the Scheduled Castes and the Scheduled Tribes with special care to protect them from social injustice and all forms of exploitation. In spite of discrimination protective laws like free and compulsory education to the children under the age of 6-14 in article 21, Right to Education Act 2009, providing 25% reservation under section 12(c)

to the children of deprived sections in the private schools, people still face caste based discrimination. Despite the passage of the Anti-Untouchability Act of 1955 and the Prevention of Atrocities Act of 1989, the pain of untouchability is strongly felt even today. S.K Thorat, only the most serious and well-publicized acts of caste discrimination receive the attention of the Indian authorities while most of the cases go unreported, because dalits in rural areas still live under feudal systems and cannot risk angering their high-caste landlords.

On 14th April 2012, Video Volunteers' launched its 'ARTICLE 17 Campaign'. Since then, Community Correspondents have captured 52 cases of caste-based discrimination. In a serial titled *Satymev Jayate* hosted by Aamir Khan, it is highlighted that not only illiterate but educated dalits like Dr. Kausahal Panwar, Professor of Sanskrit in DU and Balwant Singh an IAS officer, are the dalits first and professionals later. The problem of manual scavenging is also highlighted. Perhaps the telecast of Satyamev Jayate and featured programme on Dalits motivated the government to introduce Prohibition of Employment as Manual Scavengers and Rehabilitation Act, 2013. It was to correct the historical injustice and indignity suffered by these communities by providing alternate livelihood and other assistance. Dr. Bindeshwar Pathak, founder of Sulabh Sanitation and Social Reform Movement crusader for human rights and dignity to millions of scavengers, provides safe and hygienic human waste disposal system to India. Anustup Nayak, Vice President at XSEED Education at Jaipur literary festival highlighted that the future of a clean India lay in the hands of young people who believe in democratic ethos and equality for all. Despite all, Ravi Nair, Executive Director of the South Asian Human Rights Documentation Centre agreed that employment

discrimination against dalits has decreased over the last decade, while access to housing often remains caste-based. It is often seen that dalit hamlets are at the end of the main village or in the outskirts of village. Limbale, even after getting job faces the problem to get house on rent. He had to hide his caste, individual identity and culture. He started greeting people with a 'Namaskar' instead of 'Jai Bhim'. He says, "We lived keeping our caste a secret. I felt the house we were living in was like the Lakshagruha" (Limbale 104). The same is the destiny of the writer of *Joothan,* Ompraksh Valmiki.

The dalit movement in literature, with its all unconventional aesthetics, has become so influential that almost every Indian university has dalit text in their curriculum. The academic interest has gone global with dalit texts making their way in international universities in the US, the UK, Canada and France. Acclaimed historian, Gyanendra Pandey recently started a course at Emory University, US, juxtaposing Dalit history with that of African Americans. It is a matter of great relief that, according to BBC News, two dalit widows named Lakshmi and Chandravathi were appointed priest at the Kudroi Temple under government of India's 'Dalit Priest Project'. Apart from it, various NGOs and organizations are working for the upliftment of dalits like All India Dalit Mahila Adhikar Manch (AIDMAM), International Dalit Solidarity Network, Dalit Sangh, National Confederation of Dalit Organisations (NACDOR), Indian Institute of Dalit Studies, Navsarjan, Samajik Shaikshanik Vikas Kendra (SSVK) etc. In this way, the present research hopes for a bright future of dalits and establish dalit literature as a revolutionary trend in Indian traditions of writings aiming at destruction of caste system constructed through the complex hierarchies of labour, sexuality and knowledge. It also delineates that untouchables have acquired a new sense of humanity and are forging

ahead to shape a new modern India. However, it depicts the problematics of dalit human rights and opens new vistas for further research and poses questions necessary for literary representation and deliberations.

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Beyond the Binary View of Transgender

We are living in the period of liquid modernity which accelerates the change facilitating the social conditions in which subcultures emerge and thrive. The postmodern theorist, Zygmunt Bauman, contends that, "Compared to the past, contemporary life (particularly in rich countries) is fluid people change jobs, religions, homes, nationalities, husbands/wives, life styles and political ideas" (Haenfler 29). These subcultures are relatively diffuse social network having a shared identity and distinctive meanings around certain ideas, practices and objects. They have a sense of marginalization or resistance to a perceived conventional society. In this regard, Susan Stryker, the founder of transgender studies, says that the subculture of transgender studies is born out of sexuality studies and feminism. She says that 'Transgender' as a politics and 'trans studies' as a twin of 'queer studies' emerged in the early 1990s. But Patricia Elliot in her book *Debates in Transgender, Queer, and Feminist Theory: Contested Sites* (2010), discussed the key rifts of the divergent conceptions of 'trans' subjects held by 'non-trans' feminists. With respect to feminism, transsexuality is a betrayal to feminist's goals. Similarly, queer theorist found themselves aligned both for and against 'trans'. No doubt, queer studies are anti-heteronormative but sometimes perpetuate 'homonormativity,' i.e. same-sex object choice but that transgender phenomena can also be 'anti-heteronormative'.

This chapter aims to interrogate hegemonic assumptions of what is considered "normal" or moral or 'heteronormativity' and to address the paucity of gender fluid identity through a terrain of literary practices as a subculture. Unlike the west, there is no proper theory of homosexuality in India. In Indian context, it has been a highly

complicated and sensitive issue. Even in the west, the queer theory emerged as a discourse in academia in 1990s only. Perhaps, that is the reason that 'queer theory evaded the attention of a well- known critic Terry Eagleton when he published his seminal book *Literary Theory* in 1983. However it is deliberated by Foucault and Derrida. Queer is a term of self-identification by individuals who do not subscribe to the traditional binary division between male/female, man/woman, and masculine/feminine and whose gender is non-confirming. Many transsexuals can be said to be 'queer' in a sense that they challenge assumptions about the supposedly fixed and immutable relationship of sex and gender identity, but not in a sense that refuses rigid categories by approaching their gender expression and body modification in the light of postmodernism.

A well-known gender theorist, Judith Butler advocates the representation of transsexual, transgender, and intersex, lesbian, gay, and feminist groups and calls it 'the new gender politics'. According to her, they interact with each other both positively and negatively to create trouble for the gender order. Queer studies establishes the idea that the postmodern world is heterosexist and homophobic. This research intends to explore several misconceptions harboured about transgender community and to suggest measures to improve their pathetic living conditions. No doubt, the human rights movement has started to look at the concerns of this community. Legal scholar, Upendra Baxi, in the foreword to the PUCL (K) report, says:

> The dominant discourse on human rights in India has yet to come to terms with the production/reproduction of absolute human rightlessness of transgender communities.... At stake is the human right to be different, the right to recognition of different pathways of sexuality, a right to immunity

> from the oppressive and repressive labelling of despised sexuality. Such a human right does not exist in India. (5)

In this way, transgender studies are important for problematizing assumptions about bodies and identities and also for the continuing need to rethink sex/gender categories. In this context, Susan Stryker in her book *The Transgender Studies Reader*, contends that,

> The materiality of anatomical sex is represented socially by a gender role, and subjectively as a gender identity: a (biological) male is a (social) man who (subjectively) identifies himself as such;…The relationship between bodily sex, gender role, and subjective gender identity are imagined to be strictly, mechanically, mimetic—a real thing and its reflections. Gender is simply what we call bodily sex when we see it in the mirror of representation—no questions asked, none needed. Transgender phenomena call into question both the stability of the material referent "sex" and the relationship of that unstable category to the linguistic, social, and psychical categories of "gender". (Stryker & Whittle 9)

In this way, transgender studies calls for an end to the hierarchy that values and legitimates 'normative genders' and devalues and delegitimizes 'transgressive' genders. It also offers a critique of heteronormativity, and advocates the reconceptualization of gender for the creation of new forms of legitimacy for trans-identities. But there are plethora of myths and misconceptions about eunuchs which lead these gender non-confirming people towards sexual stigma and inhumane treatment. This study aims to analyse different dimensions and perceptions about sexuality and homosexuality through investigating and understanding the life and issues of 'hijras', eunuchs or the third gender

who occupy a unique, liminal space between male and female, and sacred and profane in contemporary India.

Sexuality being the basic need of human life, has been a vital part of the human existence. It may be experienced and expressed in a variety of ways including thoughts, fantasies, desires, beliefs, attitudes, values, behaviours and relationships which may manifest by way of biological, physical, emotional or spiritual aspects. Sexuality is influenced by the interaction of biological, psychological, sociological, economic, political, cultural, ethical, legal, historical, religious and spiritual aspects of life. It changes among individuals, within genders, within classes and within societies. Even the very meaning and content of sexuality varies. According to Foucault, since the end of the 19th century, it has been considered one of the primary elements in a person's essential identity along with race, class and gender. Similarly, Sigmund Freud believed that sexual drives are instinctive i.e. 'libido' and he viewed sexuality as the central source of human personality. He says, "The behaviour of a human being in sexual matters is often a prototype for the whole of his other modes of reaction in life" (Freud, 25). What we find erotic and how we take pleasure in our bodies constitute our sexuality. The major components of sexual identity are biological sex, gender, social sex role, gender identity and sexual orientation.

The term 'sex' refers to the biological and physiological characteristics that define male, female or intersex. Sex is also different from desire as desire is mental concept while sex is physical. Further, 'sex' can be distinguished from 'gender' which is a social/cultural term that refers to one's identity as 'man' and 'woman' or 'third gender' because no one is born a woman or a man rather as the saying goes 'one becomes one'

through a complex process of socialization. Perhaps this is the reason that many universities have changed the name of their departments from women studies to gender studies. It means that gender studies is an all-encompassing term for the study of whole gamut of the term ‘gender’. It has interlinkages with various institutions like caste, class and state and how these institutions position men and women in different ways. Gender Studies deals with interface of feminism, queer bodies and masculinities, and gives a nuanced understanding of social relations. It has denaturalized assumptions about the supposed coherence and essentialism of gender and sexual categories. If essentialism sees gender or sex as inherently based on anatomical markers, social constructivism understands gender as not simply biological or inherent but rather a cultural creation upheld through social order. It is something that is constructed through relations of power, and through a series of norms, and constraints that regulate gender binaries--male and female. We are so heavily conditioned by culture and its norms to categorize sex and gender in this binary of ‘boy or girl’ that tends to be the first question on the birth of a baby and a cursory look at the genitals usually provides the answer. Whenever one meets a person for the first time, he/she automatically, unconsciously, registers whether that person is male or female. In this way, gender is one’s own specific way of interacting with and presenting oneself to the world through - physical, mental, spiritual, sexual, inter-relational or connective expression. One’s sense of ‘self’ is organic and inter-relational. Gender is that expressive, relational, embodied ‘self’. Glover & Kaplan used it as, ‘a busy term’ that it is very widely used in many different contexts so that its usages are continually evolving and its meaning is quite slippery. Part of the busyness and slipperiness arises from the fact that this is a highly charged concept.

Gender, as a construct, is politically deployed. It means the usage of the term has been persistently bound up with power relations between women and men. This assigned gender dictates our life and brand our behaviour. After gender assignment comes the process of developing gender identity through getting prescribed ‘gender role. It is social script or myth which guides the proper behaviour and activities of a person of a particular gender. It is performed by gender comportment through bodily actions such as how we use our voices, cross our legs, hold our heads, wear our clothes, dance around the room, throw a ball or walk in high heels. For example, a man is supposed to be a doctor or pilot and a woman is supposed to be a nurse or air hostess and many different gender expressions. In this way, these are the two sides of the same coin and both must be consistent. Ideally, ‘gender role’ is the public expression of ‘gender identity’ whereas ‘gender identity’ is the private experience of gender role. It is defined in the preamble of Yogyakarta principles (YPs) as,

> ‘gender identity’ to refer to each person’s deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth, including the personal sense of the body (which may involve, if freely chosen, modification of bodily appearance or function by medical, surgical or other means) and other expressions of gender, including dress, speech and mannerisms. (Yogyakarta Principles)

For most of us, sexuality can involve many body parts or physical activities as well as the erotic use of objects. It is used to describe particular patterns of sexual attraction. The term ‘sexual orientation’ is a more accurate version of sexuality. Sexual orientation is an enduring emotional, romantic, sexual affection or attraction toward

others. It is easily distinguished from other components of sexuality including biological sex, gender identity (the psychological sense of being male or female), and the social gender role (adherence to cultural norms for feminine and masculine behaviour). In Yogyakarta principles, the expression "Sexual Orientation" is "Understood to refer to each person's capacity for profound emotional, affectional and sexual attraction to, and intimate and sexual relations with, individuals of a different gender or the same gender or more than one gender" (Yogyakarta Principles). It classifies people according to the relation between their own sex and the sex of the people with whom they would, or could, enjoy sexual activities. It is even less determinate than sex. Sexual orientation is different from sexual behaviour because it refers to feelings and self-concept. Individuals may or may not express their sexual orientation in their behaviours. It exists along a continuum that ranges from exclusive heterosexuality to exclusive homosexuality and includes various forms of sexualities including straight, bisexual, auto-sexual, asexual and pansexual orientation. But these sexual preferences may depend on many factors like class, education, spiritual practices, body shape or size and dominant and submissive attributes other than genders of the people we are attracted to. This classification gets a full-fledged framework by Gay Studies and Queer Theory. According to Puspesh Kumar, "Queer includes those who openly wear sexual identities like lesbian, gay, bisexual and transgender (LGBT) and those who use indigenous terms like 'hijra', 'kothi' and 'panthis' to describe themselves (Kumar 8). In this way queering is highly unorthodox process of reversing and destabilizing heterosexuality as a norm. As literary theorist, Parmod K. Nayar says, "Queer includes activism and protest through art, literature, academic criticism and inclined to forge alliance with any counterhegemonic project"

(Nayar 2010). According to Peter Barry, ‘Stone Wall Riot’ 1968 is the stepping stone in the realm of queer theory. It was a rebellion against the harassment by New York police to the people of alternative sexual performance. In 1990s, the gay subculture reclaimed queer as a way to define the subculture and worked to negate its deviant connotations. It ceases to perish the heterosexual/ homosexual dichotomy and claims to give voice to the sexually marginalized people by making sexual orientation a fundamental category of analysis and understanding. Similarly, Herbert Marcuse, the father of New Left, regarded that the realization of man’s erotic nature is the true liberation of humanity that tends to actual sexual liberation. It is not only about what you do but also it is about how you describe yourself. In this context, Foucault, in his essay “Friendship as a Way of Life,” says that it is homosexuality that threatens people as a way of life not as a way of having sex. The consequence can be seen in India, where the Gay Pride Marches in Delhi, Mumbai, Kolkata, Bangalore and Chennai include lesbians, gays, transgenders and others who come together as ‘Queer’ to forge coalitional politics against the homophobic Indian society.

LGBT community and supporters attend the 5th Delhi Queer Pride parade on November 25, 2012. (Photo Credit: Sajjad Hussain) < https://www.pri.org/stories/2012-11-25/ > (Accessed on 10th May, 2016)

In this way, the key terms 'heterosexuality' and 'homosexuality' have beset the study of sexuality. According to Peter Barry, all identities including gender identities like LGBT are kind of impersonation and approximation- a kind of imitation for which there is no original. The acronym LGBT can be further extended as, LGBTT2QQAAIIP which stands for Lesbian, Gay, Bisexual, Transgender, Transsexual, Two-Spirit, Queer, Questioning, Asexual, Allies, Intersex, Intergender and Pansexual. These days, teens are declaring themselves as pansexual, genderflued and genderqueer. In this context, feminist writer Virginia Woolf, in her letter "The Humane Art" says that self that goes on changing goes on living'. Ultimately, gender has become the chosen ground for a new wave of identity politics like feminist criticism. According to radical feminist writers like Rubin, Vence and Sedgwick, sexuality is key to theorizing gender. Following Foucault, Rubin identifies 'the hierarchical valuation of sex acts'. She argues that a sexual hierarchy rewards those at the top with certified mental health, respectability, legality, social and physical mobility, institutional support and material benefits' while those who are at the bottom of the scale are subjected to a presumption of mental illness,

disputability, criminality, restricted social and physical mobility etc. In this regard, V. Geetha questions 'compulsory heterosexuality' in her small but brilliantly written volume on 'patriarchy'. Chayanika Shah, a queer feminist questions – 'Is compulsory heterosexuality only about controlling desire or is it about dictating that the world can have only two kinds of people—women and men'? (Qtd. in Geetha 197). Many of the earliest 'non-trans' feminist perspectives on transsexuals were marked by hostility. It gets thorough description in Janice Raymond's *The Transsexual Empire: The Making of the She-Male* (1979) where she writes:

> All transsexuals rape women's bodies by reducing the real female form to an artefact, appropriating this body for themselves. However, the transsexually constructed lesbian-feminist violates women's sexuality and spirit, as well. Rape, although it is usually done by force, can also be accomplished by deception. (Raymond 104)

Actually, life and nature are a lot more complex than this. Establishment of such rigid norms leads to ignore a wide range of bodies as invisible or illegitimate. According to American Psychological Association, behaviour that is compatible with cultural expectations is referred to as normative behaviour while those incompatible with these expectations constitute gender non-conformity and hence immoral. Anne Fausto-Sterling, a biologist and historian in her book *Sexing the Body: Gender Politics and the Construction of Sexuality*, argues that two sexes are not enough and there is need to redefine this male-female dichotomy. She also offers new guidelines on how doctors should handle intersex babies. The triangular relationship between social, personal and sexual factors together form human life.

However, the diversity of genders and sexualities existed in Indian culture since time immemorial. It is truly a rainbow of many fascinating hues like lesbian, gay, bisexual and transgender. But this chapter explores the most rendered invisible transgender population who are recently labelled as 'third gender' by the landmark decision of honourable SC of India on 15th April, 2014. Transgender practices whether homosexual or heterosexual are generally constrained and penalized. For instance, infants born with ambiguous sexual characteristics or eunuchs or men and women who do not feel comfortable to follow the dress norms prescribed for their gender are considered as abnormal. Today shock-horror style newspaper articles are building public knowledge of transgender issues. They might be revelations of women who had passed most of their lives as men and vice-versa or they might be autobiographical accounts by people who had sex change operations. So, gender is something more spiritual than biological--a feeling that has been echoed by many 'Trans' people.

Following the deconstructive practices of poststructuralist theory at the end of 20th century, 'queer' takes on the meaning of disruptive and destabilized performances of gender and sexuality which are not the product of any kind of essentialist identity. Judith Butler sees gender and sexuality as an act or performance- a form of drag where people play the role of a man or a woman or sometimes a sexy man or woman. She claims that all of it, heterosexual or homosexual, is un-natural. They are performances, not essences. In her book *Gender Trouble*, Butler writes, "there is no gender identity, behind the expression of gender identity is performativity constituted by the very expression that are said to be its results" (25). An American academic scholar, Eve Kosofsky in her book *Tendencies* subordinates, the idea of gender to the study of sexuality. Foucault says that

sex is not something you do instead the kind of sex you have become a symptom of something else i.e. your sexuality. In 16th century, the focus was on regulating the sexuality of the married couple, ignoring other forms of sexual relations. But in his book *History of Sexuality,* Foucault says that the notion of sexuality is constructed against essentialist views of sexuality and developed it into a marker of identity because nothing of his full personality escapes his sexuality. He says, "Homosexuality appeared as one of the forms of sexuality when it was transposed from the practice of sodomy onto a kind of interior androgyny, a hermaphrodism of the soul. The sodomite had been a temporary aberration; the homosexual is now a species" (43). Hoshang Merchant, in his book *The Man Who Would Be Queen,* writes, "In modern society biology is lost. Men loving men have come to the centre of society (as writers, artists, even politicians in the west)" (91). Later it is appropriated as a source of pride and reclaimed to unify all 'sexual minorities' not just gay man and lesbians but also bisexuality, transsexualism and transgenderism. In the beginning of the 20th century, the famous German sexologist Magnus Hirschfeld (1868-1935) coined the words 'transvestites' and 'transsexuals'. For both these words, a blanket term 'transgenderism' was coined by Virginia Prince.

