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Transgender Sex Work in Sri Lanka

The Politics of *Nachchi* Sex Workers

Kaushalya Ariyarathne

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For Dad (1945–2024)

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Understanding the Landscape: An Introduction

Malini identifies herself as a *Nachchi* sex worker and a dancer. On this sunny day, we found ourselves in a rustic wooden shanty room adjacent to the Colombo North railway line. I perched on a weathered wicker chair, while she occupied her wooden bed. The room was full of Malini's vibrant dresses adorning one side, complemented by a small clay Buddha statue, and a picture of Goddess *Kàli* on the other. A small bedside table hosted her essential, inexpensive makeup tools neatly arranged alongside a small, broken mirror. In the midst of August, a season marked by festivities in the country, numerous Buddhist temples hosted processions. During this period, Malini had shifted her attention from commercial sex work to being a dancer in these processions, serving as her primary source of income.

> No one ever wants to write about us. I want you to write about us—the ones whose lives people don't see as meaningful or worth taking seriously.

Over the clamour of the train, Malini's voice reaches me, distinct and clear. I pause, grappling with the questions that echo within me: Why do I write? What do I write?

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Complexities in Terminology

Although this book is titled Politics of Transgender Sex Workers—terminology that may feel familiar or accessible to a reader from the global North—its core focus is on the *Nachchi* community in Sri Lanka. This disjuncture highlights a perennial challenge faced by writers from the global South: how do we interpret, represent, and articulate our societies, cultures, and unique vocabularies when the primary readership often lies elsewhere? The need to strike a balance between accuracy and accessibility can feel like a negotiation of meaning, shaped by the dynamics of global publishing markets and academic discourses. For communities like the *Nachchi*, steeped in localised histories, practices, and identities, much is lost in translation when words, categories, and frameworks are adapted to suit an external gaze. This book navigates that tension.

The term '*Nachchi*' is a colloquial designation within the male-to-female transgender community in Sri Lanka, aligning with Western conceptualisations of gender diversity. While the broader term 'transgender' encompasses diverse gender identities deviating from normative gender roles, *Nachchi* communities in Sri Lanka specifically consist of individuals assigned male at birth who identify as females. Nichols (2010) and Miller and Nichols (2012) argue that while members of *Nachchi* communities engage in the celebration of their feminine-gendered subjectivity, they maintain an acknowledgement and acceptance of significant aspects of their biological maleness. They argue that this nuanced perspective is underscored by their ardent commitment to their sexual orientation, which is characterised by a pronounced desire for male partners (2012: 554).

As articulated by Stoller (1968), gender identity is rooted in the conscious or unconscious recognition of belonging to a specific sex rather than the other, forming the foundational awareness of one's gendered self. Complementary to this concept is the notion of gender role, explicated as the observable behaviours and societal roles an individual enacts, particularly in interactions with others. Stryker and Whittle (2006) expands the understanding of transgender experiences, highlighting cultural diversity within this umbrella term. Transgender, according to Stryker, encompasses a spectrum of identities, including

but not limited to transsexuality, heterosexual transvestism, gay drag, and non-European identities such as the Native American *berdache* or the Indian *Hijra*. In the exploration of historical and contemporary discourses surrounding queer gender identity, Winter (2008) contends that the prevailing perspective in the West, shaped by Judaeo-Christian psychiatric traditions, has predominantly adhered to a natal anatomic view of gender. In contrast, certain Eastern cultures, less influenced by Western ideologies, have potentially fostered more liberal and accepting attitudes towards transgender individuals, as Winter (2008) further clarifies. This underscores the importance of acknowledging regional and cultural nuances in the comprehension of gender identities.

In a study focused on the male-to-female (MTF) *Kathoey* community in Thailand, Winter (2008) identified a departure from the conventional binary understanding of sex/gender categories prevalent in Thai society, where three distinct categories are recognised instead of the conventional two. Examining Thai homosexuality and transgender cultures, Jackson (1999, 2001, 2009) systematically delineated the transformation of Asian queer cultures, highlighting their divergence and decoupling from Western paradigms. While advocating for a critical examination that transcends the ethnocentric tendencies inherent in Foucauldian narratives of the history of sexuality, Jackson (2001) underscores the imperative to refrain from employing Foucault's texts as rigid templates for a global sexual historiography. Notwithstanding this caution, it is crucial to acknowledge that Foucault's methodologies and insights regarding discourses as regimes of power, knowledge, and governmentality continue to constitute highly relevant analytical tools within the neoliberal context of the global South.

Similarly, in a discourse addressing gender/sexuality and marginalised communities in East India, Dutta and Roy (2014) suggest that the attempt to universally categorise 'transgender' as a transnational umbrella term by both the development sector and the state tends to assimilate South Asian discourses and practices of gender/sexual variance as localised experiences. This assimilation, according to the authors, occurs without a critical examination of the conceptual complexities associated with these experiences. Critiquing the excessive influence attributed to globalisation on queer subjects, Blackwood et al. (2007) highlight the

necessity of redirecting attention to the implications of gender hierarchies in post-colonial nations. The authors advocate for a nuanced understanding that transcends the over-determination often associated with globalising narratives, emphasising the importance of considering the unique dynamics of gender hierarchies within post-colonial contexts.

The growing body of scholarly work examining gender/sexuality discourses in the global South has been prolific in critiquing the colonisation of studies related to gender and sexuality (Adam et al., 1999; Ariyarathne, 2022; Blackwood et al., 2007; Jackson, 1999, 2001, 2009; Wieringa, 1999; Wijewardene, 2007; Winter, 2008). However, the present book does not investigate whether the term 'transgender' may or may not inherently be foreign or colonial, despite acknowledging its hegemonic position in discourses of activism and funding, which may inadvertently reflect inequalities. The primary focus of this work narrowed down to the lives of the community self-identifying as *Nachchi*, with a specific emphasis on those involved in various capacities within the realm of commercial sex work in urban Sri Lanka.

However, throughout this book, I emphasise that there is no singular, homogeneous entity that can be defined as the *Nachchi* sex worker community, which provides an umbrella for political mobilisation or agency. My analysis is informed by Korf's conceptualisation of community, which acknowledges its fluid and complex nature.

> The cultural politics of difference calls for an understanding of the complex word "community," with all its inherent antinomies. As Watts shows, these antinomies, that is, these unresolvable contradictions, emerge in the making and unmaking of community in mechanisms of inclusion–exclusion, representation, forms of rule, internal disciplining, and styles of imagination. Community is, at once, heralded as a space of moral virtue, social warmth, and self-organization, and as a potentially constricted, coercive, potentially violent space. It is in the oscillation between these two poles that community becomes a potential source of incivility. … Moreover, according to Nightingale, they are intrinsic to the material and symbolic production of gender, caste, and class, as well as of other registers of difference in everyday, embodied activities. (Korf, 2020: 114)

As Korf suggests, community is often idealised as a space of moral integrity, social cohesion, and self-determination, yet it can also function as a restrictive, coercive, and even violent structure. This tension—between community as a site of solidarity and as a mechanism of control—creates conditions where incivility can manifest. I argue in this book that these contradictions are particularly evident in relation to *Nachchi* sex workers in Sri Lanka. Their communities operate as spaces of kinship, mutual support, and resilience in the face of systemic exclusion. However, they are also shaped by internal hierarchies and forms of discipline that regulate gender performance, economic survival, and social belonging. Following Nightingale's (2011) perspective, these dynamics are not merely abstract but are embedded in the material and symbolic production of gender, caste, and class within everyday embodied practices. For *Nachchi* sex workers, community exists within this oscillation—offering both protection and constraint, empowerment and vulnerability—while being continually shaped by broader legal, political, and cultural forces.

Gender, Sexuality, and Sex Work in Sri Lankan Landscape

Geographically situated near Southern India, Sri Lanka, formerly known as Ceylon until 1972, has a history shaped by migrations, refugees, explorers, travellers, and invasions from diverse regions across the globe. The island's strategic location on the traditional East–West naval route has made it a desirable destination for settlers and travellers from India, Arabia, and East Asia, including China. European colonisation commenced in 1505 with the arrival of the Portuguese, succeeded by the Dutch, and eventually, British dominance in 1815, transforming the country into a crown colony. Following the pattern of other colonies in the region, Sri Lanka attained Dominion status in 1948 and full independence in 1972. The island experienced two youth insurrections in the South in 1971 and 1988–1989, both suppressed by the ruling governments, resulting in widespread violence, abductions, and torture. In the aftermath of the violence in the South, the initial confrontations between

the Liberation Tigers of Tamil Eelam (LTTE) and the Sri Lankan state in 1983 marked the onset of a protracted civil war in the Northern and Eastern regions, which culminated in the defeat of the LTTE by the Sinhala-Buddhist-led government in 2009. Sri Lanka presents religious diversity, with Buddhism constituting the predominant faith, embraced by 70% of the population and enjoying constitutional privileges. Other religious affiliations include Hinduism (12.6%), Islam (9.7%), and Christianity (7.4%) (Department of Census and Statistics Sri Lanka, 2012). Apart from the war, the country has experienced longstanding tensions between the majority Buddhist community and minority religions, particularly evident in anti-Muslim violence spanning more than two decades. Thus, the recorded narratives of gender and sexuality in Sri Lanka are closely linked with the island's geographical positioning and, consequently, its political history, including Sinhala-Buddhist hegemonic power structures.

Formulation of the discourses on gender and sexuality has differed significantly at various historical moments due to different political, economic, or social contexts. However, de Alwis (2002) argues that the primary premise of such debates, i. e. women and reproducers, nurturers, and disseminators of culture and tradition has been reiterating and (resisted too) in the post-colonial Sri Lanka. Further, the war and the aftermath have significantly contributed to the reproducing of masculinities as war heroes, soldiers (de Silva, 2014) and resulted in increasing violence too (de Mel et al., 2013).

Traditional Hindu and Buddhist practices exhibited a minimal emphasis on sexual prohibitions (Aldrich, 2015), and the imprint of Christianity and colonialism has played a major role in shaping these discourses. Certain relational constructs operated within contexts distinct from the monogamous, nuclear family structures introduced by colonisers. For example, in the upcountry regions, marriage practices allowed two brothers to marry the same woman and sustain a family (*eka gei kēma*), while rulers (kings) could keep multiple legitimate wives (*anthahpura*). In terms of gender performance, scholars argue that the outward markers of masculinity and virility commonly recognisable in the Western context did not universally apply in Sri Lanka (Aldrich, 2015). Indeed, there was an observable absence of

such markers. Colonial narratives depict Ceylonese men as slightly built and effeminate, clad in skirt-like sarongs, with long, oiled hair secured behind their heads with combs. Robert Knox, in An Historical Relation of the Island Ceylon, dating back to 1681, notes, "..Boyes go bare-headed with long hair hanging down their backs" (p. 35). Knox also described men and women adorning their hair with flowers. In the 1920s, Raymond Dorgelès, a Christian missionary, observed men in a marketplace, noting their androgynous beauty, stating, "Men or women?…One hesitates…Smooth-skinned, with huge eyes and long eyelashes, their hair hanging free or wound in a bun, these males are so perfectly beautiful that one's gaze can be fooled" (Aldrich, 2015: 7).

Colonialism has "…not only shaped indigenous changes in community and class, but by turns destroyed, preserved and froze traditional relations of power and production" (Stoler, 1989: 134). Colonisers have criminalised sexualities through various laws, making certain sexual desires as 'unnatural'. This has significantly changed the discourses of gender and sexuality. Reddy, in a discussion on the colonial language around Hijras in South India, argues that there were three (British) views regarding naturalness; "…naturally impotent men, males born with congenital malformation, and artificial eunuchs" (2005: 28). Contemporary colloquial languages in Sri Lanka exhibit striking similarities, particularly to the first and second categories of the above, in discourses of gender and sexuality of *Nachchi* communities.

Similarly, during the British colonial period, same-sex activities were criminalised in (then) Ceylon, through the enactment of the Penal Code in 1883. Section 365A of the Penal Code states that "Any person who, in public or private, commits, or is a party to the commission of, or procures or attempts to procure the commission by any person of any act of gross indecency with another person, shall be guilty of an offence and shall be punished with imprisonment of either description for a term which may extend to ten years or with a fine, or with both". The Vagrants Ordinance of 1841 further regulated the activities of sex workers (among other categories of people) by prohibiting behaviours of 'riotous or disorderly manner' in public places (Section 2 & 3(b) of 1841).

The Penal Code provisions on 'unnatural acts' were later amended and abolished not only in England (1967), but also in several post-colonial nations including India (2018). In 2023, a Private Member Motion for the amendment of existing legislation was brought to the Sri Lankan Parliament. However, due to protracted and resolute legislative procedures and the lack of governmental support, the law in question remains unchanged by the time of the writing of this book.

Arts and Culture on Gender Non-Conformity

Within the territory of arts and culture, representations of gender non-conforming identities are discernible in various religious and artistic manifestations. A scholarly perspective suggests that certain ancient Buddhist texts affirm that an individual's gender or a transition thereof does not constitute a hindrance to attaining the highest noble spiritual status (Chandimal, 2014). Concurrently, historical narratives encompass depictions such as '*Ardhanāri Natēshwara*'—the 'dancing Lord who is a half woman'—embodied in a statue dating back to the Anuradhapura kingdom's period (377 BC–1017 AD) and situated in the Abhayagiri *Stupa*. This portrayal may have been influenced by the Hindu deity '*Ardhanārishwara*' in India (Kulatunga & Amarasekara, 2008). In a more contemporary context, the songs like '*Olga Devi*' references a transgender person who involved in various community activities; participating in religious ceremonies and dancing rituals in the village, which "recognises her as an essential part of village and community" (Chandimal, 2014: 50).

An examination of gender non-conforming portrayals in popular culture in Sri Lanka reveals a recurring theme wherein transgender subjectivities are consistently depicted in a manner characterised by suppression and ridicule. Notably, contemporary mainstream Sinhala cinema, exemplified by films such as *Bahuboothayo* (2002), *Gindaree* (2015), *Heta Hathara Māyam* (2017), *Kostapal Punyasoma* (2014), *Re Daniel Dawal Migel* (1998), and *Sikuru Hathe* (2007), tends to present these characters as comedic figures. In these productions, transgender

characters often assume the role of a 'joker', willingly subjecting themselves to offensive and homophobic jests from the main characters. Moreover, they are frequently portrayed as expressing romantic interest in the male hero or protagonist of the narrative.

However, there are noteworthy exceptions to this prevalent representation in Sri Lankan cinema. Films such as *Frangipani* (2016), exploring the intricacies of sexuality and love, deviate from the conventional portrayal of transgender characters. Similarly, *Māya* (2016) stands out as it revolves around a transgender woman, described as a 'ghost', seeking justice for past crimes committed against her and her community. These films represent departures from the stereotypical and often demeaning depictions of gender non-conforming individuals in the cinematic landscape of Sri Lanka. Meanwhile, television dramas like *Kodi Gaha Yata* (Manuwarna, 2023) have depicted more realistic portrayal of a *Nachchi* individual living in Colombo. Additionally, in recent years, the transgender community in Colombo has actively contributed to the performing arts by producing and acting in several mini-stage dramas, showcasing their stories and experiences through their own creative lens.

Reflections on gender non-conforming characters are comparatively less visible than those on heteronormative characters in contemporary Sri Lankan literature. In this context, Shyam Selvadurai has contributed a great deal to expanding the dimensions of literature on sexuality in Sri Lanka. Selvadurai's writing—Funny Boy (1994), Cinnamon Gardens (1998), Swimming in the Monsoon Sea (2008), and The Hungry Ghosts (2013)—introduced non-normative sexual orientations and identities into Sri Lankan English fiction. Meanwhile, stories specifically built around gender non-conforming characters are also becoming visible in the sphere of recent Sinhala fiction. *Anganā* (2016) by Shanthi Dissanayake, *Ardhanāri* (2017) by K. K. Saman Kumara, *Monara Biththara* (2017) by Nadeeka Bandara, and *Pandaka Puthra Vasthuva* (2016) by Anurasiri Hettige are all recent books in which one of the principal protagonists is transgender. Likewise, the recent novel '*Sāri Endapu Pirimi*' (Men Draped in Sarees) by Vishnu Vaasu, published in 2023, offers a distinctive narrative detailing the experiences of the *Nachchi* and other transgender communities within contemporary Sri Lanka. The narrative explores the pervasive violence inflicted upon

these communities, coming from familial, legal, and broader societal structures.

Activism in Post-2015: Aftermath of a Regime Change

Post-2015 and its implications for the Sri Lankan LGBTIQ community, the discourses of advocacy have transformed the legal and political landscape for transgender communities in Sri Lanka and this remains an important context for examining transgender subjectivities. One of the reasons for increasing LGBTIQ visibility and advocacy during the period could be the high number of funding sources through NGOs that facilitated human rights activism. The *yahpālana* government (2015–2019) was backed by a large number of liberal activists who were against the repression and intimidation by the previous government. Therefore, a large number of civil society activists were given opportunity to interact and work with the government at various levels, such as constitutional reforms, public consultations, reconciliation and transitional justice mechanisms, etc. As a result, more human rights aspects were pushed by the individuals, even though some of them were not really fruitful at the end.

In this context, the Ministry of Health began issuing the 'Gender Recognition Certificate' (GRC) in 2016 and this particular period of time saw gender non-normative identities achieve greater visibility and influence in popular art and culture, while the efforts of contemporary NGO and civil society movements in Sri Lanka also helped to raise their profile. However, the aims of the LGBTIQ movement in Sri Lanka have been distorted and misrepresented, escalating the perception among fundamentalist (and mainly) Sinhala-Buddhist political groups that there is an internationally driven conspiracy to spread the sexual perversions of the West to Sri Lanka and dictate what is morally right for the country.[1] For instance, the President Gotabaya Rajapakse regime

[1] Sri Lankan Novelist arrested over gay Buddist monk story https://international.la-croix.com/news/culture/sri-lankan-novelist-arrested-over-gay-buddhist-monk-story/9837.

(2019–2022), has been re-visiting legal provisions on sexual and gender-based violence, yet was vehemently against amending the Sections 365 and 365 A of the Penal Code. It is also important to note that the recognition of transgender subjectivities by medical health sectors and through the registration of documents does not necessarily translate into social and cultural acceptance.

Discussing women and transgender sex workers in Karnataka, India, Sahu (2019) suggests that the state operates through the judiciary, government institutions, and officials, wielding enormous power over the construction and deconstruction of the 'other'. The legal binary of legality versus illegality signifies the 'normal' versus the 'other'. Similarly, the concept of the "constructed identity of otherness" (Sahu, 2019: 48) introduces a condition of vulnerability and violence for transgender communities in Sri Lanka. This sense of otherness has manifested in society across various levels and historical periods. Notably, in the 1990s and early 2000s, discussions surrounding LGBTIQ communities and discourses were predominantly framed as a class issue. These conversations on sexuality and pleasure were confined to English-speaking private spheres in Colombo, with the prevailing discourse on homosexuality often connected to the discussions on HIV/AIDS, consequently contributing to social stigma. However, as explained earlier, the notion of otherness has undergone a transformation into a rights-based, claimed as apolitical concept in the post-war era. This shift has portrayed the entire LGBTIQ discourse as an ostensibly 'anti-cultural' movement, similar to many other post-colonial nations. Consequently, amidst the backdrop of escalating nationalist discourses opposing human rights, discussions pertaining to same-sex relationships or transgender identities have encountered heightened challenges in advocating for the recognition of sexuality as an integral aspect of freedom, humanity, or love.

Within this context, the emergence and proliferation of LGBTIQ organisations and movements represent a noteworthy historical juncture. Early LGBTIQ organisations concentrated on broader concerns encompassing lesbian, gay, and transgender communities. A seminal development occurred in 2015 with the establishment of the first trans

organisation, the Venasa Transgender Network (VTN), which exclusively focused on transgender issues. Subsequently, in 2018, the National Transgender Network (NTN) was established, signifying a broader platform for transgender advocacy. Furthermore, in 2019, the Trans Equality Trust (TET) was founded, uniquely dedicated to addressing the specific challenges faced by transgender sex workers.

What Do I Write? Why Do I Write?

While it is crucial to acknowledge the role played by the neoliberal state and civil society spaces in bringing visibility to discussions around gender identities, the transitions, self-identifications, and adaptations of *Nachchi* sex workers are intriguing for several reasons. Firstly, the non-profit sector in Sri Lanka, with its 'funded projects', provides significant physical and symbolic spaces where they can engage in various activities, such as economic support and safety. However, these spaces also function as hegemonic domains that shape knowledge and discourse on sexuality and gender, often funded and influenced by entities in the global North. Scholars have argued that recent studies on sexuality in the global South sometimes perpetuate an exoticising gaze, neglecting the historical entanglement of discussions on gender and sexuality with colonial regimes of knowledge (Altman, 1996; Brown et al., 2010). Therefore, this book is an attempt to illustrate the limitations of contemporary knowledge production on modern transgender sex work subjectivities in the global South through the case study of *Nachchi* sex workers communities in Sri Lanka, which have been entrenched in all the dominant discourses on the subject—from state policy and law on sex work to health sector interventions and social security programmes.

Further, another objective of this book is to dissect the realm of 'politics', particularly subaltern politics, within the context of modern *Nachchi* subjectivities. The school of Subaltern Studies emerged as a response to historians of South Asia critiquing elitist biases and the dominance of bourgeois-nationalist and colonial narratives in historical accounts. As Spivak (1988) highlights the historical and ideological factors that obstruct the possibility of being heard for those who

inhabit the periphery, this book will take a decolonial approach to the historical knowledge production on *Nachchi* sex worker identities by unearthing important, yet suppressed verbal histories and narrations of living community members.

Firstly, as argued by Grewal (2019), Sri Lanka remains marked by a stark division between individuals perceived as possessing the capacity for critical thought and political engagement and those who are deemed to require guidance, direction, or care, thus being relegated to a non-political, non-thinking, and non-creative category. This division results in the exclusion of the practices of the rural and urban poor, with their artistic and political endeavours often dismissed or marginalised. This theoretical and methodological lacuna becomes apparent in contemporary Sri Lankan transgender and sex work literature as well, where the narratives and activities of these communities are frequently characterised as apolitical and treated merely as subjects within neoliberal research frameworks. Regrettably, many studies from a top-down perspective tend to depict transgender sex workers as passive, exploited objects, neglecting their performativity, cultural practices, and beliefs as integral aspects of their political histories.

Drawing upon the insights of Enloe (2011), who underscores the causal connection between everyday practices and experience in the private sphere and the political realm, it is essential to recognise that segregating these spheres perpetuates power hierarchies. Therefore, decolonising knowledge necessitates transcending this separation. Consequently, the endeavour to conceptualise the everyday lives of *Nachchi* sex worker communities and analyse their negotiation of identities must begin by acknowledging both as constituents of the mundane experience, representing many-sided, intersectional power relations. Decolonisation entails the freedom to critically question, critique, and, if warranted, reject hegemonic, globalised discourses or practices. This book explores the potential of critical engagement as a means to decolonise the understanding of *Nachchi* sex worker subjectivities. In doing so, it contributes to the broader effort of decolonising gender and queer theory—fields that have predominantly centred on Western experiences—by contextualising and democratising them within contemporary Sri Lanka.

Secondly, this book aspires to address a significant, yet often overlooked gap in the literature on gender and sex work in Sri Lanka. While the terminologies used by various communities to identify themselves in Sri Lanka are complex, the existing literature on gender identities and sex work predominantly conforms to Western-oriented sex-gender classifications and the dichotomy of the 'violent perpetrator' and the 'passive victim'. Though a handful of scholars have attempted to explore transgender subjectivities beyond the lens of human rights and legal frameworks, the majority of available advocacy and scholarly literature on gender and sex work in Sri Lanka revolves around issues of rights violations or the discourse on HIV/AIDS. In line with Cheng's (2012) critique, this portrayal of sex workers as either 'powerless victims' or 'glamorous entrepreneurs' fails to do justice to their lives and neglects their representation within the broader rights paradigm. Furthermore, as Dutta and Roy (2014) contends, this binary classification not only simplifies their existence but also diminishes their potential as meaningful partners for engagement.

Through my work, I seek to problematise and move beyond essentialist understandings of *Nachchi* identities. Rather than presenting these identities as fixed, homogenous, or universally understood, I explore their fluidity, complexity, and contextual grounding within post-war Sri Lankan society. I attempt to prove that *Nachchi* identities cannot be reduced to simplified notions of gender or sexuality borrowed from global frameworks; they are shaped by complex histories including colonialism and war, local cultural practices, socio-economic realities, neoliberalism, and the nuances of individual experience too. My attempt is to problematise the assumptions, rather than taking a Marxist, abolitionist, or sex-positivist stance. I believe that this work will help to critically see how these stances are not a dichotomy. By unsettling rigid categories and binary definitions, this book aims to highlight the dynamic, ever-evolving nature of identities, pushing back against reductive portrayals. Thus, this book attempts to contribute to the emerging subaltern and decolonial literature on gender and sexualities in the global South, by undertaking a critical examination of *Nachchi* identities and sex work, and by offering alternative narratives that reveal the relationship between structures and agency, demonstrating the problematics of

'essential' conclusions about *Nachchi* sex workers in contemporary Sri Lanka.

Methodological Contribution

I hope this ethnographic study, which primarily comprises oral histories, can offer a meaningful methodological contribution to the Sri Lankan literature on gender and sex work. The documentation of oral and verbal histories presents an alternative to conventional historical accounts of *Nachchi* communities, addressing the gaps left by the written record's demand for textual representation. The absence of transcripts, such as diaries, journals, media reports, and scholarly works, has exacerbated this gap, which this book attempts to rectify. This methodology, in particular, will prove instrumental in achieving a better understanding of the historical formation of *Nachchi* subjectivity and their performative politics.

In this study, my primary engagement is with urban and suburban *Nachchi* sex workers, with a particular emphasis on those based in Colombo. While I have spoken to a small number of individuals from the North Central and Northern Provinces, the focus remains predominantly on Colombo. This choice is deliberate, as Colombo occupies a unique and crucial position within the socio-cultural and economic fabric of Sri Lanka. As the country's commercial capital, Colombo is a multicultural hub, home to diverse ethnic communities including Sinhala, Tamil, Muslim, Burgher, Malay, and various mixed-ethnic identities. This diversity creates a rich and complex socio-cultural milieu that shapes the lives and experiences of its residents. Beyond its ethnic diversity, Colombo also exhibits pronounced economic stratification, housing affluent upper middle-class neighbourhoods alongside some of the most impoverished communities in the country. Furthermore, Colombo serves as a critical nexus for internal migration, attracting individuals from across Sri Lanka in search of work and opportunity. For *Nachchi* sex workers, in particular, Colombo represents a key site where economic survival intersects with social (in)visibility and community networks.

Many migrate to the city temporarily or permanently, seeking employment and navigating its unique challenges and opportunities. The city thus becomes a vital setting for understanding the dynamics of *Nachchi* sex work, providing a microcosm through which broader social, cultural, and economic patterns can be analysed and understood. The nature of sex work encompassed a range of practices, from soliciting clients in public spaces such as roadsides and parks to advertising services online and arranging meetings in private residences. Some individuals were employed in massage parlours, commonly referred to as "spas", where they provided sexual services such as oral stimulation or manual stimulation for male clients. The majority of sex workers engaged in these activities while presenting in feminine attire and wearing make-up.

Since 2010, I have also attended numerous NGO workshops and meetings in varying capacities—as a resource person delivering awareness programmes on human rights and gender, as a translator facilitating communication between Sinhala and English, or simply as a queer woman participant or observer. To conduct this research, I spent extensive time with my *Nachchi* friends, often immersing myself in their lives by participating in their cultural and religious activities, walking alongside them in processions, and engaging in long conversations and discussions. Given that I primarily speak Sinhala and did not employ a translator, my interactions initially centred on individuals comfortable with conversing in Sinhala. A majority of these discussions occurred in the shanty-town areas of suburban Colombo, where they reside, though certain events such as dance performances and *peraheras* were held in Colombo and Gampaha. The narratives presented in this study largely stem from my visits to their living spaces, supported by a collection of hundreds of photographs taken with my mobile phone, documenting various events and moments from their everyday lives. However, for ethical reasons, I have chosen not to disclose their identities in this thesis. Even when participants provided consent to publish their photos, I deliberately avoided including images that might reveal their identities. The photographs incorporated here are curated to ensure anonymity and focus on essential contextual elements. I also acknowledge the privileged position from which I approached this research—as a lawyer, activist, part-time university academic, and later became a full-time politician

engaging with transgender communities. However, I have not conducted any interviews since assuming my role as a Member of Parliament. Drawing on feminist standpoint theory, I recognise that my positionality inevitably shapes all dimensions of the research process, from the development of research questions and data collection to analysis and presentation. Notably, my outsider status as someone who is not transgender/*Nachchi* sex worker may have influenced my comprehension of their embodied experiences and perspectives on pleasure. This positionality is likely reflected in the narratives I constructed and the assumptions embedded in my interpretations of the fieldwork. To mitigate the potential tensions arising from this dynamic, I adhered to a practice of critical self-reflexivity, consistently interrogating my biases and examining the relational dynamics with my respondents throughout the research process.

Throughout my work, I have been developing strategies to maintain appropriate emotional boundaries and minimise the potential for harm, for myself as well as the *Nachchi* sex workers. These included assessing the nature of the relationship between myself and the others, determining appropriate levels of self-disclosure, and managing emotional expressions during our conversations. I always provided detailed explanations and clarifications on my work, such as the purpose of the conversations, their expected role as participants, my own identity as the researcher, and the book. It is also worth acknowledging the emotional labour involved in this research, as my own experiences over the last five years have deeply shaped my analytical and writing processes. Moreover, the connections formed during this period have not ended with its conclusion; instead, they have evolved into lasting, mutually supportive friendships that transcend the scope of the study, reflecting a commitment to sustaining respectful and reciprocal relationships with the participants.

Introduction to Chapters

In Chapter 2, I investigate how *Nachchi* sex workers understand and navigate the concept of agency through their own narratives. While access to rights can serve as a measure of agency, it simultaneously necessitates the existence of an 'obedient' citizen within the framework of normative expectations. Further, I contend that viewing the commodification of sex as inherently different from other forms of commodification is unproductive. Hence, I adopt a more critical stance on the broader implications of commodification itself. Rather than focusing solely on the exchange of money, my analysis highlights the underlying power dynamics that shape these transactions. While recognising the structural constraints and vulnerabilities associated with sex work, I also acknowledge the agency exercised by *Nachchi* communities, who navigate restrictive social and economic conditions by making choices within their constrained realities. This perspective emphasises both the systemic inequalities that marginalise them and the ways in which they assert autonomy despite these limitations, challenging simplistic narratives of victimhood or coercion.

In Chapter 3, I examine how the traditional *Nachchi* language forms a 'speech community', as conceptualised by Labov (1972). I explore how this language not only reflects the lived experiences and struggles of *Nachchi* sex workers but also encapsulates the complexities of their marginalised existence, often marked by vulnerability to exploitation. Furthermore, I elaborate how *Nachchi* language holds significant potential for deepening our understanding of the nuances and intersections that shape embodied experiences of sexuality and identity. Consequently, I argue that recognising the *Nachchi* language as a material expression of their social class provides valuable insights into power within social structures. I draw on Marxist-feminist linguists who explore the material use of language in shaping gender ideologies, social class distinctions, workplace power dynamics, and everyday life.

In Chapter 4, I argue that the practice of dancing transcends mere economic utility for *Nachchi* communities; rather, it serves as a means for them to publicly attire themselves in women's clothing. It functions not only as an occupation but also as a recreational pursuit, offering

opportunities for socialisation with peers and the prospect of establishing intimate connections, either companionship or clientele for sexual activities. Consequently, the vocation of dancing assumes a complex role, constituting not only a method of financial sustenance but also a lifestyle choice, a hobby, and a communal space for forging new acquaintances and relationships. In this context, dancing emerges as a moment of self-expression, affording individuals the liberty to revel in their own bodily autonomy and gain pleasure from the experience. I discuss how the dominant classical/modern divide in Sri Lankan art is challenged by the contemporary dance practices of *Nachchi* dancers, which blur this rigid distinction.

In Chapter 5, I examine the practice of Kali worshipping among *Nachchi* sex workers. I elaborate two key aspects of it. First, I explore how they interpret the Buddhist concept of *karma* as shaping the understanding on rebirth as *Nachchi* individuals and their engagement in sex work, a profession often stigmatised by mainstream society. Second, I discuss their reliance on Kali worship for justice and retribution, rather than turning to formal legal systems for resolution. Finally, and perhaps most importantly, I examine how these beliefs and practices shape the ways in which *Nachchi* sex workers seek justice while navigating oppressive and unjust social structures. I explore the conceptualisation of justice and revenge within the context of a specific cultural practice.

Building on this, Chapter 6 examines a related issue in a different setting: the tension between individual material gains obtained through personal connections and their broader consequences for others who continue to endure the same injustice. Through this analysis, I examine how *Nachchi* sex workers engage with the law and the state, highlighting two key dimensions of their lived experiences. First, I explore their active participation in formal human rights advocacy within the public sphere as a form of collective struggle. Second, I investigate their nuanced and strategic interactions with local law enforcement, particularly the police, as part of their everyday, individual struggles.

In Chapter 7, I offer a self-reflexive analysis of my personal journey as a writer, tracing my trajectory from a researcher and academic/activist to ultimately becoming a member of the country's legislature and a full-time politician. My shifting positionalities have extremely shaped the

development of this book, influencing both its direction and the framing of its central arguments. In particular, I analyse how the concept of 'necropolitics' (Mbembe, 2003) manifests in the everyday lives of individuals, shaping their experiences and socio-political realities. Further, I argue that as political actors, our conventional understanding of agency remains constrained by certain conceptual limitations, necessitating a more critical engagement with the ways in which power operates through both life and death. As I conclude this book, these concepts provide a lens through which I analyse the intersection of politics and identity.

However, this book may not provide definitive answers to one of the most pressing political questions: how to dismantle and resist the systemic power structures that sustain oppression and inequality across various social categories, including class, race, gender, and sexuality? In essence, it does not offer a singular blueprint for achieving social change through the critical analysis and disruption of dominant ideologies that uphold these systems. However, I argue that it contributes to this broader struggle by shedding light on aspects of life that have historically been erased or marginalised. By doing so, it invites us to rethink and reframe our approaches to political theorisation and mobilisation. Moreover, this book asserts that political emancipation should not be conceived as a fixed or ultimate endpoint but rather as an ongoing, dynamic process—one that continuously evolves through resistance, negotiation, and struggle.

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2

Sex Work and the Politics of Agency: Navigating Exploitation, Choice, and Resistance

> Subjectivity is shifting, contradictory and inconsistent. (Lata Mani, 1998: 162)

Manisha's Story in the Context of NGO Activism

I initially met Manisha—dressed in a pair of denim jeans, a black t-shirt, and a pair of shiny earrings with her hair tied as a ponytail—on 1 December 2015, in Colombo, Sri Lanka, during a national HIV/AIDS prevention workshop jointly organised by an NGO and the then Ministry of Health and Indigenous Medicine. During this introduction, Manisha, who identified herself as a woman, but called by her fellow staff as a 'young MSM person' (Men who have Sex with Men—a term often used by NGOs working in HIV/AIDS prevention projects), who recently joined the NGO's HIV/AIDS prevention project. At the time, she was primarily engaged in support services for conducting blood

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tests, distribution of condoms, and other related activities for the MSM communities, funded by an INGO, part from sex work.

A subsequent meeting occurred in April 2017 at a New Year celebration organised by another NGO in Colombo. During this encounter, Manisha, adorned in a long skirt and blouse with matching accessories and make-up, revealed that she had transitioned from identifying as an MSM to recognising herself as a transgender or *Nachchi* woman, which she feels more comfortable. Having departed from her previous organisation, she was currently employed in a project catering to the rights and well-being of transgender sex workers. In this role, she served as the coordinator for a project facilitating the integration of transgender sex workers into 'professional skills', i.e. beauty courses, entrepreneurship.

In May 2022, Manisha contacted me to discuss the feasibility of securing financial assistance for a group of *Nachchi* sex workers affected by the economic crisis followed by the COVID-19 pandemic. By this time, she had joined another small non-profit network, which is funded by a local NGO focused on advocacy and rights for transgender communities. In my meeting with her during early 2024, she informed me that while her organisation successfully secured funding for infrastructure improvements, they are facing challenges in securing support for their advocacy initiatives.

Meanwhile, the discussions I had with some programme officers in NGOs in Sri Lanka during 2019–2024 shed light on the challenges encountered in the implementation of skills training programmes for sex workers, with a particular focus on *Nachchi* sex workers, as part of initiatives addressing gender rights and reproductive health. The overarching goal of these endeavours is to facilitate the transition of sex workers, especially transgender individuals, into alternative professions conducive to 'dignified' livelihoods. Notwithstanding the substantial financial investments made in training programmes, the efficacy of such programmes is underscored by the persistent difficulty in redirecting participants away from sex work. For instance, according to the testimonies of programme officers from a prominent NGO based in Colombo, the provision of skills training, such as hairdressing, bridal dressing, sewing, and household food production, is accompanied by the disbursement of living allowances throughout the six-month training period. Despite

these measures, attendance and completion rates remain suboptimal. The recurring challenge stems from the allure of the 'seemingly lucrative nature' of sex work, which deters trained individuals from sustaining alternative vocations. One interviewee emphasised the appeal of 'easy money' coming from sex work, resulting in a high rate of return to previous engagements, even after the 'successful completion of training programs'.

In another narrative provided by an NGO staff attached to an organisation operating in the Central Province, the contextualisation of *Nachchi* sex work within the broader political picture, a substantial client base during the period of war in the North, was consisted of soldiers travelling from the North to South. The migration of individuals from rural areas seeking refuge or employment in urban centres contributes to the prevalence of sex work among *Nachchi* persons. According to this staff member, despite extensive support services and training initiatives, the challenge persists in 'taking out' these individuals from the cyclical dynamics of sex work, driven by economic constraints and 'addiction'. Similar perspective was offered by a programme officer from an organisation operating in the Colombo District, focusing on *Nachchi* sex workers residing in shanties on the city's peripheries. The dichotomy is visible in such projects, simultaneously providing preventive health measures, such as free condoms and HIV testing, while perpetuating assumptions about the constant association of *Nachchi* individuals with sex work due to economic hardships, which I believe partly true. The prevailing narrative within the Sri Lankan NGO sector tends to cast *Nachchi* individuals solely as victims of discrimination and economic adversity, neglecting their choice and potentiality for alternative livelihoods.

The role of NGOs in Sri Lanka in initiating and facilitating discussions on gender and sexualities in the post-war Sri Lanka cannot be overstated. They have provided crucial platforms for such conversations, promoting visibility and creating spaces for marginalised communities, including *Nachchi* individuals like Manisha. Her journey of self-identification and her involvement in NGOs reflect broader dynamics within the non-profit sector. These NGOs serve as hubs where LGBTIQ communities can gather, connect, and engage in various activities. They often offer employment opportunities to individuals who have

migrated to urban centres like Colombo, providing not only income but also avenues for social interaction, friendship, and relationship-building. Moreover, NGOs have been playing a significant role in generating knowledge and discourse on gender and sexualities. Through research reports and publications, often funded by the UN or other INGOs from the global North, they contribute to shaping narratives and understanding around these issues, both locally and internationally.

Furthermore, the discourses promoted by these organisations provide a framework for self-identification for *Nachchi* persons, often identifying as 'transgender', who may otherwise remain in self-stigmatised, closed spaces. The availability of predefined categories within these discourses may facilitate easier engagement with these institutions. While it is true that not all *Nachchi* individuals find relevance in the vocabulary of development discourse (i.e. transgender), many recognise its importance as a means of inclusion. As I have documented in various spaces through my doctoral research (Ariyarathne, 2021) there are *Nachchi* individuals who exist outside of these institutional spaces, and for them, the language of development discourse may hold less significance in their daily lives. However, at the same time it is crucial to acknowledge that many still utilise this NGO vocabulary as a means of gaining access to essential services and fulfilling other life needs. For instance, access to free HIV testing, STID clinics, hormone treatments, and condoms may be contingent upon engagement with these organisational frameworks, thus underscoring the pragmatic importance of aligning oneself with such discourses.

Furthermore, some *Nachchi* individuals I encountered expressed their desire to easily relinquish such identification [as transgender or MSM] whenever they deemed it no longer 'useful' to them. Manisha's narrative provides a stimulation to explore how these terminologies offer a sense of comfort to *Nachchi* individuals, perhaps due to the fluid and evolving nature of such labels. These self-identifications are not static but rather subject to change depending on the individuals and spaces they interact with. Consequently, the terminologies can be viewed as tools that can be discarded and substituted with others at any given time.

Thirdly, Manisha's story and many other similar stories of *Nachchi* sex workers in relation to their engagement with NGOs, highlight a

limitation in contemporary knowledge production regarding transgender subjectivities: the assumption that transgender individuals are inherently victims within the sex work industry, vulnerable to human trafficking, and at high risk of HIV/AIDS. Consequently, much of the knowledge production and financial investment, such as grants and aid, are geared towards 'liberating' them from this perceived vulnerability. This narrative is deeply embedded in dominant discourses, spanning from state policies employing colonial-era laws like the Vagrancy Ordinance and the Brothels Ordinance against *Nachchi* sex workers, to interventions within the health sector. It is noteworthy that many LGBTIQ rights organisations in Sri Lanka have been established or funded primarily to address global HIV/AIDS prevention efforts. Moreover, societal perceptions of victimhood have been reinforced through various channels, including the media.

Rights as 'Critical Counter Conduct'

In my previous work (2021), I drew upon Foucault's theoretical framework on rights as critical counter-conduct to explore how rights discourses have provided transgender sex workers with a platform for organisation, yet simultaneously reduced their identities to vulnerable groups. Within this context, rights discourse operates as both emancipatory and regulatory, shaping the parameters within which individuals can assert their agency. Similar arguments have been developed by scholars in relation to transgender people and sex workers. (Cheng, 2015; Nagar & DasGupta, 2015). Nagar and DasGupta notes, *koti* communities in India, have become "…one who claims her/his rights to love and privacy through the language of human rights and constitutional freedom" (2015: 426). Cheng (2015) underscores the pressing necessity of South Korean anti-trafficking laws, particularly in the context of Filipino sex workers in Korea, which should ideally be focused on addressing structural issues rather than punishing perpetrators. I have argued that civil society and the NGO sector, particularly LGBTIQ and HIV/AIDS prevention organisations and mechanisms, serve as arenas

for the construction of a modern Sri Lankan transgender subject particularly in the post-war period (Ariyarathne, 2021). By overlooking the nuanced strategies individuals employ to navigate their everyday realities, and providing essentialised labels of victimhood, these NGO spaces obscure the agency transgender individuals possess over their own lives, thus limit the possibilities for true inclusivity and empowerment.

While narratives of violence and marginalisation shed light on the stark realities of poverty and social class of *Nachchi* sex workers in contemporary Sri Lanka, neoliberal, rights-based advocacy spaces often fall short in advocating for structural changes to address these underlying issues. Instead, there is a predominant emphasis on interventions aimed at 'rescuing' sex workers and transgender individuals from trafficking and sex work, as well as providing health-related services such as free HIV testing and medication. This approach, while well-intentioned, tends to prioritise immediate solutions and individual interventions over addressing the systemic inequalities and economic disparities that perpetuate marginalisation. By focusing primarily on rescue efforts and health services, neoliberal advocacy spaces may inadvertently reinforce existing power structures and fail to challenge the root causes of exploitation and vulnerability.

Nachchi sex worker subjectivity is portrayed solely as marginal figures in narratives focused on criminal activities, tragic destinies, or what is deemed as 'unsatisfactory lives'. They are depicted as constantly moving from one place to another in pursuit of sexual pleasure and money. These portrayals often reduce them to deviant, immoral, or flawed beings who engage in sex work not only out of necessity, but also due to an alleged abnormal desire for sexual encounters. Their stories are published in public media as cautionary tales, serving as warnings to those who conform to normative gender identities and adhere to societal expectations regarding sexual behaviour. Such stories often emphasise the perceived dangers of stepping out of domestic sphere, including the home, the heterosexual family unit, and, possibly the boundaries of the nation-state too. In other words, theoretically human rights are universal, but in practice, their realisation is often contingent on one's status within the Sinhala-Buddhist hegemonic Sri Lankan state. This

dynamic leaves gender non-conforming individuals particularly vulnerable, since the state may seek to avoid tensions, especially when universal principles appear to conflict with entrenched so-called national values or priorities. Therefore, the narration of the "powerless victim or the glamorous entrepreneur" (Cheng, 2012: 31) neither gives justice to their lives nor represents them in the rights paradigm.

Scoular (2016) argues that in recent years, a new alliance between moral conservatives, radical feminists, and social democrats has revived efforts to combat prostitution. This coalition views prostitution as a form of "modern-day sexual slavery" (2016: 8) that is fundamentally incompatible with the pursuit of gender equality. Scoular further notes that this renewed abolitionist movement, often referred to as neo-abolitionism, collapses any distinction between voluntary commercial sex and forced sexual exploitation or human trafficking, instead subsuming all such activities under the broad term 'commercial sexual exploitation'. This conceptual conflation is then wielded in official discourses to justify increasingly punitive measures against clients, as well as the promotion of exit strategies and the rehabilitation of sex workers (Scoular, 2016). While the proponents of this neo-abolitionist agenda seek to present their stance as a convincing and principled effort to combat the exploitation of vulnerable individuals, this approach oversimplifies the complex realities of sex work and may inadvertently cause further harm to marginalised communities by denying them agency and subjecting them to coercive interventions.

In her study of *hijra* and *koti* communities and their kinship dynamics, Reddy (2005) proposes a departure from conventional interpretations. She contends that instead of viewing these structures solely through the lens of power dynamics and conventional resistance narratives, which tend to oversimplify their complexity, it is more beneficial to perceive them as complex webs of signification. Within these webs lie nuanced emotional tensions among individuals, imbued with multilayered meanings that are central to the formation of *hijra/koti* identity. Reddy's argument urges us to move beyond simplistic frameworks and embrace the complexities inherent in these communities' kinship patterns.

Beyond Simplistic Understanding of Agency

Many post-structuralist feminist theorists have critiqued the oversimplified dichotomy between agency and passivity within the context of sex work. They challenge the notion that sex workers are either purely active agents or entirely passive objects, proposing a more compound understanding of their roles and experiences. For example, Bell (1987) engages in a close examination of the complex relationship between feminism and sex trade workers, challenging simplistic and binary understandings of the both. Through first-hand accounts and dialogues between feminists and sex workers, Bell advocates for a more inclusive and nuanced feminist approach that acknowledges the complexities of sex work and strives to support the rights and agency of sex workers. Similarly, O'Neill (2001) critiquing the tendency within feminist discourse to essentialise the experiences of all sex workers argues against blanket condemnations of prostitution as universally harmful. Furthermore, Oakley's (2007) work provides an extremely important highlights of the diversity of experiences within the sex industry, showcasing narratives from individuals with different backgrounds, motivations, and experiences working in various sectors of the industry. All of these scholars emphasise the need to recognise the diversity of experiences within the sex trade industry, highlighting the fundamental tension between certain feminist perspectives that view sex work as inherently oppressive and sex workers themselves, who often assert agency and autonomy in their profession. Scoular and Carline (2015) argue that the current UK policy on sex work is focused on a narrow abolitionist agenda that criminalises and stigmatises sex workers, particularly those involved in street sex work calling for a more focused and effective role for the criminal law in addressing actual violence in the sex industry, rather than focusing solely on rhetoric and moral judgements. Sanders (2005) notes that sexual labour is a gendered phenomenon. "…, how and why sexual labour comes into being or, more importantly is sustained, in a gendered form, is a complex process that does not necessarily leave women as the passive recipients of male demands" (Sanders, 2005: 337–338).

These insights highlight the importance of examining the subjective experiences of *Nachchi* sex workers, while recognising that pleasure

and choice are embodied experiences that must be acknowledged as legitimate and significant dimensions in understanding and defining agency.

Body, Pleasure, and Choice

In their study on *koti/janana* communities in Kalkata, Nagar and DasGupta (2015) argued that their bodily practices, such as stylised walking, hip movements, clapping, voice modulations, and adapting of religious rituals are their learned behaviours. Adopting Mahmood's (2005) ideas about 'multiple modalities of agency', Nagar and DasGupta argued that the ways of disciplining bodily presentations in relation to traditional notions of womanhood represent the agency of *kotis/jananas* (2015: 438). Similarly, *Nachchi* sex workers use feminised behaviours such as eye make-up, gaze, and bodily movements to attract financial benefits but also to fulfil their sexual desires and needs. Thus, they consciously use a highly feminised performativity as a 'weapon' in their everyday lives.

In my conversations with elderly *Nachchi* sex workers, they shared how sex work was a vital source of livelihood for their generation. During the 1960s and 1970s, the *Nachchi* community in Colombo and its surrounding areas formed close-knit, non-biological families led by an '*ammā*' (mother figure, non-biological). *Ammā* not only provided for the *Nachchi* daughters by feeding, clothing, and caring for them, but also prepared and trained them for sex work. This structure offered a sense of belonging, security, and mutual support within the community. Going out for sex work was colloquially referred to as '*ralē yanawā*' (heading out together as a group), and a large portion of their earnings would be handed over to *ammā*. Over time, however, this collective, family-like support system has gradually faded, replaced by a more individualistic approach, much like other communal systems in Sri Lanka that have diminished due to socio-economic changes, as I have elaborated in my previous work in 2022.