Another pioneer in the study of transgenderism was U.S. endocrinologist Harry Benjamin, a campaigner for sexual reform who treated hundreds of patients and introduced Sex Reassignment Surgery (SRS) at the John Hopkins Hospital. He sparked further interest in cross-gender identities by distinguishing transvestism and transsexuality as: "transvestism… is the desire of a certain group of men to dress as women or of women to dress as men. It can be powerful and overwhelming, even to the point of wanting to belong to other sex and correct nature's anatomical error. For such

cases, the term transsexual seems appropriate" (Qtd in Hines 11). The terminology of transgender is less than 40 years old, however transgender people have existed in every culture, race, and class since the dawn of human civilization. The contemporary term 'transgender' arose in the mid-1990s to represent the gender-different people. It is an umbrella term that includes transvestism, transsexuals, cross dressers and intersex people, 'androgynes', 'bigenders', 'genderqueers', 'drag performers', butch / femme practices and just about anybody else who doesn't conform to the traditional model of sex/gender. People whose gender identity matches their biological sex are called cisgender, which means 'matching gender' and whose identity differs from their biological sex are called transgender. It may refer to individuals who have undergone hormone treatment or surgery to reconstruct their bodies or to those who cross genders in less permanent ways. A transgender individual may have characteristics that are normally associated with a particular gender but that individual gets identified elsewhere on the traditional gender continuum, or exists outside of it as "other"- 'gender blending', 'gender fucking', 'gender crossing' and "inter-gender" or third gender. Sudeshna Mukherjee, in her paper "The Curious Case of Shanthi: The Issue of Transgender in Indian Sports", says, transgender is a challenge to the social construction of gender. In the light of three possible meanings of the prefix 'trans' she considers to deconstruct gender and observes:

> Trans means change, as in the word "transform". In this first sense transgender people change their bodies to fit the gender they feel they always were…. In the second sense "Trans" means across as in the word "transcontinental". In this sense a transgendered person is one who moves across genders…. The emphasis is on the "crossing" and not on any

> surgical transformation…. Third meaning of "trans" is beyond or through"…. This third meaning is the most radical, which talks for elimination of gender. (124-25)

In its broadest sense, transgender encompasses anyone whose identity or behaviour falls outside of stereotypical gender norms. This community faces discrimination, depression, unemployment, homelessness, lack of educational, medical, HIV care facilities, hormone pill abuse, tobacco and alcohol abuse and problems related to marriage and adoption. In 1994, transgender persons got the voting right but they could not enjoy it and were caught up in the male or female question for getting voting cards. They also feel neglected for inheritance of property or adoption of a child. They are often pushed to the periphery as a social outcaste and many may end up begging and dancing. They even engage themselves as sex workers for survival.

Histrio-mythical Background of Hijras

According to Hindu Civilization human sexuality, sexual pleasure and sexual love being, one among the four prime aims or goals of a person's life i.e. (I) Dharma (Duty of one's being), (II) Artha (Acquisition of wealth), (III) Kama (Pleasure of sex, sexual fulfilment), and (IV) Moksha (release, liberation from the cycle of birth and death) gets a highly respectable place in all aspects of life, art, literature, and even religion. Homosexual conduct and transgender identities have been displayed through various classical Sanskrit texts, orthodox Hindu literature and Buddhist and Jain writings. American Indologist, Wendy Doniger has observed, "Many texts are "significantly silent" on the subject of alternate genders and sexualities, in some there are "hints from which we can excavate a pretty virulent homophobia". (332-34)

Eunuchs or castrated males have been in existence since 9th century B.C. The word is derived from the Greek and it implies "keeper of the bed" because at that time castrated men were in dire demand to guard royal harems. This practice is believed to have started in China where at the end of the Ming dynasty there were as many as 70000 eunuchs in the grand palace itself and many thousands more waiting to fill vacancies in the royal quarters. Gender fluidity in India is steeped in centuries of history and spiritual mythology. The third sex gets extensive mention in ancient Vedic writings of India, dating back before 300 AD. Ina Goel traces the history of eunuchs as:

> History is replete with stories of their non- threating bodies because of which they were entrusted with guarding the royal harems during the rule of the Mughal dynasty. The king of course ensured that the hijras were castrated and therefore unable to impregnate the women in the harem. (78)

Hijras have a recorded history of more than 4,000 years but the estimates of their population vary. Today, the most commonly cited estimate is between two and three millions. According to ancient myths, they are bestowed with special powers to bring luck and fertility. Their existence found in a collection of Indian myths like, *Satapatha-Brahmana* which explains that the castrated bull is neither female nor male. The same ambiguity and indecisive 'hijra' identity is defined by the poet Shivabhakta, Devara Dasimayya:

> If they see breasts and long hair coming,
>
> They call it woman,
>
> If beard and whiskers
>
> They call it man.

But look, the self that hovers in between

Is neither man nor woman (Qtd in Rajeev & Ashok 227)

'Third sex' is also discussed in ancient Hindu law, medicine, linguistics and astrology. The foundational works of Hindu law, the *Manu Smriti* and *Arthashastra* considered ayoni (non- vaginal sex) as impure. *Manu Smriti* explains the biological origins of the three sexes- a male child is produced by a greater quantity of male seed, a female child by the prevalence of the female and if both have equal prevalence, a third-sex child or boy and girl twins are produced. The Vedas (c. 1500 BC - 500 BC) describe individuals as belonging to one of the three separate categories, according to one's nature or prakrti. These are also spelled out in the sex manual *Kama Sutra* and elsewhere as 'purus-prakrti' (male- nature), 'stri-prakrti' (female-nature), and 'tritiya-prakrti' (third-nature). The chapter "Auparishtaka" describes homoeroticism of both male and female. But it also does not consider homosexuality to be the ideal natural 'dharmic' path. In Vedic astrology, the nine planets are equally assigned to one of the three genders; the third gender, tritiya-prakrti, is associated with Mercury, Saturn and (in particular) Ketu. In the *Puranas*, there are also references to three kinds of 'devas' of music and dance: *apsaras* (female), *gandharvas* (male) and *kinnars* (neuter). The sacred epics and *Puranas* contradict the law books as they depict Hindu deities as examples of saints, demigods and incarnations of the lord associated with gender transformation or diversity springing from ayoni sex. Sri Ayappa who is born from two male deities Shiva and Vishnu is very popular among the third sex in south India. King Bhagiratha was born of two vulvas. The Hindu god Shiva who is often represented as 'Ardhanarishvara' having dual identity of male and female is sometimes described as a hermaphrodite. The sculpture of Shiva as

‘Ardhanarishvara’ is one of the great attractions of the Elephanta Caves. Patanjali's work on Sanskrit grammar, the *Mahabhaya*, states that Sanskrit's three grammatical genders are derived from three natural genders. The earliest Tamil grammar, the *Tolkappiyam* (3rd century BC) also refers to hermaphrodites as a third "neuter" gender (in addition to a feminine category of unmasculine males.

Existence of a third gender is also indicated in the *Ramayana* and the *Mahabharata*. Lord Rama, while leaving for the forest turns around to his followers and asks all the men and women to wipe out their tears and return to the city. But those people who were neither men nor women waited there for 14 years because they thought that Rama had not asked them to go. Impressed with their devotion, Rama granted them the power to confer blessings on people on auspicious occasions like childbirth and marriage, and also at inaugural functions. This custom of ‘badhai’ in which ‘hijras’ sing, dance and confer blessings prevails even today. In the legend of Aravan, the son of Arjuna and Nagakanya is offered to be sacrificed to Goddess Kali to ensure the victory of the Pandavas in the Kurukshetra war. His only condition was to spend the last night of his life in matrimony. It was not so easy to fulfil his wish because no woman was willing to marry one who was doomed to be killed. To fulfil his desire, Krishna assumes the form of a beautiful woman called Mohini and marries him. Since then, the hijras of Tamil Nadu consider Aravan their progenitor and call themselves aravanis. On the festival day, the priest at Aravanani’s temple marries them off to the deity. The next day, the priest cuts the ‘mangalsutra’, the marriage chain and all the hijras become widows. Besides, in one of the instances, the Pandavas used Shikhandi, a eunuch, to thwart the invincible Bhishma Pitamah in the battle of Kurukshetra. Arjuna disguised himself as a eunuch as

Birhannala and served the ladies of the court of King Virata. He manifested all three genders consisting of male, female and hermaphrodite. The *Markandeya Purana* carries the story of 'Avikshita', the son of a king who refused to get married because he felt like a woman. Transvestites, homosexuals, and members of the third sex are mentioned in a positive light in the most famous sex manual *Kama Sutra*. It is believed that Kamdeva who is the god of sex was given a curse and he became formless without any physical entity. Another Sanskrit text *Natyashastra* gives instructions regarding third gender. Although the *Vedas*, one of the earliest Hindu law books, do not speak about hijras or intersexual specifically, they mention castration as a degrading punishment for very bad deeds. During the Mughal Empire in the 16th and 17th centuries, castrated hijras – or eunuchs – were respected and considered close confidants of emperors, often being employed as royal servants and bodyguards. These jobs were so coveted that historians say some parents actually castrated their sons in order to attain favour with the Mughal kings and secure employment for their children.

The Muslim practice of keeping eunuchs as favoured servants started around twelfth century CE in Medina, and, interestingly, the majority of early eunuchs were imported from the Indian subcontinent. Islamic law prohibited the act of castration, but already-castrated men from other countries were afforded high level of respect, although they were sometimes seen as more feminine than other men and thus were perceived as limited by women's lower rational abilities. When Muslim courts moved to India, their eunuch system moved as well. Muslim ruler Babar has love affair with a boy named Baburi. Carvings in the Khajuraho temple in Madhya Pradesh reflect the homoerotic nature of that period. For this reason, many contemporary 'hijras' see themselves as

(metaphorical, not biological) descendants of Muslim court eunuchs. Apart from Islam, the early Indian Buddhist writers generally frown on all sexual activities because it leads to worldly attachment. In Jain texts, they were referred as ‘napunsaka’. These literary evidences indicate that Eunuchs were celebrated in sacred Hindu texts and they have been prevalent across the Indian subcontinent throughout history. In this way ancient India was a highly sexualized society and the erotica depicted in art was an integrated part of our past. Although Hindu tradition has recognized the wide range of human sexual diversity but it prescribes none other than heterosexuality.

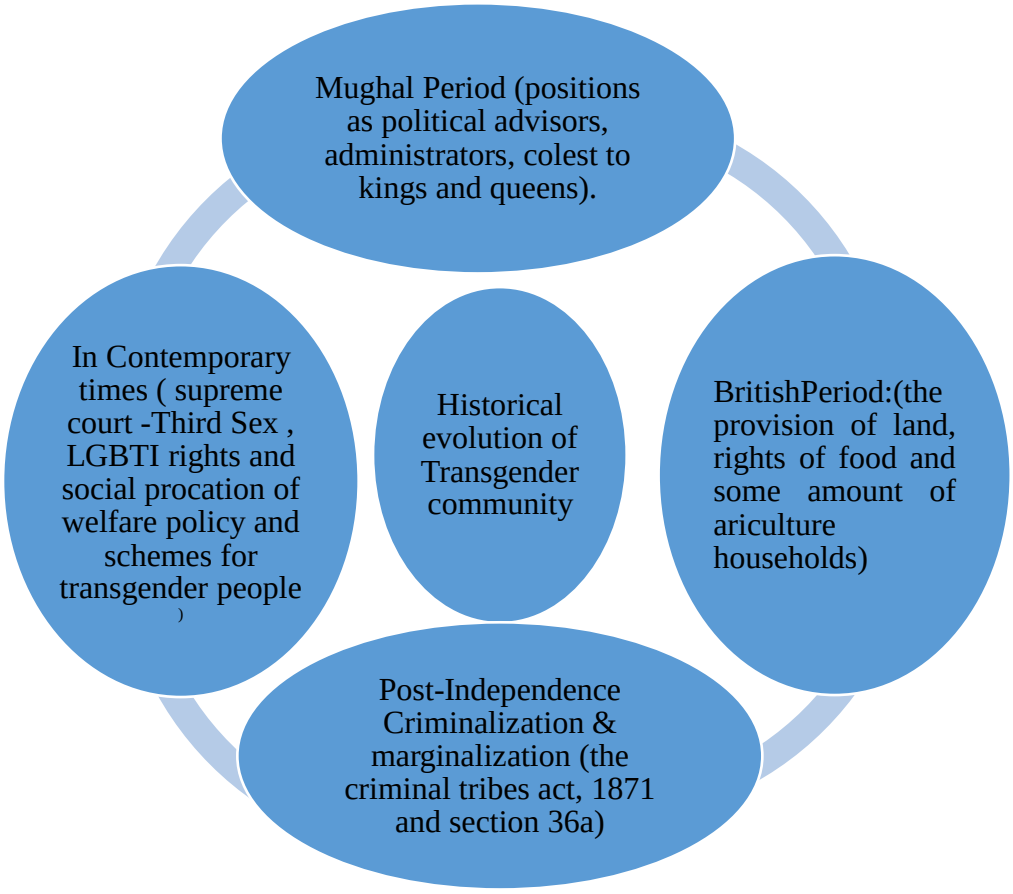

Fig.1 Evolution of Transgender Community in India

India has a rich and healthy history of celebrating alternative sexualities or sexual liberty. In this way homosexual behaviour is not a new thing in India but the concept of 'homosexuality' is of recent origin. It is considered a western import because before the colonial period the term 'homosexuality' was not popular in India. But the above discussion shows that it is not alien import, rather, it has existed in Indian society throughout the ages. It was invisible but flourishing amicably with the socio-political, cultural and economic framework. With the advent of British power in India, the community's fortunes changed because the disgusted colonists brought homophobic atmosphere and classed all eunuchs as criminals by passing a law. Since then many have been ostracized – either for cross dressing or being intersex – and have gone on to form their own communities, around a guru or mother figure to provide emotional and financial security. In 1871, the Criminal Tribes Act was implemented to criminalize homosexuality and 'hijras' were notified as one of the criminal tribes. In this regard Ruth Vanita and Saleem Kidwai write:

> In 1895, in Britain, poet Oscar Wilde was convicted under a new law that criminalizes indecency between men (as distinct from sodomy)' and his sufferings in prison led directly to his death. This widely reported case functioned to instill fear into homosexuality inclined men in England and could not but has similar effects in India where newspapers in English and in other Indian languages picked up reports of the case. (195)

It is irony to note that in India homophobia, which is a psychological or psychosexual shortcoming, is not an ontological fact spread before the realization of homosexuality itself. In a study on 'Working with Homosexuals', Joseph discussed that

Homophobia not only applies to heterosexuals but also homosexuals undergo the same feeling of awe and its serious implications. A homosexual individual, like others, has also grown up in an environment that devalues homosexuality. These internalized negative beliefs and attitudes affect the self-esteem and identity development of a homosexual individual. They may devalue themselves by considering their same sex fantasies and behaviour as 'wrong', 'unnatural',' immoral' or 'sinful' and involve themselves in self-destructive behaviour. John McLeod in his book *Beginning Postcolonialism* defines assumptions about gender as:

> Popular gendered stereotypes circulated such as the effeminate Oriental male or the sexually promiscuous exotic Oriental female. The Oriental male was frequently deemed insufficiently manly and displayed a luxuriousness and foppishness that made him appear a grotesque parody of the (itself stereotyped) 'gentler female sex. The exoticised Oriental female often depicted nude or partially-clothed in hundreds of Western works of art during the colonial period, was presented as an immodest active creature of sexual pleasure who held the key to a myriad of mysterious erotic delights. In both examples, the Oriental is deemed as failing to live up to received gender codes: men by Western standards are meant to be active, courageous, and strong; by the same token, women are meant to be passive, moral, and chaste. But Oriental men and women do not comply with these gender roles; their gender identity is transgressive. (McLeod 45)

Transgender communities have existed in most parts of the world with their own local identities, customs and rituals. They are called ‘Baklas’ in the Philippines, ‘Berdaches’ among American Indian tribes and ‘Serrers’ in Africa, ‘Kathoey’ in Thailand and ‘Moorat’ in Pakistan. The word ‘hijra’ is an Urdu-Hindustani word derived from the semantic Arabic root ’hijr’ in its sense of ‘leaving one’s tribe’ and has been borrowed into Hindi. It is translated into English as Eunuch or hermaphrodite where the irregularity of the male genitalia is central to the definition. In Hindi, ‘hijra’ may be spelled ‘hijada’, ‘hijara’, ‘hijrah’ and is pronounced somewhere between ‘heejra’ and ‘heejda’. They are called by different names in different Indian languages like in Telgu ‘Napunsakudu’, in Odia ‘hinjida’, In Punjabi ‘Khusra’, in Sindhi, ‘Khadra’, in Tamil, ‘Thirunangai and in Gujrati, ‘Pavaiyaa’. They are also known as Aravani, Jogappa and Aruvani. The term Shiv-Shakth typically refers to a community of transgenders in Andhra Pradesh. One more respectable term for hijra is ‘Kinner’. The term ‘Koti’ refers to a male who takes receptive or feminine role in sex. Apart from these, abusive slangs like ‘Number Nine’, ‘Six’ ‘Chakka’ are used for them. In this way human sexual diversity or gender variance have been prevalent across the Indian subcontinent, throughout history, and Hindu devotional practices, philosophy and literature emphasized the eroticism of the gods and projected ‘Kama’ as one of the four aims of life. Ironically, with the advent of British rule, these diverse perspectives of sexuality were suppressed and criminalized in India by introducing section 377 of Indian Penal Code drafted in 1860 which implies all non-procreative sexual activities as unnatural sex against the order of nature because it is a faithful mirror of colonial beliefs. For example the Victorian puritanical system had strong reproductive assumptions about sexuality. In this way, there is disjunction between

culturally defined hijra roles and reality of their lives. After deterioration of their status, Eunuchs were considered as social "outcasts" and "strangers" in the society. In this context, Dr. Rajesh Talwar, a lawyer writes:

> Eunuch, generally, looks like a huge and unattractive person, wearing high tone colors and makeup (facial hair is visible) with big hands and feet , nonverbal activities as well as naughty jokes, clapping, speaking vulgar and gesticulate with exaggerated movements of certain body parts (breasts, hips). (23)

But these attempts of suppression at legal and cultural level were partially successful and the legacy of historio-mythical diverse sexual perspectives especially homosexuality in its various forms got nourished in modern movements for equality of sexual minorities. The post-independence period brought home the concept of freedom of expression and speech, equality, liberty of movement and right to life with dignity, respectively through Article 19(1) (a), Article, 19(1) (d) and Article 21 of Constitution of India. Article 15 of the Constitution entails non-discrimination based on caste, creed, language and sex. But the term 'sex' is widely used in Constitution in strict anatomical sense of being a man or woman with a deep silence on the existence of sexual minorities. In such a scenario, literature regarding LGBT is quite scant and sought to be suppressed, as was Ismat Chughtai's most celebrated short story, "Lihaaf" (The Quilt) published in 1942 in the Urdu literary journal Adab-i-Latif, was labelled with charges of obscenity for her delicate evocation of the relationship between two women. The Rabindranath Tagore, in his one act play *Chitrangada*, depicts Chitrangada a crossdresser manly princess who falls in love with Arjuna and requests to god of love to make her more womanly but

when Arjuna came to know about her exceptional warrior ship he loves her more than earlier. The play is adapted into a film by director Rituparno Ghosh with the same title *Chitrangada- The Crowning Wish* (2012). *Vadamalli* by novelist Su Samuthiram is the first Tamil novel about an Aravaani. In 1977, Shankuntla Devi published first study of homosexuality in India.