> It was the early 70s. After several fights with my parents, I left home. Through a *Nachchi* friend, I came to stay with an *ammā*. I first got involved in sex work around 1974 or 1975. If I remember correctly, it was during Methini's[1] government. There were times we didn't have enough food, but I was happy living with *ammā* in a *Nachchi* house in (…). We had Tamil-speaking *Nachchis*, which helped me learn the language quickly. Speaking Tamil was useful when I had to meet wealthy Tamil businessmen. They treated us very well—some were very handsome and romantic (*ādaraneeyayi*) (laughs). They would bring us fancy food and paid both the girls and *ammā* generously. (Nita, Colombo)

Nita's nostalgic recollections painted a picture of what, in comparison to her (elderly) present life, seemed like a more prosperous and fulfilling past. During that time, she not only found spaces for personal pleasure and enjoyment among her collective family structure, but also experienced a sense of economic security and emotional well-being within it. Her life was enriched by the support system provided by her *Nachchi* family, where bonds of care, both physical and emotional, were strong. Despite the inherent challenges of sex work, she remembered those days with a sense of contentment, highlighting how this particular period of her life offered her stability, camaraderie, and even moments of joy that are now hard to come by.

Some extracts from my conversations with younger *Nachchi* sex workers are reproduced below:

> When I go to work each day, I put on a little eye makeup. If I spot a handsome man, I give him a seductive look like this" (demonstrating the look). Even though I don't always do it for the money, sometimes it's just *for pleasure*. (Rani, Jaffna, emphasis added)
>
> When I get on the bus, I check to see if there's a handsome man onboard. If the seat next to him is free, I'll sit beside him and glance at him from the corner of my eye. If it's late at night, men often fall for that look and ask me to go somewhere with them. Sometimes they pay me, but *if*

[1] Sirimavo Bandaranaike, who was Prime Minister from 1970 to 1977. During the latter period of her rule, Sri Lanka experienced significant food shortages, leading to government-implemented rationing programmes for essential items.

the man is very handsome and I enjoy it more, I'll do it for free. (Shyama, Colombo, emphasis added)

My usual spot to meet clients is under the bridge in (.....).[2] There are about 10-15 others like us (*api wagē aya*) there. During the day, I work in my NGO office, and in the evenings, *I go there for a bit of fun*. (Geetha, Gampaha, emphasis added)

Sometimes I do sex work for money, and other times for free, depending on how I feel. But there have even been moments when I paid my client just to 'get it done for me' (laughs). (Kavitha, Colombo)

I only engage in sex work in the evenings after finishing my office job. The NGO pays me a small salary, which barely covers my household expenses. All my other costs—like attending monthly parties and gatherings, buying makeup, clothes, and entertainment—are funded through my sex work. (Jaya, Colombo)

It's 'useful' to stay close with regular clients, as they often send me phone re-loads, buy me lunch like fried rice or biryani, and sometimes even bail me out if I get into trouble with the police. Some of them are very patient and listen to me when I need to talk. (Meera, Colombo)

Some *Nachchi* sex workers have formed intimate and romantic relationships with individuals who initially approached them as clients but later became their partners. In my later conversations with them, I shifted focus to the question of 'why'. This inquiry stemmed not only from the typical narratives that establish the notion of sex work as a last resort or as an inherently exploitative profession, but also from my own privileged, albeit uninformed, social position. I struggled to comprehend the enthusiasm, interest, and joy they expressed when discussing their work. It was not merely a job for survival or driven by desperation, as is often portrayed, but something that seemed to bring them a sense of fulfilment and even pleasure. What puzzled me most was how, despite being fully aware of the dangers, difficulties, and societal stigmas attached to their profession, they spoke with an almost infectious energy. They openly acknowledged the risks and hardships, yet still shared moments of joy, satisfaction, and even humour. It was in these moments of laughter and lightness, linked with stories of struggle, that I began to see how deeply

[2] Mentions a place in the Gampaha District.

complex and elusive their experiences were. Their narratives challenged the common perceptions of sex work and revealed a great resilience, agency, and, at times, unexpected happiness.

These conversations prompt critical reflection on how we understand and theorise the experiences of transgender sex workers, urging us to reconsider some of the preconceived notions about commercial sex work. Dominant narratives surrounding *Nachchi* individuals and the sex work industry often push us towards rigid, essentialist, or abolitionist perspectives, where sex work is framed solely as a manifestation of male dominance or the source of sexual exploitation. Such views position sex workers as inherently powerless and victimised.

However, these interactions, particularly Kavitha's bold statement about paying a client to "get it done for me" challenge certain conventional ideas of sex work. Her words disrupt the typical portrayal of sex work as an entirely oppressive experience, highlighting the agency that sex workers can exercise in navigating their relationships and transactions. Kavitha, like many others, reclaims a certain level of control over her body and choices, complicating the notion that sex work is always and exclusively exploitative. These narratives invite us to unlearn reductive frameworks and acknowledge the diverse realities and autonomy that sex workers, particularly *Nachchi* individuals, navigate in their profession.

More on Sex Work and Agency

Some earlier studies on the subaltern have discussed this 'thin wall' between the exploitation and agency. For instance, in a study on Thai women working in tourist-oriented bars, Cohen (1982) argued that these women have honed their skills to navigate the ambiguities of their relationships with foreign men who hold dominant positions, a dynamic he refers to as "the power of the weak". Similarly, Scott (1985) introduced the concept of the "weapon of the weak" in his analysis of Malaysian peasants, illustrating how class struggle can manifest in everyday life. He provides examples of how the impoverished resist the terms of their subjugation. Furthermore, Alison (1994), examined the male clients of

Japanese sex workers, arguing that the appeal of commercial sex for men often lies in the experience of being "done to", rather than actively "doing it". However, since I have not interviewed any male clients in this study, I interpret Kavitha's assertion about a client "getting it done" as a compelling example of her ability (though it is limited) to make her own choices.

In more recent studies, Sanders (2005) suggests that conforming to heterosexualised imagery in prostitution should not be viewed merely as compliance or exploitation. Instead, it is conceptualised as a deliberate and strategic response by sex workers to leverage their sexuality and align with the cultural expectations and ideals of their clients. Further, she argues that sex workers perform 'emotion work' by managing their own boundaries, feelings, and identities (2005: 325). Sanders identifies several common emotion management strategies observed in broader literature. These include establishing bodily exclusion zones, using condoms as psychological barriers, favouring domination services, and assigning specific meanings to sex as a form of work. She explores how the creation of a fabricated identity is employed as a protective measure to shield individuals from the adverse effects of engaging in a clandestine and illegal profession. Furthermore, she examines how this constructed identity functions as a strategic tool for conducting business. According to Sanders (2005), bodily capital of a sex worker is an essential ingredient of her work; considering that the larger structural and material conditions shaping women sex workers' daily economic lives are beyond their control within the current system, sex workers who possess the emotional, intellectual, and bodily capital to develop emotion management strategies, which she calls 'manufactured identity', may not necessarily be worse off than women in formal employment. Similarly McKeganey and Barnard (1996) explore how rituals based on clothing, make-up, and bathing allow women to act in and act out of the work role.

Güler's (2020) study examines a network of trans-sex workers in urban Turkey, focusing on how they build supportive relationships and mobilise against various forms of violence. The research critically analyses their social practices and narratives, exploring both the presence and absence of support systems. It explores how these workers navigate structural

conditions that foster distrust, competition, and conflict, which often hinder collective efforts for safety, security, and well-being. The study also highlights how sex workers collaboratively respond to these challenges, even as structural forces, such as material pressures, financial inequalities, and competition, strain their relationships and community dynamics. Additionally, it touches upon the significance of 'mother-daughter' relationships within their community in the Turkish context (2020).

As Ford and Lyons (2011) point out concerning Indonesian female sex workers, prevailing narratives around transgender sex work often leave little room for alternative perspectives on the relationship between structure and agency. Cheng (2012) explores the experiences of Filipino women working in Rest and Recreation (R&R) clubs in South Korea during the 1990s, highlighting how 'love' became a weapon of the weak. As migrant sex workers lacking official channels for redress against the human rights violations they faced daily, they redirected their energies towards transforming love into a source of empowerment. Cheng observes that when the state and market fail to support them, love becomes a source of hope for these individuals (2012: 245).

In the context of *Nachchi* sex workers in Sri Lanka, I have previously investigated (Ariyarathne, 2021, 2022) how their collective lifestyles, shared practices, and culturally rooted rituals functioned as essential mechanisms for coping with systemic injustices and violence. I have explored how certain communal frameworks provided not only tangible support but also fostered resilience, enabling them to navigate and resist the socio-economic and structural inequalities they routinely encountered. These collective traditions have created a sense of belonging and solidarity, which played a crucial role in mitigating the effects of marginalisation and cultivating strength in the face of adversity. However, it is important to avoid drawing hasty conclusions or overly romanticising their lives based solely on displays of solidarity. Collective living is not without its challenges; it is often marked by disagreements, conflicts, and divisions that coexist alongside acts of support and unity.

For instance, in Turkey, trans communities have demonstrated solidarity and cooperation in response to state violence, social exclusion,

and discrimination (Cabadağ, 2016; Zengin, 2014). However, financial inequalities often sparked disagreements, tensions, and conflicts that divided the community and, at times, hindered their political mobilisation efforts (Zengin, 2014). Similarly, among the *travestis* in Brazil, competition was prevalent not only due to financial reasons but also over relationships, physical appearance, and expressions of femininity (Kulick, 1998). Kulick further noted that behaviours such as distrust, betrayal, and interpersonal violence might be seen as rational adaptations to the harsh realities of a violent and discriminatory environment or as outcomes of internalising the hostility and marginalisation they perpetually face. This is not to undermine the significance of pleasure, sexuality, and choice as important aspects of lived experience. However, it is crucial to exercise caution against framing these aspects as the sole foundation for advocacy or identity-building. A narrow and uncritical focus risks reducing a many-sided and intersectional reality to a singular, fixed narrative. Instead, it is essential to recognise the complexity and diversity within these experiences, ensuring that efforts to mobilise or represent such identities remain inclusive and sensitive to the broader structural, cultural, and personal dynamics at play. Hence, I do not dismiss materialist scholarly perspectives that seek to emphasise the significance of other material factors, such as economic conditions. For many (Kotiswaran, 2011; O'Connell Davidson, 2002), these factors shape sex work not primarily as an avenue of pleasure or an expression of sexual identity, but as a response to economic necessity and survival.

I argue that while *Nachchi* sex workers are aware of the discrimination and violence that permeate their daily lives, they employ various strategies to resist these challenges and pursue their desires. Contrary to the prevailing rights discourses and societal perceptions that often portray them as being 'forced' into sex work, some of them engage in this profession out of choice. Their ability to navigate and manoeuvre through oppressive systems is not only a form of resistance but also an important expression of agency that may appear innocuous on the surface yet carries subtle political significance.

Furthermore, it is essential to move beyond the dominant narrative that labels *Nachchi* women solely as 'public sex workers', a portrayal constructed by the State, media, and civil society discourses. This limited

perspective often conceals their private lives and their complexities. Discussions surrounding sex work frequently overlook the vital role that love and romance play in their experiences. By recognising these dimensions, we can gain a deeper understanding and acknowledge how their intimate relationships contribute to their sense of self and agency. This understanding allows us to problematise our blanket ideas on their experiences, highlighting the importance of personal connections and emotional fulfilment alongside their tough work. Despite my relatively privileged social position, I have endeavoured to comprehend how transgender individuals involved in sex work perceive themselves and their surroundings, revealing the everyday realities of their lives that are often overlooked in State and civil society narratives. It is crucial to acknowledge their agency while remaining mindful of the power dynamics and knowledge constraints that impact *Nachchi* sex workers in Sri Lanka.

As Cheng (2012) suggests, we should recognise transgender sex workers as full individuals rather than confining them to institutional identities as mere 'marginalised groups' or 'vulnerable communities'. It is vital to appreciate how transgender sex workers exercise agency within the structural limitations of their circumstances, achieving varying degrees of success. By doing so, we can foster a more nuanced understanding of their identities, which I will further develop in the subsequent chapters of this book.

Agency as a "Rights-Bearer": Limited Understanding?

In Sri Lankan civil society spaces, agency is often understood as the ability to access fundamental rights guaranteed by the Constitution, while 'empowerment' is frequently framed within the confines of access to justice. For instance, I recall a paper I co-authored with Munasinghe in 2018 on women's political participation, where we somewhat simplistically interpreted agency as 'the ability to engage in electoral politics'. Reflecting on this now, I recognise that such a perspective oversimplifies the concept of agency.

Agency encompasses far more than mere access to specific rights or resources. It is a dynamic, polygonal process that includes the capacity to make choices, exercise autonomy, and challenge structural constraints in diverse and context-specific ways. It may also involve choosing not to take a position in an unfavourable context. For example, Ben Golder, who explains Foucault's idea of rights and "critical counter-conduct" notes as follows;

> Rights can enlarge, expand, or protect the sphere of action of subjects (as well as perfomatively bring new worlds and communities into being). But at the same time they can also be the conduit, or the vehicle, for relations of power that constitute those very subjects and communities in particular ways and hence reinscribe them within the existing forms of power, often recuperating and domesticating the political challenges they might pose. This is the ambivalence dimension of rights. (2015: 91)

As Foucault (1978) argues, the disciplinary work of rights discourse is not performed solely by inscribing a given formulation of identity within the legal text, but rather by the ongoing work of a whole range of actors (friends, family, activists, social workers, bureaucrats, lawyers, judges) within and without strictly legal process of rights claiming. Within the context of certain liberal democracies, Scoular (2015) examines how political aspirations have been translated into legal claims advocating for 'sexual minority' rights and 'workers' rights. Scoular further critiques the potential issues inherent in this framework and its associated methods of mobilisation, which often individualise demands and inadvertently reinforce, rather than disrupt, systems of governance. Rights, after all, constitute the language of liberalism, and as critical scholars often argue, their realisation frequently risks entrenchment within and reliance upon the very structures they aim to oppose. Historical engagements with liberal legal rights discourses reveal a pattern of neutralising and constraining the more radical aspirations of broader social justice movements (Scoular, 2015). Drawing on Pateman's analysis (1988), Scoular further argues that the liberal rhetoric of contractual agreements has served, both historically and in contemporary contexts, to obscure and legitimise the underlying mechanisms of sexual power. This framework,

presented as neutral and equitable, conceals the power imbalances and systemic inequalities embedded within societal structures.

Similarly, I have argued (Ariyarathne, 2021, 2022) that rights-based claims and frameworks built on the notion of a stable, universal, and modernist voluntary subject often individualise struggles, marginalise many excluded groups, and reinforce rather than disrupt regulatory systems of governance. This dynamic is particularly evident among transgender individuals accessing public health services, where they are frequently compelled to conform to certain normative practices to navigate these systems. Furthermore, framing relationships, including those involving labour and sexuality, within the language of voluntary and consensual contracts, the liberal paradigm overlooks the ways in which entrenched hierarchies, gendered dynamics, and socio-economic disparities influence these interactions.

In this context, rights-based organisations and health sector may expand or protect the sphere of transgender sex workers actions; they can also rupture more regulatory implications to their lives. Defining agency solely in terms of access to rights or institutional representation reduces its complexity and risks overlooking the deeply personal and often nuanced ways in which individuals navigate systems of power and control. I argue that a more holistic understanding of agency must consider how individuals negotiate their identities, relationships, and environments to assert their autonomy and achieve self-determined goals. This broader perspective acknowledges the relationship between structural and personal factors, recognising agency as an ongoing process rather than a fixed outcome. In fact, I will explore this in greater detail in Chapter 6 of this book, where I critically analyse the engagement of Sri Lankan transgender communities with the law and the state.

In another example, death and funerals within the *Nachchi* communities in Sri Lanka offer a significant example of solidarity, where emotions such as love and sorrow come together to create a moment of collective mourning. During my fieldwork, the death of a *Nachchi* sex worker highlighted the blatant exclusion these individuals experience from social protection systems, both in life and after death. Despite their ongoing struggles for survival, the death of this particular *Nachchi* sex worker,

who lived alone, sparked a powerful demonstration of community solidarity. In response to her passing, other *Nachchi* ad female sex workers from the neighbourhood gathered to raise funds and organise the funeral rites, which took place in a small community hall near her shanty. They prepared the traditional *malabatha* (a meal cooked and ate together after the final rites) and mourned as if they had lost a part of their own hearts. The act of weeping, the sharing of food, and the collective expression of grief were thus not only acts of mourning but also expressions of a hidden activism—one that operates in the spaces of love, memory, and mutual support, contrasting sharply with the impersonal and often hostile nature of state apparatuses. Therefore, these emotional practices of solidarity form a vital counter-narrative to the state's neglect and the dominant discourses of rights and legal frameworks, offering insights into alternative modes of belonging and justice for 'marginalised' communities. Referring to Derrida, who suggests that friendship can facilitate democracy by balancing singularity and community, Lynch (2015) concludes that while friendship can serve as a model for democratic political communities, it does not eliminate the inherent tensions and challenges. Lynch emphasises the need for negotiation and mutual respect in both personal and political realms.

In contrast to the uncritical elevation of rights, many left-wing theorists and activists remain sceptical of their capacity to truly challenge power. While rights grant individuals formal membership within a polity, this very polity is founded upon and perpetuated in conditions marked by oppression and servitude. Rights, despite the claims of their advocates, do not have the power to eliminate these deep-rooted inequalities. Moreover, the individualising nature of rights serves to reinforce the liberal framework, inadvertently sustaining existing power structures and obscuring the underlying causes of inequality, such as the pervasive influence of global capitalism (Scoular, 2015). This perspective calls for a more nuanced and ambivalent approach to rights. While recognising that rights offer a strategic tool for activism and resistance, it also critiques their reliance on a 'flawed universalism' (Scoular, 2015: 100) and abstract notions of humanity. In doing so, rights mask their complicity with, and their foundational ties to, modern systems of power and control, which they are often part of rather than opposed to.

Similar to Frase's stance (2012), while I agree to the fact that treating the commodification of sex as fundamentally distinct from the commodification of other aspects of human relations is unproductive, I am less optimistic about the broader implications of commodification as a whole. However, the issue I would highlight is not the exchange of money per se, but rather the power dynamics that underpin and shape these exchanges. Therefore, my analysis in this discussion is shaped by the notion of exploitation, while also taking into account the lived experiences and emotions of *Nachchi* communities. It is essential to recognise that, despite the structural constraints and vulnerabilities associated with sex work, many individuals navigate restrictive social and economic environments, exercising a degree of choice within the limited options available to them. In other words, this perspective acknowledges both the broader systemic inequalities that contribute to their marginalisation and the ways in which they assert autonomy within these constraints.

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3

Language as a Tool for Identity: Negotiation, Protection, and Resistance

I recollect a memory about a rainy Sunday evening back in 2016, spent in the company of a few *Nachchi* friends in southern Colombo. Before they ventured out for their night's work, they invited me to partake in the egg soup they had prepared as a gesture of hospitality. Gathered together in the kitchen, we shared laughter, food, and conversations on everyday affairs while one of them busied herself preparing the special egg soup and noodles. Amidst the casual chit chat, much of our discussion sunk towards their experiences in the commercial sex work. They spoke of finding certain customers 'handsome' and of discovering new places and spaces to solicit clients. Amidst shared laughter, stories circulated of narrowly escaping the clutches of nasty policemen in the area, while others narrated encounters with clients, some affectionate, others not so much.

As an outsider to their world, I found myself fascinated yet somewhat adrift in trying to comprehend the numerous emotions and nuances being shared. Nonetheless, I attempted to glean insights into the stories through observing their facial expressions. Despite the seriousness of their stories and some unhappy incidents within them, the atmosphere remained one of warmth and friendship, broke by energetic laughter,

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lewd jokes, and genuine expressions of happiness. I found myself at a loss, surrounded by a language filled with unfamiliar words, leaving me feeling like an outsider among them. Thara, who was sitting next to me, tried her best to explain what they were talking about. As soon as I took my pocket notebook out and began jotting down unfamiliar words, their laughter erupted, as they intentionally escalated their conversation with even more difficult terms, leaving me even more puzzled. Using their own *Nachchi* vocabulary in front of me—someone they perceived as an outsider—they enjoyed revealing a certain 'secret' space owned by them and interpreting it according to their own terms. I was astonished by the vast vocabulary that I had just discovered. Trying to understand their words, I saw how this situation was probably similar to times when they felt out of place in public places, where they may not feel belonged to.

As I listened, I could not help but admire how their language reflected their shared history and bond. By using this secret vocabulary/jargon in my presence, they shifted the power relations, demarcating their space and making me feel like an outsider, as they must often feel in public spaces. It was like they were drawing an invisible line between us, exposing that they belonged and I did not. It struck on me how language, much like physical barriers, can divide people and create walls between us. This experience prompted deep reflections on the inevitable connections between language, identity, and belonging. It is not merely about the words we utter, but rather how they complicatedly shape our sense of self and determine the environments where we find support and acceptance.

Writing History on an Unwritten Language

Nachchi language, devoid of written scripts or standardised dialects, is passed down through generations and evolves with unique variants across different geographical regions. For instance, Sinhala-speaking *Nachchi* sex workers in Colombo and its surroundings speak distinct terms compared to their counterparts in Jaffna, where Tamil-speaking *Nachchi* sex workers reside. However, it is essential to note that *Nachchi* language is not exclusive to sex workers; many *Nachchi* individuals across Sri

Lanka also use it. Recording the usage of *Nachchi* language is crucial in writing history, particularly concerning sex workers, as it serves as an important everyday tool for protection and resistance. In this chapter, I will elaborate on how *Nachchi* language empowers sex workers and assists in navigating difficult circumstances.

However, as a researcher, I encountered a significant dilemma: the tension between documenting a living language and potentially endangering its users by exposing their protective tool. I made a conscious decision to refrain from cataloguing the entire *Nachchi* vocabulary in published works. Instead, I support for a careful and cautious approach to writing subaltern histories, recognising the delicate balance between preservation, and safeguarding those who rely on the language for safety. In my writings, I have chosen to include only a select number of commonly used words, and only with the explicit permission of several *Nachchi* friends. I believe that this approach respects their agency and ensures that their voices are heard while mitigating the risks associated with exposing their language to potential exploitation or harm. It is crucial to approach the documentation of *Nachchi* vocabulary with sensitivity and respect, honouring the experiences and struggles of those who use it as a means of protection and resistance.

Nachchi as a "Speech Community"

Building around the everyday lives and relationships (to the State and the non-State), the *Nachchi* language creates a 'speech community' (Labov, 1972, 1980). According to Labov, the speech community is "…not defined by any marked agreement in the use of language elements, so much as by participation in a set of shared norms; these norms may be observed in overt type of evaluative patterns of variation which are invariant in respect to particular levels of usage" (1972: 120). Labov's definition concentrates on shared norms rather than the shared language or variety (Al-Amadidhi, 1985). Speech communities are formed by groups that share common values and attitudes regarding language use, dialects, and customs; in this case *Nachchi* culture. Through prolonged interaction, *Nachchi* sex workers have developed shared beliefs and value

systems concerning communication styles and forms, even though not homogenous.

Traditionally, *Nachchi* sex workers as a speech community has evolved with the interactions within localised (not necessarily geographically, but connected through gender/sexual identity) communities of speakers. However, factors such as constant relocation, moving from place to place for sex work, facing violent and discriminative responses from others, and (relatively recent) NGO activism have reshaped *Nachchi* communities, necessitating more contextual understanding on them as speech communities. It goes beyond mere linguistic similarity to acknowledge that language plays a vital role in shaping *Nachchi* sex workers' participation in society. It is important to emphasise that their language serves as a tangible expression of the oppressed social class to which they belong, within the broader political economy of sex work and gender. It not only reflects the lived experiences and struggles of *Nachchi* sex workers, but also captures the complexities of their lives in peripheries, that are vulnerable to exploitation. By understanding and acknowledging the *Nachchi* language as a material representation of their social class, we gain significant insights into the power.