There are a host of prolific literary critics and creative writers such as Hoshang Merchant, Suniti Namjoshi, Manju Kapur, Shobha de, Khuswant Singh, Ruth Vanita, Saleem Kidwai, R. Raj Rao, Ashwini Sukthankar, Eunice de Souza, Ashok Row Kavi, Firdaus Kanga, Kamaleswar and so on. Hoshang Merchant considered as India's first openly gay poet, has produced a plethora of creative writings that include numerous collections of poems, anthologies of gay writings and theorizations on homosexual love. Indo-Anglian Literature depicts the awakening among the modern youth regarding issues of gender and individual assertion regarding sexual orientation. Arundhati Roy's *The God of Small Things* registers the silencing of women and their victimization in the patriarchal society. Khushwant Singh's novel *Delhi* portrays Bhagmati, a hijra, who earns her livelihood as a semi-prostitute who is wanted in the diplomatic circles of the city. She is represented in a positive light outspoken, plain-looking with worst dressing style, dominant and yet docile, caring and above all humane, with whom the readers will surely develop a 'liaison,' once they know her inside out. However, the novel also highlights the sexual abuse of "hijras" by different people; some enjoy them like a woman and some others like a boy unnaturally. But Bhagmati is all-purpose man-woman sex-maniac:

> When men came to expand their lust on 'hijras'–it is surprising how many prefer them to women-Bhagmati got more patrons than anyone else in her troupe. She could give herself as a woman; she could give herself as a boy. She also discovered that some men preferred to be treated as women. Though limited in her resources, she learnt how to give them pleasure too. There were no variations of sex that Bhagmati found unnatural or did not enjoy. (30)

The playwright Mahesh Dattani, in his plays ―*Seven Steps Round the Fire* and *Dance like a Man*, speaks about the marginalized sections of society in terms of gender and sex which in turn unravels the hypocrisy of the heterosexual society. His play, *Seven Steps Round the Fire* dwells round the theme of eunuchs and presents the injustice against a hijra named Kamla who secretly marries the son of a minister and bears dire consequences resulting into her death. *Dance like a Man* is another classic example of how institutionalized heterosexuality works. Jairaj's father finds that his son is unnatural because he is not adhering to the prescribed gender role assigned to the males. Another acclaimed author Raj Rao founded the Queer Studies Circle at Pune University. He was one of the first to offer a course on LGBT literature at university level in India in 2007. After years of resistance on the part of his academic superiors he clubbed the Queer literature with Dalit literature and started it under the genre of Alternative Literature. In his novel, *The Boyfriend* (2003), he associates untouchability with homosexuality. The gay protagonist, Yudi who is Brahmin by caste says to a dalit boy Milind, "Homos are no different from Bhangis. Both are Untouchables. So why should I have a problem eating your Jootha?"(81). Another celebrated author Vikram Seth writes an open letter against

section 377 in defence of a truly democratic and plural India. He urges upon the people to collectively fight against laws and policies that abuse human rights and limit fundamental freedoms. In his poem "Dubious" he says that I am like both Jack and Jill and asks about his identity as:

> The strict ranks of
>
> Gay and straight
>
> What is my status?
>
> Stray? Or Great (Seth)

An Unsuitable Boy, a memoir by Karan Johar co- authored with Poonam Saxena, is a frank and riveting account of Johar's life. He was mocked at by his friends mercilessly for being pansy and feminine. In this memoir, Johar openly criticizes India's criminalization of homosexuality under section 377 of the IPC. He gives a word of caution to homosexuals against coming out of their closets otherwise they will be tortured in different ways under section 377 of IPC. *I Am Vidya* (2008) is an emotionally power packed autobiography by Vidya a transwoman, who acquires her womanhood, facing excruciating pain and despicable behaviour of the society which is a common phenomenon with all the transgenders. They constitute the most marginalized group whose crime is not to meet the traditional social norms of gender binary. Their ambivalence is indicated through the like 'Actress' at the top and 'actor' at the bottom. *A Gift of Goddess Lakshmi: A Candid Biography of India's First Transgender Principal* by Manobi Bandyopadhyay with Jhimli Mukherjee Pandey is the recent publication on transgender issue. It is a frank account of a transgender trapped in a wrong body. She writes about people who provided her social space like political groups and mentorship

by professors. She went to do a PhD in Bengali literature and became the Principal of a women's college in Krishnanagar, a district town in West Bengal. *The Invisibles: A Tale of Eunuchs* by Zia Jaffrey is a bold, beautifully written, thought provoking book about the hijras of India. The book gives a detailed description of the lives, practices, culture and history of this unfortunate gender and raises pertinent questions about society's attitude, and in many ways illuminates not just the grim world of the eunuchs but also that of India, itself. In this book, Anita, a hermaphrodite is handed over to the hijra community by her parents when she is just four years old because they cannot accept the fact that they do not have a 'normal' child and are crushed by what they see. Another character, Kamal, born as a male, believes herself to be a female and castrates herself, while a third character Jagoman is kidnapped in Delhi, drugged and then castrated against his will. According to Susan Stryker and Whittle, "…in order to counteract the colonization of their bodies by the binary gender system, transsexuals should refuse to pass and instead allow their bodies and life histories to be read so as to disrupt its terms" (Stryker &Whittle 221).

With the emergence of homosexuality in literature and activism of sexual minorities. Hijras, a comparatively large group of homosexuality in India now claims socio-religious identity and political rights. Consequently, Shabnam Mausi became the first transgender Indian or *hijra* elected member of the Madhya Pradesh State Legislative Assembly from 1998 to 2003. In 2003, Hijras in Madhya Pradesh have announced establishing their own political party called "Jeeti Jitayi Politics" (JJP), which literally means 'politics that has already been won'. The party also released an eight-page election manifesto to make the difference from mainstream political parties. In 2009, Delhi High

Court established the redundancy of colonial blow against sodomy. In 2011, the United Nations Human Rights Council passed its first resolution recognizing LGBT rights because of reports documenting violations of the rights of LGBT people including hate crime and criminalization of homosexuality. As a step forward, transgenders were counted for the first time in census 2011 in India. As per census 2011, their total population is around 500,000 while 'trans' activists estimate the number to be six to seven times higher. Moreover in the case, *Koushal v. Naz Foundation,* the Supreme Court overturned the 2009 Delhi High Court judgment, in December 2013, reinstating the constitutional validity of Section 377 of the Indian Penal Code to criminalize all non-procreative sexual acts. It shows the insignificance of a "minuscule fraction of the country's population. But surprisingly, few months later the Apex Court, in response to a writ petition filed by NALSA (National Legal Services Authority) against Union of India and supported by activists like Laxminarayan Tripathi, recognized the transgender community as the 'third gender' on 15th April, 2014 and also instructed the states to provide reservation for them in employment and education sector. This judgement was hailed as a human rights document for the recognition of stigmatized transgender community. In this regard, Justice K.S. Radhakrishnan and A.K. Sikri said, "Recognition of trans-genders as a third gender is not a social or medical issue but a human rights issue". (SC)

Present research explores the sexual violence of the most invisible, unheard and sexual outcaste transgender community and their resistance as a particular sexual minority through two self- narratives- *A Truth About Me: A Hijra Life Story* by A Revathi and *Me Laxmi Me Hijra* by Laxmi Narayan Tripathi. People commonly believe that hijras

(transgender) are somehow psychologically different from normal people, not just different but damaged and deviant as well. In this way, these two autobiographies not only captures revolt against the rigid taboos and conventions, but also reflect the overpowering impact of prevailing postmodernist thought of celebration of differences. A Revathi, the first Hijra to write about transgender issues, served as the Director of the NGO 'Sangama' which works for the cause of sexual minorities and sex workers. Her recent book *A Life in Trans Activism* describes her journey from office assistant to Director in the NGO Sangama. In the second part of the book, she offers her experiences of marginalization, courage, resistance and triumph of being 'transmen'. She also worked in a national award winning film 'Navarasa' centered on transgender community in Tamilnadu. Her autobiography originally written in Telgu entitled *Nijam Cheptunna: Oka Hijra Atmakatha* was translated into English by feminist historian V. Geetha. In her narrative, she dares to pen the most gruesome and difficult times of her life journey from her hometown Namakkal in Tamil Nadu to Delhi to Bombay to home and finally to Banglore as a hijra, with utmost frankness. She was born as a male and her name was Doraisamy who felt plagued and tormented for being trapped in the female body inside and male outside from childhood. From a very young age, she enjoyed the tasks that were assigned to her sister more than the assignments given to her brothers and always played the typical feminine games. She explains, "I loved to sweep the front-yard clean and draw the kolam every morning. I even helped my mother in the kitchen, sweeping and swabbing, washing vessels" (Revthi 3). At heart, she feels the rapture to be woman: "I walked and sang and danced to my heart's content, imagining myself to be a girl" (5). In school the thought of being a girl haunts her: "In class, I would sit staring at the girls,

taking note of the way their braids fell, the intricate knot of their colourful ribbons, the jasmine and kanakambaram they wore in their hair, and their skirts and blouses. I longed to be like them and suffered that I could not dress so" (6). She describes her anguish as, "I wondered why God had chosen to inflict this peculiar torture on me, and why he could not have created wholly male or wholly female. Why I a flawed am being, I wondered often" (15). On a special Mariamman festival she dressed up as a girl for dance to a salutation to the gods. When she came off the stage, people called, "Disguise! Disguise! Female Disguise!"(16). Finding herself reluctant to shed the female clothes, she states her plight as: "As I re-emerged in my man's garb, I felt that I was in disguise, and that I had left my real self behind" (16). Fed up with constant torments and abuses like 'mother fucking sissy', 'girl-boy', and 'number 9' by family and community, he ran away from his home to Delhi to join the people like him. There, he met hijras and learnt all rituals and customs of hijra community. Ultimately, he passes through the ritual of emasculation called 'nirvana' with excruciating pain and transformed into desired, felt, role i.e. feminine, woman. In this way by putting their lives into risk they undergo non-medical castrations to synchronize their physical self with their psychological self. In this context, anthropologist Serena Nanda says, "The meaning of the word nirvana runs parallel to Hindu scriptural condition of calmness and absence of desire as well as liberation from the finite human consciousness and a consequent move into a higher plane of consciousness" (Nanda 26). This condition is called rebirth by both Hindu Scriptures and the Hijras who are devoted to Bahuchara Mata. But this rebirth is not a state of ecstasy for hijra. A. Revathi portrays her sordid life at her guru's home where she

has to face constant threats and violence from street men. She explains the brutal experiences as:

> Once a large dark rowdy tried to force me into having sex with him. I ran into hut, but he followed me… I felt trapped and not knowing what to do, I had to accede to his demands. I held onto his legs and pleaded when he wanted me to do things that I did not like doing. (He wanted me to have anal sex with him). He spat abuse at me and forced me into the act. When I screamed in pain and yelled for my guru, he shut my mouth with one of his hands, whipped out a knife with the other and threatened to take it to my throat. I was hurting all over and yet had to give in and do as he told me the skin down there felt abraded and I was bleeding. Unmindful he left but only after he had snatched my purse away from me. (108)

She also tells that hijras are deceived by men who praise their beauty and show them dream of family life to enslave them as the bread earner. She describes:

> Hijras who suffered from sexually transmitted diseases and did not receive proper medical care and therefore died; those who had to put up with the capricious demands of clients who paid them a mere fifteen or fifty rupees and who used them as they wished, brutally and left them with bite marks on their bodies, as if they had been bitten and abandoned by mad dogs; those young with great sorrow in their hearts who yet stood on the streets with powdered faces and painted lips, smiling at prospective customers. (133)

Hijras are not considered for mainstream jobs due to lack of education and unusual non-conforming lifestyle which is unacceptable for the working environment. They, because of their feminine gesture, do not have access to any job. They are always kicked out from the job on the grounds of polluting the job environment. Those who get jobs eventually get dismissed when employers learn of their feminine attitudes. In some cases, Hijras are targeted with verbal, physical and sexual abuse at workplaces for which they rarely expect any justice. As a result, the employers prefer not to appoint hijras who, according to them, cause social pollution. Most employers deny employment for even qualified and skilled transgender people. It is beautifully narrated in *Truth About Me*:

> If we are to employ you, you'd be the ruin of all the boys here. If you worked for us, we'd have to shut shop, and steal away, a towel on our heads! We can't employ people like you. What do you know anyway? Get lost go to Mumbai or Delhi and be with those like you. You're all fit only for dancing on the roads, and having cheap, riotous fun! (161)

Desperate poverty and unemployment led her to take up traditional hijra work i.e. 'badhai' work to make her ends meet. But the meagre earnings from 'badhai' work further made her to beg from shops with relentless harassment and unending insults. Further, she took sex work and got assaulted at the hands of fellow hijras, drunken men and the police. In this context, A. Revathi says, "It seems like there is nothing for us hijras to do but sex work. We lack the education to do much else, there's no one to offer us work. Sex work brings with it all kinds of problems-we suffer at the hands of both the police and rowdies" (240). She tells her experience of earning livelihood:

> To earn that, I suffered at the hands of all sorts of men. I did not mind climbing the steps of the police station several times. I got beaten, tortured. I earned even when I had to sell my body, become a prostitute! I earned by dancing in all sorts of places till my feet bled… I actually danced up and down streets to earn that money. I went out every day to earn and was never sure when I left my house in the morning if I would come back in one piece. I knew I would have to deal with rowdies, with the police, with all there kicks and beatings. And for all my pains, I got called a prostitute, whore, number nine, hijra, pottai. (252-53)

They saw their life as fate "written on their forehead," and accepted with resignation whatever insults or abuses were meted out to them. They worked all day, every day, at whatever they did to earn a living, whether begging alms from shops, or serving in bath houses, or at various domestic chores within their households, which included cooking, cleaning, or small tasks such as grinding spices, which they did for outsiders to earn a few extra rupees. These Hijras had few interests or social contacts; some were even relatively isolated within the Hijra community itself. Sporadic success stories of self-employed Hijras who run food shops, or organise cultural programs are reported in some states. However, those are exceptions. Lack of livelihood options is a key reason for a significant proportion of transgender people to choose or continue to be in sex work with its associated HIV and health-related risks. A. Revathi says:

> Since law and society in this country do not acknowledge our right to live as we wish…. Today sex change operations are carried out in few private clinics, where surgical procedures are seldom followed, and which do not

> extend the sort of care we require afterwards. Many of us end up suffering all sorts of infections. (262)

This autobiography deals with Revathi's fight against brutal violence, hate at home and outside home to find a life of dignity. She herself writes in the Preface: "…that by publishing my life story, larger changes can be achieved. I hope this book of mine will make people see that hijras are capable of more than just begging and sex work." (v)

Further, the chapter studies celebrity Laxmi Narayan Tripathi's autobiography *Me Hijra, Me Laxmi* originally written in Marathi by her disciple Vaishali Rode later translated into English by R. Raj Rao and P.G Joshi. She is a transgender activist, Hindi film actress and Bharatanayam dancer. She is first transgernder person to represent Asia Pacific in the UN in 2008. She featured a project 'Bolo' a documentary series about LGBT Indians that has been released on DVD. She also starred in 'Queens! Destiny of Dance', an award winning Bollywood movie about hijras. Apart from it, she runs her own organization named 'Astitiva' which works to promote the welfare of sexual minorities. In her recent book *Red Lipstic: The Men in My Life (2016),* she feels good that she is beyond the binary and questions the notion of heterosexuality as, "If you think about it a woman is complete. She is xx and therefore complete.it is the man who is xy and hence has the woman in him. This manliness, then is just a show, nothing but a convenient construct a pretence to keep patriarchy alive to keep women tamed (Laxmi & Pande 6). She captures their unique experiences and advocates the rights of transgender. The title of Laxmi's autobiography foregrounds her hijra identity using 'Me' which is associated with the public self rather than 'I' which is more private. In her interview with Jerry Pinto in Jaipur Literature Festival, she says, " if we use' roti for roti why not hijra

for hijra'. She says, *"I am neither a woman nor a man. I am a hijra."* Tripathi boldly states that she is a hijra who enjoys femininity and that is how she wishes to be accepted. She has no qualms admitting it. Hailing the remarkable Supreme Court verdict, she believes that India has recognized transgender rights. While the journey is far from complete, the foundation of this journey remains in her firm individual self.

It is also argued by Mark Currie in the chapter entitled "The Manufacture of Identities" of his book as:

> Identity is relational, meaning that it is not to be found inside a person but that it inheres in the relations between a person and others… in other words personal identity is not really contained in the body at all; it is structured by or constituted by difference….identity is not within us because it exists only as narrative. Two things are meant by this: that the only way to explain who we are is to tell our own story to select key events which characterize us and organize them according to the formal principles of narrative-to externalize ourselves as if talking of someone else and for the purposes of self-representation; but also that we learn how to self- narrate from the outside from other stories and particularly through the process of identification with other characters. (Currie, 25)

In her autobiography, she defines her struggle of being and advocates for the transgender community as a whole. She says that she loved dance since childhood and was always selected by the teachers to perform on the stage. But the patriarchal and misogynistic culture sees dancing as a womanly pursuit and she was called and teased by names like 'homo' and 'chakka'. She tells that she was sexually exploited at the tender age of seven.

Later she was molested again and again by older cousins and their accomplices. She defines her plight as, “These sexual assaults transformed me. I became secretive and incommunicative, hiding my feelings from my family and friends. Suddenly, it felt as if my childhood was over and I had grown up before my time” (7). She emphases that social exclusion not only generates tension, violence and disruption but also perpetuates inequality and deprivation in Society. She tells that ‘hijras’ live on the fringes of Indian society and face discrimination in every phase of life. The discrimination starts from their own family. Their parents think that they will bring disgrace to family as they cannot beget children and extend the family and are unable to take care of them in old age. Some parents may out rightly disown and evict their own child for crossing the prescribed gender norms of the society and for not fulfilling the roles expected from a male child. Laxmi says, “trans-men and trans-women are often shown the door by their families. Their friends boycott them. She tells that even her own mother, when she first came to know about Laxmi’s transformation, reacts that, “No one in fourteen generations has done such thing in our family. We are a noble, high-caste Brahmin family. Didn’t you think of our self-respect? Your sister is married. What will her husband’s family think of us?”(48). She also depicts the dual nature of the society and hijra parents as, “Supermen are okay as long as they are born to others. No one wants superman in their own homes. My parents wanted me to lead a normal life. They wanted me to get married and beget children.” (49). In such a situation, parents must come forward with an informed attitude guided by the respect for all the children, irrespective of gender. Similarly, society has a larger role to play so that the parents are not mocked at. It is also depicted in the Hindi novel *Teesri Tali* by Pradeep Sourabh who says:

> हम सब असल में एक सामन्ती मानसिकता या कहें कि लिंगधारी मानसिकता वाले समाज में रह रहें हैं. हमारे भीतर लिंग को लेकर गहरे तक गर्व का भाव है. यही कारण है की मानसिक रूप से ग्रस्त बच्चे को तो हम 70-70 साल तक करोड़ों रूपये खर्च करके पलते है लेकिन लिंग अस्पष्टता वाले बच्चे को हम तुरंत परिवार से बाहर कर देते हैं. हमारा पौरुष और हमारी मर्दानगी अच्छे काम के बजाय जब तक मूंछों से तय होंगी तब तक इस मानसिकता से छुटकारा संभव नहीं हैं. (Sourabh 7)

She explains that most of the transgender people are school dropouts. They are not granted education in schools, colleges or universities. Over ninety percent of the hijras have not even completed their secondary education. She laments, "…Employment is not a word that normally exists in the vocabulary of a hijra" (Laxmi, 62-63). Hence, they are left to do only a few things for survival. They have limited career prospects such as, "begging, singing, dancing, and sex work. Can a hijra in India ever aspire to be doctor, engineer, teacher, journalist, or business manager? The answer is resounding No" (110). It is believed that they are endowed with the power to confer fertility on newlyweds and new-born children as Uma confides:

> Perceived as the lowest of the low, they yearn for family and love. The two events in mainstream Hindu culture where their presence is acceptable- marriage and birth- ironically are the very same Privileges denied to them by man and nature. (Laxmi 110)

Hence, they get employed only in rare occurrence and the salaries they receive are minimal. They routinely face demotions, unfavourable conditions of employment and discriminatory terminations due to employees discomfort with them. In such situations,

"They lose their jobs and receive death threats. Many switch jobs deliberately, preferring the anonymity of a new job in a new city, where nobody knows them" (88). Left with very few economic options, they resort to sex work, drugs and begging as their destiny. These people are generally considered repositories of the virus and as high risk groups for HIV/AIDS because they do not practice safe and hygienic sexual practices. Though the usage of condoms is insisted by them to protect themselves as well as their clients from HIV/STD, the people involved in this flesh trade are still prone to getting sexually transmitted or skin diseases in absence of hygienic and safe practices. Even in hospitals and clinics, many transgender and transsexual people are discriminated against, and not given the respect or dignity that every human being deserves. Due to hostile environment, Hijras do not prefer to visit government hospitals or any other health care centre. For instance, there is no space available for them, say in hospital wards. The authorities do not admit them in women's ward because women do not feel comfortable or free in their presence and in men's ward they face sexual abuse. Thus, Transgender people face unique barriers when accessing public or private health services in accessing HIV testing, antiretroviral treatment and sexual health services. This makes them feel like no less than the untouchables of past. Laxmi in her autobiography says, "When they went to the District Civil Hospital in Thane (or to any other hospital for that matter), no one touched them- neither the doctors, nor the nurses, nor even the ward boys and ayahs. They were pariah" (91). In many private health care clinics and also in government clinics, the discrimination still exists in treating a transgender patient. A transsexual woman may not be addressed with proper gender identity and she may not be treated with dignity. Medical fraternity still needs to completely understand the issues of transgender

community so that they may treat them with respect and dignity. Only the National AIDS Prevention and Control Policy recognizes sexual minority and homosexual in the context of identifying 'high risk behaviour'. They are often beaten and raped. They're also denied access to healthcare, housing, and employment outside their traditional spheres. The effect of this dangerous work and the community's limited access to health and welfare services can be seen in the staggering fact that HIV rates among hijras stand at 18% in Mumbai, while the rate among the wider population is only 0.3%. Recently Supreme Court in the verdict of 'Third Gender' recognition directed the Centre and State Governments to operate separate HIV Sero-surveillance Centres for Hijras/ Transgenders. The apex court has also asked the government to provide transgenders separate public toilets and other facilities. In 2015, India HIV/AIDS Alliance, initiated a new programme called 'Wajood' which literally means "Existence" It is an initiative to empower people to realize their sexual and reproductive health rights.

It is often contended that transgender people often live crazy lives and are confused about their gender identity because of their physiology. They face gross human rights violation in forms of abduction, arbitrary arrests, detention, beatings and gang-rape by law enforcement agencies and others. There have also been reports of molestation, both on physical and psychological levels, of people with non-heteronormative gender expressions and attributes. Even the murders of transgenders go unprosecuted and unpunished as Laxmi tells about her *chela* Subhadra who went missing and was later found dead. But the case was finally closed for lack of evidence- "A hijra's death, nay murder, didn't seem to matter to anyone" (57). Out of the fear of police, she finds herself helpless even to claim the body who "would arrive at the most unearthly

hour and randomly pick anyone of us up for questioning" (57). Further, Laxmi explains that even after death their bodies are not treated in proper way:

> The funeral of a hijra is performed late in the night and she is beaten with slippers. The unearthly hour is chosen, it is said, so that none should witness the funeral…when carrying the corpse of a dead hijra to the graveyard, we shed our women's clothing and dress instead in shirt and pant, or in kurta and pajama. We do this to hide the fact that the deceased is a hijra. (158)

Both autobiographies are the testimony to the collective trauma of the transgender community in terms of sexual abuse, attempted suicide, and problems of livelihood, health issues and use of aggression as a means of survival, and seeks to dispel myths about the hijras and help us shed our prejudices. Overcoming 'exclusion' constitutes the most elementary pre-requisite for the building of a democratic society. Both authors come out with an alternative literature to establish trans-subculture as a literary field of study. In this context, Dick Hebdige, an influent theorist of contemporary popular culture, seeks to define non hegemonic cultures as 'subcultures':

> Subcultures form up in the space between surveillance and the evasion of surveillance, it translates the fact of being under scrutiny into the pleasure of being watched. It is hiding in the light. The subcultural response is neither simply affirmation nor refusal neither commercial exploitation nor genuine revolt. It is neither simply resistance against some external order nor straightforward conformity with the parent culture.it is both a declaration of independence of otherness of alien intent, a refusal of

> anonymity of subordinate status. It is an insubordination. And at the same time it is also a confirmation of the fact of powerlessness, a celebration of impotence. Subcultures are both a play for attention and a refusal. (Qtd. in Woods 191-92)

These trans-writers and activists invite us to rethink the negative perceptions, attitudes, and practices that affect their lives. Trans-persons should be taken seriously, at least by those whose work may have some bearing (directly or indirectly) on their lives. For non-trans feminist and queer theorists this does not mean listening to and learning from 'trans-persons'. It also means thinking, writing, theorizing—all parts of a process of making sense of the challenges that 'trans' experiences pose for the gender order as well as to other social, legal, medical, and state institutions

Today, transgender activism has become more visible, policymakers have begun to respond to demands for more equitable treatment. We can see in general election of 2014, there were at least four transgender contestants- Bharathi Kannamma from Madurai, Uttam Senapati from the Nagpur parliamentary constituency, Sonam Kinnar contested against Rahul Gandhi in Amethi; and Baseer Kinnar against Modi in Varanasi. The honourable Supreme Court in its historic decision in 2014 conferred the transgenders with the identity of 'third gender'. It was supported by various social, religious, academic and spiritual leaders. Sri Sri Ravi Shankar, founder of the international movement 'Art of Living,' said, "Every individual has both male and female in them. Sometimes one dominates sometimes other, it is all fluid" (Ravi). He also tweeted that lord Ayyappa was born as Hari- Hara out of intercourse between the gods Shiva and Vishnu when the latter temporarily took a female form. In this context, *Srimad Bhagavad-Gita* says that

sometimes you may think yourself a man, sometimes a chase woman and sometimes a neutral eunuch. *Rigveda* one of the four canonical sacred texts of Hinduism emphatically establishes that *Vikruti Evam Prakriti* (what seems unnatural is also natural). Devdutt Pattanaik, an Indian author of mythology supports gay rights in India. Tamil Nadu is first Indian state to introduce Transgender welfare policy and Board in 2008 to include them in mainstream. According to this policy, they can access free sex reassignment surgery SRS in government hospital, a free housing program, admission in government colleges and alternative sources of livelihood through self-help groups SHGs. India's first helpline for the LGBTQIA community was formed in 2011 at Madurai. In July 2014, two important books *Gender Queer* and *LGBTQIA* were published. India's first transgender school named Sahaj International opened in Kochi.

It is encouraging to note that Padmini Prakash became India's first transgender TV anchor and Kalki Subramaniam, the founder of Sahodari Foundation is known as India's first transgender entrepreneur. The appointment of Amruta Alpesh Soni, as a Transgender Advocacy Officer for the states of Punjab, Haryana and Chattisgarh for the National AIDS Control Project is regarded to be the first step towards curbing stereotypes against transgender community. Apsara Reddy, is the most iconic and inspirational transgender of India and the only trans- personality to head several Newspapers across the world like BBC WORLD SERVICE, The Hindu, Commonwealth Secretariat in London, New Indian Express and Deccan Chronicle. Anjali Lama became the first transgender model to grace the catwalk at India's premiere fashion event. K Prithika Yashini became the first transgender to be appointed as a police officer in Tamil Nadu. In the recent past, initiating a step towards facilitating transgender, Facebook introduced

dozens of options for users to specify their gender including custom gender option as well as allowing users to select between three pronouns him, her or their. Nowadays, internet has become an important cultural and political tool for members of minority gender and sexual groups. It allows them easy access to public discussion and news broadcasting. Much information can be disseminated through sites such as http://www.queerty.com. Later, Facebook added a gender neutral option for the users to identify family members. Similarly, Google Plus has introduced a new gender category which generates custom text field and a pronoun field and also provides users with an option to limit as to who can see their gender. In this way transgender studies is the latest area of academic inquiry to grow out of the exciting nexus of queer theory, feminist studies and the history of sexuality. Despite all, there are various complexities and nuances associated to Hijra. In his article "Being a Eunuch", Siddharth Narrain provides a detailed account of the laws used to victimize the community:

> The violence that the hijra community faces from the police can be traced to the 1897 amendment to the Criminal Tribes Act of 1871, which was subtitled 'An Act for Registration of Criminal Tribes and Eunuchs'. Under this law, the local government was required to keep a register of the names and residences of all eunuchs who were 'reasonably suspected of kidnapping or castrating children or committing offences under Section 377 of the Indian Penal Code. (14)

In India, the Hijras constitute a close-knit community in cities and townships. The law in India is a powerful force to control the Hijra community. It criminalizes the

very existence of Hijras, making the police an omnipresent reality in their lives. Apart from criminal laws which have invited the unwarranted authority of the police in their lives, civil law has not heeded the demands of citizenship and equality for the Hijras in India. But article 17 of the International Covenant on Civil and Political Rights (to which India is a party), refers to privacy and states that no one shall be subjected to arbitrary or unlawful interference with his privacy, family, home and correspondence, nor to unlawful attacks on his honour and reputation. Recently, Tiruch Siva, a member of parliament, moved the popular bill to ensure that transgender community gets benefits similar to reserved communities like SC/ST. Recently, the Transgender Persons (Protection of Rights) Bill, 2016 was introduced in Lok Sabha. It has seen much opposition from the 'trans' community as major provisions pertaining to a rights framework have been diluted. An analysis of the weaknesses of the new bill highlights the need for further discussion. Post-modernist theories and approaches engage the academia in deliberations over differing viewpoints on social, economic, political and religious issues. A. Revathi, in her *The Truth About Me*, finds a new dimension to her life and her true self when she opens herself up for a wider world with wider perception. In this regard, Robert Bittner, a PhD student in the Department of Gender, Sexuality, and Women's Studies at Simon Fraser University (SFU), says that a young [LGBT] person has always legitimate desire or longing to be considered normal.

Recently, two Indian gay activists, Sridhar Rangayan founder of KASHISH International Queer Film Festival and TV actor Manish Gandhi were selected to be part of British Council's first five films for freedom Global List of 33 inspiring people who are changing social perceptions about LGBTQ communities throughout the world.

Rangayan thinks that books and movies are key elements in changing mentalities. LBT helpline is the brainchild of Shobna Kumar, founder of online queer literature book store Queer Ink. *Pink Pages* by Udhyan Dhar is India's largest online LGBT magazine. Several NGOs and government organizations like the Naz Foundation (India) Trust, the National AIDS Control Organization, Law Commission of India, Union Health Ministry, National Human Rights Commission and Niti Ayog are actively engaged in the policy frameworks and discussions to ensure tolerance and social equality for lesbian, gay, bisexual, and transgender people. Sangama, an organisation working with hijras, kothis and sex workers in Bangalore, has played a key role to organise hijras. Its services include organizing a drop-in centre for hijras and kothis; conducting a series of public rallies and marches; legal assistance in case of police harassment; and establishing links with other social movements. On 15 April, 2015, Lenskart, along with the Transgender and Transsexual community across India marked the first anniversary of landmark decision of supreme court recognizing 'Third Gender' by conducting a procession at Jantar Mantar. They decided to pledge their eyes to thank for this eye of identity recognition. The number of pledges that were received crossed over 16,000 and the community has vowed to bring this number up to 2 lakh, making it the single largest pledge of the country. Justice Sikri and Justice Radhakrishnan, in turn, handed over the pledges to Eye Bank of India. As a historic step towards inclusion, Indian train network made history by employing transgender workers.

In the present age dominated by social media and cyber activities, transgender are finding encouraging space. There are various thought provoking movies to raise questions about the social status of transpersons such as, Mahesh Bhatt movies *Tamanna* and *Sadak*

which break the stereotypes against hijra. In *Tamanna*, Tikku (Paresh Rawal), a eunuch gets Oscar award for bringing up an abandoned girl Tamanna (Pooja Bhatt). In a recent Kannad film by B.S. Lingadevaru, 'Naanu Avanalla', Avalu, celebrates the lives of transgenders who survive the politics of homosocial normativity. There are other short films like 'Others','Kinnar lok ka Sach', 'Sach', 'Taali' and 'Aadhe Adhure' which represent the pain and suffering of transgenders. In August, 2015, You Tube channel 'Yathartha Pictures' created a music video featuring 7 hijras in different outfits of various professions singing National Anthem of India. This video went viral for being the first national anthem video sung by hijras in India. The hijras featuring in the video were brought together by the Humsafar Trust, a Mumbai based NGO. Y-film, on 6th Jan, 2016, launched India's first transgender band, the Brooke Bond Red Label 6 Pack Band with song 'Hum Hai Happy' to further the cause of gender equality in India. Later, Sonu Nigam released a brand new song 'Sab Rab De Bande' to make the world a more welcoming place for transgender community. It is inspired by beautiful couplet of *Guru Granth Sahib* which gives the heart rending message that all are equal in the eyes of Almighty irrespective caste, creed, color and gender. All should practice the religion of humanity which is the ultimate religion. The song goes like this:

Awal allah noor upaya

Kudrat ke sab bande

Ek noor te sab jag upjeya

…

Kon bhale ko mande

…

Sab rab de bande (x8)

Ye pattiyan ugte hue zaat na dekhe

Rang na badle dharam ko leke

Isse kuch to seekhein

Chal chai peete hain

Na koi right na koi wrong

Bas insaniyat apni kaum

Yo Tohseef Tejas Tom

Chal chai peete hain

Ye zingadi hai sidhi sidhe

Simple iske funde

Galat fehmi mein kyun jeeni

Chal chai peete hain

Arey sabka ek cup

Ek hi chamach se dudh

Sabki ek jaisi cheeni

Chal chai peete hain

Sab rab de bande (x8)

Ek hi maati se usne to

Aadam zaat banayi

Kisne yahan banye Hindu

Muslim Sikh Isayi (x2)

Oye tod de phera deen dharam da

…

Khul jayein sab fande

Sab rab de bande (x20)

Awal allah noor upaya. (Lyrics written by Nishant)

Therefore, in the nineteenth and early twentieth century, the conceptualization of gender, sex, and identity categories became more crucial with the emergence of sexology as an organized field of study. According to Whittle, "… The most controversial issue in sex and gender theory. Is the basis of gender identity essential and biologically based or is it socially constructed? (Whittle 2006, XIII). In this context, the existential writer, Nietzsche advises to 'become what you are'. It is the need of the hour to reinvestigate and remould the social myths to save humanity from chaos. It is essential to have co-ordination between social conventions and consciousness of human dignity. With all these positive vibes, the present research hopes that this legal recognition will counter the social stigma that has plagued transgender people for decades and will further the cause of their visibility as envisioned through the historic judgment recognizing transgender people. The Supreme Court of India observed:

> … there seems to be no reason why a transgender must be denied of basic human rights which includes Right to life and liberty with dignity, Right to Privacy and freedom of expression, Right to Education and Empowerment, Right against violence, Right against Exploitation and Right against Discrimination….Now it's time for us to recognize this and to extend and interpret the Constitution in such a manner to ensure a dignified life of transgender people. All this can be achieved if the beginning is made with the recognition that TG as Third Gender. (SC)

There's a gender in your brain and a gender in your body because for ninety nine percent of people, those things are in alignment. For transgender people, they're mismatched. That's all it is. It's not complicated, it's not a neurosis. It's a mix-up. It's a birth defect, like a cleft palate. An inspirational song by a German folksinger and educational psychologist, Peter Aslop's song "It's Only a Wee Wee" goes like this:

> As soon as you're born, grownups check where you pee
> And then they decide just how you're s'posed to be
> Girls pink and quiet, boys noisy and blue
> Seems like a dumb way to choose what you'll do
> Well it's only a wee wee, so what's the big deal?
> …
> Now girls must use makeup, girl's names and girl's clothes
> And boys must use sneakers, but not pantyhose
> The grownups will teach you the rules to their dance
> And if you get confused, they'll say "Look in your pants"

…

Boys must not cry, and girls must make cake

It's all very formal and I think it smells

Let's all be abnormal and act like ourselves.

There's better things to discuss! (Peter Aslop)

On the basis of the discussion in the chapter it may be concluded that one needs to open one's mind to be more rational to the existential questions like 'hijra identity'. Homophobia and sexism is not the matter of your genitals or with whom you sleep, rather how you perform the self in ways that are contradictive to the hetero-normative framework which is just common. The chapter highlights the urgent need for public awareness to alleviate the often violent repudiation of 'trans-people'. A comprehensive sex-education program should be included in the school curriculum to alter the heterosexist bias in education. It will foster a liberal outlook with regard to matters of sexuality, including orientation, identity and behaviour of all sexualities. The Press Council of India and other watchdog institutions of various popular media (including film, video and TV) should issue guidelines for the sensitive treatment of these issues.

Besides, early western bio-medical sciences looked at the 'hermaphroditic people' as freaks or 'aberrant cases' needing medicalization and correction today. The World Health Organization removed 'homosexuality' from its list of mental illnesses in 1981(www.who.org). Homophobia has serious implications on the personal life of a homosexual individual. It manifests itself both at the societal and personal levels, differentiated as societal homophobia and internalized homophobia. Researchers are of

the opinion that there are vast opportunities for homosexual activities within the family and social network. Due to social distances between male and female, men seek pleasure in relationship with another male. These activities are invisible and denied. Researchers say that Indian culture is highly homosocial where displaying affection, body contact, taking bath together and sharing of beds among adults, school friends and relatives are common and socially acceptable, however it is non-penetrative in nature. The pandemic of AIDS has made homophobia a more serious problem. Despite all these constructed myths and phobia there is need to celebrate and recognize the diversity of creation which also includes diversity of biological sex, gender and orientation that forms queer community. The recognition of non- gender confirming people is as essential as to recognize the intermediate states between day (light) and night (dark), land (dry) and water (sea). But day can be dull and dark and night can be full moonlit. Similarly, apart from land (dry) and water (sea), there are rivers, lakes, deltas, planets, and galaxies because all are made in the image of God. Hijras who are considered born –clappers can get clap for themselves.

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Rethinking 'Disability' as a Discourse

We live in a world of constructed norms and normalcy, where everyone endeavours to be normal and ranks one's intelligence, cholesterol level, height, weight, sex drive and bodily dimension along some conceptual line from subnormal to above average. Probably no area of contemporary life seems to meet standard parameters. This chapter aims to rethink and represent disability in light of this fabricated normalcy because people with disabilities are historically considered misfits and are rendered a status either of subhuman or superhuman. For example, disabled people are marked with the labels like lepers, beggars, the mad, cripples or parasites. One can think of the iconic Greek figure Oedipus whose very name means 'swollen foot' and he was cast out on the road for his hubris, patricide, and incest. It also gets reference in the seventh book of Plato's *Republic*, where he defines that physical disability is not only indicative of intellectual or cognitive deficiency, but also of spiritual, moral and ethical failing.

In this way, to understand the disability or disabled body, one must return to the concept of norm or normal body because we understand things in binary. This research delineates that the problem is not the person with disabilities, rather, the way normalcy is constructed becomes more problematic. The World Report on Disability (WHO and World Bank, 2011) estimates that around 15 per cent or close to one billion of the world's population is disabled. Out of them, approximately 80 per cent are located in the global South with two-third in the Asia- Pacific region. As per the census of 2011 in India, about 2.68 crore persons are disabled which constitute 2.21 % of the total population. Many of these people are said to live in rural areas of the southern space in

extreme poverty and this poverty further enhances the creation and maintenance of impairment. That is why, the number of disabled people continues to rise on account of hunger and malnutrition; inaccessible health care and rehabilitation; insanitary living conditions, poor workforce conditions, sexual and gender-based violence, ageing, environmental degradation, conflict and insensitive pace of the turbulent times. It is hard to measure their pain and misery and it demands deeper delving into the discourse. Over the last several years, disability studies has moved out of the applied fields of medicine, social work, and rehabilitation to become a vibrant new field of inquiry within the critical genre of identity studies in comparison to race, class, gender or sexual preference. Even, it is now flourishing in disciplines such as history, literature, religion, theatre, and philosophy in precisely the same way as feminist studies did twenty-five years ago. Although disability as a category has existed for a long time, its present form as a political and cultural formation could be possible in 1970s, and it has got greater visibility in late 1980s. The launch of the Asian and Pacific Decade of Disabled Persons in 1993 gave a definite boost to the movement. Later on, National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, was introduced in 1999. Despite adequate legislative provisions, 'disability' remains a complex term and it conveys different meanings to different people. Type and degree of disability vary from person to person and country to country. Various factors like gender, education, religion, occupation, income and nationality have significant impact on the level of disability consciousness. There is no single universally accepted definition of disability. The World Health Organization (WHO) first attempted to provide a

universally accepted definition of disability. Definition of impairment, disability and handicap as given by ICIDH may be explained as under:

Impairment: it denotes a sense of loss or abnormality of psychological, physiological or anatomical structure or function.

Disability: any restriction or lack (resulting from an impairment) of ability to perform an activity in the manner or within the range considered normal for human being.

Handicap: A disadvantage for a given individual, resulting from an impairment or disability that limits or prevents the fulfilment of a role (depending on age, sex social and cultural factors) for that individual.