Language and Identity

Language is inclusive and exclusive at the same time (Pelinka, 2007). It serves as a fundamental tool in shaping our sense of identity through various mechanisms. It facilitates the communication of identity, enabling individuals to articulate their thoughts, emotions, and experiences. Linguistic features such as word choice, accent, and language variety reflect aspects of identity such as cultural background, ethnicity, regional affiliation, and most importantly in this case the social class and gender identity. Language fosters a sense of belongingness by connecting individuals to social groups and communities. Shared linguistic practices within these groups establish solidarity and group membership, evident in the use of dialects, or slang associated with specific communities. Moreover, language plays a crucial role in socialisation processes, as individuals acquire and internalise norms, values, and beliefs through

linguistic interaction. For instance, gender-related language patterns contribute to the construction and performance of gender identity. Furthermore, language facilitates identity performance by enabling individuals to enact and adapt their identities in various social contexts. Code-switching, altering speech registers, and adopting specific speech styles or accents are strategies employed to convey particular aspects of identity or conform to social norms. Language not only reflects but also actively constructs identity through discourse, wherein individuals negotiate and shape their identities in interaction with others, distinctive ways based on the context. Through these processes, language deeply influences self-perception and social perceptions within diverse socio-cultural contexts.

The concept of performativity, as discussed in linguistics, is closely linked to the relational nature of *Nachchi* (comparable to 'queer' in Western contexts). Performativity, as outlined by Butler (1988, 1990), suggests that certain statements do not just describe reality but actively shape it; they are acts of social action through language. However, for performatives to be effective, specific conditions must be met. These include the institutional authority of the speaker, the correct execution of the utterance, and a recognised association between the utterance and its intended effect (Bucholtz & Hall, 2005). The concept that speech goes beyond its literal meaning remains central in Butler's writings. They combine speech act theory (Austin, 1962) with Foucault's (1978) ideas on subject formation to explain how individuals shape and reshape reality through their use of language, gestures, and signs. Performatives, as Butler (2015) describes them, are embedded within a chain of citations, suggesting that the conditions necessary for making a speech act extend beyond the moment of its utterance and are influenced by broader temporal and contextual factors.

For instance, during my interactions with *Nachchi* sex workers, it became evident that adherence to linguistic proficiency in their language was deemed essential for one to be deemed a 'proper *Nachchi*', with individuals falling short of this standard being scoffingly labelled as '*hora poppe*'. The utilisation of the *Nachchi* language extended beyond mere communication, serving as a covert medium for conveying covert messages, particularly in the presence of non-*Nachchi* individuals.

However, Bucholtz and Hall (2005) argue that the notion of linguistic homogeneity should not be approached as a foundational analytical premise, but rather as an ideological construct that can emerge prominently in social interactions across divergent individual lines. Building upon this perspective, the portrayal of the *Nachchi* identity ought not to be understood as inherently homogenous and essentialised. Instead, it is important to underscore the significance of demarcating their boundaries by community members through linguistic markers vis-à-vis the broader societal context. By refraining from essentialising the *Nachchi* identity, attention is directed towards highlighting the role of *Nachchi* language and its dynamics involved in delineating its outlines within the sociocultural setting. This approach highlights the nuanced interconnection between linguistic practices that are privately maintained and cherished by a particular group of individuals, thereby enriching our understanding of identity construction and negotiation processes within and beyond linguistic frameworks.

Another aspect I aim to emphasise is the intimate connection between language and desire. Numerous scholars have investigated into the nexus between language and desire across various dimensions (Cameron & Kulick, 2003; Harvey & Shalom, 1997; Kulick, 2000) with some advocating for a shift in focus towards desire as a fundamental component of identity (Bucholtz & Hall, 2005). Within the context of *Nachchi* sex workers, I have theorised in Chapter 2 against exclusively adopting a Marxist political economy framework to analyse sex work. I argue that understanding sex work within the *Nachchi* community should not be limited to viewing it solely as a means of income generation or as a manifestation of economic exploitation under capitalism. Instead, rejecting the dichotomous view of agency versus regression and emphasising the diversity of positionalities, I propose that the *Nachchi* language serves as a tool for the expression of sexual and intimate desires among individuals involved in sex work. This perspective underscores the complex nature of the 'need' of engaging in sex work for the *Nachchi* community, acknowledging the interaction of socio-economic, cultural, and desire-related factors that shape experiences and perceptions of sex work.

For instance, I will provide excerpts from conversations;

> Eye makeup is essential in our work. We don't attract men through words but through *the way we look at them.* (Shanthi, 2019, Jaffna, my italics)
> I often travel on late-night buses, where I mostly encounter middle-aged men who are slightly drunk—worn out from work. We know they don't have happy family lives. Such men often respond to our questions like '*oyāta mahansida*' (Are you tired)?. (Rohini, 2019, Colombo)

It is crucial to recognise that the concept of 'language' extends beyond verbal expressions. It encompasses a spectrum of non-verbal cues, including the erotic gaze, makeup application techniques, and bodily movements and gestures. The performative dimension of *Nachchi* language encapsulates the entirety of this expressive 'package', encompassing not only the manner of speaking but also the temporal and contextual nuances in which language is employed. In a discussion on sexuality and language, Cameron and Kulick argue that language is not a mere set of different words that a certain community speak; rather "…there were 'queer' ways of using language – ways that disrupted normative conventions and expectations about who could talk about sexuality and how that talk should be structured and disseminated" (2003: 98). This argument suggests that language encompasses more than just a collection of words specific to a community. They propose the existence of unconventional linguistic practices, "performatively queer" (Cameron & Kulick, 2003: 98) of using language, which challenge normative assumptions about who can discuss sexuality and the expected structure and dissemination of such discourse.

This universal understanding emphasises that communication within the *Nachchi* community is multi-layered, relying on a blend of verbal and non-verbal elements to convey meaning and intention effectively. Therefore, the performative nature of *Nachchi* language underscores its dynamic adaptation to different social settings and situations, highlighting its fluidity and versatility in facilitating communication and interaction within the community. Similarly, in their study of *koti/janana* communities in Kolkata, Nagar and Dasgupta (2015) contend that the bodily practices observed within these communities, including stylised walking, hip movements, clapping, voice modulations, and the adaptation of religious rituals, are learned behaviours. Drawing on Mahmood's

(2005) concept of 'multiple modalities of agency', Nagar and Dasgupta argue that the disciplined presentation of the body in alignment with traditional notions of womanhood represents a form of agency among *kotis/jananas*. In the context of *Nachchi* sex workers, employing feminised behaviours such as eye make-up, gaze, and bodily movements may not only attract financial benefits but also may fulfil their sexual desires and needs. Consequently, they consciously utilise highly feminised performativity as a deliberate 'weapon' in navigating their everyday lives. Therefore, I argue that this strategic positioning of feminised behaviours along with the *Nachchi* vocabulary can be understood as a form of empowerment within the socio-cultural context in which they operate, allowing them to assert a sense of self and negotiate their identities on their own terms.

Reiterating that the sexual pleasure and desire of *Nachchi* sex workers have been deemed taboo both politically and culturally, I align with the perspective of sex-positive feminism, which underscores the importance of acknowledging the sexual experiences and desires of sex workers central to any discussion. Hence, I repeat the argument constructed by Bucholtz and Hall (2005), integrating considerations of both gender and sexuality, as well as identity and desire in language, while remaining attentive to the dynamics of power and agency in which they operate. They argue that queer linguistics offer a comprehensive framework for exploring the relationship between language, identity, and sexual expression by encompassing these multidimensional aspects, and providing the ground for investigating how linguistic practices contribute to the construction and negotiation of sexual identities and desires. Therefore, *Nachchi* language holds significant potential for advancing our understanding of the nuances and intersections shaping our embodied experiences of sexuality and identity.

As a Tool of Protection and Resistance

As I have previously argued, language extends beyond mere speech; it encompasses gestures and expressions, including humour, cursing, flirting, and various other forms of vocabulary. Scholars have examined

how language and humour serve as political tools for sex workers in various regional contexts. For instance, drawing upon insights from the sociology of labour, Sanders (2004) proposes that women involved in sex work in Britain navigate their professional interactions, including those with clients and colleagues, through the use of humour. She argues that female sex workers employ 'emotion work' via humour as a coping mechanism, shielding themselves from the challenges inherent in selling their bodies within an illicit and often perilous setting. Therefore, humour thus becomes integral to their occupational identity, particularly in the enactment of the 'prostitute' role. Additionally, humour sheds light on the complexities of female camaraderie within the sex industry and potentially offers insights into the formation of support networks among women in other professions. Nevertheless, she argues that humour can also signify tensions, rivalry, and rifts within these relationships (Sanders, 2004).

Güler (2022) discusses about the humour and comedic expressions as a political tool within a community of transgender women reliant on street-based sex work in urban Turkey. This study highlights underscores the importance of acknowledging the rebellious nature of sex workers' humour. Specifically, by emphasising the strong linkages between humour and direct confrontations, the study reveals what can be gleaned uniquely from sex workers' transgressive humour, both independently and in comparison to other forms of resistance utilised by them (Güler, 2022). In Güler's perspective, some deployments of humour are transgressive in nature, while "…the subversive humour of queer sex workers alone can have a political meaning, as well as characterise and transform the meaning of their visible or organised rebellions" (2022: 257).

Language can also serve as a form of transgression and assertion of agency within a system that often exploits them. Even though there is a visible gap in Sri Lankan literature on the *Nachchi* language, similar studies have been published on transgender languages in other South Asian countries. For instance, Hall (1997) argues that the 'curse' invoked by a hijra person is a performative act. This belief stems from the notion held across various Indian communities that a hijra, due to their perceived impotence, possesses the ability to prevent the birth of male

children. Consequently, people may treat *Hijra* individuals with respect out of fear of this supposed power. In this context, the utilisation of 'foul words' by *Hijra* individuals serves as a means to assert their dignity and secure their livelihood. By leveraging this cultural belief, *Hijra* individuals reclaim agency and demand respect within society. Thus, the act of invoking curses becomes a strategic tool for navigating social dynamics and asserting their place within the community.

Awan and Sheeraz (2011) argue how Farci is being used as a weapon/tool to defend *Hijra* communities in Pakistan against any encroachment on their secured spaces. They further argue that the fear of a hostile majority is at the root of the need to develop a secret language (2011: 127). Through this study, they have established that Farci, which is used by one and a half million *Hijras* in Pakistan, can be considered a fully developed, living language on the basis of its distinctive linguistic and social features. Urooj and Khan (2016) describe how *Khawaja Sara* and *Hijras* in Pakistan prefer to speak *Hijra* Farsi to protect themselves from violence, abuse, kidnapping, and oppression. Urooj & Khan (2016) explain three specific settings of gay language in the West; i. e. a secret code developed for protection against exposure, a code that enables the user to express a broad range of roles within the gay subculture, which helped the gay community to socialise with one another without any fear or stigma, and a resource that can be used by radical activists as a means of politicising social life.

In the context of Sri Lanka, *Nachchi* vocabulary and gestures function as a strategic tool for negotiation and interaction, particularly in encounters with legal authorities and law enforcement personnel. For instance, a respondent recounted how her acquaintance, a drug-addicted individual, utilised distinct terms while in police custody to articulate her necessity for consuming heroin. Within the confines of police cells, *Nachchi* language facilitated discreet communication between detainees and their visiting peers, avoiding comprehension by overseeing police officials. Furthermore, expressions of frustration and discontent towards harsh encounters with law enforcement were often vented through using of 'obscene' terms, providing a channel for emotional release amidst adverse circumstances. This diverse role of the *Nachchi* language highlights its

instrumental value in navigating socio-legal landscapes and maintaining solidarity within the *Nachchi* community amidst external pressures.

A Mirror of Oppression: Material Utilisation of Nachchi Language

In this discussion, I draw from the insights of Marxist-feminist linguists who examine the material utilisation of language; how language is employed in shaping gender ideologies, delineating social class distinctions, defining power dynamics in workplaces, and navigating various everyday realities of life. They enlighten how linguistic practices are complexly attached to broader socio-economic structures and power relations, offering an understanding of the diverse ways in which language operates within society. In a discussion on how language works in demarcating women's life, Butcholtz (2014) argues that;

> … the ideologies and realities of women's linguistic labor in the home as mothers and wives within the traditional nuclear family (Kendall 2008; Sunderland 2006); the role of language in marketing to female and male consumers of various kinds (Benwell 2004; Lazar 2006); and the links between language and gendered embodied practices (Speer and Green 2007). In addition, examinations of gendered language in work contexts ranging from beauty salons (Toerien and Kitzinger 2007) to call centres (Cameron 2000) to factory floors (Holmes 2006) to phone sex (Hall 1995) demonstrate the enduring role of gender ideologies in the workplace as well as the growing commodification of feminized ways of speaking. (Butcholtz, 2014: 32)

I expand upon the material construction of experience through language by contextualising it into the everyday lives of *Nachchi* sex workers. Within their vocabulary, Sinhala *Nachchi* sex workers frequently use terms such as '*pāre bahinawā*' or '*shooting yanawa*' to signify their walk onto the streets, for the purpose of sex work. Additionally, colloquial expressions like '*māmā/bāppā*' are used to refer to local

policemen, with whom they often interact during their work. Moreover, the vocabulary of *Nachchi* sex workers incorporates a spectrum of terms related to substance use, including references to heroin or cannabis. While substance abuse has become a common characteristic within the community, these terms also being employed in the context of selling or smuggling such substances. Furthermore, their language extends to describing various sexual activities or positions, with phrases like '*galewela yanawā*' indicating sexual intercourse between the thighs. They also have terminology for the places they frequently hang out for approaching customers, as well as strategies for escaping from the encounters with local police officers. Moreover, the *Nachchi* language contains nuances of romantic involvement, including terms for the concepts like 'relationship with benefit', highlighting the complexities and dynamics of intimate connections within their community. Language creates collective memory too (Pelinka, 2007). Terms like '*dehi mangalyaya*' (lime wedding), prevalent among *Nachchi* sex workers from the 1960s to the 1980s, serve as markers of shared history and customs within their community (Ariyarathne, 2022). As socio-economic contexts evolve, these customs and practices undergo a gradual disappearance, along with the terms used for rituals and practices.

Hence, in a material context, the *Nachchi* language serves as a significant marker/indicator of social class, inequalities, distinctions, and collective histories. However, "…it is not and cannot be just a neutral indicator—because language does not only indicate, it also mobilises politically. It is politically instrumental in different ways. Language is highly political—due to its responsive as well as its activating, its demanding role" (Pelinka, 2007: 137). Not only some secret code of words may help us to escaping from the police; but also *Nachchi* sex workers resort to using a set of obscene or offensive language to respond to abusive or humiliating remarks from the general public, often coming from young men on the streets; the language used for 'talking back' (hooks, 1986) to the wider society.

> When someone calls me *ponnaya*[1] in a public place, I would typically remain silent leave the place. But now I am not scared of the word anymore. If it is a quiet place, I usually do not respond, preventing any possible physical violence coming from the men. However, I have reached a point where I no longer feel intimidated by that word. In quieter environments, I often choose not to respond, as this may lead to potential physical harm from the individuals. Nowadays, when I'm addressed as *ponnaya* in public and there are others around, I've grown bolder. Instead of going away, I turn to those nearby and assertively shout; "Yes, I am a *ponnaya*. Would you like me to suck your …. (used a *Nachchi* term used for penis). I can do it better than your wife." I may also add some ugliest words that I know at the end. Whenever I say these words in public, I notice a shift in the behaviour of the men. They often look around nervously, especially if there are women nearby. This response fills me with a sense of satisfaction, and I can continue on my way with newfound confidence. (Radha, 2023, Colombo)
>
> When we are together in the streets, we use *Nachchi* language to freely share our thoughts about certain men in the street. Often, those who have verbally abused or humiliated us become *our subjects of discussion.* We do not hold back - we curse them, we mock them, and at times, we even find them pitiful and ugly. (Shyama, 2023, Colombo, my italics)

The importance of talking back by the *Nachchi* sex workers in the streets is important to recognise as empowering act due to various reasons. Most importantly, for many of them, it is a form of empowerment for those who have been silenced or marginalised, and long endured the dominant societal structures. It allowed them to assert themselves, and boldly challenge oppressive verbal abuse in public spaces. In the context where certain groups—such as women, queer individuals, and oppressed castes—have historically been silenced or disregarded, these individuals could resist oppression by using obscene language itself as a weapon. Therefore, talking back encourages *Nachchi* sex workers to question and challenge mainstream ideas that perpetuate inequality and injustice, since engaging in verbal confrontation becomes a powerful means of resistance.

[1] Term *ponnaya* is a derogatory term used for effeminate men in Sinhala colloquial language. It is often used to intimidate *nachchi* people.

> When we are together with female sex workers, we all get humiliated by men. But most of the time, especially when they humiliate us, the *Nachchis* as *ponnayas*, female sex workers aren't afraid to shout back at the men and drive them away, ensuring that we are not alone in facing such mistreatment. (Radha, 2023 Colombo)

When a group of sex workers (both *Nachchi* and female sex workers) engage in talking back together, they often find solidarity with others who share similar experiences. On the one hand, this is a way in which the formation of supportive communities are created in the contexts of violence; as a way of class solidarity. However, at the same time very act of using provocative language in public spaces serves as a material indication of the systemic oppression that continues to persist. As argued by Korf (2020) autonomy is never absolute; instead, it exists within boundaries and is often fragmented and temporary. Subaltern agency is inherently intertwined with power dynamics, limiting its scope and consistency. Korf (2020) further argues that resistance does not arise from a distinct, separate source outside of power structures; rather, it emerges through acts of opposition within these power dynamics. As such, talking back allows *Nachchi* sex workers to reclaim their agency and assert their presence in spaces where they have been always excluded or dehumanised, and thus, becomes a way of asserting one's humanity and right to be heard.

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4

"The Horse Is Heavy, But My Heart Is Not": Dancing, Identity, and Politics

December is not as cold as it was before. Wearing a pair of DSI[1] sandals with silver straps, rings and anklets, Sonali's feet are dancing on the sun-drenched tar road, following the rhythm of the *papare* band playing the famous South Indian cinema song "*Vada mappilai*" in the background. The *Jogi* dance started about ten minutes ago, herein a small by-pass road in Colpetty, a quiet, uncongested area with no sounds of horns or vehicles passing by. Sonali stepped forward to perform after four of her colleagues. The character she is playing is called a "*thaasi*"; that is, a commercial sex worker or prostitute.

The sweat pours through Sonali's short-sleeved blouse and down her bare, dark arms and hands as they hold her long, silky red skirt patterned in glittering silver. The long blonde hair of her wig flies out around her head as she dances. The audience can only catch glimpses of her face—enhanced with cheap make-up, her eyes heavily outlined with *kājal*.

Sometimes Sonali has to dance without making eye contact with her audience but the role she plays today demands that she holds the gaze of the

[1] A low-cost shoe brand in Sri Lanka that is popular among people.

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> men who have gathered to watch her dance. Does she do this for the cash she collects at the end of the show, that could be anything from twenty rupees to a thousand rupee note? Or, is it because even a glance from one of these men is soothing to her sun-burned body and exhausted spirits after a long day of dancing?
> As the rhythm of the music escalates, so does the quickness of her feet—sometimes she dances like an insane woman. lips which I had previously seen as dark in colour, are smeared today with bright red lipstick and now seem to curve with satisfaction, in a delicate smile.
> —My personal diary notes, 29 December 2018

I wrote this note in my diary on a physically exhausting yet emotionally exciting evening, after a long day of walking with a group of transgender friends who danced *Jogi*.

This chapter is dedicated to discuss *Jogi* dancing practices that were being practised by trans-sex workers in Sri Lanka through generations. In understanding how *Jogi* and other forms of dancing, it is necessary to understand the gendered dimensions of Sri Lankan dance cultures where a hegemonic division between classical and popular is maintained. Therefore, contemporary dancing practices among trans-sex workers should be contextualised against this background. I intend to discuss, the political significance of certain dance practices of the subaltern that has been historically excluded from the dominant social, political, and cultural narratives and dance histories. When I failed to find archival histories of different dance practices by the transgender communities in Sri Lanka, I had to dig in to the oral histories, stories, and memories of adult and young members of *Nachchi* persons who practise dancing.

Dancing and Rituals in Sri Lanka: A Male Showground?

Nachchi dancers in Sri Lanka engage in a diverse range of dance traditions, with one such traditional practice being *Jogi*, which has been passed down through generations. Another notable form of dancing is the '*papare* dance', (sometimes called as *mōl gahanawa*—playing *mōl*)

wherein dancers are hired to entertain at specific public events, or sports matches. The repertoire of *Nachchi* dancers also encompasses various performances like the Horse dance, Peacock dance, *Kohoma Kale*, and *Kāvadi* dance, commonly practised during the annual Buddhist and Hindu temple festivals known as *perahara* (procession). In contemporary times, *Nachchi* dancers participate in modern events, notably the annual pride festivals organised by LGBTIQ organisations (NGOs). *Nachchi* dance groups are a common presence at these events. It is noteworthy that the majority of these pride events feature self-choreographed dances, predominantly influenced by the modern North Indian style observed in Bollywood cinema. A notable distinction lies in the venue, as these modern dances are typically conducted indoors, contrasting with the outdoor spaces traditionally associated with *Jogi*, temple processions, and *papare* dance practices.

In a discussion of modern *Nachchi* dancing, it is important to identify dance as not only an entertainment tool, but also an "expression of practice of relations of power and protest, resistance and complicity" (Reed, 1998: 505). Traditional dances and rituals can be interpreted as a form of performance that was conventionally performed by members of a particular economic and social stratum, i.e. certain castes (Reed, 2002) and generally as an entertainment mode of peasant communities (Delabandara, 2018). Traditional ritual and dance culture of Sri Lanka, which has been a domain of males, is performed to ward off illness, misfortune, and evil, threats, hunger, drought, barrenness, aggression, and war (Nürnberger, 2004; Rajapakse, 2004). Traditionally, it was not acceptable for women to be dancers, ritual practitioners, or priestesses. For example, *Sokari*, one of the most prominent and oldest Sinhala folk dramas played in the upcountry of Sri Lanka, can be described as an independent local art form as well as a ritual. *Sokari* is performed entirely by men during the leisure period of the village farmers after harvesting every year. The main purpose of this is to maintain the religious affiliation in the rituals for fertility, entertainment, and prosperity (Sarachchandra, 1966). A man dressed in a Kandyan *sāri* and a blouse over his upper body pretends to be the character of *Sokari*. *Sokari* ties her hair as a bun on her head, wears jewellery including necklace, bangles, and anklets on her feet and carries a handkerchief or a bouquet of flowers in her hand. The character

requires applying make-up to make the actor's face more feminine. *Kāli Amma*'s character, the maid of *Sokari,* is also played by a man. She usually wears a *sāri* (Dissanayake, 2009). *Kōlam* is performed in the South of the country. Unlike *Sokari, Kōlam* is filled with characters that depict the contemporary Sri Lanka, such as politicians, regional administrative leaders (i.e. *Mudaliars*), and policemen. Characters wear colourful masks made of light wood and female characters are always played by men. For example, in *Nonchi Kōlama*, a man acts as *Nonchi* wearing the traditional cloth and the blouse of an elderly woman in the South. The word *Nādagam* had been borrowed from the Tamil word *Nātakam*, and it has been popular in the coastal belt of Sri Lanka. *Teru kuttu* is similarly played in Tamil-speaking communities in the country, again, by men (Sarachchandra, 1966).[2]

These traditional dancing traditions are performed in public spaces, such as a harvested paddy field or a semi-circular arena of a bear land in the village, whereas different traditions (great tradition) of Sinhala (i.e. Kandyan, Low Country, Sabaragamu) and Tamil (i.e. Bharatha, Kathak, Kathakali, Manipuri) dances were performed in conventional stages. It was only in the 1980s that the first women ritual dancers came into popular spaces (Nürnberger, 2004; Reed, 2010). In addition to traditional classical dance forms, this situation is no different when it comes to healing rituals such as *bali, thovil,* and other healing rituals. However, in each tradition, the performers were exclusively men, while women participated as subjects of the healing or spectators. The *gurunnānse*s (lit. teacher, a ritual specialist who performs traditional healing rituals) and *kapurālas* (a priest for a deity who is attached to a particular temple) were all men, except in some rare cases in Sabaragamuwa and in the South (Obeyesekere, 1981).

Sri Lankan theatre was no different. Only one recorded event could be found where transgender actors/actresses had performed in theatre. In 1957, while a drama was played at Tower Hall,[3] a Tamil high-level government official was curious about the actress Sarala Bai who danced

[2] Scholars such as S. Vidyanandan, Sivagnanam Jeyasankar, and S. Maunaguru have later brought women to perform *kuttu* in university spaces and community spaces.

[3] Established in 1911, Tower Hall is the main government-sponsored institution that works with the vision of encouraging and promoting national theatre activities.

on the stage. Appreciating her skills, he inquired about her from the organiser and learnt that it was actually a man who has been famous as this talented actress. He went backstage and apologised to Sarala Bai and sent a golden coin and a Gold Label Whiskey on the next day. Later, Sarala Bai won the award of "*Kala Bhooshana*"[4] and "*Malikul Mazrahi*"[5] (Perera, 2016). Owing to continued cultural convergence with India's touring Parsi theatre, and because South Asian traditional culture prohibited women from making spectacles of themselves in the male gaze (de Mel, 2004), the practice of female impersonation by transvestite men and cross-dressers was absorbed to Sri Lanka in the late nineteenth century. When women did appear in Calcutta and Colombo theatres, they were seen as prostitutes, further reinforcing the notion that respectable women had no acceptance in public theatre lest they suffer the social stigma accorded prostitutes (de Mel, 2004). Women who performed public were called as '*lajja bhaya nethi*' (without shame and fear) and the *lajja bhaya* concept performed a social mechanism of control and surveillance discouraging both men and women from contravening accepted socio cultural norms (Obeyesekere, 1984). To behave within the parameters of this social construct was considered as maintaining respectability. To be labelled as '*lajja-baya nethi*' implied loss of respect and branding as social deviant. Women who perform in public are branded as *baduva* (property/ item) and "…. are constantly appraised by their decorum and are subsequently assigned to either 'virtuous / chaste' or 'corrupt/ impure' social categories" (de Mel, 2004: 121) which determines whether they are socially accepted or denigrated.

The dichotomy of 'traditional' vs 'modern' and its parallel, 'authentic' vs 'inauthentic', has long been a powerful, often overused, narrative in the context of systems of knowledge in Sri Lanka (Handapangoda et al., 2016). When it comes to dancing traditions in Sri Lanka, there is a strong distinction between traditional classical dancing and modern dancing, where traditional dancing is considered more 'respectable' than modern dancing.[6] For example, modern commercialised dance forms,

[4] One of the high-level, life-time State recognition of a person's artistic skills in Sri Lanka.

[5] An award given for Muslim artists in Sri Lanka.

[6] Susan A. Reed (1998, 2002, 2010) has produced valuable anthropological literature on 'dancing and the respectability'.

such as women's group dancing performances in 'musical shows', are considered as 'unrespectable'. Usually, the clothing of such dance groups should be revealing the dancers body and sometimes, they are being targeted to sexual comments by male singers on the stage. Compared to stage dances, there has been a growing number of dance competitions ('reality TV programmes') in TV channels during the past decade.[7] However, this whole arena of modern dance forms have zero presence in the academia and performance arts scholarly domains, marginalising and dividing them as non-classical. This division is so strong that state sponsored classical dancing is labelled as 'Sri Lankan dancing tradition' and operates with hegemonic power within the systems of education as well as in socio-cultural and religious spheres, whereas popular/modern dancing is simply suppressed as 'inferior taste' and/or accused of 'destroying pure traditions'. Literature about Sri Lankan dancing is filled with information on traditional dancing practices and artists, but is brutally silent about modern dance forms and dancers (Ariyarathne, 2020). However, the belief that 'performing in public spaces is not suitable for respectable women' is widespread, not only regarding popular modern performing arts, but also in terms of traditional dancing styles. Dancing on stage at popular 'musical shows', dancing in the grounds while cricket matches are played (cheerleading), etc., are considered a shameful and "disgraceful eyesore",[8] while dancing in Buddhist temple *perahara* and Hindu *kōvil* and *dēvāla peraharas* are seen to some extent as respectable.

Peraharas are "public, embodied displays of political authority" (Ambos & Sax, 2013: 27). The history of religious procession in Sri Lanka can be traced back as far as the period of King Dutugemunu (161 BC–137 BC) according to the Mahāvamsa (Sedaraman & Guruge, 1992). Writing on dancing practices in the recent history of Sri Lanka (Kotte Era) Karunaratne (2017), quoting Pieris, states that when the Moroccan scholar and traveller Iban Batuta had visited Deundara shrine

[7] E.g.: Dancing Star, City of Dance, Champion Stars.

[8] Cheerleaders a 'disgraceful eyesore': Sri Lankan cricket officials have complained about Twenty20 cheerleaders after they were called a 'disgraceful eyesore', https://www.news.com.au/tablet/cheerleaders-a-disgraceful-eyesore/news-story/2a0ff5ce8af3c989ee4e58d7a094ce26 (last accessed 22 September 2020).

in 1344, he mentions thousands of Brahmins serving as the ministers of the gods and there were five hundred 'notch girls' who danced and sang before the god's image. While there is no further description can be found on notch girls, it can be reasonably assumed that the author meant indigenous women. Furthermore, Batuta had written that there were villages allocated for dancers called '*Tanavera*' by which the Portuguese knew the place was derived from the name of the village of the dancing women (Karunaratne, 2017). Karunaratne (2017) further elaborates the dancing practices associated with the rituals of Saman *dēvālaya* in Ratnapura, where a dance platoon of sixteen women was maintained by the temple for a long period of time. Many of the women who were attached to temples for rituals and dancing have been called as '*Alaththi Amma*' and the position is still maintained with a matrilineal system in main *dēvālas* in Sri Lanka such as Kataragama and the Saman *dēvālaya*.

Usually, religious processions are being held annually, after seasonal paddy harvesting in April or July, before the starting of the next season, in order to seek blessings for a better harvest in the next season. Most of the processions are designed imitating the great procession in the Temple of the Tooth Relic in Kandy, however, the dancing and rituals may vary according to the region and the wealth of the organising institution. As religious processions have been traditionally playing an integral part of the Sri Lankan village life (Bechhoefer, 1989), dancing in local processions is a unique moment/occurrence that depicts collective lifestyles as well as entertainment, religious devotion, and artistic expression in the public sphere. However, as I mentioned above, it is important to reiterate the hegemonic classical/modern division that prevails in Sri Lankan art, since contemporary dance practices of *Nachchi* dancers in Sri Lanka have been able to blur this strong division, as I will further argue in this chapter.

Embodiment, Subjectivity, and Identity

For numerous *Nachchi* dancers with whom I have engaged, the practice of dancing transcends mere economic utility; rather, it serves as a means for them to publicly attire themselves in women's clothing. It functions

not only as an occupation but also as a recreational pursuit, offering opportunities for socialisation with peers and the prospect of establishing intimate connections, either companionship or clientele for sexual activities. Consequently, the vocation of dancing assumes a complex role, constituting not only a method of financial sustenance but also a lifestyle choice, a hobby, and a communal space for forging new acquaintances and relationships. In this context, dancing emerges as a moment of self-expression, affording individuals the liberty to revel in their own bodily autonomy and gain pleasure from the experience.

Dance constitutes a pivotal aspect of transgender performances within the socio-cultural landscape of South Asia. Among the 'third gender' communities, variably represented in India, Pakistan, and Bangladesh, sex work and dance stand out as primary sources of income. Particularly, male-to-female transgender individuals, prominently represented by the *Hijra* community and others, are commonly invited into households across these three nations. The purpose of such invitations is to seek blessings through specific dance forms, a practice observed in celebrations such as the birth of a child or the union of newly wed couples (Reddy, 2005). Contrastingly, findings from my fieldwork indicate that in Sri Lanka, where the visibility of transgender individuals is comparatively lower than in the aforementioned countries, dance continues to play a crucial role in their lives. However, this involvement expresses in veiled forms of performativity, signifying a nuanced expression of *Nachchi* identity within the Sri Lankan context.

In the course of dialogues with *Nachchi* dancers, a central query posed revolved around the gaining of dance proficiency, seeking insights into their perceptions of self-identity as dancers. The responses prompted from participants unveiled notable parallels and visible patterns. Selected quotations presented below capture recurrent themes and a shared notion of understanding:

> Alas! I have not learned to dance from anywhere. I believe it comes from my *birth*. (Malini, 2020, Colombo, my italics)
> I think dancing is in my *soul*. I did not have to *learn* it. (Shashini, 2019, Colombo, my italics)

> I watch YouTube videos and movie dances. When I watch them once, the steps come to me *automatically*. (Vijayani, 2019, Jaffna, my italics)

It is apparent that a substantial number of individuals conceptualise and situate 'dancing' as an inherent component of their existence; i. e. intimately tied to their subjectivities ('soul') and nature ('birth'/'automatically'). This perception of the embodiment of dance may impart a deep sense of identity to the practitioner, as she identifies herself explicitly as a dancer and alongside utilises dance as a mode of self-expression. This sentiment has been underscored by Sandra, who concurrently engages in sex work and beautician services to secure a consistent income.

> I would rather be introduced as a dancer than as a beautician or a sex worker. (Sandra, 2021, Galle)

Sandra's primary source of income comes from her proprietorship of a modest beauty salon situated in a suburban area within Galle. In addition to her entrepreneurial activities, she occasionally engages in sex work too. Sandra specialises in bridal dressing, makeup application, and hairdressing, skills practised during a three-year tenure at a friend's salon. Her client base predominantly comprises lower middle-class women within the town, and she operates on an appointment-based system for her beauty services. However, noteworthy deviations from this routine occur during the village *perahera* period and in December, coinciding with the multitude of *perahara* organised in Colombo. During these intervals, Sandra refrains from accepting appointments, dedicating her efforts instead to the preparation of her dance costumes for participation in various *perahara* throughout the country.

Nachchi dance has evolved into an integral element within the contemporary framework of Buddhist temple and *dēvāla perahara* in Sri Lanka. Insights into the recent historical developments of this practice were gleaned through discussions with a *perahara* organiser[9] associated with a prominent Buddhist temple in Colombo.

[9] All temples/*dēvāla* have *perahara* committees consisting of major sponsors/patrons to the relevant temple/*dēvāla*. The main responsibility of the committee is to organise the annual

> *E gollo* (these people) have always danced in *our perahera*. The earliest *perahara* I remember was in 1994. However, at that time they came at the end of *perahara* and danced very *jarā netum* (indecent dances) wearing short dresses. After a few years, as I remember it was 2009, the head monk of the temple (mentions a popular monk's name) and the *dāyaka sabhāva* (team of patrons) decided that we should not allow them to dance like this, which is *not suitable* for a Buddhist procession. Then we asked the dancing institute whom we used to hire, to change their attire. Later, they limited their dances to *Kohomba Kale* (Margosa Pot),[10] *Monara Netuma* (Peacock Dance) and *Ashva Netuma* (Horse Dance), which need specific attire to dance. I mean, now they wear *honda andum* (good clothes / modest clothes). (Gamage, 2020, Colombo, my italics)

The authenticity of this information was corroborated by numerous *Nachchi* dancers with whom I conducted interviews. Their recollections highlighted a period of with more freedom during the *perahara* festivals in the 1990s, wherein they enjoyed the liberty to select dance styles and attire according to personal preferences. Subsequent to the year 2000, while the frequency of invitations to participate in *perahara* escalated, there was a discernible shift in the regulatory framework imposed by temple and *devāla* authorities. Presently, performers predominantly engage in Horse dance and Peacock dance, as the range of permissible dance forms and attire has been standardised. This evolving trend in the dress code of temple processions necessitates contextualisation within the socio-political discourses that emerged during the last decade of the Sri Lankan civil war (2000–2009). It is plausible to contend that religious institutions, aligned with the prevalent militarised hetero-patriarchal discourse lauding the leadership in the war, have ideologically influenced measures to standardise *perahara* costumes and performances in the public sphere, aligning them with hegemonic gender norms.

Another *perahara* organiser affiliated with a suburban Colombo temple articulated a similar perspective;

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perahara festival. One person acts as the main organiser and he/she undertakes the responsibility to hire relevant dancers, elephants, etc. in consultation with the committee.

[10] A dance performed with balancing a pot on the head decorated with garlands. This dance originally comes from South Indian Hindu *kovil* dancing traditions.

> *Eyālage* (their) dance are used to entertain people. *E gollo* (these people) always dance the Horse Dance at the end of *apē* (our) *perahera*. I have sympathy towards them, because they also need money. Also they can dance well; especially the Horse dance. But we make sure they come at the end of *perahara*. (Jayalath, 2019, Colombo, my italics)

A noteworthy aspect that emerged from my dialogues with *perahera* organisers, predominantly male, revolves around the enduring distinction drawn between '*ē gollo*' or '*eyāala*' (them—referring to dancers) and '*api*' (us—referring the temple and its patrons). I argue that this dichotomy serves as a symbolic representation of the broader division between the State and the subaltern. Concurrently, the language employed by these organisers illuminates a dynamic of alienation and marginalisation experienced by *Nachchi* dancers within the hegemonic discourses of arts and culture of the nation. Within the context of *perahara*, which are frequently associated with the "disciplined control of the emotions and the body under the sign of the national religion of Buddhism" (Ambos & Sax, 2013: 41), the inclusion of *Nachchi* dancers assumes particular significance, since it serves as a compelling illustration of the deliberate blurring of rigid divisions within cultural and religious spaces, challenging established norms, and expanding the scope of participation within these traditional domains. However, the designation of *Nachchi* dancers as outsiders through the delineation of an 'us vs them' dichotomy within the discourse underscores the arduous challenges associated with contesting the established norms merely through their presence in that space. Despite the inherent difficulty in challenging this status quo, *Nachchi* dancers exhibit a willingness to embrace a risk, even in the absence of certainty regarding their inclusion within the dominant narrations of the history.

In the year 2020, remuneration for Peacock dance performances in a *perahara* ranged between 1000 and 1500 rupees, excluding of provisions for food and transportation. However, the compensation for Horse dance, which involves the dancer donning a wooden horse sculpture throughout, was higher, falling within the bracket of 2000–3000 rupees, reflecting the perceived difficulty associated with this particular dance form. In other occasions, such as political party rallies, dancers received

remuneration ranging from 750 to 1200 rupees, while participation in wedding surprise dance segments in Colombo hotels returned a more substantial income, typically ranging between 3000 and 5000 rupees. A fundamental inquiry arises in light of these economic considerations; why do *Nachchi* communities persist in identifying dancing as an integral aspect of their daily lives and continue to follow it with strong passion, even in instances where economic benefits are either diminished or absent? The response to this question is encapsulated in the words of Rupa, as expressed in the following quotation:

Me: Do you think the money they pay you is enough?
Rupa: The money earned from dancing is not enough even for the bus fare. But I don't have words to express my happiness (*kiyanna vachana nē*).
Me: Why does it make you happy?
Rupa: Because, I never get a chance to dress as a woman and dance in the public street. I get it only in *perahara* time. Other days, I have to dress up in secret to go to parties. Sometimes if I walk on the road as a woman, some people harass me by calling me by filthy words. But in a *perahara* it never happens.
Me: Why?
Rupa: Many people come to the *perahara* specially to see our dance at the end. Also, in big temples, there are policemen who walk behind the *perahara*. In some cases the organisers do the same. So I feel safe and protected. Also I feel so much *freedom* unlike the other days".
Me: Why do you always dance at the end of *perahara*?
Rupa: I don't know ... (silence). Maybe because we dance happily? They might want to end the festival with happiness. Also, we dance *better than others*. (laughing). (Discussion with Rupa, 2020, Colombo, my italics)

Sandra characterises her engagement in street dancing during a *perahara* as a 'hobby' that brings a 'joyful experience' (Discussion with Sandra, 2021, Galle). In the case of Vijayani, the act of dancing in this context represents an opportunity to "show off [her] talents and

woman-like body to young men who watch the *perahara*" (Discussion with Vijayani, 2019, Jaffna). Importantly, neither individual interprets the choice of the *perahara*'s dancing location, specifically the concluding segment, as an indicator of the prevailing socio-political hierarchy. Rather, it is perceived as an acknowledgement of their distinguished dancing skills, intimately linked to a sense of happiness and freedom. This sentiment is further corroborated by the statement made by Malini. Malini talks about her experience in dancing "Horse dance"(*Ashwa netuma*) in a Buddhist procession. Horse dance is a type of dance commonly performed by the *Nachchi* community in processions. In this dance, the dancer has to wear a wooden horse replica, which is quite heavy, so this dance requires special training and experience (Fig. 4.1).

> Our hearts bear the burden of life's challenges. Yet, when I engage in dance, my heart experiences 'lightness' (*sehelluwak denenawā*). Let's say the procession commences at 8 pm; once the wooden horse figure is in place, the dance unfolds continuously. I dance until 1 or 2 in the morning. Despite the physical weight of the horse figure, a feeling lightness surrounds me. In those moments, I am unencumbered by thoughts of family, home, or any other life struggle. As I dance alongside my friend, our footsteps resound on the tar road. The rhythm set by the band

Fig. 4.1 Ashva Netuma (Horse dance) in Buddhist Temple Perahara (*Photo* K. Ariyarathne, 2018)

> dictates the pace of my movements; if it is lively, I dance with vigour. (*demonstrates certain dance movements*) Amidst the festivities, even a passing handsome lad in the crowd becomes a shared moment, conveyed to my friend through our secret looks. (Malini, 2018, Colombo)

In numerous dialogues, a definite sense of excitement, enthusiasm, and joy was evident in the narratives as individuals recounted their experiences in sophisticated detail. Furthermore, my personal participation in various *perahara* alongside certain *Nachchi* dancing groups evidenced the pervasive sense of joy, even though walking along with the procession is physically exhausting. These collective experiences revealed a transformation of the conventional and dominant public sphere, typically subject to the hegemonic, hetero-patriarchal gaze, into a space characterised by the celebration of freedom and joy. The momentary yet significant identity of a 'joyful dancer' assumes particular meaning for a *Nachchi* sex worker, given the pervasive systemic violence and discrimination that engender daily hardships and suffering in their lives.

The significance of this unique moment in negotiating *Nachchi* identities, i. e. dancers over sex workers, as opposed to the economic benefits that fulfil their daily necessities, can be seen through the lens of embodiment. Block and Kissell (2001) contend that embodiment, inherently human, signifies being both situated within and embedded in a society, culture, and language. This conceptualisation theorises individuals not merely as isolated entities but emphasises the influence of culture, language, and art in delineating the manner in which humans exist within the symbolic realm and derive meaning fundamentally tied to the material, the physical, the kinetic, the spatial, and the temporal dimensions (Block & Kissell, 2001). Thus, the embodiment of dancing within *Nachchi* communities emerges as a nuanced way of negotiating their subjectivities, identities, and their 'sense of being' in this world. The significance of this embodied experience of self can surpass economic considerations, offering insights into the complex layers of their lived realities and self-perceptions. The significance of this particular aspect, marked by its role in negotiating *Nachchi* subjectivities and identities, will be further discussed in the subsequent analysis of *Jogi* dancing.

Jogi: A Form of Dance Excluded from the History

The term '*Jogi*' is frequently employed in Sinhala colloquially to denote a boisterous, but lively and enjoyable event or activity. In Tamil, it shares a similar connotation with '*yogi*', which refers to a practitioner of meditation. In Sri Lanka, *Jogi* dance practices are transmitted across generations through oral instructions imparted within the *Nachchi* community. Despite its roots in Indian *Hijra* dance traditions, the *Jogi* dance form is not specifically observed among *Hijra* communities in India. Additionally, while '*Jogi*' or '*Joginath*' represents a caste in the Indian states of Rajasthan and Haryana, no historical records document the existence of the *Jogi* dance tradition within these regional communities. Consequently, oral histories and the recollections of *Nachchi* individuals stand as the sole repositories of knowledge on this.

Jogi dance is popular among Sinhala-speaking *Nachchi* communities in Colombo, the capital city. While some dancers coming from the South, particularly from Galle or Matara, there seems to be a noticeable absence of *Jogi* dancers in areas where Tamil-speaking *Nachchi* communities reside, at least in my field work. The street dancing by *Nachchi* sex workers is predominantly observed in contemporary urban spaces, mainly in Colombo. This leads to the reasonable assumption that *Jogi* originated and evolved primarily among *Nachchi* communities engaged in dance for income generation in Colombo and its suburbs. It is interesting to note that *Jogi*, in the 1970s and 1980s, was predominantly performed in the courtyards and adjacent streets of upper middle-class living areas in Colombo, such as Colpetty and Bambalapity (Today, Colombo 03 and 04). This shift in performance venues highlights the evolving landscape and changing dynamics of *Jogi* as a form of expression and alternative income generation for *Nachchi* sex workers.

A standard *Jogi* performance typically features five female characters, each subject to varied interpretations by different dancers. These characters embody distinct societal archetypes: the bride, the Tamil woman, the Western woman (referred to as a Burgher woman by one dancer), Rosa (a village woman in traditional attire known as *redda-hatte*), and *thāsi* (representing a commercial sex worker). The dancers bear the

responsibility of crafting, decorating, and beautifying themselves in attire that appropriately reflects the nature of their characters. Notably, the costumes and styles have undergone transformations over time. Traditionally, the bride character adorned a *sāri*, a long silk cloth draped around the body. However, in the late 2000s, there was a noticeable shift as many brides started opting for bridal frocks. The Western woman character lacks a specific dress code and often wears a short frock or a short skirt with a blouse sewed in a shining piece of cloth. The Tamil woman typically puts on a *dāri* or *lehanga* (an Indian outfit with a blouse adorned in gold or silver, paired with a long skirt). Distinguishing herself from others, she incorporates elements from the South Indian traditional dance steps into her performance. The *thāsi* character lacks a standardised costume and is often tailored to match the styles seen in contemporary Hindi or Tamil cinema. In the early 90s, *thāsi* frequently wore a *sāri*, but as time progressed, frocks, blouses with short sleeves, and long or short skirts became prevalent in their attire. This evolution reflects the dynamic nature of *Jogi* performances and the adaptability of its characters to changing trends and influences from the dominant culture.

Once a specific ensemble of five performers is curated for a *Jogi* performance, the organiser, often a *Nachchi* person, who may or may not be a sex worker, assigns five young men to accompany them. These young men play a crucial role in the entire performance, tending to the needs of the dancers, including providing food, water, and medicine. Notably, these men actively participate in the dance, often partnering with their assigned character in choreographed sequences. The assigned young men go beyond mere assistance, establishing a physical and emotional connection with the performers throughout the dance. I noticed that they become attentive caretakers, addressing concerns such as headaches with Paracetamol, offering plasters for minor wounds, and ensuring the dancers have access to water and other beverages. This symbiotic relationship is particularly pronounced in the case of the bride character, where the young man's responsibilities extend to fetching the bouquet, unveiling the bride, and presenting the bouquet to her before the commencement of the dance. The dynamic interaction between

the dancers and their assigned male counterparts adds a layer of intimacy and support, enriching the overall emotional resonance of the *Jogi* performance (Fig. 4.2).

Once the organiser has identified the characters and their accompanying partners, the next integral element in a *Jogi* performance is the inclusion of a *papare* band. Originating in Sri Lanka, *papare* is a feisty orchestral tradition featuring a minimum of three musicians playing Western instruments, namely the trumpet, side drum, and cymbal. The musical selection of a *papare* band, while initially inspired by Portuguese-influenced *baila* music, seamlessly incorporates lively Sinhala rhythms and South Indian Tamil songs throughout the *Jogi* performance. There exists some debate among *papare* band players regarding the origin of *papare* music. One perspective attributes its roots to an alternative form developed by the Tamil '*sakkiliyar*' caste to the traditional '*thaappu*' drum, commonly used in temple worship. Conversely, another player contends that *papare* bands made their debut at church festivals in Negombo. Regardless of the historical debate, *papare* persists as a

Fig. 4.2 Bride and Her Partner in a Jogi Dance (*Photo* K. Ariyarathne, 2019)

vibrant and entertaining musical tradition. It serves as a powerful tool for gathering and uplifting crowds, although it remains distinct from the dominant Sri Lankan classical music.

Upon completion of each character's dance, the organiser signals the transition to the next performer by blowing a whistle. The sequence in which characters step forward is not predetermined; instead, they collectively decide on an order. It is not uncommon for characters to take the spotlight multiple times throughout a single performance, adding an element of spontaneity to the overall presentation.

The *Jogi* dance introduces five distinct characters, each serving as a fascinating portrayal of marginalised identities within society. Unlike the often comical personas found in traditional Sinhala folklore, these roles are nuanced and carry a weight of significance. The selection of attire and jewellery for each character is deliberate, serving as visual indications that explain their unique identities. These characters go beyond mere artistic representation, since they stand as symbolic embodiments of marginalised female identities of everyday life. Therefore, the celebration of these identities takes on intense and solemn political aspect. Reclaiming visibility and agency, it transforms into a deliberate expression of resistance, a poignant statement that transcends the boundaries of conventional dance forms.

Reflecting Memories

Reflecting on memories, Nirmala, at 75 years old, fondly recalls the annual tradition of performing *Jogi* every December. She particularly reminisces about the Christmas spirit that surrounded the upper middle-class Catholic families in Colombo. Some families warmly invited the *Jogi* performers to showcase their art in the expansive courtyards of their homes.

> As I remember, I first danced in a *Jogi* in the early 1970s. Our mother[11] had been invited by the '*loku nona*' (a rich woman) in Colpetty. We started dancing in the front yard of the house. The house was full of food and drink prepared for Christmas. We made good money, but cannot remember exactly how much. We ate and drank as we want. Then we danced in front of some other houses in Colpetty until the dawn. In those days, we *Nachchis* earned well by dancing. Some even found boys[12] after the dance. Others went to the Green Cabin[13] and ate well. Unlike today, the staff of the Green Cabin treated us well. (Nirmala, 2020, Colombo)

Nirmala, now immersed in her own small business venture while presenting sometimes as a male in society, often shares the challenges she faces in her present life. Despite these hardships, every encounter with her reveals a resilient smile as she digs into recollections of her dancing/sex work days. Through these conversations, a tender nostalgia surfaces, reflecting the yearning for the bygone glories of her past life that now seem changed.