From the above discussion it is inferred that there is a crucial distinction between the biological impairment and the social disability. Disability is an umbrella term, covering impairments, activity limitations, and participation restrictions. Thus, it is not just a health problem; rather, it is a complex phenomenon, reflecting People with disabilities as misfits in terms of social, cultural and material ways. Their outcast status is literal when the shape and function of their bodies comes in conflict with the shape and stuff of the built world. In this way, the disadvantage of disability comes partly from social oppression encoded in attitudes and practices in the society where we live and it also comes from the built and arranged environment. In India, persons with disabilities (PWDs) are defined as people who are suffering from not less than forty percent of any disability as certified by a medical authority. But this standard is not universal and talks about the medical or individual model of disability whereas this research locates disability in broader perspective i.e. social model of disability, so there is a need to understand various models and stigmas associated to disability.

Models of Disability

Like sexuality, the concept of disability has also evolved with time. It has been viewed from different perspectives over the decades. It has been a journey from moral model of disability to minority model of disability. The moral model views an impaired body as the result of sins or misdeeds in the present or a previous life, as a consequence of either one's own misdeeds or those of close relatives, particularly of the mother. As Renu Addlakha a social scientist and disability rights researcher says:

> Pity, segregation, discrimination and stigmatization became normalized in the management of persons with disabilities. Such constructions of the disabled by the non-disabled have the dual effect of not only justifying the complete marginalization and disempowerment of a whole population group but also leading to the internalization of such negative stereotypes by disabled persons themselves. (Addlakha, 2007, p. 1)

But the moral model is historically the oldest model and is less prevalent today. As the leading actor Amir Khan, in his show 'Satymev Jayte,' argued that India is polio-free country at present but it does not signify that people are not committing crime today. However, there are still many cultures that associate disability with sin, shame and guilt even if these are not overtly based on religious doctrine. This model has been associated with shame and burden on the entire family of a person with a disability. Families have hidden away disabled family members, keeping them out of school and excluded them from any opportunity to play a meaningful role in society. In many countries, disabled people were treated as useless creatures or not worth living and consequently they were killed, abandoned to die or condemned to permanent exclusion in asylums. In the Greek

society, disabled babies were abandoned on desolate hillside and left to die. In China, disabled children and adults were thrown into river. Extermination of disabled people was carefully arranged and enforced by legislation in many parts of Europe. In Africa, the parents of disabled people kept them in isolated condition, preventing them from making any effort to develop their future life, being afraid of being laughed at and isolated by the society. Even in lesser extreme circumstances, this model has resulted in general social ostracism and self-hatred.

The charity or welfare model of disability views the person with disabilities as the problem and dependent on the sympathy of others and, therefore, it emphasizes on assistance, compassion and charity. Even, today, this is the philosophy of a number of disability organizations in India as well. Instead of enacting necessary legislation and executing them in letter and spirit, disabled people are pitied and sympathized. They are left to be looked after by their family members. Societal reaction to disabilities is marked with pity and charity which simply construe disabled people as facing retribution for their sins committed in previous lives. In this model, the disabled people have no option except to live a life of a pauper. So, the "charity model" arising out of a religious outlook toward disability, coincides with the welfare approach in the immediate post-independence period.

In Indian context, religions such as-Hinduism, Sikhism, Islam and Buddhism have more or less uniformly espoused charitable and pitiable approaches towards persons with disabilities. But such charity has no use because it rarely appears in terms of equality of esteem and of opportunity for disabled people. Religious texts have projected disabled people as dependent creatures and extra burden on their families who need constant

support system for their routine subsistence. Recently, the Prime Minister, Mr. Narendra Modi bestowed them with a label i.e. ‘Divyang’ instead of ‘Viklang’. Such sympathy based approach erects attitudinal, physical and institutional barriers for them. They are viewed through the lens of prevailing system and are expected to modify themselves to adapt to it instead of making the system conducive for them. This attitude often creates alienation and inferiority complex among these people.

The medical model looks at disability as a defect or sickness and its proponents suggest that the remedy lies in medical or technological means. Medical interventions focus on repairing the body to make it fit in tune with the prevalent notion of the body in society, often disregarding what disabled persons themselves feel or want. It has gone by many names, but it is often referred to as an individual pathological model, due to its focus on the body of a person with disabilities as a personal tragedy of the person affected by it, which if at all, can only be cured by medicines.

The rehabilitation model is highly influenced by the medical model and believes that disability is a deficiency that must be fixed by rehabilitation professionals or other helping professionals. It focuses on therapies, exercises and special care to help people with disabilities overcome their constraints and approximate the ideal body.

The social model of disability defines it as a culturally fabricated narrative of the body or cultural construct which takes disability away from the individual alone and places the responsibility on society as a whole. It argues that disability is a result of social structures instead of deficits in the body or brain. Disability is defined by WHO as:

> Disability is not an attribute of an individual, but rather a complex collection of conditions, many of which are created by the social

> environment. Hence the management of the problem requires social action, and it is the collective responsibility of society at large to make the changes necessary for full participation of people with disabilities in all areas of social life. (WHO, 2001, p. 28)

The present social structures – predominantly shaped by people's attitudes and understanding of disability – deny access to resources which disables an individual. The social model argues that people with disabilities are not victims but agents resisting oppression, overcoming challenges and thereby changing social structures. In this context, well known writer Siebers says, "Disability not as an individual defect but as the product of social injustice, one that requires not the cure or elimination of the defective person but significant changes in the social and built environment" (2008, 3). Michael Oliver, one of the originators of the social model of disability, clearly and concisely summarizes the position by stating that the cause of the problem is not individual limitations, rather it is society's failure to provide appropriate services. In this way, this model brought the paradigm shift by identifying one central political strategy; the removal of barriers and to make the place more accessible. It also shifts our thinking from medicalized understandings of disability to cultural antipathy which is the cause of discrimination against disabled people and it advocates action to avoid and rectify discriminatory practices. But there are some shortcomings in this social model which are identified by Matthew Wappett and Katrina Ardent in their edited book *Emerging Perspectives on Disability Studies.* They classify these shortcomings as medical, social and ontological problems.

According to the medical critiques, the social model implies that no medical interventions are necessary to ameliorate arthritic pain experienced by those with disabilities. It recommends only to alter social arrangements to reduce the extent to which such an individual requires use of, for example, intricate movements of the hands in day-to-day activities to minimize the ill-effects of the impairment, but would certainly not eliminate them. The social critiques focus on the causal relationship between impairment and disability and tend to reinforce the interconnectedness of impairment to social oppression, while acknowledging the importance of impairment that social model proponents reject. Finally, ontological critiques say that disabilities are not *always* contingent. Impairments can have devastating effects on individuals. No doubt, social circumstances can exacerbate or minimize the effects of impairment, but oftentimes, even in the complete absence of the effects of social arrangements, impairments can negatively impact well-being. Ultimately, these critiques regard impairment as an important feature of the experience of disability and demand that we must, first, attempt to accurately characterize the notion of disability, prior to engaging in the political activity of promoting the rights of people with disabilities.

While the social model was gathering momentum in Britain, North American activists and scholars were developing their own culturally applicable minority group model. This was an identity forged model under an American 'ethic of individuality and achievement'. It was a clear challenge to ableism and demanded cultural redefinition. Dan Goodley, in his book *Disability Studies,* defines cultural and relational models of disability. The cultural model sees disability as a construction of culture and it can be understood in relation to the normal, normalcy and ableism. But relational model sees

that the people with disabilities are disabled through dynamic relationships of body/mind and the environment. In this way, disability has been variedly understood with the help of various models of disability and it shows that people with disabilities across the globe suffer as a result of human apathy and cultural antipathy.

Conceptual Understanding of Disability

Disability is a global phenomenon and it is experienced by each human being at certain phase of life because all human beings are temporarily able-bodied (TAB). In this context, a celebrated feminist writer Rosemarie Garland *Thomson* states, "disability as a significant human experience occurs in every society, every family—and most every life... And it helps integrate disability into our knowledge of human experience and history to integrate disabled people into our culture" (Thomson 26). Hence, disability can be understood as a kind of discourse that generates an "ideology of ability." This concept of "ideology of ability" is introduced by Tobin Siebers in his book, *Disability Theory* (2010) as, "A human being is abled only when s/he fits into the category of what it means to be an able human being. If one does not fit into that category, one is considered abnormal, not fully human, different, deviant, other, and therefore disabled, beings fallen from the "baseline of humanness" (10). This conception of ableism in Indian society operates as master trope illuminating the fundamental tactic of oppression of the disabled people and the naturalization of their social inferiority as biological difference.

In this way, disability garners different negative cultural constructs or "ideological categories," such as ugly, old, aberrant, deformed, dirty, derailed, debilitated or feeble-minded, insufficient, inferior, helpless, dependent, weak, vulnerable, and incapable bodies. All these perceptions devalue the human body while the concept of

beauty is always presented with positivity, goodness, ableism, powerful, superior and truth in any society. As the well-known poet, John Keats in his poem 'Endymion' says, "A thing of beauty is a joy forever" (Book I).

Further, this concept of an "ideology of ability" is sharpened by certain religious, cultural and social values that play a significant role. Those values reflect the patriarchal ethos in the society where attractive and able-bodied women are more valuable than disabled. But, these normative standards are culture specific because the same abled body in one sociocultural context can be a disabled body in another sociocultural context. Thus, there are numerous ideologies of ability. To borrow from postmodern theory, there are many signifiers to define ability as the concepts of ability get redefined with the change in socio-cultural contexts. To understand this, one needs to study the religious and cultural contexts and values of the society because human activities, perceptions, behaviours, and interactions are shaped by such values. In this context, Stafford & Scott observes that stigmas are a set of personal and social constructs and represent a downward view of life.

Further, it is contextualized by Goffman that no two human beings are exactly alike. They differ in countless ways like shape, size, skin colour, gender, age, cultural background, personality, and years of formal education etc. In part, stigmas are heavily dependent on the social context and reflect the value judgments of a dominant group to determine which human differences are desired and undesired. For example, in Indian mythology, Ashtavakra, who was physically disabled with eight types of disabilities since birth is depicted in a positive light which Garland Thompson would call as an "extraordinary body." In her book, *Extraordinary Bodies* (2004), she defines

'extraordinary bodies' as differently-abled bodies. Although some stigmatized conditions are temporary, some undesired traits have graver social consequences than others. Being a medical resident, being a new professor, being 7 feet tall, having cancer, being black, or being physically disfigured or mentally retarded, all can lead to feelings of stigmatization (feeling discredited or devalued in a particular role), but obviously these are not equally stigmatizing conditions. The degree of stigmatization might depend on how undesired the difference in a particular social group is. The most severely stigmatized differences are physical abnormalities because they represent some deficiency or distortion in the bodily form, and in most cases are unalterable. Other physically salient differences, such as skin colour, nationality and speech are considered very stigmatizing because they also are permanent conditions and cannot be changed. For example, black or Jewish or Japanese and Biharis and North Easterns within India feel stigmatized due to their skin colour, regional identity or nationality. A white American could feel temporarily stigmatized when visiting Japan due to a difference in height. Same is the case of black as Frantz Fanon in his book *Black Skin White Masks* talks about the prominence of white over the black because white skin is a desired trait. He starts with an outrageous statement, "At risk of arousing the resentment of my coloured brothers. I will say that the black is not a man" (1). Thus, the sense of being stigmatized is tied to social context. The definitions and the consequences of stigma are time and space bound, and often it results in a special kind of downward mobility. Consequently, most people want to ensure that they must be counted in the non-stigmatized 'majority'. This, of course, leads to more stigmatization and brings superiority and inferiority among individuals. To combat the stigma of disability or oppressive experiences, some have included stories of individuals who report

the best way to overcome such negative experiences. For example, positive role models like Stephen Hawkings, Helen Keller, John Milton, Sudha Chandran, Preethi Srinivasan, Arunima Sinha, Javed Abidi, Deepa Malik etc. are cited to overcome the stigma of disability.

Today, in every society, there is little appreciation for disability as a social construction and very little understanding of human rights based approach. Surprisingly, the Millennium Development Goals (MDGs) do not include disability in their ambit. These goals include policies and measures addressing poverty reduction, health, HIV/AIDS, education, gender equality, humanitarian concerns, environmental and climatic issues. But there is no specific mention of disability issues. In the meantime, the practices of community-based rehabilitation (CBR), promoted by the World Health Organization, are introduced globally to fill this void. Besides, international organizations are also working in the so-called 'developing countries'. In most of the cases, disability is either taken as individual deficit or ascribed to God. Generally, the people with disabilities are defined and discriminated by their impairment and relegated to the fringes of society, resulting into their exclusion from the mainstream society. They also face the problem of 'othering' and are often suspected for their wholeness. They face attitudinal traits fostered by religious beliefs and values such as- mocking, playing tricks, fear and rejection, pity mixed with fear, alms-giving as a religious duty. Since ancient times, these beliefs have rendered a negative identity to the disabled people and the same notion is handed down to the successive generations.

Since antiquities, India's religious and legal texts, mainly Hindu texts, have widely held that disability and disabled people face disability as retribution of sins

committed in previous birth. This belief is supported by Manu who writes that idiots, dumb, blind, deaf and deformed men are born in consequence of a remnant of the crimes of the previous life. Still in many parts of India, such frameworks inform everyday perspectives on disability and get manifested in the lifestyle of the people in myriad ways. In the Medieval period, derogatory and stigmatic terms such as 'lepers', 'deaf', 'dumb', and 'natural fools' were extensively used to refer to differently-abled persons. Generally, people mockingly deride not only the disabled children but also the parents of such children. They curse the parents for their misdeeds in previous birth that might have caused the disability among their children. Persons with disabilities are perceived as pathological problems (and sometimes even deviant). They are seen as incapable of discharging their roles in the family and thus they are treated with pity and sympathy throughout their lives. This, invariably perpetuates the stereotypical notion that disability is worse than death. In this context, Jane Buckingham writes, "disability is as important as race or gender as an analytic tool in the historical understanding of oppression and disempowerment" (419). According to disability activist, Renu Addlakha, the exclusion of persons with disabilities from entering legal transactions is based on the premise that disabled people are incapable and incompetent to sustain the rational objectivity which is necessary for all legal transactions.

Surprisingly, there are many laws, which seemed progressive and can be invoked as eye-opener in the 21st Century. The media, academia and policy makers who deride disabled people by deploying derogatory and disrespectful linguistic expressions may derive inspiration from Kautilya, an advisor to Chandragupta Maurya in the 4th century

BC, who recorded one of the earliest 'politically correct' laws against discriminatory language. Kautilya advocates that-

> Among abusive expressions relating to the body, habits, learning, occupation, or nationalities, that of calling a deformed man by his right name, such as "the blind", "the lame", etc., shall be punished with a fine of 3 panas. If the blind, the lame, etc., are insulted with such ironical expressions as "a man of beautiful eyes", "a man of beautiful teeth", etc., the fine shall be 12 panas. (Qtd. in Rich 115)

Further, Kautilya also advised the king to deploy disabled people as spy in enemy camps. Such enlightened view about the capacity of persons with disabilities is never imagined in modern day intelligence gathering strategies. Disabled people were considered as separate class of people. And their tangential representation in 'Dharmashastras' clearly shows that they hardly had rights to enhance their quality of lives. More frequently, disabled people suffered discrimination in multiple ways such as exclusion from testifying in court or from inheriting property. The Indian popular mythologies such as *Mahabharata* and *Ramayana* have also depicted disabled people in a degrading way. These texts projected disabled people either as powerful, cunning and mischievous characters or as beggars in a state of extreme pain and poverty. 'Shakuni' suggests the image of a disabled person as vulture like, mean, crooked and manipulative while in *Ramayana,* Manthara, the one-eyed and orthopedically impaired maid of Queen Kaikeyi, is portrayed as the responsible person for the exile of Lord Rama. It is evident from this discussion that Indian religious and ancient legal texts have predominantly projected demeaning images of persons with disabilities which continue to mar the progress of

these people in the 21st Century India. Hence, it can be easily construed that persons with disabilities did not have any opportunity to prosper.

Stereotypical perception about disabled people perpetuated through popular culture has permeated the length and breadth of the country and people in general are reluctant to embrace disabled person's existence as a productive contributor to a nation's overall development. Charitable approach adopted by people towards persons with disabilities in ancient times continues to influence policy formulations and it is visible in day-to-day interaction between disabled/non-disabled people.

The 'disability rights' movement led by individuals with disabilities began in the 1970s. The self-advocacy is often seen as largely responsible for the shift toward 'independent living' and 'accessibility'. The term 'independent living' was taken from the 1959 California legislation that enabled the people who had acquired disability due to polio to leave hospital wards and move back into the community with the help of cash benefits for purchase of personal necessities for their normal subsistence. However, the movement and its philosophy spread to other countries after the US civil rights and consumer movements of the late 1960s, and started influencing the peoples' self-perception and their ways of organizing themselves and their countries. The General Assembly adopted the provisions pertaining directly to mentally disabled and physically handicapped persons through the Declaration on the Rights of Mentally Retarded Persons, 1971 and the Declaration on the Rights of Disabled Persons, 1975. These two declarations can be marked as a shift from welfare and paternalistic perspective of disability to right based approach towards the disabled persons. Both these declarations

gave specific expression to the principles contained in the Universal Declaration of Human Rights (UDHR), particularly in favour of the disabled persons.

The year, 1981, was proclaimed as the International Year of Disabled Persons by the General Assembly to call for an action at all levels and to formulate the World Programme of Action Concerning Persons with Disabilities in December 1982. For implementing the objectives set out in the World Programme of Action, the General Assembly proclaimed 1983 to 1992 as the United Nations Decade of Disabled Persons. Meanwhile, the Declaration on the Right to Development, 1986 did not specifically mention any provision for the disabled person, through the right to development is the precondition of liberty, progress, justice and creativity. Being a core right from which all the rights stem, it naturally covers the rights of disabled persons. In 1993, the United Nations prescribed 'the standard rules on disability'. Though not binding upon the member states, it is still a significant mechanism for promoting voluntary implementation of human rights and appropriate treatment of persons with disabilities. The Constitution of India incorporates the principles of social justice and human rights. The preamble, fundamental rights and directive principles of the state policy enshrined in the Constitution reflect the commitment of the state to its people. However, there is no explicit provision in Indian constitution against discrimination on the basis of disability. Gradually, the state could initiate programmes in favour of the disabled on the basis of 'reasonable classification', which permits different treatment to be meted to different persons.

The Persons with Disabilities (Equal Opportunities Protection of Rights and Full Participation) Act 1995, is also very much influenced by the conventional pitiable mores and values prevalent in the Indian society towards disabled people. Disability is still understood as a 'personal tragedy' and disabling conditions imposed by societal practices or lack of structural infrastructures, which could enable disabled people to fully participate in public life, is widely ignored. Amartya Sen groups public debates on disability policies into three categories:(i) preventive policies which include policies on public health, especially polio vaccination and prenatal and postnatal care, workplace safety, cleaning up of mine fields, and public awareness education, (ii) policies to reduce 'earning handicap' (defined below) which include easier accessibility of the disabled person to schools and workplaces, and the prevention of discrimination against disabled persons in schools and in the labour market, (iii) policies to reduce 'conversion handicap' (defined below), which include providing resources for wheel chairs, prosthesis or other such special needs to the disabled. In his keynote speech in a conference organized by the World Bank, Amartya Sen states:

> … the main schools of thought in theories of justice have tended to neglect this central issue, and how that neglect, in its turn, has tended to bias practical policies in the direction of inaction, and has even contributed to suppressing the sense of inadequacy that can reasonably accompany the failure to take a responsible view of the social obligation to the disabled. (1)

He suggests to extend the existing theories of justice for income distribution to incorporate the 'earnings handicap' and 'conversion handicap' of the disabled people. He defines that to achieve the same level of opulence a disabled person may find it harder to get a job or to retain it, and may receive lower compensation for work. Further, a person with physical disability needs more income in comparison to an able-bodied person to meet the financial liabilities of an ordinary life. A crippled person needs assistance, or prosthesis, or both to move easily. In this way, the conversion handicap refers to the disadvantage that a disabled person has in converting money into good living. Being guided by such ethical and moral discussions on redistribution, by Sen or the guidelines of the World Health Organization and the World Bank, India has introduced quite a few disability policies in all the above three areas. The achievements are, however, not satisfactory. A lot more needs to be done to implement the existing policies or to introduce better policies. For instance, The Persons with Disabilities, (Equal Opportunities, Protection of Rights) and Full Participation Act 1995, India's first comprehensive disability law for empowering persons with disabilities has completed two decades. However, physical and psychological barriers which block full participation of disabled population, in public domain, still persist. The policy reserves a certain percentage of public sector jobs for disabled persons, yet there has been a decline in the employment rate of the working age disabled population from 43 percent in 1991 to 38 percent in 2002. Majority of persons with disabilities in India are deprived of quality education which could enable them for gainful employment. They are deprived more than even generally known deprived SC &ST (Scheduled Castes and Scheduled Tribes) population. Public places such as roads, schools, colleges and government buildings have

been constructed in such a manner that the disabled people find it difficult to navigate and demand their rights to live a dignified life. This act defines disability as impairments in terms of the medical model of disability which predominantly prioritizes treatment and cure for disabled people and perceives disability as an individualized experience.