Lata, 69 years old, recalled her experience of *Jogi* in the 80's:

> In the 70's we had many people who danced *Jogi*. But in the 80's the number went down. Many of our friends were addicted to Heroin. Some of them started stealing things to buy drugs.[14] Therefore, people did not like us dancing in their gardens. (Lata, 2021, Colombo)

The contemporary shifts in social, political, and economic landscapes in Sri Lanka have significantly influenced the evolution of *Jogi*, particularly by constraining performers' access to public spaces and limiting their visibility. Reflecting on the period spanning from 2000 to 2009, Lata recalled the challenges faced during those years, marked by restricted

[11] Mother does not mean the biological mother here; she is an adult *Nachchi* woman who trains young *Nachchi* women in their traditions and livelihoods, i. e. sex work. She often receives a portion of the money that her girls receive from working as commercial sex workers or dancing. Although these mothers were more common in the 60/70/80s, there are very few women who play such roles today in Sri Lanka.

[12] Lovers for sexual relationships.

[13] Green Cabin is an old dining hall that still exists in Colpetty. It was known to some as a place where elite families used to dine in that time.

[14] Sri Lankan economy was opened to global market in 1978, by the then government.

opportunities for *Jogi* dancing due to heightened wartime security. Military and police checkpoints placed in Colombo, curbing the mobility of *Nachchi* sex workers and dancers, compelling them to confine their activities to more discreet spaces like homes, friendly private spaces and the offices of NGOs supporting LGBTIQ communities. Even amidst this period marked by state repression and prevalent Buddhist fundamentalist ideologies against LGBTIQ activism, there were instances of resilience. Melanie, for example, in a conversation had with me in 2021, narrated how she and her friends arranged private parties, finding avenues to perform *Jogi* in more intimate settings, thus preserving the spirit of this expression of freedom.

Navigating Life Under Surveillance

Throughout the 1990s and the late 2000s, Colombo city underwent rigorous security measures imposed by both the police and the military. *Nachchi* sex workers and dancers faced the constant threat of arrest merely for expressing their identity through the act of wearing women's clothing. Adding to the oppressive atmosphere were incidents of extra-judicial arrests, abductions, and forced disappearances, creating an environment fraught with fear and uncertainty. This challenging reality was painfully understood by *Nachchi* sex workers and dancers, who had to navigate their lives under the threat of potential persecution. Despite the palpable risks, obtaining specific information about transgender individuals who went missing or were arrested during this turbulent period seemed challenging. When prompted on this sensitive topic by me in our conversations, respondents generally avoided providing concrete details. Two individuals, in particular, expressed that recalling such incidents was painful for them. The hesitancy to discuss these traumatic events highlighted the emotional toll and collective trauma experienced by the community during those times. Interestingly, this hesitancy shifted when the conversation deviated towards recalling about private spaces of entertainment. These spaces, without surveillance and free from the control of repressive state mechanisms, became shelters where the transgender

persons could find solace and create moments of joy amid the challenging environment of political and social turmoil. This shift in focus allowed me for a more comfortable and open discussion with them on dancing in public spaces.

The Embodied Sense of Freedom

Residing in a small wooden shanty in Southern Colombo, Sonali identify herself as a *Nachchi* sex worker and a dancer. In our conversations, she passionately recounted her involvement in dancing, especially in *Jogi* performances that take place in every December.

> The character I resonate with the most is *thāsi*. I play this character every day in my real life (*laughing*). I go to bed with men to earn money-though it is a fact that I keep hidden from my family, relatives and some of my friends. But when step in to the role of *thāsi*, I can really be a prostitute. In those moments, I find a space where I have nothing to conceal, allowing me to express my happiness. (Sonali, 2020, Colombo)

Her narrative demonstrates the transformative power of these performances, surpassing the boundaries of societal norms and preconceptions about *Nachchi* sex workers, often perceived as fragile and outcast. Through her dancing, Sonali embodies a spirit of liberation, utilising dance as a means for self-expression and a celebration of her identity. As she choreographs and practises the steps, Sonali weaves a narrative of resilience, joy, and pursuit of freedom within her movements, even though it is momentary.

In Sonali's everyday routings of life, her 'concealed' identity as a sex worker remains unspoken. However, a moment of celebration unfolds in a public space when she gracefully embraces the character of *thāsi*—the sex worker. Far from remorse, Sonali's voice resonates with enthusiasm as she reveals her dance experience, offering glimpses into her world through photos and videos stored in her weathered Motorola cell phone. Seated together on the bed, Sonali rose and gradually started revealing her cherished possessions—a collection of jewellery and dancing attire

neatly tucked away in a cardboard box in a corner of her wooden shanty. Throughout the rest of the year, these precious items remain folded and preserved, awaiting the annual revelry of the dance.

For Sonali, the act of *thāsi* in *Jogi* dancing transcends the ordinary; it is a carnival, a short-lived opportunity to liberate herself from societal constraints and celebrate her identity as a socially marginalised sex worker. The ritual of taking her carefully preserved dresses out of the box becomes a symbolic gesture of reclaiming agency, a moment to wear them unabashedly and embrace the existence. Dancing becomes a transformative experience where Sonali overturns the temporal and spatial confines of her role as a sex worker in reality. Unlike the shadows of the night that typically safeguard her profession, the *Jogi* dance unfolds in the broad daylight. The familiar backdrop of dilapidated buildings, narrow alleyways, and mangroves along the beach turns to a different space—the bustling streets of Colpetty, Bambalapitiya, and Rajagiriya in the heart of the capital city. In this space, Sonali steps into exchanging the ordinary for the extraordinary, as she navigates the lively thoroughfares with the grace and poise of a *Jogi* dancer. The very act of participating in the dance becomes a rebellion against societal norms, a subversion of the spaces and times assigned to her in real life. In the bright sunlight, amidst the urban hustle, Sonali not only dances but also defies the limitations imposed on her marginalised existence as a sex worker.

Moreover, the act of applying make-up during their dress-up rituals is not just about enhancing their appearance; it is a cherished moment of liberation and joy. In a conversation about make-up, Nisal spread her collection of cosmetics across her bed. With care, she selected a delicate stick of *kajal,* a traditional eye cosmetic reminiscent of charcoal in mascara. This ancient beauty tool, popular in the Middle East and South Asia, is used for darkening the eyelids.

> I love to make-up. It is the eyes that can make the most of my appearance. The favourite part of my dressing up is painting my eyes with *kajal*. I got this *kajal* stick from a mother [a transgender woman] in India. I think when I apply *kajal*, I can look into men's eyes seductively. By the time three or four dances are over, my make-up melts. But this *kajal* does not

melt easily. Sometimes, when I come home in the evening and wash my eyes, I feel a little sad. (Nisal, 2019, Colombo)

Nisal's feminine spirit awakens when she dances *Jogi* and looks into men's eyes seductively with his eyes painted with *kajal*; the *kajal* she received from an unseen transgender 'mother' in India. Even when she is tired by dancing, with sweat pouring down her face and neck, the *kajal* that gives a dark, black but lustrous hue to her eyes, does not melt. Nisal's awakening love and embodied sexual and feminine desires in life that are suppressed and forgotten in the daily struggle of life are expressed when she turns her *kajal* painted eyes in an erotic gaze towards the surrounding men while dancing *Jogi*. Often, this seductive gaze is the key to bring a man to bed after dancing; a man who can awaken Nisal's sexuality and femininity too. But sometimes Nisal comes back to her room alone, washes her *kajal* painted eyes with water, dresses in her usual men's clothing, subdues her female soul and resumes life, surrendering to the everyday gaze of society.

Public Dancing as Carnivalesque Moments

In my previous discussion on *Jogi* dancing (Ariyarathne, 2021), I theorised the notion that *Jogi* dance embodies a 'carnivalesque moment', drawing inspiration from Bakhtin's (1984) theoretical framework. According to Bakhtin, the carnival moment is associated with collectiveness. People attending a carnival are not merely a crowd; instead, the people as a whole are organised overlooking the socio-economic and political formation of society (1984: 151). At the carnival, participants celebrate the irrational, obscene, violent, or irrational behaviour that undermines the everyday norms of society. At the carnival, standards of sexuality and modesty are discarded and the irrational, obscene, sexual, violent and absurdities are temporarily liberated from reality and of the prevailing order by the participants. Therefore, Bakhtin saw the carnival as a revolutionary moment; of disruption, degradation, and exaggeration in which the participants enjoyed freedom by reversing the accepted

order (1984: 10). However, upon a thorough re-evaluation and extensive observation of several dancing sessions, I have come to realise the limitations of my initial theorisation. It appears that I may have overlooked the designated characters, distinct segments, and specific dance practices in *Jogi* dancing. Upon closer inspection, it becomes evident that other public dance practices, particularly those witnessed at political and other public gatherings, align more cohesively with Bakhtin's carnivalesque theory. In these settings, dancers enjoy an increased freedom in designing their dance steps, select their own music, and continue until their energy wanes. I argue that this autonomy and spontaneity closely mirror Bakhtin's idea of the carnivalesque. Contrary to my initial argument (2021), it is reasonable to contend that the genuine carnivalesque moments are visible during these occurrences rather than in the context of *Jogi* dancing.

For instance, in 2022, Sri Lanka saw widespread protests (*aragalaya*) across the country due to various socio-economic and political issues, fuelled by grievances over the then government's handling of the economy, and rising cost of living. As part of the demonstration, tens of thousands of people set up makeshift huts on the Galle Face Green and chanted anti-government slogans. Since their normal clientele, which consists of men from the lower middle class, was also experiencing hardships due to the recession, this was a challenging period for *Nachchi* sex workers too. As everyone else, many had to wait in line for gas and fuel for extended periods of time. My discussions with the *Nachchi* sex workers centred on how they were handling things and how they were taking part in the demonstrations. During these discussions, dance was mentioned as a crucial component of their nonviolent protest strategies;

> The economic crisis was affecting us just like it was affecting everyone else. Sometimes, we only had one meal a day. On certain days, people with a *papare* band took us to Galle Face where we began dancing whatever we pleased. We got a lot of young folks to dance with us. We danced till we were exhausted. They shared food with us. I had never danced among a crowd this large before. We heard nothing (degrading words) from anyone. The LGBT community organisations planned a pride march in this time. This march began at Colpetty and proceeded to

> the protest site at Galle Face. I also danced in that. I am overjoyed about my contribution to *aragalaya* in that way. (Savithry, 2023, Colombo)

However, it is important to raise a critical question regarding the impact of these carnivalesque moments on challenging the entrenched norms shaping the identity of a trans-sex worker and the subsequent power dynamics in society. Ravenscroft and Matteucci (2003) put forth the argument that carnivals do not provide any real freedom or agency; instead, carnivalesque should be understood as inversions of the everyday, deployed to maintain and reinforce social order and, thus, the discipline of bodies. According to this, carnivalesque events create liminal zones where individuals can engage in unconventional practices, seemingly free from the constraints of broader societal structures. Yet, their contention is that this apparent liberation is illusory, serving to reinforce existing social hierarchies. Eco (1984), Eagleton (1989), Dentith (1995), and Burton (1997) have echoed similar scepticism, casting doubt on the capacity of the carnivalesque to bring about meaningful socio-political change or produce true agency. The consensus among these scholars suggests a need for a nuanced examination of the transformative potential of carnivalesque moments in challenging prevailing norms and power relations related to *Nachchi* sex workers in the reality.

On the contrary, I argue that *Nachchi* workers' dancing in public spaces transcends being merely a temporary occurrence; instead, it represents a subversive attempt to use trans-sex worker identities to disrupt entrenched gendered power dynamics and challenge the normative spaces that dictate their existence. These dancing sessions, in my interpretation, serve as unique moments in the lives of *Nachchi* sex workers. Here, they actively engage in the creation and negotiation of their non-binary identities, seizing a unique opportunity to liberate and express aspects of their lives otherwise constrained by the subjugation they endure in their daily lives. Dancing in public spaces, from this perspective, becomes a form of emancipation where they navigate and articulate their identities beyond the binary gender norms and the oppression imposed on them. Thus, it becomes a powerful political moment against the societal constraints that seek to confine their expression and existence as sex workers. In this sense, these moments stand as

transgressive moments, allowing them to reclaim agency, liberation, and self-expression (yet momentarily) in the face of the normative structures that seek to suppress their identities.

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5

Worshipping Kaali and the Pursuit of Justice

Under the blaze of the mid-day sun, Maali and I walked along the Colombo South beach, our bare feet longing for relief from the burning sands beneath them. As we carefully dipped our feet into the waves coming from the sea, seeking relief from the intense heat, my eyes caught sight of the distant *Gale Devalaya* ('shrine on the rock') atop a small rock. Its silhouette against the clear blue sky seemed to guard some mysteries of the thousands of people who came there seeking help. Despite the loud noise of the crashing waves, Maali's voice rang out, determined to be heard over the howl of the waves (Fig. 5.1).

> When wronged, I seek solace in revenge. I bathe in the sea, apply turmeric all over my body before going to the *Gale Devalaya* to pray. My voice is drowned out by the sound of the sea. When the sea roars, I feel that my pain is in that sound. As my voice merged with the whispering sea breeze, carrying my pleas into the air, I sensed a communion with the elements, a shared mourning for the injustices that made me suffer. In time, Mother Kaali answered my pleas, granting my wishes. However, some were left crippled, others blinded by the consequences of my plea. That is when

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Fig. 5.1 Gale Devalaya from Distance (*Photo* K. Ariyarathne, 2023)

> I stopped taking revenge. No longer do I seek revenge, for I have come to understand the true cost of hiding hatred in my heart. (Mali, 2023, Colombo)

As I listened to Mali, we slowly reached to *Gale Devalaya*. *Devalaya* is a small temple built atop a rock by the sea. It housed several statues of deities and featured a designated spot for cracking coconuts as a ritual for seeking vengeance. It is famous in the neighbourhood as a place under the gaze of goddess/*yakkha* Kaali.

Mythology and Worshipping of Mother Gods and *Yakkhas*

The *yakkha* (or *yaksa*) tradition in Sri Lanka is an ancient indigenous belief system deeply rooted in the its history and culture. *Yakkhas* are believed to be a group of supernatural beings or spirits associated with nature, forests, and mountains. In Sri Lankan mythology, they are often depicted as powerful and enigmatic entities with both benevolent and malevolent personae. *Yakkha* worship predates Buddhism in Sri Lanka and has persisted alongside it, influencing various aspects of its religious and cultural landscape. Many sacred sites and natural landmarks in Sri Lanka are believed to be inhabited by *yakkha* and rituals and offerings are often performed to appease these spirits and seek their blessings. As Scott argues "The figure derives from the mythological Vedic *yaksa,* a sort of morally ambiguous lower deity. Neither completely benevolent nor completely malign, the *yaksa* is a figure associated with fertility, vegetation, wealth, and water, and with such habitations as trees, rivers, oceans, and rock mounds" (1994: 3). The *yakkha* tradition in Sri Lanka consists of myths, legends, and folklore, passed down through generations orally and through artistic expressions such as dance, music, and storytelling. *Yakkha* rituals and ceremonies are typically conducted by local shamans or priests known as *kapuralas* or *gurunnanse*, who play a crucial role in mediating between humans and the spirit world. While the influence of the *yakkha* tradition has waned over the centuries, particularly with the spread of Buddhism and other religions, it continues to endure, predominantly in rural communities in Sri Lanka (Fig. 5.2).

Kaali, a revered goddess in Hindu mythology, embodies both destruction and creation. The importance of Kaali is that the character blurs the boundaries of the god (good) and the *yakkha* (evil) in her characters. Often depicted as a fierce deity with a terrifying visage, adorned with a garland of skulls and wielding a sword, she represents the ultimate reality beyond the dualities of good and evil. Kaali is a symbol of time, power, and transformation. However, there are several mythical stories about the Kali's origin. Worship of Kaali is rooted in various Hindu traditions, and historically being mixed with Buddhist traditions of worshiping (Obeyesekere & Obeyesekere, 1990). The worship of Kaali

Fig. 5.2 Sohon Kaali Statue in a Devalaya (*Photo* K. Ariyarathne, 2020)

extends beyond religious boundaries, with many practitioners of tantra viewing her as the supreme deity. In tantra, Kaali is revered as the embodiment of *shakti*, the divine feminine energy that permeates the universe. Kaali is a fascinating figure, as Bastian (1996) argues, "….because she derives her special significance in contemporary Sri Lanka as she mediates between the increasingly distinct and hierarchically related worlds of Sinhala Buddhism and Tamil Hinduism". McDermott and Kripal (2003) argue that while specific myths, rituals, and iconographic traditions may vary across different cultural contexts, Kaali is generally perceived as a deity who embodies and surpasses the dichotomies of existence. She is commonly depicted as both a ferocious demon-slayer and a healer of ailments, a figure associated with ritual possession, and simultaneously

revered as an embodiment of unconditional love and compassion as a divine Mother (McDermott & Kripal, 2003).

Kaali has many forms including Kaali, Sohonkali, Bilikali, Badrakali, and Wadurukali while these forms number seven, eighteen, and up to sixty seven (Bastian, 1996). Word Kaali is derived from 'Kaala' in Sanskrit, meaning time, portraying her feminine aspect. Additionally, she is revered as the Dark or Black Goddess, reflecting the depth and intensity of her divine nature (Bastian, 1996). Through her worship, practitioners aim to transcend the limitations of the material world and attain spiritual enlightenment. Kali is believed to destroy ignorance and ego, paving the way for spiritual awakening. Devotees of Kaali often approach her seeking protection, empowerment, and liberation from worldly attachments.

Interestingly, Kaali is often referred as a 'mother' (*kaali meniyo or kaali amma*), similar to other Buddhist and Hindu goddess. In the context of *Nachchi* communities, motherhood is associated with several connotations of family, protection, care, hierarchy, and love. In my previous work, I have explored how the motherhood is connected to the worship of goddess Pattini in a shrine governed by a *Nachchi* person (Ariyarathne, 2022). Somewhat similar to the *Hijra* communities in India, *Nachchi* communities in post-colonial Sri Lanka have historically been founded on a discipleship lineage structure. A *Nachchi* mother must adopt a young daughter into the non-biological *Nachchi* kinship network in order to be accepted into the society. This network is linked to the symbolically structured *Nachchi* family housing system, which serves as a training ground for adolescent sex workers. The mother also teaches her girls how to interact to clients, dance, play music, and dress like women. However, unlike goddess Pattini, worshipping Kaali is always associated with seeking revenge or justice. Therefore, in this context mother Kaali, it is always about the mother who will do terrible things to protect those who cannot protect themselves. When asked about their devotion to Kaali amma, often I got the responses such as "she protects me" or "*eya ape ayage amma* (she is our people's mother)" or "she is behind me, looking after me". Therefore, the mother Kaali worship for *Nachchi* sex workers revolves around the pursuit of retribution or righteousness.

She embodies the protective mother figure in order to safeguard the vulnerable.

Evil vs Good, Injustice vs Justice

> Our people are very innocent. But at the same time, when an injustice is done to us, we never hesitate to take revenge. (Shanti, 2023, Colombo)
> We were born like this [as *Nachchis*] due to our bad *karma* (sin) in our previous birth. That is why we have to sell our bodies to earn money. We should do good *karma* to get a better life in our next birth. (Mangala, 2020, Colombo)

Both Shanti and Mangala identify their religion as Buddhism. Both of them have pictures of the Lord Buddha hanging in their small shanty houses, while Kaali amma's picture is hung somewhere below on the same wall. In Buddhism, the concept holds that human existence is inherently characterised by suffering, with the path to enlightenment, or *nirvana*, attained through practices such as meditation, spiritual, and physical exertion, as well as four ethical conducts; loving-kindness, compassion, equanimity, and sympathetic joy. While the statement of "hatred does not cease by hatred but only by love" has been a central argument in the Buddhist philosophy, Obeyesekere and Obeyesekere (1990) suggest that the desire for revenge persists when individuals feel justified in their actions or beliefs. "The central question then is, how to stop the spiral of hate unleashed by vengeance? The Buddha himself gives the answer; The fire of vengeance continues to burn on the fuel of justification. They must pour the waters of compassion over the fires of justification and perform generous acts of trust" (Obeyesekere & Obeyesekere, 1990: 333).

Shanti's and Mangala's above reflections on their lives underscore the difficult paradoxes inherent in everyday lives of injustice faced by *Nachchi* sex workers. On one side of the spectrum, they often find themselves caught in a cycle of exploitation, violation, and relentless harassment perpetrated by society at large, in which their occupation

renders them vulnerable targets for societal prejudices and systemic injustices. However, the very violence and discrimination inflicted upon them can gradually erode their perceived innocence, pushing them towards a path where they may seek retribution or revenge. This transformation from victim to avenger exposes the plain reality of their existence, where survival necessitates a departure from societal norms and moral standards.

Kaali worship has been instrumental in seeking justice for many in the North and the South during and aftermath of violence, mainly inflicted by the State upon civilians. For instance, Lawrence (2003) writes that in conflict-ridden Sri Lanka. The intermittent arrival of displaced individuals from vulnerable Tamil villages affected by Sri Lankan military operations has led to increased participation across caste lines at certain Kaali temples along the East coast Sri Lanka. The number of devotees visiting these smaller temples, dedicated to propitiating the goddess Kaaḷi, has risen significantly from hundreds to thousands compared to previous years. "Those who commit to crossing a long, fiery bed of coals during Kaaḷi's annual propitiation ceremony have increased substantially, with one temple visited regularly seeing a rise from 12 participants in 1983 to over 3350 in 1999. This surge in participation, particularly in the fire-walking ritual, notably escalated in 1991 following a period of intense violence in 1989–1990, during which the annual Kaali festival could not be publicly observed" (Lawrence, 2003: 102). She further argues that Kaali in the post-war Eastern Sri Lanka now "…embody and interpret the injury of war. It has become their work to address agonizing doubts about lost connections, memory that cannot be erased and wounds that cannot heal…In a historical moment when dissent is impossible, amid fear, displacement, and unnatural death, it has become part of Kaali's many tasks to overcome political silencing, to embody memory, and to reconstitute a diminished world" (Lawrence, 2003: 119).

Perera (2000) explores the significance of traditional spirit religion and rituals in post-conflict Sri Lanka in the South, especially regarding their roles in memory preservation and trauma coping following extensive political violence. He argues that it is particularly relevant in instances where conventional systems of justice, coping mechanisms, and healing

are either absent or have significantly lost public trust. He further suggests that individuals who have undergone violence and injustice often turn to religious concepts such as ghosts and spirits because the conventional understanding of 'reality' is supplanted by a strong belief in the necessity of constructing an alternative reality. Especially in situations where secular mechanisms for justice, coping, and recovery are absent or where confidence in these systems has significantly declined.

> This I believe is indicative of the community's ability to identify the primary culprits of their problems and their associated desire to punish them….This I suggest reflects the community's wish for 'proper' justice, as opposed to the wild justice meted out to them by soldiers and death squads. The act of stone-throwing was a mere reflection of the need for justice, not justice itself. The nonutility of weapons is indicative of the fact that when the time comes guns cannot help the culprits, a notion closely associated with Buddhist karmic principles. (Perera, 2000: 174-175)
>
> In such a context many people have lost faith in the secular legal system and do not expect justice to be served in the legal sense. Many also do not have the physical, mental, or financial means to seek such justice through the secular legal system. A lone fight, as some have attempted, could lead to their own elimination. Thus many people in such situations seem to believe in divine or demonic intervention as the only hope for justice or revenge available to them. (Perera, 2000: 181)

Obeyesekere (1975), exploring the purpose and behaviour of the clients who come to three main shrines in Sri Lanka, argues that they tend to channel their aggression through sorcery practices, that is believed to be harmful for the perpetrator, because the practical justice system was inefficient. In his study, a significant portion of individuals had taken formal action, such as reporting incidents to the headman of the village, police, or seeking legal redress. In his study, almost everyone who shared their opinions on the matter expressed the belief that reporting to the police would be futile. Respondents perceived police officers as corrupt and under the influence of 'undesirables' and politicians. Moreover, villagers harbour significant fear of the police, driven by both rational and irrational factors. Overall, he states that villagers were justified in distancing

themselves from the police, as it is unlikely that they would receive a sympathetic response. Regardless of the accuracy of villagers' perceptions of the police, the prevailing belief that they are corrupt, brutal, and unreliable discouraged more individuals from seeking police assistance (Obeyesekere, 1975).

I explore two significant aspects of the Kaali worship practised by *Nachchi* sex workers: firstly, their interpretation of the Buddhist concept of *Karma* influencing their rebirth as *Nachchi* person and their involvement in sex work, often perceived as a dishonourable profession by the larger society; and secondly, their pursuit of justice and retribution through the worship of Kaali, rather than seeking legal recourse and resolution through formal law enforcement and judicial channels. Lastly, and perhaps most crucially, I will examine the interconnection between these two concepts and practices as a means of navigating life of *Nachchi* sex workers amidst challenging and unjust social structures.

Karma and the Life as a Sex Worker

Karma is portrayed as a fundamental and unalterable moral principle of cause and effect in Buddhist philosophy. Operating akin to a self-regulating mechanism, it establishes a moral framework wherein all living beings are positioned within a hierarchical structure: gods occupy the highest realm, humans the middle, and animals, malevolent spirits, and lesser beings the lowest (Scott, 1994). One's position within this cosmic hierarchy is determined by their *karma*, specifically the balance of their virtuous and harmful actions in past lives. Accumulating positive actions—merits—(*pin*) leads to a higher status, while negative actions—demerits—(*pav*) result in a lower one. The higher one's position, the greater their moral and material influence, social standing, well-being, and potential to assist others. *Karma* also means the urge to think or act in response to the object, as well as direct contact with and attentiveness to it. This urge, referred to as *karma*, is a mental factor that compels us to think or act while focused on the object. It is important to note that *karma* is believed to be beyond influence; individuals remain subject to its effects as long as they are part of the cycle of life, death, and rebirth.

Therefore, adherents strive to perform virtuous actions, particularly those centred on generosity, in order to secure a good rebirth. The concept is *karma*, therefore, acts as a "powerful influence on action and cognition" (Obeyesekere, 1981: 112).

In Sinhalese society, there exists a prevalent belief that being born as transgender person is a result of one's past *karma*, often perceived as a negative consequence of actions in a previous life. This notion is deeply ingrained, and some *Nachchi* individuals, particularly those engaged in sex work, have shared their experiences of internalising this belief. They may perceive their gender identity and expression, mostly having subjected to discrimination and violence from the society, as a burden or fault, attributing it to their past actions. Apparently, this cultural perspective has effects on the individuals, contributing to feelings of shame, guilt, and self-blame. In my previous study, I explored the relationship between gender, sexuality, religion, and culture through the lens of a *Nachchi* individual embodying their identity within the role of a *gurunnānse*.[1]

> Some people come and ask me to pray for *Kaali Amma* to get revenge from their enemies, which I often refuse. My journey and ultimate aspiration are to end this *samsāra*.[2] I should be able to collect good *karma* for this journey. All the things I do in my life should contribute to it. If I support getting revenge by harming other people, not only them, but I too collect bad *karma*. (Ariyarathne, 2022: 20)

This highlights the ways in which *Nachchi* individuals navigate societal expectations, religious teachings, and personal beliefs to forge their own sense of identity and belonging. It also underscored the impact of cultural attitudes and religious interpretations on the lived experiences of *Nachchi* individuals, including the struggle for self-acceptance.

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[1] *Gurunnānse* is a respectful term to address those conducting rituals for the gods, demons, and *pretas*, who does mixture of all the activities, i.e. dealing with a range of non-human beings of the Sinhalese Buddhist pantheon. It has been widely translated as 'exorcist' or 'shaman' which are both colonially derived terms that found their way into anthropological literature.

[2] *Samsāra* is the journey of infinite birth, rebirth, and death of a human being according to Buddhist teaching. *Samsāra* is considered to be a source for suffering and therefore, all Buddhists should be working to end *samsāra,* and thus suffering.

The Buddhist beliefs surrounding *karma* and the traditional notions of masculinity and femininity have significantly influenced the self-perception of this particular *gurunnānse*. Within popular Buddhist practices and beliefs, attainment of Buddhahood is often associated exclusively with male embodiment, while being born female is sometimes interpreted as a consequence of negative *karma* accrued in past lives. Therefore, I have argued that individuals like this *gurunnānse* may have internalised the notion of being born 'incomplete' or as an 'incomplete man', viewing their transgender identity through the lens of past karmic deeds. By acknowledging and grappling with these deeply rooted beliefs, the *gurunnānse* navigates a path towards self-understanding and acceptance within the framework of Buddhist teachings. Their journey highlights the multiple tensions between traditions, beliefs, and the lived experiences of transgender individuals (Ariyarathne, 2022).

In the narratives of *Nachchi* sex workers, this internalisation of beliefs is readily apparent. This could be observed in the way they recount their life experiences, reflecting a deep-seated belief that their transgender identity is somehow a result of past misdeeds or negative *karma*;

> I wish I will never be born as a *Nachchi* in my next birth. (Darshika, 2023, Colombo)
>
> I was neglected and dehumanised by my family members. They say I have committed 'a huge sin' (*loku pavak*) in my last birth. (Nanda, 2023, Colombo)
>
> I do not do any harm to others, because I think we should do good *karma* in this life to be born in a better life. (Radha, 2022, Galle)

This internalised stigma manifests as feelings of shame, guilt, and a pervasive sense of being inherently flawed. They grapple with societal expectations and religious teachings that frame their gender identity as a reflection of moral shortcomings. In this context, how do *Nachchi* sex workers respond to acts of violence perpetrated against them and seek justice for the injustices they have endured from society?

Blurred Lines Between Justice and Revenge

Shanti's words I quoted above ["Our people are very innocent. But at the same time, when an injustice is done to us, we never hesitate to take revenge."] offers us a pathway to explore the blurred or sometimes non-existent boundaries between the concepts of justice and revenge. Perera (2000) argues that among the people in the South who faced an extreme period of violence, the conceptual distinctions between revenge and justice often become unclear. Similarly, in numerous cases, I have observed that individuals often perceive both concepts without discerning a clear distinction between them. Shanti's reflections on the dual aspects of a *Nachchi* person's identity reveal the everyday lives of them, as they navigate between two paradoxical virtues. On one hand, they are perceived (by others as well as them) as innocent and vulnerable subjects within society, often exposed to mistreatment. Yet, on the other hand, they embody a fierce determination to reclaim agency and seek justice for the wrongs perpetrated against them. This duality highlights the interchange between victimhood and agency/empowerment. This complexity further problematises our binary perception of *Nachchi* sex workers, which often blatantly categorises them solely as either victims of violence or as perpetrators of crimes.

In this context, it is intriguing to observe how *Nachchi* sex workers turn to Kaali for vengeance, viewing it as a means of meting out punishment to those who have wronged them. Despite their belief that Kaali protects them from harm, notably absent from their accounts is any mention of seeking protection from police violence, except one case. Instead, the incidents they recount primarily involve harm inflicted by private individuals. For instance, some *Nachchi* sex workers turned to Kali seeking justice after being mistreated by men they were romantically involved with. In one case, a woman prayed for Kaali's intervention against both her ex-lover and another *Nachchi* woman whom she believed was trying to seduce him. Within three months, their relationship ended. Another recounted how her ex-lover lost his job and returned to her, pleading for reunion. Additionally, there was a story where a man borrowed a large sum of money from a woman, had sexual relations without payment, and then disappeared; subsequently, he suffered

an accident resulting in a broken leg. In another instance, a landlord who evicted several *Nachchi* women from his property was later robbed by thieves. Notably, most of these cases lacked legal remedies within the formal justice system, and even when options existed, such as for unpaid debts, they opted not to pursue formal support due to a lack of trust in the system. Furthermore, one *Nachchi* woman sought Kali's help after being harshly beaten by a police officer, yet she also refrained from seeking help from the Human Rights Commission or other institutional mechanisms.

What is striking across these narratives is the absence of recourse to the formal justice system. Even when legal remedies might be available, they express a deep-rooted mistrust of the system. This distrust likely stems from a perceived lack of fairness or efficacy within formal institutions. Therefore, informal systems of justice, rooted in religious beliefs and cultural practices, often take precedence over formal legal channels. Some of them highlighted the challenges faced by marginalised individuals in accessing and trusting formal avenues of justice, pointing to the need for more inclusive and trustworthy systems of support.

In 2017, Malini bravely lodged a complaint with the Human Rights Commission against a policeman who had harassed her while she was in police custody. However, despite her efforts, the policeman repeatedly refused to appear for the inquiry. This led to a prolonged process, causing immense frustration for Malini. Eventually, feeling discouraged by the lack of progress and exhausted from the frequent visits to the Commission without any tangible results, she decided to abandon the case. Unfortunately, Malini's experience is not unique. There are numerous accounts highlighting the inefficacy of the Commission's efficiency. Many individuals, like Malini, express concerns about the Commission's ability to deliver justice, especially when faced with intimidation or threats from law enforcement officials. In 2024, a Commissioner revealed that there are approximately 10,000 pending cases in the Commission, illustrating the overwhelming backlog. Moreover, the Commission lacks adequate human resources to expedite these cases. The prevailing lack of trust in the system, coupled with the fear of reprisal from the authorities, has led *Nachchi* women, to seek redress through alternative channels, primarily rooted in their religious and cultural beliefs.

While the shift away from institutional mechanisms towards alternative channels highlights an overwhelming disappointment with the existing system, it also brings to light a concerning trend regarding the understanding of justice among marginalised communities. This trend reflects an ambiguity in their perception of justice, where it is reduced to achieving personal satisfaction through inflicting physical or emotional harm on the perpetrator, rather than addressing the systemic injustices that perpetuate such acts. In other words, by seeking redress through religious and cultural beliefs, individuals may prioritise personal vindication over systemic change.

The Innocent vs the Vicious

It is also interesting how they act the paradoxical identities of 'the innocent' vs 'the vicious'. While many of them emphasise that they should collect good *karma* to become a complete man or a woman in their next birth, they did not hesitate to get revenge for the injustices. This dual and paradoxical nature of two identities is perfectly fit with the identity of the Kaali; as a goddess and as a *yakkha* (good vs bad) in the same body. Many of them did not think that doing a harm to a perceived bad person is not considered as another bad *karma*. Many stated that it is something that the perpetrator deserved in this world. Since nobody was treating them as they 'deserved', they took it into their hand.

It is interesting to observe these paradoxical identities that *Nachchi* sex workers embody, switching between being perceived as 'innocent' victims and, in some cases, resorting to actions that might be considered 'vicious' or retaliatory. Despite their emphasis on accumulating good *karma* to attain completeness in their next life, they do not shy away from seeking revenge for the injustices they have endured. This dual and paradoxical nature mirrors the identity of Kaali, embodying both aspects of a goddess and a *yakkha*, representing both good and bad within the same body.

As Obeyesekere (1975) argues sorcery involves deliberate and intentional actions, as individuals who seek out a sorcerer typically do so after careful planning and forethought. In this regard, sorcery is methodical and calculated, akin to a 'rational crime', where individuals carefully

consider the means to achieve a desired outcome, such as causing harm or even death to a targeted individual. However, many *Nachchi* sex workers do not view retaliating against those who wronged them as committing a crime and thereby generating additional bad *karma*. Instead, they see it as a form of justice deserved by the perpetrator in this life. Feeling neglected and mistreated, they take matters into their own hands since nobody else seems to be rectifying the injustices they have suffered.

> That man is a vicious man. He has cheated on many *Nachchi* women like me, taking all our earnings and spending them on liquor. Then he moves to another *Nachchi* woman, whom he treats the same. He beat me if I did not give him money for liquor. He deserved to be dead. But I think the punishment that he got from Kaali Amma [a broken arm and leg] is the best, because he still has to suffer before his death. Now he is serving his sentence for what he did to many of us. (Nanda, 2023, Colombo)

As Obeyesekere (1975) further suggests us, it is quite likely, motives behind premeditated murder and violence are often explained or channelled through concepts related to sorcery and other supernatural practices. This interaction of identities and beliefs underscores the complex nature of human behaviour and the difficult dynamics of justice, *karma*, and personal agency within their worldview. Moreover, as Korf (2020) argues a community is simultaneously portrayed as a realm of ethical goodness, social cohesion, and self-empowerment, while also potentially being restrictive, coercive, and prone to violence. It is within this fluctuation between these contrasting characteristics that community can foster incivility.

The instrumentalisation of Kaali for vengeance among *Nachchi* sex workers offers significant insights into cultural dynamics, notions of morality (i.e. good vs bad), justice, and inclusivity. Rather than hastily condemning such cultural practices, it is crucial to recognise the many-sided implications they hold. Firstly, the reliance on Kali for seeking vengeance reflects a deeper cultural understanding of the morality in a collective sense, where justice is sought through individual acts of retribution. Despite operating on an individual level, these actions are driven by a shared aspiration for an ideal society, one characterised by justice and

fairness. In this context, punishing perpetrators of crimes is perceived as a political act aimed at realising the collective goal of a just society. However, it is essential to acknowledge the limitations of this individualised approach to justice. By focusing solely on retribution against wrongdoers, there is an inevitable risk of overlooking the systemic issues that underpin injustice. This narrow focus may inadvertently perpetuate cycles of violence and fail to address the root causes of societal inequality.

Secondly, the cultural practice of worshiping Kaali and seeking vengeance represents both a political statement and a call to action. It emphasises the importance of balancing individual agency with collective responsibility, and it highlights the ongoing struggle for justice and equity in society. Therefore, while the worship of Kaali and acts of vengeance serve as expressions of cultural agency and resistance, they also serve as a reminder of the need for broader societal reforms, i.e. addressing structural inequalities, and advocating for systemic justice.

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6

Navigating the Law: Subaltern Encounters and Resistance

> Micro social life, the banal and the familiar are co-constitutive of the wider complexities, structures and processes of historical and contemporary social worlds. In this context of inquiry and excavation, we suggest, everyday life can be thought of as providing the sites and moments of translation and adaption. It is the landscape in which the social gets to be made – and unmade. (Neal & Murji, 2015: 812)

In 2024, I attended an informal discussion in Colombo organised by an NGO which focused on the legal challenges faced by drug users, transgender persons, and sex workers. This discussion provided a platform for participants to voice their everyday practical issues, particularly in interactions with local law enforcement officers and government officials. The participants shared numerous accounts of their strategies for negotiating and resisting the pervasive violence, harassment, and discrimination they encounter daily. The room was full with several distressing and emotional narratives detailing the injustices they experienced under the law. Notably, Radha, a *Nachchi* sex worker, who belonged to all three aforementioned categories, shared a unique perspective on her everyday life;

K. Ariyarathne, *Transgender Sex Work in Sri Lanka*, Palgrave Advances in Sex Work Studies, https://doi.org/10.1007/978-3-031-91540-6_6

> I live near the …. police station and support myself through sex work. I was once heavily addicted to drugs but have managed to overcome it. Some police officers are regular clients of mine, and when they visit, they bring along 'Ice' (Crystal Methamphetamine) that they confiscate from drug dealers. This is a common practice among officers in the crime divisions of many police stations across Colombo. Together, we use Ice. I also know other men who deliver Ice to my place. Because of my close relationship with one of the police officers, I get advance notice of planned raids, allowing me to warn my friends who sell Ice. I don't say that these police men are 'good' people. But at least they treat me well. Unlike some of the other police men in other areas, they pay for sex work. (Radha, 2024, Colombo)

Her testimony highlighted a different narrative of their struggles, suggesting a broader and more subtle understanding of the system in place, while problematising our simplistic characterisation of law enforcement as perpetrators and *Nachchi* sex workers as victims. However, Radha's narratives encountered immediate resistance from cis-gender male drug users in the room. They contended that police would not extend 'favours' to cis-gender men, in contrast to *Nachchi* sex workers, whom they accused of instrumentalising their gender identity and 'certain way of seduction' to escape from arrests and violence. This experience revealed an additional layer of complexity in the interactions between vulnerable groups and law enforcement, highlighting underlying tensions and perceived inequalities within the broader community of drug users. In fact, this is not to suggest that cis-gender male drug users do not attempt to use personal connections to escape from the law enforcement. However, their grievances in the room opened our eyes to the need for an understanding of how different identity groups interact with legal and social power structures, and how these intersections influence the experiences and strategies of individuals within these communities.

The arguments and debates in the room eventually evolved into a broader discussion on the concept of justice. A key question emerged: Can justice be understood as an 'individual triumph' achieved through ad-hoc resistant or coping mechanisms, or should it instead be seen as something that is attained through political dissent against systemic

violence? This discussion leads us to further inquiries, specifically an examination of the potential of the 'powerless'. Such an examination necessitates a critical analysis of the nature of power within the specific contexts in which these powerless individuals operate.

I believe that in order to address these questions, one must first delineate the conceptual boundaries of 'individual triumph' and 'systemic justice'. These questions, again connect with my chapter on 'worshipping Kaali' where the seeking of justice refers to instances where individuals, through personal agency and resilience, navigate oppressive systems and emerge with a sense of justice or fairness. These triumphs are often characterised by situational adaptations and spontaneous acts of resistance that do not necessarily challenge the overarching structures of power. In contrast, justice achieved through political dissent entails—as to what cis-gender male drug users highlighted—collective actions aimed at confronting and dismantling systemic injustices. This form of justice recognises the importance of structural change and the necessity of addressing the root causes of oppression. Most have repeatedly highlighted the need of organised movements and strategic resistance that seek to transform institutions, and policies.

With this reflection, my attempt to analyse the engagement of *Nachchi* sex workers with the law and the state addresses two critical dimensions of their lived experiences; Firstly, their active participation in formal human rights advocacy within the public sphere (as collective struggle) and secondly, their nuanced and strategic interactions with local law enforcement authorities, specifically the police (as everyday/personal or individual struggle). I rationalise my approach as follows:

By examining their active participation in public advocacy, I aim to highlight their agency and resilience in confronting systemic marginalisation. Simultaneously, by analysing their personal dealings with the police, I seek to uncover the complex strategies they employ to navigate the precarious balance of power in their everyday lives. This dual approach provides an understanding of their experiences, emphasising the importance of both public and private spheres in their quest for justice and rights. In addressing these two dimensions, this chapter aims to provide an analysis of the ways in which *Nachchi* sex workers engage with the law and the state. By this approach, I intend to highlight not

only the complexity and heterogeneity of their experiences, but also the broader implications for human rights advocacy, legal reform, and social justice. Moreover, the interactions of *Nachchi* sex workers with local law enforcement authorities are marked by a high degree of nuance and circumspection. These interactions are shaped by a dangerous balance of power, where sex workers must constantly navigate the risks of criminalisation, harassment, and violence. Their strategies for dealing with the police often involve a combination of compliance, negotiation, and resistance. Understanding these interactions requires an understanding of the informal rules and unspoken agreements that govern these encounters. At the same time, we should not forget that these moments exist within the broader socio-legal context, including the legal framework surrounding sex work where police can exploit, the discretionary power of the police, and the influence of corruption and societal attitudes towards both transgender people and sex work in Sri Lanka.

Tracing the History of Public LGBTIQ Activism in Sri Lanka

The active engagement of *Nachchi* sex workers in formal human rights advocacy within the public domain illustrates their agency and resilience. Despite facing systemic marginalisation and social stigma, *Nachchi* individuals—including sex workers—have joined organisations and participated in various advocacy efforts aimed at securing their rights and improving their living conditions over the past two decades. They have frequently collaborated with NGOs in their advocacy efforts. The establishment of the first gay rights organisation in Sri Lanka, Companions on a Journey (CoJ), in 1995, with support from the Dutch government and Alliance London, a UK-based HIV/AIDS support group, set a precedent for LGBTIQ rights organisations in the country. Following the 2000s, most of these organisations emerged primarily funded by global HIV/AIDS prevention programmes. Despite the closure of several NGOs after the war, 14 LGBTIQ organisations were still operational in Sri Lanka by 2021 (Waradas, 2021). In its early stages, LGBTIQ activism in Sri Lanka primarily focused on healthcare, peer support, and

networking, with *Nachchi* sex workers participating both as advocates and beneficiaries. In addition to advocating for decriminalisation, which gain which began momentum between 2005 and 2010, organisations also ran programmes addressing discrimination, gender-based violence against LGBTIQ communities, and access to free healthcare and justice. After 2010, LGBTIQ organisations and women's rights groups began submitting shadow reports to the CEDAW Committee, bringing attention to the critical issues faced by LGBTIQ communities, including mistreatment by police, healthcare providers, the state, and the general public (Ariyarathne & Grewal, 2024).

Following 2015, the *Yahapalana* government (2015–2019) generally adopted a supportive stance towards LGBTIQ communities. This support was partly due to the presence of non-heterosexual individuals in high-ranking positions within the administration (Ariyarathne & Grewal, 2024), along with the government's pro-LGBTIQ policies. However, attempts to decriminalise homosexuality were unsuccessful due to insufficient engagement from broader civil society and the general public. During this period, LGBTIQ groups actively engaged with the Human Rights Commission of Sri Lanka (HRCSL), which established one of its nine sub-committees specifically for LGBTIQ issues. These groups also made written submissions during public consultations for a new constitution and reconciliation mechanisms.

Transgender individuals in Sri Lanka have made significant strides, often through individual efforts to gain healthcare and document change support by filing court cases and lodging complaints with the HRCSL. One such case prompted a collective consultation by activists, HRCSL, and the Ministry of Health, resulting in the issuance of Health Ministry Circular No. 01-34/2016. This circular allowed psychiatrists to issue Gender Recognition Certificates (GRC) to transgender individuals, and the Registrar General's Circular No. 06/2016 enabled changes to gender markers on birth certificates. This led to the formation of several trans-dedicated NGOs that support transgender individuals with surgeries, hormone treatments, and document changes. By 2024, there are nine trans-clinics operating across the island, providing free access to hormonal treatments and sex reassignment surgeries through the state healthcare system.

LGBTIQ activism, including transgender rights movements in Sri Lanka has a significant online presence, with activists using the internet to create networks, build identities, and mobilise communities. A recent study noted that the internet played a crucial role for LGBTIQ Sri Lankans in these areas, with an increase in LGBTIQ-related content on Facebook and other social media platforms particularly noticeable after 2015 (Women and Media Collective—WMC, 2017). The study further notes that online interactions of the LGBTIQ communities were constrained by gendered and sexualised experiences, often avoiding rights-based advocacy or discussions on sexuality due to fears like homophobic trolling. Despite these limitations, they showed a good understanding of power dynamics, using diverse strategies to navigate and manage online spaces, revealing a more complex experience than simple oppression or struggle (WMC, 2017).

The post-war period also saw the emergence of LGBTIQ organisations outside Colombo, especially in the North and East. Groups such as Jaffna Sangam, Anichcham Collective, Jaffna Transgender Network, and Malayaga Queer Community initially had connections with Colombo-based organisations but eventually established their own local operations. Queer pride events, once limited to Colombo, expanded to Jaffna, driven by Tamil-speaking queer communities. These groups, unlike others that operate under general human rights titles, have been visibly active in the public sphere and adopt intersectional approaches to political issues. Some, like Jaffna Sangam and Anichcham Collective, have aligned with national leftist movements, while using foreign funds strategically to advance a radical LGBTIQ rights agenda in Sri Lanka despite being perceived as pro-neoliberal (Waradas, 2021). This aspect of their lives highlights their ability as well as the challenges to navigate complex political and economic landscapes, utilising available platforms to voice their demands and influence public policy. In 2018, LGBTIQ groups, including transgender activists began engaging in electoral political campaigns. In the 2019 Presidential election, the National People's Power (NPP), a prominent leftist coalition, courageously advocated for the decriminalisation of homosexuality as part of their campaign platform, despite the contentious debate and backlash that ensued within the general public.

A pivotal moment for LGBTIQ activism in Sri Lanka occurred in 2018, following homophobic comments by the president and a constitutional coup. LGBTIQ organisations and individuals in Colombo gathered to demand the reconvening of Parliament and the restoration of democracy. As highlighted by Wanniarachchi (2019), these protests were significant as they marked the public presence of the LGBTIQ movement, with demonstrators using slogans like "Butterflies are also voters" and "Butterfly power", challenging the state's attempts to marginalise them. Waradas (2024) argues that the Butterflies for Democracy initiative has expanded the democratisation space in post-war Sri Lanka by advancing sexual and gender justice, with the visibility of queer agency through an intersectional agenda playing a key role in queering democratic forces.