During the late 1960s there were movements in the west waged by the disabled people to counter the overarching prevalence of medicalized understanding of disability. They proposed social model of disability which postulates that disabling physical and mental barriers in the environment are the real factors behind marginalization of disabled people. It advocates for the abolition of prejudice against persons with disabilities. It has now become the rallying point which has brought disabled people together for claiming rights from the states worldwide. The adoption of the United Nations Convention on The Rights of Persons with Disabilities (UNCRPD) 2006, which is known as the fastest negotiated human rights treaty in the 21st century, is very much inspired by social model of disability. The UNCRPD categorically asserts in Article 1 that "disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal base with others" (UN art.1). It proves societal factors as the stumbling blocks for disabled people. Thus the core tenets of social model of disability found solid expression in UN human rights treaty. At the international level, such developments, galvanized disability rights activists in India. Thereafter, India ratified the UNCRPD on 1st October, 2007, and activists started advocating for bringing amendments to the Persons with Disabilities Act in consonance with the UNCRPD.

The PWD Act 1995, is interpreted by scholars as welfares legislation which does not envisage provisions that guarantee human rights to live a dignified life. After many long years of struggles, *Rights of Persons with Disabilities Act* (RPD) that complies with the UN *Convention on the Rights of Persons with Disabilities,* was passed in December, 2016 amidst cheers and joy. The revised bill expands the list of disabilities from seven to twenty one, including Cerebral Palsy, Haemophilia, Multiple Sclerosis, Autism, Thalassaemia, disabilities resulting from acid attacks, and Parkinson's disease. Among the other changes, there is an increase in job reservations for the disabled individuals from three to four percent. The government has also increased the reservation for disabled students in higher educational institutions to five percent from the existing three percent. The time has come to disseminate proper understanding of disability issues and there is an urgent need to re-interpret the texts in the light of the present day challenges so that differently-abled people are not judged by the misplaced morals of our mythological texts that relegate disability and disabled people to the margins. Postmodern theory has been indispensable to disability studies because it has allowed not only for a challenge to normativity, but also for the destabilizing of narratives of national progress, social order, and identity

They also suffer from social ostracism because they do not fit into the social norms of what it means to be able-bodied. In this context, Garland Thompson, a prominent theorist of disability and feminism in her seminal book *Extraordinary Bodies* (2004), explains that disabled are deemed to fall under the category of "aberrant human beings" and she defines this cultural predicament as, "Culturally generated and perpetuated standards as beauty, independence, fitness, competence, normalcy exclude

and disable many human bodies while validating and affirming others" (7). One more celebrated Indian author Anita Ghai writes:

> Within the Indian cultural context, disability implies a "lack" or "flaw" leading to a significantly diminished capability; images of the disabled are associated with deceit, mischief, and devilry. Disabled people are sometimes depicted as suffering the wrath of God, and being punished for misdeeds. Yet another strand of this cultural construction conceives of disability as eternal childhood, where survival is contingent upon constant care and protection. (51)

Although it has been acknowledged generally for most of this century that disabled people experience hardships in life, it is only in the recent past that the causes of hardships for disabled people have been examined in detail. From the 1970s onwards, academic discussions on disability and disabled people have moved away from the notion of impairment or 'handicap', and the concept of a social model of disability has been introduced. Margrit Shildrick, argues that the way forward for disability studies is to deconstruct the very categories that define disabled people as 'different' from their non-disabled peers. She suggests that such differences are not viable and neither are they sustainable; only by such a deconstruction can we further the position of disabled people and promote their inclusion and full social participation. But literary representations of disability open up discussions about some of the most pressing issues of our age i.e. inclusion, empathy, minority status, social care and citizenship and initiate a re-imagination and re-writing of literary and cultural history. As E.M Forster says, "… literature had always been a solace for him, something that the ugliness of facts could not

spoil" (Forster). Nietzsche also transformed grotesque in an aesthetic category, together with the sublime which subjugates terror by means of art. He is of the view that sometimes ugliness can be a stimulant to life. Aristotle is also of the view that ugly things can be made beautiful through imagination. From the outset of disability studies the focus for scholars was on assessing how disability is represented through literature. It has been presented as a restrictive pattern of characterization that did not allow for the full development of disabled figures both protagonists and villains. It is used in stereotypical or superficial manner to get advantage of its plot or rhetoric goals. Even in literature, they have been portrayed in stereotypical manner as helpless evil monsters who face textual exclusion as well.

This negative image of disability is associated with personal failure, tragic loss and excessive dependency of the persons with disability. But the contemporary approaches seek to transgress and re-signify these representations by establishing disability as source of creativity, agency, and identity in narratives that deconstruct cultural or social models of sexuality, motherhood, and beauty. In this context, one celebrated writer Quayson says, "disability in the real world already incites interpretation, literary representations of disability are not merely reflecting disability, they are refractions of that reality with varying emphases of both an aesthetic and ethical kind" (36). As a result, during the last few decades, there has been a growing awareness and concern among the people worldwide for the persons with disabilities, who are disadvantaged due to various reasons particularly for physical and mental disability. The worldwide awareness and human rights perspective recognizes that the persons with disabilities must be provided equal rights and opportunities at par with the able-bodied

population. The human rights or social model focuses on interaction between a person and his/her environment. This model highlights the role of society and challenges the stigma attached to disabled people as non-disabled people often have a sympathetic, biased and obscure reactions accompanied with avoidance or patronization towards disabled people. But it is not the only fact because attitudes towards these people are as diverse as people themselves. However, some of these attitudes can be grouped together as attitudes of fear, revulsion and pity which historically result into exclusion, segregation and sterilization of persons with disabilities. There are notable disability autobiographies in India including Ved Mehta's *Face to Face* (2013), about both loss of sight and the relations between India and England; Tito Rajarshi Mukhopadhyay's *How Can I Talk If My Lips Don't Move?* (2011), about autism; and *No Looking Back* by Shivani Gupta. Societal attitudes towards persons with disability have changed from time to time. Various factors contribute to these changing attitudes. Gender, education, religion, occupation, income and nationality have a significant impact on the level of disability consciousness in Indian English Fiction with special reference to *Trying to Grow* by Firdaus, *Clear Light of the Day* by Anita Desai, *Family Matters* by Rohinton Mistry, *Sunny's Story* by Pramila Balasundaram and *Shame* by Salman Rushdie. In this context, Alice Hall defines that:

> Literary representations of Disability open up discussions about some of the most pressing issues of our age: about austerity, empathy, minority status, social care and citizenship. They provide creative opportunities for close reading, but they can also initiate a re-imagination and re-writing of literary and cultural history. (1)

This chapter primarily explores contemporary issues in addressing violence against women with disabilities as a pressing human rights concern. According to World Bank study in 2007 people with disabilities were among the most marginalised in Indian society, and 50 per cent out of them see disability as a "curse of God". It explores some of the complex intersections across domains of ideological, ethnic, economic, social, and cultural factors that combine to produce pervasive gendered-disability violence. It also highlights the nature and foci of international activities and campaigns to address violence against women with disabilities. Due to the inaccessibility (either physically or cognitively) of institutions of justice for women with different types of impairment, the disabled persons frequently find themselves unable to report the violence they experience. The present chapter is an attempt to understand disability as social construct, and deconstructs all stereotypes and the sense of ugliness especially associated with disabled women through the critical analysis of Malini Chib's autobiography *One Little Finger*. As life becomes a tear and a smile for her, Malini tells us the story of her heroic battle against adversity, prejudice, stigmas and stereotypes of her will to succeed and her search for an identity in an apathetic world. In the process of self-realization, she becomes a beacon of hope for everyone. She suffers from Cerebral Palsy, a neurological condition similar to adult stroke, which makes body movement and speech extremely difficult. However, the cognitive functions of brain can often remain unimpaired, as in the case of Malini. She recounts her experiences from childhood to adulthood, her struggles with motor skills and speech, managing day-to-day activities, and the apathy and indifference of people towards her and others who are disabled. She educates herself, learns to type with her little finger and speaks through the Lightwriter. She holds

international degrees in Women's Studies, and Library Sciences and Information Management, and is currently doing a job as an Event Manager in Mumbai. She has also founded Able Disabled All People Together (ADAPT) Rights Group. She has been awarded with the National Award for the Empowerment of Persons with Disabilities in the category Role in 2011 by the Ministry of Social Justice and Empowerment.

The recent movie *Margarita with a Straw* (2014) is based on her life, in which actress Kalki Koechlin played her character. Upon release, the film was a major critical and commercial success, and Koechlin won several awards for her performance. It seems her birth is the cause of a movement and some significant sweeping changes that have taken place in the disability sector in the country because her mother, Mithu Alur, to whom the book is dedicated, founded the Spastics Society of India. This is an organization advocating holistic aspect of education and rehabilitation services for persons with physical and neurological difficulties. In a newspaper article named **"**Disabled author of *One Little Finger*", Malini's mother Mithi Alur, recalls "I remember in the 70s, I had gone to meet a minister to talk about special health care for spastic people. The minister was so ignorant, he kept asking me if I was talking about plastic" (Firdous). She also shows her concern towards the fact that the majority of the disabled population of 80 million people lives below the poverty line. Despite all odds, she is hopeful for positive changes. Her rights group ADAPT in 2012 brought together more than 100 women in wheelchairs on the eve of International Women's Day with 100 non-disabled supporters in solidarity set to protest lack of rights in India and to force Mumbaikars to think: how long will women with disabilities face apartheid-like discrimination?.

Malini took birth in 1966 as a spastic child having Cerebral Palsy and doctors told her parents that she would be a vegetable and nothing could be done for her. Because at that time India was not a disabled-friendly country and Malini's parents decided to take her to England, where she was admitted to one of the best schools named Cheyne Walk that is known for nurturing the students with special needs. Her mother also took up a training programme in special education from London University and being introspective she became one of the first and finest special educationists in India. She set up the Centre for Special Education in Bombay as replica of Cheyne Walk of England. Now there are Spastics Societies in Calcutta, Delhi and Bangalore. Studies have shown various psychological effects that parents undergo when they are exposed to the disability of their child. It is similar to the stages of dying but here parents go through shock and denial – "No, it cannot happen to my child', guilt – 'I must have done something wrong. It's my fault.' sorrow – 'why did it happen to my child?' rejection – 'I did not ask for a child with a problem' and acceptance – 'It's ok. It's my child. I will take care of her/him" (). Most parents reach the acceptance stage, and that period continues a lifetime with the parents showering unlimited love and care to their child. But most often, with the Indian parents, self-pity is the case. They find alternative methods to vent their pity, that is, through ritualization, be it pujas, fasts or other religious activities performed under the instruction of a saint.

In her autobiography, she challenges stigmas of the disabled body by deconstructing the "ideology of ability". She also shares her experiences of negligence and prejudice against her. She says:

> Some people could not understand that although I did not speak, I could comprehend….The children too could not understand why I did not play the usual games with them. They too left me alone….The hostess gave all the kids their going away presents of balloons, hats and whistles while leaving me out. She said she was sorry but she did not think I would be able to play with them properly. I think the worst thing that can happen to a child with a disability is to leave them alone and not even talk to them. (6)

Malini was exposed to humiliating and discouraging attitude of educational administration. She was surprised to observe the insensitive response of the Vice Chancellor of Bombay University who responded to the request of her mother for extra time for disabled students sitting in an exam as, "These exams are a waste of time. They are useless, and these students would be better kept at home" (49). That is why, there is this worldwide debate whether children with severe disability should be exposed to the normal world. Malini questions the concept of special education in the words:

> Being trapped in a segregated environment was harmful. If I was in a normal school, I would have seen my normal peers interact. That would have encouraged me and given me a head start on how to be independent in my communication…. Some professionals believe that it would be better if the child is sheltered in a special school where his/her daily living needs are met…. I feel that if there is no exposure to the outside world how will any child develop later if he/she is sheltered? The disabled child will naturally imitate what he/she sees. I strongly feel that if the child is

> exposed to a normal environment from a young age, then the child, however severely disabled he/she is would have a chance to be included and perhaps accepted by his or her peers and would use his/her own intelligence and social networking skills to develop. (25)

Malini also makes sarcastic comments on infrastructure barriers for disabled people when she mentions:

> Break time for me was not a normal event. It was a huge obstacle, as far as accessibility was concerned…. Although I used an electric wheelchair, I needed help as there were ledges at the end of each classroom acting as barriers curtailing my independence. I was different and obviously I needed help with these barriers. What an absurd architect. Why do all normal people think that everyone in the world must keep to the norm of the walking pattern, and if one does not walk like everyone else, one will be left out of life? As I passed each classroom, the lecturer would stop speaking and the whole class attention would turn towards me, until I passed through. It was terribly painful being the cynosure of all watchful eyes and those few minutes always seemed like agony. (53)

According to Spivak, disabled women in India are the most suppressed and oppressed class because they are completely deprived of political and economic access. Disabled women fall under the subaltern groups as minority groups are unable to speak for themselves. Malini also depicts her plight as, “I applied for many jobs. Some called me for interviews, some did not bother. I felt that my speech was the biggest barrier. The actual fact is that employers could see only my disability, not my capability. In any job,

one requires speech and a limited amount of hand function. I did not get any job" (174). She got blacklisted from college for missing lectures but she takes joy of being included in the odd picnic, the lunch party, the cinema and even blacklisting which makes her realize that she is normal in all these activities. She believes that there is urgent need for the disabled people to be the part of mainstream and to interact with so- called normal people. She says, "…nobody is perfect; we are all, in some way or other, disabled. Our disability is more visible; others have what I like to call, an 'invisible disability" (103). She also believes in social model of disability and thinks that disability is socially constructed and defines, "if a disabled person could not access to offices, restaurants, libraries et cetera, it was not because she or he could not walk, but because of the faulty design of the environment, or the faulty attitude of society" (108). Further, she defines that everyone is inter-dependent or co-dependent – socially, emotionally, physically and intellectually. She defines mutual dependency as, "We depend on the plumber, the electrician, the computer technician" (149). She is the Chairperson of ADAPT which believes that both disabled and non-disabled should work together to form an inclusive society. It initiates change in access, attitude and policy for people with disabilities in India. In this context, Malini says, "If there is no ramp in certain places, it is not a personal problem, but a larger problem which affects all disabled people, not only me. Having access in certain places is crucial not only for disabled people but mothers who have small children in prams, senior citizens, people who have just had accidents, et cetera." (145)

Religious and cultural values affect disabled women's autonomy in general, and create even greater disadvantages for them in particular. Women with disabilities are subjected

to ‘double disadvantage’ i.e. of being a woman in a male dominated society and being disabled in a society dominated by able-bodied people. In this context, a disabled feminist writer and Project Co-ordinator at the National Centre for Promotion of Employment for Disabled People (NCPEDP) based in New Delhi, Sakshi Broota Hosamane in her article, “Developing the Gender Dimension in India’s Disability Rights Movement”, writes:

> Both disability and gender are physical constructs…. To be a disabled man is to fail to measure up to the general culture’s definition of masculinity as strength, physical ability, and autonomy. To be a disabled woman is to be considered unable to fulfil the role of homemaker, wife, and mother, and unable to conform to the stereotype of beauty and femininity in terms of physical appearance. (56)

They are discriminated far worse than men with disabilities or women without disabilities in terms of access to education, sexual and reproductive rights, entitlements, and quality healthcare. As Malini reflects:

> …a woman is required to perform include child-care, spouse-care, cooking, feeding, soothing, nurturing a relationship and patching up tiffs with in family system. The stereotypical thinking is that women with disabilities are unable to provide this kind of nurturance for a man, nor are they able to satisfy his sexual and emotional needs. I have noticed that it is easier for a disabled man to get an able-bodied partner because society is conditioned to having and seeing women doing most of the house work; it

> is unheard of men doing all the housework or being positioned as a carer. (146)

She also talks about 'body beautiful' concept where woman who is called fair sex is considered to look beautiful to woo man but as far as a disabled woman is considered she always gets unnoticed because her body is different. The body of a disabled woman generally does not fit in constructed norms of beauty; rather, in the words of American feminist Susan Rendall they are considered as 'rejected body'. Malini feels that because of her 'rejected body' she has failed to have good relationship with men. She laments, "I have had a hard time accepting that I am trapped in a rejected body. A body that is not sexually attractive. Some people argue whether sex is that important? ... Sex is a basic physiological need that even animals have….Like most women, sometimes I craved to be in the arms of a man. Most men look at me as asexual" (146). She also shares her experience of college life and says that human beings are averse to crutch dancing. She innocently inquires, "I wondered if there would be a man in my life. Would a man see beyond my body? Would anyone put their arms around me and dance with me? Would anyone kiss me passionately? Would I ever be needed by a man emotionally or would I always be regarded as a burden for someone to take care of?"(65). In this way, she finds that society ignores the sexual urge of disabled women. Therefore, it is ironical to note that the essential common physical and emotional human needs are denied to the disabled women. She observes:

> It is crazy but society on one hand thinks that disabled people should lead normal lives, but when it comes to the crunch of having an intimate relationship with a person who is disabled, they get scared and pretend

> that the problem is not theirs. The thought of having an intimate relationship with someone who is different does not even cross their minds. Disabled people are often kept at a distance, as the so- called normal people think that becoming involved with a disabled person would be an onerous situation. (147)

Challenging these cultural stigmas, Malini celebrates her sexuality. Through her article, "*No Sex Please, You're Disabled",* published in the *Metropolis* in September 1996, she questioned the general tendency of considering the people with disabilities as undergrown children incapable of common adult thoughts, desires, feelings, passions and expectations. She mentions that the behaviour of so called normal people toward "abnormal" people is often rude, inhuman, and hostile. Perhaps it is the result of commonly held belief that the disabled people are being cursed for their wrong doings of the previous lives. Her writing is a true reflection of her inner health and mind-sets. She shows the robustness of her body despite the fact that she is not considered able-bodied and hence had become object of social abhorrence or rejected body. She challenges social injustice and patriarchal control over her body, health, and sexuality by expressing love toward her own body. She was physically incapacitated, but she did not hesitate to openly and publicly discuss her life in terms of her hopes, dreams, and aspirations, including her sexuality, which is deemed a taboo subject for women in most of the societies. She gives the reader a powerful evocation of her body and sexuality that helps to celebrate her own body as agent in subverting the ideology of ability. Being a 'normal woman' encapsulates the ability of having traditionally accepted sexual intercourse with the capacity to bear

children and maintain motherhood. The mainstream ideology of ability negates the ability of the disabled.

In the context of South Asian countries like India, the ideology of ability is formed through the lens of certain religious, social and cultural practices. The identity formations based on social and cultural traditions enforce the ideology of ability and show the profound misunderstanding of disability by creating biases. In this way, Malini cultivates imagination and breaks the chain of stigmas that prompt one to internalize that it is better to die than to live 'disabled'. She dragged herself out of the constraints of her condition to establish herself as a powerful woman. TARSHI, a Delhi-based NGO that specializes on issues of sexuality and body images in society, in its report "Sexuality and Disability in the Indian Context" (2010), points out that women with disabilities in matter of sexual fantasies are similar to other non-disabled women but they are unable to express their sexuality because of faulty assumptions of the non-disabled society.

According to Renu Addlakha, researches on the lives of women with disabilities highlight that the sexual and emotional aspect of their lives is regarded completely irrelevant. So, to pay attention to sexual and emotional ramification is a relevant subject of academic discourses in India. A disabled activist, Anita Ghai also emphasizes that the discourse on disability ignores the harsh reality of disabled peoples' lives in India, where women are caught in social and economic marginalization. In this way, disabilities should be discussed as related to religious and cultural prejudices instead of personal tragedy, pathology, and any other medical problem. Jenny Morris, an Australian feminist, wrote from her own experience as a disabled person that "alienation and anger comes from the failure of feminism to integrate the concerns of disabled women into its theory,

methodology, research, and politics" (45). In this regard, Ghai, while researching on Indian women with disabilities, mentions that the 'third wave' women's movement has not included disabled women into its agendas. Therefore, disabled women occupy a "multifarious and marginalized position." (53)

Sexuality has been a peripheral topic in disability studies until about twenty years ago, and it continues to be under-addressed outside disability studies, as well in social policies and programs. The sexuality concerns of people with disabilities in India, are rarely acknowledged and, therefore, have not been considered an important area for study or research. We recognize that we cannot do justice to the complex range of sexuality and sexual and reproductive health related concerns faced by people with all kinds of disabilities in India. However, Sexual and reproductive rights are fundamental human rights. They include the right to autonomy and self-determination – the right of everyone to make free and informed decisions and have full control over their body, sexuality, health, relationships, and if, when and with whom to partner, marry and have children - without any form of discrimination, stigma, coercion or violence. Instead, systemic prejudice and discrimination against them continues to result in multiple and extreme violations of their sexual and reproductive rights, through practices such as forced and/or coerced sterilization, forced contraception and/or limited or no contraceptive choices, a focus on menstrual and sexual suppression, poorly managed pregnancy and birth, forced or coerced abortion, termination of parental rights, denial of/or forced marriage, and other forms of torture and violence, including gender-based violence. They also experience systemic exclusion from sexual and reproductive health care services. These practices and violations are framed within traditional social attitudes

and entrenched disability-based and gender-based stereotypes that continue to characterize disability as a personal tragedy- a burden and/or a matter for medical management and rehabilitation. In this way, a person with disability has to struggle on multiple levels like, personal, family and community level. But in absence of structural and auxiliary aid, majority of the persons with disabilities, despite their inherent capabilities, end up living dejected and non-productive life.

The year 1981 was declared as International Year of Disabled Persons and plan of action was called for. Consequently, an important formulation of World Programme of Action came into existence in the year 1982 which was adopted by resolution 37/521. In order to implement the activities recommended in World Programme of Action, the period of 1983-1992 was declared as UN Decade of disabled persons. In 1993, General Assembly adopted Standard Rules on Equalization of Opportunities with an object to emphasize on the responsibilities of the states in removal of barriers in promotion and protection of the rights and freedoms of the persons suffering from disability. In 2002, Biwako Millennium Framework was adopted with an idea to work towards an inclusive, barrier free and right based society for persons with disabilities. In 2006, a much awaited document, namely the Convention on Rights of Persons with Disabilities was adopted. The purpose of these documents is to encourage the implementation of international standards by government and ministries at the state levels and also to expand the opportunities for full participation of disabled persons. The Constitution of India gives an assurance in the form of Directive Principles of the State Policy which work hand in hand with fundamental rights to eradicate social stigmas associated with disabled persons. The wider interpretation of the provisions contained in Articles 14, 16, 21 along with Articles

38, 42, 43, 46, 47, 48, 249 and 253 can provide various rights to the persons with disability to further the right based approach towards the persons with disabilities. Indian Constitution does not specifically deal with the prevention of discrimination on the grounds of disability. But the Preamble, the Directive Principles of State Policy and the Fundamental Rights enshrined in the Constitution stand testimony to the commitment of the State to its people including disabled persons. These provisions envisaged a very positive role for the State in the upliftment of the status of disadvantaged groups. For example, Article 41 enjoins that, "the State shall, within the limits of its economic capacity and development make effective provision for securing the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement" (Qtd. in Parekh 47). But persons with disabilities in India have been understood by the policy-makers as the charitable and pitiable objects rather than human beings with inalienable human rights like other citizens.

In addition to the constitutional provisions there are many other statutes which deal with the promotion of the rights of disabled persons. In India, there is a long list of legislations and regulations which protect and govern the rights and interests of the physically challenged persons such as the Payment of Gratuity Act 1972, Equal Remuneration Act 1976, The Factories Act 1948, Dockworkers/safety, Health and Welfare Act 1986, the National Policy on Education 1986 and the Persons With Disabilities (Equal opportunity, protection of rights and full participation) Act 1995 (persons with Disabilities Act). One must understand that laws, judicial precedents, constitutional guarantees can only elaborate the policies and imperatives for the disabled. But if we really want to make a difference, we must change our negative societal attitude

by unlearning the deterring misconceptions and misplaced notions about disability. A sustained campaign for protection of human rights for the disabled is the demand of the day. Information on the rights of the disabled should be disseminated through assistance manuals, question-answer booklets, media campaigns, public awareness etc. Each and every disabled person and his family members should be given a disability rights manual approved by the government authority listing their rights. Disabilities are not to be viewed as conditions needing to be cured or healed, but as differences to be accommodated and accepted.

Disabled and abnormal individuals have historically received positions of alienation. A minority status has always been placed in opposition to a prescribed, majority-based notion of what it means to be able. If one is perceived as unable, he or she is pulled out of the community and kept away. In the present research the researcher has attempted to study the actual experience of disability and how able-bodied people look on disabled people as 'Other' and not as an individual possessing the self. The portrayal of disabilities in Literature undergirds the exclusionary environment and the discrimination that disabled human being faces. Disability Studies seeks to challenge our collective stories and our cultural representations about disabled human beings.

Clare Barker, in *Postcolonial Fiction and Disability* (2012), explores the politics and aesthetics of disability in postcolonial literature. The fictional lives of disabled child characters are frequently intertwined with postcolonial histories. The literary representation of 'disability' issues in postcolonial context underlines the concern of the writers for the vulnerability emanating from societal ignorance and insensitivity. Simi Linton, in her influential book *Introduction to Disability Studies* (1998), makes an

extended argument for "setting off disability studies as a socio-political-cultural examination of disability from the interventionist approaches that characterize the dominant traditions in the study of disability" (132). The essential basis of Disability Studies is that disability is a culturally fabricated narrative of the body, a system that produces subjects by differentiating and marking bodies. This comparison of bodies legitimises the distribution of resources, status, and power within a biased social and architectural environment. Studying disabled writers and their works in their particular cultural context and researching them is to bring them to the mainstream agenda and to make their case open to a larger audience. This research sheds light on the issues concerning women with disabilities. Through close reading of Malini's autobiography one can understand what it means to be disabled and how one survives in such suffocated environment full of the flames of constructed ideology of ability. In other words, the writings of disabled people represent their disabled bodies through narratives that help one understand the disabled body as the cause of the ideology of ability rather than an embodiment only. Kristin Lindgren writes about the narrative of the disabled body:

> They support neither Plato's view of the unruly body as an impediment to knowledge nor a view of the body as a transparent medium through which self-enacts its project. Rather they suggest that embodiment experience generates knowledge and crucially shapes these projects… itself a conscious project, one that demands a strategic rethinking of self-identity. First person accounts of illness and disability demonstrate that knowledge by bodies in trouble can contribute in unique ways to theories of identity, subjectivity, and embodiment. (Smith & Hutchison 146)

On the basis of exhaustive discussion in the present chapter, it may be inferred that the meaning of disability changes with the change in central ideologies. The situated knowledge of woman's body deconstructs the idea of beauty as having to do only with appearance The positive perspective these women are using and writing deconstructs the ideology of ability i.e. beauty is neither appearance, nor skin, but depends on how one perceives it. Deconstruction actually creates an affirmation of the woman's situated lived experiences. The human body is located in a specific social milieu, surrounded by social and cultural norms that define it, causing different kinds of bodies in hierarchy that privilege disabled women who are often denied opportunities to participate in women's traditional roles, such as motherhood, and this can make women with disabilities seem invisible. I argue, therefore, that disabilities cannot be deemed only as genetic or biological defects; rather, disability is a social and cultural construct lodged in the religious beliefs.

This study has outlined the grim reality of disabled women and how the disabled writers have been meeting such challenges. As discussed, many societies are patriarchal, and women and their positions in these societies are often seen as having miniscule value. In societies that prefer sons to daughters because sons are necessary to observe significant rites of passage, the birth of a daughter is given very little importance. If a woman is seen as ugly, deformed and sterile, she becomes a person of derision in that society and she is considered invisible entity having no identity of her own. Therefore**,** the lives of disabled women and their lived experiences are completely irrelevant to the mass of non-disabled people because they do not fit into the "ideology of ability." The cultural impact of religion and day-to-day norms enables researchers to gain a better

understanding of the roles and responsibility of women in societies touched and shaped by such norms. The understanding of ability is so biased that the disabled are still relegated to the realm of personal tragedy. They are seen as a cultural challenge and become victims of indifference and social apathy. Women with disabilities are doubly or even triply suppressed due to the hetero-normative model of patriarchal societies, further reinforced by religious values. This disability "narrative of self" authenticates who they are and what they experience, not by offering a model to society that looks down upon the women with disabilities in the particular cultural contexts. On the one hand, her body is disabled, but on the other hand her disabled body becomes a trope to communicate the message of her subjectivity, selfhood, and identity by rejecting the culturally and religiously prescribed norms. For example, Malini remained unmarried, but nonetheless, she claims the beautiful feminine qualities of her body and shifts the conception of disability from pathology to identity.

Disability, in any form, is merely a variation of humanity, but the disadvantages this diversity creates are the lived realities that should not and cannot be left unattended. What I find even more problematic is the idea of glorifying and romanticizing disability. Such a glorified notion of disability, I argue, becomes yet another means to oppressing the persons with disabilities. The "medical model" that some disability studies scholars have discarded can prove still relevant, particularly to South Asia. If disability activists and civil society organizations relish only in the rhetoric of disability as a "human rights" issue, and do not pay ample attention to the physical and mental realities of the persons with disabilities, the "rights-based" discourse could ultimately be counterproductive. India cannot shut its eyes from accepting at least one disabled person in 8.40% of rural

households and 6.10% of urban households. So, it is high-time to remove all negative stereotypes and to mainstream disability into all facets of life by creating disabled friendly infrastructure to enable lakhs of children with disabilities to get enrolled in schools. In that case there will not be any need to introduce special schools for the children with special needs. For example, a fabricated normal child studies with another child who has a disability, they intuitively become sensitized from a very early age while it becomes difficult to adjust and accommodate at a later stage. This is similar to the theory of learning a language by immersion, and hence the child can learn acceptance by immersion.

Our schools, colleges and universities should be barrier free where a student with disability is able to study with dignity and comfort. Even in the case of having some children who require extra attention, it should be within what is labelled as a "normal" settings so that even if they are not in the same classroom together, at least for all other activities like music, dance, drama, sports, painting etc. all children are together and are able to interact and learn from each other's strengths and weaknesses. There is also a need to motivate and counsel parents to focus on the emotional and physical needs of the children with special needs and not to believe in superstition or re-birth theory. Once a parent realizes that his/her child can perform and achieve at par with other 'normal' children, things would be easier for them. We also need to bring about changes in the stigmatized attitudes and responses to disabled persons to make them contribute to different walks of community life so that they can realise the life with dignity as enshrined in Article 21 of the Indian Constitution.

The need of the hour is to introduce and recognize the field of Disability Studies as an autonomous academic discipline by Indian universities and academic institutions. This could go a long way in transforming the public perception about disability issues. As noted earlier, the disabled constitute ten per cent of the total population of India. So it is all the more imperative that like Women's Studies, Muslim Studies, Media Studies, Nehru Studies, Gandhian Studies, Area Studies, and other minority studies which are the thrust areas of higher education and research, the emerging field of Disability Studies must attract the attention of Ministry of Human Resource Development and funding agencies like UGC, ICSSR, ICHR, ICPR, ICMR, CSIR and also central universities/and academic institutions. There are just a handful of journals/periodicals focusing the publications on disability issues - such as, *Indian Journal of Disability and Rehabilitation* (a half yearly journal earlier published by the Ministry of Welfare - hereafter Social Justice and Empowerment), *Disabilities and Impairments* (another half yearly journal published from New Delhi); *Asia Pacific Disability Rehabilitation Journal* (Mumbai) and Action Aid Disability News/Newsletter (a monthly disability magazine published from Bangalore). Besides, a galaxy of journals/periodicals of other prominent academic disciplines cover the disability and rehabilitation issues. Most of the journals/periodicals are focused on certain specific aspects and, so to say, cosmetic and parochial in nature; as they hardly bother to provide an inter-disciplinary orientation for studying and analysing this unexplored area. There is, thus, an urgent need for various disciplines to focus attention to this neglected field of inquiry from interdisciplinary perspective. Scholars, intellectuals and social activists may contribute significantly in achieving the desired objectives for the larger welfare of the disabled population.

Everyone harbours a desire to travel, but for people with disabilities, it is mostly because of the lack of infrastructure that they cannot fulfil their dreams. Taking this into consideration, some organizations have come forward to spread awareness about the issue. The Better India is supporting the initiative, led by UMOJA, the first platform for accessible travel in India. Similarly, the NGO ADAPT (Able, Disabled, All People Together) and the Goa Tourism Department's organization Drishti, made Candolim beach wheelchair-accessible in Goa. The ongoing Beach Fest at Candolim is a celebration of joy, dreams and freedom for many people with disability.

India's disabled are woefully under-represented in many fields, with politics seeing some of the worst numbers. However, an increasing number of disabled people are joining local politics, including large number of women from many rural parts of India. As we all know, the Women's Reservation Bill faced several roadblocks, and its journey itself showed various facades of patriarchal society. Nevertheless, political participation of persons with disabilities is gradually increasing in India. There are several persons with disability who have made it to important positions on their own due to their dedication, commitment and perseverance. The newly enacted Persons with Disabilities Act provides for 5% reservation in poverty alleviation and developmental schemes for persons with disabilities (including persons with psychosocial disabilities). The most significant point about the Rights of Persons with Disabilities (RPWD) Act, 2016, is that it has promised to make public facilities accessible to the disabled. The key point of the Bill is that it raised the reservation in government jobs for the disabled from 3% to 4%. It also provides for imprisonment up to two years, along with a fine ranging between Rs.

10,000 and Rs. 5 lakh for those discriminating against the differently-abled. According to the Act,

> The appropriate Government shall take suitable measures to provide,- facilities for persons with disabilities at bus stops, railway stations and airports conforming to the accessibility standards relating to parking spaces, toilets, ticketing counters and ticketing machines; access to all modes of transport that conform the design standards, including retrofitting old modes of transport, wherever technically feasible and safe for persons with disabilities, economically viable and without entailing major structural changes in design… (RPWD Act 4 1)

India is also a signatory to the 'Biwako Millennium Framework' (2002) for action towards an inclusive, barrier free and rights based society. In December 2015, Prime Minister Narendra Modi initiated the five-year Accessible India Campaign. The recently inaugurated Yeshwantpur-Hassan train service includes a coach for the disabled. Three major railway stations in India – Chennai, Kochi and Trivandrum – took measures to become wheelchair friendly. There is need to provide hydraulic lifts in most airports for PWDs in India. Attempts are also being made to provide ramps in all existing and future ATMs and at the entrances of bank branches. Earlier, the disabled people were treated as objects of pity but now social attitude has changed. We now have a slew of Indian films that have embraced inclusivity for the disabled by normalising portrayals like *Kabil* (2017), *Black* (2005), *Koshish* (1972), *and Angel* (2012). Apart from these a short film *A day in the Life of a Wheelchair* created by The Network for Javed Abidi of the NCPEDP, projects the everyday problems of young girl, Sapna, a wheelchair user.

The CRPD is one of nine international human rights treaties signed by 166 Member States of United Nations. It is the first internationally legally binding instrument to address the plight of persons with disabilities. The inclusion of disability component in the 17 Sustainable Development Goals (SDGs) is hailed as a major achievement and success, with aspirations and hopes running high. Moreover, the overarching principle of Vision 2030 is to 'leave no one behind'.

The National Centre for Promotion of Employment for Disabled People conducted a seminar in December 2016. The government, the private sector, and leaders from various development fields participated to take stock of the current situation and deliberate on how disability could be integrated in Vision 2030. A starting point was that the government, the NITI Aayog, and all the associated stakeholders should interpret the provisions of the SDGs in line with the requirements and spirit of the UN Convention on the Rights of Persons with Disabilities. (UNCRPD). Based on the changing disability landscape, the knowledge of MPs and State legislatures must be refreshed on the rights, needs and issues of persons with disabilities. The NITI Aayog must invest effort in building awareness for NGOs, academics, civil society, the private sector, etc., in order to articulate a disability-inclusive development agenda. The new national building code (NBC) prepared by the Bureau of Indian Standards, which was released by the Ministry of Consumer Affairs on March 15, 2017 appears to have now provided a solution to disabled-friendly and completely barrier-free smart cities. Despite the inclusive approaches being introduced and practiced numerous parts of the natural world will remain inaccessible to many disabled people: mountains, bogs and beaches are almost impossible for wheelchair users to traverse, while sunsets, birdsong, and other aspects of

nature are difficult for those lacking sight or hearing to experience. In urban settings, many barriers can be mitigated, although historic buildings often cannot easily be adapted. In these situations, it seems more practical to make other arrangements to overcome the problems. For example, Transport for London have an almost totally accessible fleet of buses. There is the trend to introduce barrier free access to libraries in educational institutes. 'Raahgiri' day for the persons with disabilities is a unique initiative by the Department of Empowerment of persons with Disabilities, Ministry of Social Justice and Empowerment, Government of India. This event was organised in view of the spirit of Prime- Minister's initiative 'Sabka Saath Sabka Vikas' which includes the persons with disabilities. It showcases the diverse range of unique abilities of the differently-abled children/ persons. 'Unique ID for Persons with Disabilities' project is implemented with a view of creating a National Database for PWDs, and to issue a Unique Disability Identity Card to each person with disabilities. The objective of this project is not only to encourage transparency, efficiency and ease of delivering the government benefits to the person with disabilities, but also to ensure uniformity.

Media portrayal oscillates between two extremes: pathetic and superhuman. Persons with disabilities are just as commonplace as other regular citizens of the country. There are existing stereotypes that mirror the prejudices which exist in society, through which media portrays persons with disability. Often, media tend to view disabled persons only in the light of their disabilities. The focus is on the impairment and not on the individual. This is reflected pictorially as well. The camera focuses on the disabled part of the person rather than the person as a whole. There are talent shows on Television which provide a platform to people to showcase their talents. If a visually impaired

person participates, the media pushes their cause based on their impairment, rather than their actual talent. The media should avoid this practice. Images of disabled fashion models in the media can shake up established categories and expectations. Commercial visual media are the most widespread and commanding sources of images in modern, image-saturated culture and therefore they have great potential for shaping public consciousness—as feminist cultural critics are well aware. Fashion imagery is the visual distillation of the normative, gilded with the chic and the luxurious to render it desirable. The commercial sphere is completely amoral, driven as it is by the single logic of the bottom line. This value-free aspect of advertising produces a kind of pliable potency that sometimes can yield unexpected results.

The theologian and sociologist, Nancy Eiesland, has argued that in addition to legislative, economic, and social changes, achieving equality for people with disabilities depends upon cultural "re-symbolization" (Qtd. in Davis 375). The literary study of disabilities has contemporary relevance as it helps physically or mentally impaired people to come into the mainstream society and to assert their self-esteem. It will be, therefore, worth pursuing for further research to have a better understanding of the lives of people with disability and generating not sympathy but empathy for the people with disability. The need of an hour is to do significant work by educating people across different cultures and notions to expose government inaction and provide recourse for violations of the human rights of people with disabilities. Lastly, anti-discrimination laws are indispensable tools, as the importance of achieving actual economic, social and cultural rights for persons with disabilities should not be forgotten. In the present context, social

policy needs to be adopted to put positive support in place that will truly enable people to access and enjoy their human rights. Justice A. K. Sikri has remarked:

> If you have a mind and shall not reason, you are disabled.
>
> If you have the opportunities and don't use them, you are disabled.
>
> But if you are disabled and can think,
>
> If you are disabled and are dedicated,
>
> If you have talent and have skills,
>
> If you have the will, then where do you go?
>
> Only ahead, May even reach zenith.
>
> That is the direction of joy, empowerment, achievement and adventure. (14)

In this way, the present study is significant from the socio-economic point of view because it address the issues of education, employment, social security and non-discrimination where the PWDs are lagging the most. It will assist in uplifting the conditions of this 'invisible minority.'

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Conclusion

The present research work applies human rights approach to study the problematics of human rights. The study has specifically focused on the subcultures in Indian context i.e. Dalits, Third Gender and Persons with Disabilities as portrayed in Indian Fiction in English and English translation. To investigate and understand the corpus of human rights problems in literature, the study has forged an eclectic mix of close textual reading and discursive and contextual decoding as a methodological strategy. In other words, this has been an attempt to explore the interconnections between the textual and contextual in order to understand the discursive formations emanating out of the fictional reality and realist activism.

The introductory part of the research deals with the title of the research and helps to understand genealogy of the phrase 'Human Rights' from natural law theory to modern human rights and current human rights practices. Acclaimed author Salman Rushdie, in a lecture at Emory University, says that the idea of human rights came out of the natural instinct of human beings i.e. 'liberty instinct'. These rights involve neither liberal nor Western fictions but rather connect to our deepest needs as human beings. The main objective of the present research is to establish symbiosis of human rights and literature. The genre of literature that is universally fixated on the theme of law as menace has the potential in some transcendent way to humanize the legal system as well. The book, *Literature and Human Rights-The Law, the Language and the Limitations of Human Rights Discourse* edited by Ian Ward emphatically posits that study of 'literature and human rights' is a cross disciplinary research. It describes that lawyers facing legal

dilemmas get assistance in literature and for literature scholars the engagement of legal texts helps to enrich myriad areas of literary criticism. This research demonstrates a methodology to interpret and deconstruct the human wrongs through rhetorical and critical analysis of literature. It also highlights the dire need of human rights in the global era where gross violation of human rights at international as well as national level is taking place.

It explores that literature reflects and affects the human psyche as it mirrors our beliefs and challenges. It has been used deliberately to normalize groups of individuals and create social change and solidarity with them. For example, one of the effects of *Uncle Tom's Cabin* by Stowe was to make people aware of the negative issues in slavery. Salman Rushdie, in his novel, *The Satanic Verses* (1988), highlights the social inequality among Hindus. It also depicts as to how these lower caste men are not allowed to fetch water from the common well of the village. *Children of A Better God* (2010) *by* Susmita Bagchi brings out the agonies and pains, and threats and challenges of people suffering from cerebral palsy. This book is also a tribute to the loving caregivers of such individuals who work behind them and with them so as to enable them to lead respectable independent lives as much as possible. *The Bone Collector* (1999) by Jeffery Deaver was written not only as a thriller mystery, but also as a statement against mercy killing. The movie *Guzaarish* (2010) portrays the character of Ethan Mascarenhas (Hrithik Roshan), who becomes a paraplegic and files a petition in court for mercy killing. In *To Kill a Mockingbird*, Harper Lee, masterfully uses this fear and distrust of those who are different. She uses narrow-minded townspeople to connect with what may be the reader's own narrow views of developmentally disabled individuals. The character of Boo, is

presented as dangerous when seen only from the townspeople's parochial viewpoint. In the end, he is revealed as both compassionate and brave. Pinki Virani's *Bitter Chocolate: Child Sexual Abuse in India* (2000) touches the most untouched issue of child sexual abuse through three cycles- Victim Cycle, Survivor Cycle and Exit Cycle. At the end of the book, there is a list of agencies all over India which help in CSA cases by providing help and counselling. In this way, literature reflects our realities, dreams and human rights concerns. Literary critic, Parmod K. Nayer in his book *Human rights and Literature* (2016), says that literature not only documents the basic human aspirations of happiness, security and hope but also depicts the limitations and the violations of these aspirations. It tells us what is good and bad and what does not fit into the cultural ideal. In this way, the idea of human rights has increasingly been playing a very important part in our contemporary life, the political in particular and the cultural in general. That is why Dr. Griffin, in his book *Beyond Anarchy and Plutocracy,* includes a chapter on human rights for the need of global democracy. He is of the view that democratic government needs the notion of human rights as at least one of its starting points and it will inspire a movement for global democracy. In turn, the full implementation of human rights relies on global democratic government. He also mentions several obstacles to realize the idea of human rights. As we all know that human rights express the utopian hope for an egalitarian society but this hope is hijacked in true sense when we come across the instances of discrimination against subaltern groups and violation of their human rights in every sphere of life. The plight of 'trans genders', Dalits, differently-abled, women, tribals, childern and other disadvantaged sections of society may be observed in real life and literature, even today. For instance, the people with disabilities were not even

counted in census till 1995. Today, the sheer lack of sensitivity among masses towards these people is a matter of serious concern.

The first chapter explores the historical journey of 'untouchables' to 'Dalits'. It also depicts the three-fold oppression of dalit women through the autobiographies, *The Outcaste* by Sharan Kumar Limbale and *Karukku* by Bama. It also presents that ultimately their suppression emerges out of their subjugated state to break all shackles that have kept them in chains since ages. It also touches the phenomenon of conversion among Dalits which is just like jump from sky into frying pan. It also highlights that with the growth of capitalism in India, castes are changing into classes as today we can see the personalities like Tina Dabi who topped the IAS exam which is considered the most difficult exam of India. It shows that opportunities eradicate the differences. Both the autobiographies under study also depict that dalit protest proved to be weapon of emancipation. However, both Sharan Kumar Limbale and Bama suffered a lot, but due to their persistence they emerge as dalit writers and activists to pen down their agony and to establish dalit aesthetics. The chapter also delineates the need of sensitizing the Dalit community for non-cooperation with all untouchability practices, including both vertical and horizontal discrimination, and any other form of caste-discrimination. It also urges to address the issue of untouchability as a priority at global level and also the ideological change which comes through westernization and secularization of Indian masses. The Human Rights Perspective to Dalit literary representation and caste based discrimination defends the public opinion against untouchability.

The second chapter claims that the images we see in popular culture influence our habits of seeing both ourselves and others because contemporary life has become fluid.

Hence an absence of representation and inaccurate representation develops stereotypes and biased notion to convey messages about the acceptability of particular identities and the unacceptability of others. Through repetition, these distinctions have become naturalized. In this context, Human rights activist, Upendra Baxi, *In Exploring the Relationship between Human Rights, Globalization and Markets* (2002), argues that human suffering needs to be commodified and packaged according to market requirements for human rights entrepreneurs to flourish.

The self- narratives *A Truth About Me* by A. Revathi and *Me Laxmi Me Hijra* by Laxmi Narayan Tripathi depict that they are somehow psychologically different from normal people and are rendered as not just different but damaged and deviant as well. These two autobiographies not only mirror 'Third Gender' revolt against the rigid tradition and conventions, but also reflect the prevailing postmodernist thought as an impetus behind such convictions. Even the comprehensive document of landmark Supreme Court judgment pronounced on 15th April, 2014 records the predicament of Laxmi Naryan Tripathi, a 'hijra' applicant born as male but feminine in her ways. But there are certain ambiguities in the judgment and it upholds the colonial provisions of section 377 of IPC which criminalises the carnal intercourse against the order of nature. But it seems funny to note that if one can determine his /her gender, why the same person cannot determine his /her sexual orientation. Still the recognition of transgender as 'Third Gender' sheds positive vibes and aspires to improve their plight at social, medical, economic and political level. It has opened the opportunities for them to get education as well as employment and to engage with a new identity through media portrayals.

The Third chapter starts with a logical plea to think and rethink disability. It establishes Disability Studies at crossroads. It has become an exciting interdisciplinary field of inquiry that expands the understanding of disability from a health science perspective to consider it as a civil and human rights issue, a minority identity, a sociological formation, an historic community, a diversity group, and a category of critical analysis in culture and the arts. The medical model looks at disability as a defect or sickness which has to be cured through medical intervention. It regards disabled people as bodies that are damaged, broken and unable to match or fit the Norm of 'ideal' body type. Thus, the medical model regards the body of a person with disabilities as pathological. The 'cultural model' or 'moral model' of disability views an impaired body as the result of sins or misdeeds in the present or a previous life, as a consequence of either one's own misdeeds or those of close relatives, particularly of the mother. But it is historically the oldest illogical model. As Amir Khan in his show 'Satymev Jayate' argued that India is polio free country at present but does it signify that people are not committing crime. However, there are still many cultures like Greek, China, Africa and Europe that associate disability with sin, shame and guilt even if these are not overtly based on religious doctrine. The charity or welfare model of disability views the person with disabilities as the problem and dependent on the sympathy of others and, therefore, it emphasizes on assistance, compassion and charity. Even today, this is the philosophy of a number of disability organizations in India.

Instead of enacting necessary legislation and executing them in letter and spirit, disabled people are pitied and sympathized. In Indian context, religions such as- Hinduism, Sikhism, Islam and Buddhism have more or less uniformly espoused

charitable and pitiable approaches towards persons with disabilities, projecting them as dependent creatures and extra burden on their families who need constant support system for their routine subsistence. Recently, honourable Prime Minister, Mr. Narendra Modi bestowed them with a label i.e. 'Divyang' instead of 'Viklang'. Such sympathy based approach erects attitudinal, physical and institutional barriers for them. They are viewed through the lens of prevailing system and are expected to modify themselves to adapt to it instead of making the system conducive for them. This attitude often creates alienation and inferiority complex among these people. The social model takes disability away from the individual alone and places the responsibility on society as a whole. It argues that disability is a result of social structures and not a defect in the body or brain. Tom Shakespeare says that 'social model' redefines disability and claims that 'disability' corresponds to gender whereas 'impairment' corresponds to sex. At its core, Disability Studies explores how societies draw distinctions between normal and abnormal bodies and minds; how these distinctions matter in the lives of the disabled and the non-disabled alike; and how people with disabilities like Stephen Hawkins, Helen Killer, Sudha Chandran, Javed Abidi, Ira Singhal, and Deepa Malik have transformed the world around them. In this regard, Human Rights model is quite new and productive which counts and rethinks disabled population as human beings and extends basic human rights to them. It insists that charity and sympathy are no longer workable. Rather, the disabled community requires accessibility to the human rights enjoyed by everyone. It is also discussed in a panel entitled, *"*Disability Rights as Human Rights*"* at Emory University where Salman Rushdie along with other distinguished professors discussed that people with certain kinds of disability have been considered not fully human and thus not covered by human

rights. Another panellist, Garland-Thomson expanded on the idea of dependency stating that all human beings are dependent and have the need for a supportive environment. She also contends that the only difference between people with disabilities and able-bodied people is that the able-bodied live in an environment that is built to support them only. Because of its political and theoretical foundations in the late 1960s and early 1970s Disability Studies has now emerged as an academic discipline in its own right. It has also become a core subject of study at undergraduate and postgraduate levels in various universities.

This chapter focuses on issues of 'identity of disabled people' and presents a striking analogy between disability trouble and Judith Butler's *Gender Trouble* which seeks to rethink 'sex' and 'gender'. Butler claims that biological sex is just as culturally constructed as social gender. Similarly, the chapter emphasizes on the most peripheral topic in disability studies i.e. sexuality. Habib, in G*ender and Disability*, discusses that women with disabilities face a double discrimination, both in terms of gender and disability. The most punishing for women with disability is the attitude of society towards them. This often causes their alienation and inferiority complex.

The primary work studied in this chapter is *One Little Finger* by Malini Chib. This autobiography is adapted in a movie also i.e. *Margarita, With a Straw* (2014). It talks about the concept of disability, particularly with the context of educational, sexual and physiological needs of a young girl student with cerebral palsy. In India, the sexuality concerns of people with disabilities are rarely acknowledged or have been unaddressed and, therefore, have not been considered an important area of study for

research. It also unravels the negative meanings attached to the identity of disabled people and questions the perpetuation of discriminatory practices in our so called constructed 'normal' society. It exhibits the unconventional, true and modern picture of a girl with cerebral palsy who has attributes to be a musician, composer and song writer and bisexual. She is never conscious of the deficits of her body and is always in search of opportunities to celebrate her prime age. But she finds infrastructural barriers which are the most repulsive barriers to persons with disabilities in accessing toilets, colleges, assembly or any other public places.

Based on the theory of postmodernism, disability has been projected as a human difference which needs to be celebrated. Movies like *Kabil* (2017), *Black* (2005), *Angel* (2011) and *Taare Zameen Par* (2007) also represent disability in positive light. The book *Post-humanism* edited by Promod K. Nayar provides a great critical insight to comprehend that disability is no longer an aberration as there is nothing normal in absolute sense because postmodernism denies the idea of absolutism. Everyone normal or abnormal has to rely on machines for perfection. Moreover, according to the given theory, man has emerged into a 'cyborg', making it very complicated to unravel the two different entities.

Unlike other identity categories such as gender, race and sexuality, disability is not yet recognized as a legitimate or relevant position from which to address such broad subjects as literature, philosophy and the arts. Even a well-known disability theorist, Michael Berube admits that although people have sympathy for wheelchair users, they are averse to provide them a truly democratic space. The recent announcement of the

Union minister of HRD that Disability will be included in school curriculum is a constructive step towards sensitizing the young minds about the issues of differently-abled population. This chapter explores the idea that disability is a culturally specific complex embodiment. It is not merely an embodiment which has only to do with body, or pain, or physicality, but even more as an ideology that guides human consciousness. These conventional mores ascribe certain prohibitions and permitted behaviours and expectations. Ultimately, the baseline of female humaneness is largely defined in terms of beauty, motherhood and sexuality. If they seem unable to maintain these standards, they are considered disabled, metaphorically. Ironically, even today, disabled women are deemed as deviant because of wrong actions performed in their past lives. The notion of disability is based on the illogical Hindu concept of 'karma' principle which states that one's destiny is shaped by his/her actions of past life. In this way, the research is an attempt to discuss their condition with a latent desire to affect the transformation in mind-set. Rights of Persons with Disabilities Bill 2016 and 'accessible India campaign' are the major initiatives in this regard.

In this way, the present research is quite contemporary because it deals with the contemporary problematic issues of identity formation i.e. constructed identity and self-perceived identity. The study attempts to deliberate upon the nuances associated to the problematics of 'dalit', 'differently-abled' and transgender. The research establishes that 'disabled' are as normal as other human beings. This idea of 'differently-abled', temporarily- abled or 'abled' is discussed with reference to literary and cinematic representations. The same is the case of transgender group, there is also dichotomy of one's inner feelings and societal roles. In his book, *Literary Theory: A Very Short*

Introduction, Jonathan Culler rightly argues that literature has always been concerned with questions about identity. There are some narratives where identity is essentially determined by birth and in other narratives the protagonist constructs identity on the reversal of fortune or on the basis of personal qualities. In this way, literature gets value by providing vicarious experiences. It makes readers learn to empathize.

The biggest limitation of the research has been the vast unexplored domain of subalternity that is perpetually devoid of human rights in true sense of the word. At the moment when everyone is guided by the concept of dignified life, the focus of the present research lies on mini-narratives concerning select marginal groups while there are certain other groups which could not be studied due to paucity of time. Apart from it, social change which is the sole motive of this research is slow and involves the political, economic, social and cultural environment to change. It also requires the social-psychology of the masses to transform over time. India has seen many of its traditions wither away or face continued resistance from modernity and rationality. With regard to a modernist idea of human rights, Zhihe Wang, the Director of the Institute for Postmodern Development of China, in his article "Toward a Postmodern Notion of Human Rights" observes that there are three shortcomings of modernist idea of human rights- first, modernist human rights promote western centrism as they are western derived and can be said to be biased and serve only western interests; second, a modernist idea of human rights is rooted in individualism and dictates individual dignity; and thirdly, human rights that are modernist in nature are abstract and uni-dimensional and he presents two reasons for this statement. On the one hand he argues that too much attention is put on political rights and not enough on economic, social and cultural rights which makes human rights

‘impractical’. On the other hand, strong emphasis is given on rights without sufficient acknowledgement of duties which makes human rights abstract and contradictory to the idea of human rights itself.

The above discussion presented by Wang makes it problematic to envisage a modernist human rights approach to human rights education. Human rights education embedded in modernist ideas of human rights could devalue difference and diversity as well as promote the misuse of human rights when disregarding the importance of duties or responsibilities. So the research recommends or strives for the postmodernist idea of human rights as it is more suited for a democratic government. Other reasons for opting for a postmodernist idea of human rights include: acknowledgment of duties, unity between Western and Eastern values, and emphasis on the right to life and human rights as an absolute objective. A postmodernist idea of human rights posits a unity of individualism and collectivism as well.

This research certainly disseminates the knowledge of human rights and is sure to create empathy and awareness among its readers about various issues of human rights violation. The scope of research lies in the fact that the horizon of human rights is expanding day by day and, therefore, various issues under the ambit of human rights are yet to be explored. Apart from it, the research foregrounds the symbiosis of human rights and literature as a new field of study.

It is needless to say that in the present times, human rights have become tip of the tongue and out of various dimensions of human rights, only civil and political rights are generally focused upon but the changing scenario requires the prominence to be given to economic, social and cultural rights also. Human rights, in the broader sense, have paved

the way to new laws, charters and covenants but in this age of neoliberalism, there is a constant threat to human rights. Perhaps, this threat could be averted by bringing human rights education at all levels of education. Therefore, human beings have to make far more conscious efforts to alter the world reality, by considering the recent changes in the global scenario, including massive violation of human rights.

Despite some serious failures of implementation of human rights at international level, however, the overall trajectory and effect of human rights has been progressive to envision an ideal world that is practically unrealizable or last utopia since inception. Human rights inspire a never-ending global crusade to bring a phenomenal change in the direction of establishing truly democratic world. We have been moving steadily, if slowly, toward greater inclusiveness and greater effectiveness in realizing the promise of human rights for all human beings. Historically speaking, the human rights ethos also played an important role in bringing down the Berlin Wall, and in ending apartheid in South Africa. The establishment of the International Criminal Court (ICC) in Hague in 2003 is another remarkable achievement for the realization of human rights. Apart from it, the integration of human rights in peacekeeping has significantly enhanced United Nations Peace Missions to prevent and respond to human rights violations. Consequently, as of June 2013, there are 15 human rights components in UN peace missions. The recognition of the human rights of 'trans genders' and people with disabilities is a significant shift. In this way, the overall picture over the past sixty nine years is not really all that bleak and there are the reasons to assert that human rights paradigm is making progress.

The advocates of human rights are concerned with distributive justice, sustainable development and a variety of public and private sector policies designed to enhance

human security. The achievement of human rights is possible only by shrinking circles of exclusion, nationally and internationally and by enhancing ethical understanding of human rights issues across the borders. In the book *Human Rights and Narrated Lives – The Ethics of Recognitions* (2004), Schaffer and Smith explain that human rights have become an integral part of the moral vocabulary of governments and policies of democratic political structures. Giving cognizance to a postmodernist idea of human rights for human rights education could begin to (re)define human rights education in such a manner that it may establish itself as a field with its own voice. This postmodern vision of human rights is free from debates devoted to human nature and natural rights. It tries to be free from any kind of metaphysics and essentialism also. In this context, eminent human rights scholar, Upendra Baxi in his essay, “Two Notions of Human Rights 'Modern’ and 'Contemporary” contrasts by defining that in the 'modern’ paradigm of rights the logics of exclusion are prominent whereas in the 'contemporary' paradigm the logics of inclusion are paramount. Similarly, Rabindranath Tagore also puts the idea that the problem does not lie in eradicating or wipe out all differences but the problem is how to unite with all differences intact.

However the study, meeting with the hypothesis and objectives, does not put forward any claims with respect to exclusivity and leaves a considerable scope for further explorations towards mobilizing the people against injustice and indignities. The present research certainly paves the way for more and more studies on subaltern groups and their rights as represented through literature or cinema. It also depicts that human rights advances are presently occurring, and are therefore theoretically achievable in future.

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Appendices

I. Relevance of Research (Hindi)

II. Abbreviations

III. Research Publications:

(i) "The Ethics of Being in Aravind Adiga's *The White Tiger*"

(ii) "Self –Actualization: A Reading of Bharti Mukherjee's *Miss New India"*

IV. Seminar/Conference/Workshop:

(i) Paper presented in National Workshop-cum-Seminar, "Literary Representations of the other side, the ugly side of India."

(ii) "Giving Voice to the Unvoiced: A Study of Arundhati Roy's *The God of Small Things*"

(iii) Participation in National Workshop on, "Literary Criticism in India: Theory, Practice and Pedagogy" at Central University Haryana.

(iv) Participation in National Workshop on, "Importance & Use of Copyrights, Patent, Citation, Impact Factor & Plagiarism in Research Publications" at Central University Haryana.

V. RGNF Award Letter from UGC for pursuing Ph.D.