It is crucial to acknowledge the post-war progressive efforts by the Sri Lankan state to recognise transgender individuals within both the international human rights framework and medical health knowledge systems. One notable example is the constitutional reform process that occurred between 2016 and 2019, which acknowledged gender identity as a basis for discrimination. Following the change in government in 2015, the Cabinet of Ministers appointed a Public Representative Committee (PRC) to gather public input on constitutional reform. The PRC was tasked with soliciting and receiving written submissions from the public, conducting public hearings across the country, and submitting a final report to the Constitutional Assembly. Various LGBTIQ rights activists presented their views at different locations throughout the country. The PRC's report, released in May 2016, included a notably progressive and comprehensive chapter on fundamental rights. It identified discrimination against citizens based on sexual orientation and gender identity, recommending measures for equality and the decriminalisation of same-sex acts. The equality clause encompasses grounds such as "…race, religion, caste, marital status, maternity, age, language, mental or physical disability, pregnancy, civil status, widowhood, social origin, sexual orientation, or sexual and gender identities" (PRC, 95). Additionally, the rights to marriage and privacy are guaranteed without discrimination on the same grounds (PRC, 96–98). Furthermore, the rights to marriage and privacy were ensured without discrimination

based on the same grounds (PRC, 96–98). Notably, the report introduced a distinct clause (Sec. 28) specifically addressing LGBTIQ rights;

> People with diverse sexual and gender orientations and identities refer to themselves as belonging to the Lesbian, Gay, Bi-sexual, Transgender, Inter-sex, Queer (LGBTIQ) community. Representations to protect the rights of the LGBTIQ community came from many sources. Since *this is a fairly new issue*, we felt it is necessary to provide some input into initiating a dialogue on the rights and protection of this community as well as to recommend certain Constitutional protections. (PRC, 112, emphasis added)

The language used by the PRC reflects the incorporation of 'gender identity'/category of transgender within the development and advocacy agendas typically associated with the global North, drawing on the terminology of UN human rights discourse, including *Nachchi* as another category of transgender. This indicates an alignment with international human rights standards and highlights the influence of global frameworks on local policy. The PRC's recognition of gender identity as a pertinent issue can be attributed to the increased visibility and advocacy efforts of civil society organisations in post-war Sri Lanka. Additionally, the National Human Rights Action Plan for the Promotion and Protection of Human Rights in Sri Lanka (2017–2021) also included gender identity as a recognised ground for discrimination, integrating it into the broader framework of equality actions. This inclusion underscores a significant shift towards recognising and addressing issues of gender identity within the national human rights agenda, reflecting a commitment to align with international human rights norms and promote inclusive policies.

In 2023 and 2024, there were two significant legislative attempts to recognise LGBTIQ rights in Sri Lanka: the Private Member Bill aimed at amending the Penal Code to decriminalise homosexuality (2023) and the Gender Equality Bill (2024). Three individuals filed a petition in the Supreme Court against the Penal Code Amendment Bill, leading to one of the most progressive rulings in history on gender identity and sexual orientation. The Supreme Court, quoting an eminent legal scholar

Wickramaratne, stated that "The denial of equal protection for lesbian, gay, bisexual, transsexual, and intersex (LGBTI) persons can happen at least in two ways. The first is when they are discriminated against because of their sexual orientation. The second is criminalizing a sexual conduct" (SC SD No. 13/2023: 35).

Both bills sparked considerable controversy within Parliament (and in the larger society), dominated by a majority of right-wing nationalists. The introduction of these bills without adequate public consultation led to a contentious debate across various societal sectors. The lack of comprehensive public engagement and consultation in the drafting and presentation of these bills contributed to widespread opposition and polarised discourse. Religious institutions and conservative political factions voiced strong objections, framing the proposed changes as antithetical to traditional values and societal norms. The debate extended to mainstream and social media, where differing opinions clashed, highlighting the deep-seated cultural and ideological divides within Sri Lankan society. By neglecting to involve the broader public in meaningful dialogue, the proponents of these bills faced significant resistance, impeding progress towards greater equality and acceptance for LGBTIQ rights in Sri Lanka.

In 2024, as this book is being written, the NPP achieved a historic electoral victory, forming a government with a two-thirds majority in Parliament. However, it is still too early to predict the specific stance the NPP will adopt, as economic recovery remains its top priority.

The Significance of 2016 in Transgender Politics

> Some people would like to take hormones and become a complete woman. But we don't necessarily have to be like that. I have a penis, but I think as a woman; *I am a woman*. It does not mean that I always have to appear like a woman to the society all the time. I also have the strength to behave like a man in front of society at any time. I think that

> is the specialty of us, *Nachchis*. That is where we are different from any other transgender person. (Asha, 2018, Colombo, emphasis added)
> It is not a problem for me if someone wants to go and change their body. But for me, my sexual organs have never been a problem. I never thought of going to a hospital and changing my body. I do not think I will want to do that in the future too. (Rani, 2018, Jaffna)
> The only service I would require from the health services is free condoms, which could support my work. (Maali, 2020, Colombo)

These quotes are from various *Nachchi* individuals when I inquired during my doctoral fieldwork about their interest in GRC introduced in 2016. In terms of *Nachchi* communities in Sri Lanka, it is crucial to mark 2016; the year that gender transitioning was formally recognised by the state through the circulars issued by the Ministry of Health and the Department of Registration of Persons. These circulars were designed to enable citizens to align themselves with one of the normative gender binaries (i.e. male or female) by undergoing procedures for body conformity and adopting gender-conforming names. Under this framework, health and medical authorities determine an individual's gender performance, while registration authorities ensure that rights are granted contingent upon conforming to these norms and thus placing themselves under state surveillance and control. As a result of these measures, a significant number of individuals identifying as transgender, including *Nachchi* persons involved in sex work, began registering at trans-clinics in public hospitals and initiating hormone therapy. For many *Nachchi* individuals engaged in sex work, this presented an opportunity to enhance their female characteristics through hormone use, such as breast augmentation, without committing to the full process of medical transition, which might include procedures like hysterectomy-removal of the uterus (Ariyarathne, 2021). The ability to access hormone therapy through public health facilities marks a significant step towards recognising and addressing the healthcare needs of transgender individuals. However, it also underscores the ongoing challenges they face in achieving full recognition and rights within a framework that often demands conformity to binary gender norms.

In a previous work (2022), I argued that the state's approach to framing gender identity as a binary classification and systematically disregarding same-sex relationships is neither arbitrary nor unconscious. Rather, these actions are deliberate, serving to reinforce heteronormative, monogamous, gendered family structures that underpin the post-war, right-wing, nation-building project (Ariyarathne, 2022). Ariyarathne and Ranketh (2023) argued that the Real-Life Test (RLT) administered by psychiatrists in trans-clinics serves as a 'gatekeeper' of scientific knowledge, affirming transgender individuals' gendered labour as a performative act of gender within their families and society. By promoting binary gender norms, the state seeks to sustain traditional family configurations, which are seen as fundamental to the national identity and socio-political stability. Conversely, the state's provision of a recognised and ostensibly 'safer' category for transgender individuals, as opposed to same-sex relationships, has enabled many transgender persons to integrate into the system. This strategy allows transgender individuals to become visible and identifiable within the bureaucratic framework, thereby facilitating state oversight and regulation. The recognition of transgender identities (by ignoring or bypassing the traditional *Nachchi* category) within this constrained framework underscores a conditional acceptance predicated on conformity to state-sanctioned norms.

This serves as a paradigmatic example of how biopower (Foucault, 1978) functions within the modern state. *Nachchi* sex workers who chose to register at trans-clinics were fully aware that their bodies would be subject to monitoring and surveillance through the system. As a result, a *Nachchi* individual's political relationship with the nation becomes deeply intertwined with their recognition by state bureaucracy. Citizenship and associated rights are mediated by the authorities, meaning that the acknowledgement and legitimacy of their identity are contingent upon compliance with the established norms and procedures dictated by the state. This signifies the pervasive influence of state power in regulating and controlling transgender identities, where the recognition and validation of their identity are subsumed within the mechanisms of state bureaucracy, where state exerts control over the personal and political dimensions of transgender individuals' lives.

However, this visibility and recognition came with caveats for *Nachchi* individuals. The state emphasised that transgender individuals can only claim their rights and 'proper' identity—which did not include a category as *Nachchi*—through continual medical oversight. This medicalisation of transgender identity as 'Male to Female (MTF) transgender' and gradual removal of *Nachchi* identity imposes a normative framework where compliance with medical and social expectations is necessary for legitimacy. This conditional acceptance reflects the state's underlying objective of controlling and normalising transgender identities within the bounds of heteronormative and binary gender constructs. It not only restricts the full expression of diverse gender identities but also perpetuates the marginalisation of those who do not conform to the state's criteria of legitimate gender expression. Nevertheless, the strategic use of free healthcare services by *Nachchi* sex workers to enhance feminine attributes, combined with active engagement in public advocacy alongside NGOs in post-war Sri Lanka, carries significant implications as it highlights their adept navigation of legal ambiguities to secure rights and legal remedies.

Therefore, the refusal of certain *Nachchi* individuals to negotiate with the state regarding their bodies or gender expressions, as illustrated by the selected quotes above, can be seen as a form of asserting their agency. Despite the lack of state or healthcare system recognition for the fluidity of gender expressions and identities, these individuals continue to embrace and maintain their fluidity. By rejecting the rigid categorisation imposed by the state, they assert their autonomy, even though this stance may hinder their ability to claim certain rights. This resistance places them under the surveillance of the police, exposing them to the risk of arrest under the charge of cheating by personation (Section 399 of the Penal Code). For instance, during the COVID-19 pandemic, when movement in public spaces was highly restricted, several *Nachchi* individuals sought my assistance in obtaining an affidavit confirming their registration at a specific trans-clinic. This was necessary as they lacked gender-affirming identification documents to present during police checks. Additionally, without GRC, they face significant obstacles in accessing healthcare and legal protection. Therefore, this act of non-conformity, while challenging, emphasises their resilience and

commitment to self-identification and autonomy in the face of systemic rigidity and exclusion.

In Chapter 2, I drew on Foucault's theoretical framework of rights as critical counter-conduct to analyse how rights discourses have served both as tools for empowerment and mechanisms of constraint for transgender sex workers. Rights discourses have provided transgender sex workers with a platform to organise and advocate for their rights, yet they have also confined their identities within narrowly defined categories, often portraying them as inherently vulnerable. In earlier work (2022), I argued that the framing of gender identity within rigid binary classifications and the deliberate criminalisation of same-sex relationships are not random actions by the State. These practices are intentional and systematic, serving to reinforce heteronormative, monogamous family structures that align with broader nation-building objectives. Such structures not only uphold social norms but also underpin the ideological foundations of governance and societal control.

However, at the same time, it is important to acknowledge that positioning transgender individuals within a more socially accepted and 'safer' category of gender (e.g. recognising transgender identities as distinct from same-sex relationships) has had a dual effect. On one hand, it has contributed to the marginalisation of non-binary and queer identities by maintaining rigid boundaries. On the other hand, it has created opportunities for many transgender individuals to step forward, claim visibility, and gain official recognition within legal and administrative systems. This recognition, while imperfect and often accompanied by compromises, has enabled significant progress in terms of access to resources, legal protections, and societal inclusion for some transgender individuals.

Interacting with Law Enforcement Authorities: Challenges and Strategies

Regarding their routine interactions with legal institutions and law enforcement agencies, it is pertinent to underscore the peculiar nature of their association with local policemen. Primarily, it is noteworthy that

accounts of violence, threats, and coercive tactics employed by the police are consistently prevalent in their narratives. Frequent encounters include instances where they are forcibly dispersed from public thoroughfares during night time, occasionally resulting in physical harm inflicted by policemen wielding batons. Furthermore, incidents of verbal and physical harassment within police stations have been documented, alongside reports of police officers engaging in sexual relations with *Nachchi* sex workers without remunerating them.

Nevertheless, as these discussions gradually unfurl, it becomes evident that the dynamics between police officers and *Nachchi* sex workers surpass a simple adversarial relationship. Similar to Radha, who revealed her relationship with local policemen in obtaining and consuming 'Ice', several *Nachchi* sex workers also alluded to their associations with 'police-officer clients' or 'police-officer friends', unveiling a hidden connection. It was ascertained that these clients/friends often extend gestures of goodwill, such as spending time with them in comfortable hotel rooms, providing sustenance, and offering financial support during difficult times. For example, it was revealed that certain police officers exhibited benevolence by providing financial assistance and essential commodities during periods when engagement in sex work was impossible due to the constraints imposed by the COVID-19 pandemic. Additionally, some sex workers note that their police-officer acquaintances would proactively alert them to impending law enforcement operations in the vicinity, enabling them to take evasive measures, and they, in turn, would disseminate this information to their peers to avoid hanging out in public places during those times.

One salient aspect that emerges from this complex interactions between *Nachchi* sex workers and police officers is the realisation that individual acts of empathy wield limited influence within an inherently oppressive governing system. In a socio-political milieu where the state, through its ideological apparatus, explicitly perpetuates the characterisation of gender non-binary sex workers as a socially deviant group, the capacity for meaningful intervention by compassionate police officers is severely restricted. Nevertheless, a closer look on these women's lives reveals a deliberate utilisation of these moments of sentimentality and

romanticism as a means to momentarily escape the prevalent discrimination and violence perpetuated by the law and the state. Nevertheless, it is essential to acknowledge that these dynamics unfold within a context characterised by a huge power imbalance between law enforcement officials and sex workers. These sentimental and romantic interludes, along with the friendships formed, constitute crucial political spaces that warrant further inquiry within the everyday lives of *Nachchi* sex workers.

The Good Cop and the Bad Cop?

Numerous studies highlight the complex and varied relationships between police officers and sex workers. Krüsi et al. (2016), in their study with female and transgender sex workers in Canada, reveals that despite police rhetoric of prioritising the safety of sex workers, sex workers were denied their citizenship rights for police protection by virtue of their 'risky' occupation and were thus 'responsiblised' for sex work-related violence. They further suggest that sex workers' interactions with neighbourhood residents were predominantly shaped by a discourse of sex workers as a 'risky' presence in the urban landscape and police took swift action in removing sex workers in the case of complaints.

In a study on indoor and outdoor sex workers in England, Klambauer (2017) observes that both categories perceive their interactions with the police through the lens of their stigmatised status as sex workers and do not expect respectful treatment by the police. However, their research brings several testimonials of sex workers, highlighting their trust in police personnel who provided assistance in cases of sexual violence and abuse. This trust is built on the officers' willingness to protect and advocate for their safety, creating a different dynamic between law enforcement and the sex work community. Klambauer explains how sex workers reported particularly positive experiences with certain specialised policing unit for rape and serious sexual assault. Victims have emphasised that the officers were highly supportive, assisting them throughout the entire process—from filing the initial report to securing the conviction of the perpetrators. Additionally, some other officers demonstrated greater

empathy towards sex workers and treated them significantly better than the regular police force (Klambauer, 2017).

However, many of these testimonials emphasise that it is often specific police stations led by particular unit heads, or individual police officers, who manage to leave positive impressions among sex workers, rather than the entire department or system. Women have experienced supportive and respectful responses from certain officers, indicating that the positive interactions are largely dependent on the individuals involved rather than a widespread institutional approach. This is similar to the situation in Sri Lanka, where *Nachchi* sex workers also noted positive experiences with specific police officers. These individual acts of support and understanding contrast with the broader, often more negative, systemic attitudes and policies, highlighting the crucial, but limited role that individual officers can play in shaping the experiences and perceptions of sex workers. The danger in these circumstances, as observed from my interviews, is that many police officers exploit their power and the illegal status of sex work and drugs to manipulate situations to their advantage. Therefore, it is important to acknowledge that social class and gender identity contribute to an unequal power dynamic between the parties involved, even during positive interactions.

In one occasion, Malini, a *Nachchi* sex worker from Gampaha District, recalled situations where she had to return favours to her police friends. Typically, in cases of petty theft presumed to involve a sex worker, the police are required to arrest suspects. When the officers could not apprehend the actual culprits, Malini would be summoned to the police station. By presenting Malini to the victim, who would then confirm that she was not the thief, Malini could return home. This arrangement was her way of repaying the officer who tipped her off about upcoming raids. According to Malini, this was not an illegal act but rather a way of navigating the system to their mutual benefit.

Malini also spoke about using her 'feminine seduction' skills to build relationships with male officers at the local police station, which she believed could be advantageous in the future. She described how she would look at their eyes while talking, to gauge their response. Older policemen usually did not resist and treated her kindly, while younger officers tended to be shy and pull away. Malini says, "Not all policemen

are the same". Interestingly, Malini's experiences challenge the common perception of policemen as ruthless individuals. Several other *Nachchi* sex workers also noted that male officers are generally more agreeable than their female counterparts. Female officers often ridiculed them for being 'half women' and refused to conduct proper searches of their bags and bodies when taken into custody.

However, as argued earlier, the complex and ambivalent relationships between *Nachchi* sex workers and police officers reveal a significant dynamic: Individual empathy has limited impact within an inherently violent, unequal, and discriminatory system. In a context where the state, its institutions, and its ideological apparatus reinforce the notion that gender non-binary sex workers are a deviant social category, even the most well-intentioned police officers can do little to change the overarching structure. The state's rigid frameworks and the institutionalised discrimination ensure that systemic discrimination remains entrenched. It is also crucial to acknowledge that these interactions occur within a fundamentally unequal power dynamic. The police officers hold significant authority and control, whereas the sex workers remain vulnerable and marginalised. Therefore, these sentimental and romantic moments, while important, must be understood within this context of power imbalance.

Romance and Friendship as Political Moments

Despite the unequal power relations in these scenarios, a closer look into the lives of these sex workers reveals that they consciously exploit sentimental and romantic interactions with police officers to navigate and occasionally escape the pervasive discrimination and violence they face under the law. These moments of connection, while seemingly personal and emotional, can also be interpreted as nuanced acts of resistance. Because they represent deliberate strategies to subvert the harsh realities imposed upon them and carve out spaces of temporary reprieve. These interactions serve as critical political spaces that warrant further study, as they offer insight into the everyday lives and resistance strategies of *Nachchi* sex workers in contemporary Sri Lanka. Understanding these

dynamics is essential for comprehending the full scope of their experiences and the subtle forms of agency they exercise within an oppressive system.

This loosening the rigid boundaries and fixed dichotomy of victims vs agent, as Walker suggests us, may allow the everyday to "move beyond what is mundane and routine, and concomitantly, open up alternative ways through which we might understand lives…" (2013: 85). Agreeing with Walker's idea, I propose that we need to revisit and re-engage with the meta-narratives of *Nachchi* sex workers' lives in Sri Lanka who face with everyday violence. By this we can uncover their complexity and inherent problematic nature, as well as recognise its embedded emotional and political dimensions. De Certeau (1984) presents the everyday as a realm where individuals engage in tactical resistance against the strategies imposed by the powerful. He distinguishes between 'strategies' and 'tactics'. Strategies are employed by institutions and structures of power (such as governments, corporations, and other dominant entities) to create and maintain control over spaces and behaviours. Tactics, on the other hand, are the methods used by individuals to navigate and resist these imposed strategies. Tactics are opportunistic, making use of the cracks within the system to reclaim space and agency. They are the everyday actions and practices that people use to cope with, subvert, and reappropriate the structures imposed upon them. In this sense, the everyday is a battleground where the powerless tactically reclaim space and autonomy within the confines of the strategies of the powerful (De Certeau, 1984).

As Walker suggests, "….positioned between and within the interconnected spaces of suffering and agency lies the endurance of everyday life – where people keep going, lose, win, hurt, survive, and cope with the patterns and rhythms of life that continue through violence yet are also profoundly affected" (2013: 88). Similarly, the connection between narrations on violence (mainly constructed by the health and developmental sectors) and the tangible realities of *Nachchi* sex worker may seem tenuous. Although the experiences of individuals are not uniform, many stories about interactions with the police seem to differ from the commonly accepted narratives of police violence and discrimination. This perceived difference likely highlights the limitations and biases

of widely funded research studies in health and development sectors, suggesting that such studies may not fully capture the true nature of daily life and individual experiences. Essentially, the disconnection points out that general research hypotheses might be more influenced by preconceived notions or funding priorities rather than reflecting the diverse realities of people's actual encounters with the police. This underscores the importance of individual narratives in the construction of history. As Nordstrom (2004) argues, while violence influences lives, it need not be the definitive factor in shaping the future perception of reality. In fact, "…the spaces and systems of interaction unfolding across people's lives that suggest that these spaces and systems are tested, challenged, and pushed to the limit by the effects of violence and, yet, reveal that the production of fear and violence, like other mechanisms of control, while powerful, is never absolute" (Walker, 2013: 154).

This understanding leads us to consider another crucial theoretical aspect: do individual acts of negotiation, creativity, endurance, and resilience can contribute to collective efforts in the pursuit of justice? How might the individual experiences of certain people inspire hopes and aspirations for a collective future shaped by justice? It is particularly leading to consider the following: In the initial section of this chapter, we discussed their interactions with the state, recognising the state as the primary agent that grants or limits their freedom. How, then, can their individual actions, which are not centred around the state, still be considered political?

Shedding light on this question, Scott (1985) argues that oppression and resistance are in a constant state of flux. "Most of the political life of subordinate groups…", as Scott argues, "…is to be found neither in the overt collective defiance of powerholders nor in complete hegemonic compliance, but in the vast territory between these two polar opposites" (1985: 136). He examines how peasant and slave societies in Europe respond to domination, emphasising cultural resistance and non-cooperation over visible acts of rebellion, which occur persistently throughout prolonged servitude. However, the overt peasant rebellions are infrequent, unpredictable, and often ineffective. Instead of viewing resistance through the lens of organisation, Scott identifies less visible, everyday forms of resistance, including foot-dragging, evasion, false

compliance, pilfering, feigned ignorance, slander, and sabotage. He observes these behaviours in rural and factory settings, among the middle class and elites (e.g. tax evasion or avoidance of conscription), but most notably among rural populations, who are more physically dispersed and less politically organised than their urban counterparts. Further, these methods of resistance necessitated minimal coordination or planning and were employed by both individuals and groups to resist without directly confronting or challenging elite norms (Scott, 1985).

In this context, examining how *Nachchi* individuals leverage their romantic relationships and friendships with police officers as strategies to challenge or transform existing power dynamics becomes a persuasive area of inquiry. This exploration reveals the subtle ways in which personal connections can be utilised to navigate and potentially alter power structures, offering a deeper understanding of how relationships can serve as instruments of navigating violent structures and change within a broader socio-political landscape. To elaborate, examining how individuals navigate and respond to state-imposed constraints can reveal forms of political expression that are not directly tied to state structures. These actions include love, romance, friendship, seduction; emotions and practices that challenge or circumvent state power. Such individual and collective endeavours highlight alternative modes of engagement with the system, demonstrating that political agency extends beyond formal interactions with the state.

The Struggle for Emancipation: Rights Activism and Its Limitations

> I do not suggest that we abandon rights but I do urge a critical caution. (Scoular, 2015: 118)

As suggested by Scoular (2015), I approach activism that frames *Nachchi* sex workers solely as rights-bearing subjects with caution. While this perspective acknowledges the significant potential for advancing rights, it is essential to critically examine how effectively the current

framework for sex workers' rights and LGBTQI rights can achieve its objectives. Our analysis should explore whether this framework can overcome the limitations that have historically hindered other political and legal approaches in this area, such as the abolitionist and victim-centred models discussed in Chapter 2. I have argued that these models often frame sex workers in a way that diminishes their agency, positioning them primarily as victims rather than as active participants in advocating for their rights. Furthermore, we must consider how these challenges impact broader contemporary citizenship norms. The way we conceptualise and engage with the rights of certain groups can significantly influence their perceptions of citizenship and belonging. For instance, Sanders (2009) argues "forced welfarism" employs mechanisms of anti-social behaviour to enforce 'correct' sexual citizenship through public patriarchy. Forced welfarism, as argued by Sanders (2009), refers to a policy approach that seeks to address vulnerability among sex workers through mechanisms of welfare and support, but does so in a way that can impose restrictions and control over their lives. This concept critiques initiatives designed to 'rescue' sex workers by mandating them into welfare systems, often disregarding their autonomy and agency. Such a nuanced analysis will not only deepen our understanding of the current landscape of sex worker and LGBTQI rights but also inform future activism aimed at achieving genuine emancipation and empowerment.

Rao's (2015) concept of homocapitalism refers to the intersection of LGBTQ rights and neoliberal economic systems, exploring how the LGBTQ rights movement has been co-opted and commodified within capitalist frameworks. Rao argues that while there has been significant progress in the recognition of LGBTQ rights, particularly in the West, this recognition is often framed within a neoliberal agenda that promotes market-driven equality. Rao critiques the ways in which capitalist systems appropriate progressive social movements, positioning them within the logic of profit-making and market expansion, while marginalising more transformative, anti-capitalist visions of justice and equality.

This does not imply that NGOs and rights activism cannot serve as effective political tactic. Rather, it implies that when rights are claimed as absolute truths without being linked to broader political change, they can reinforce the existing *status quo* as well. In other words, this dynamic

may ultimately benefit profitable sex businesses and create a privatised, individualised approach to sex workers' rights, where responsibility falls on individuals rather than being addressed collectively. Therefore, while asserting rights can be a strategic move in the fight for justice, it is crucial to recognise that without a comprehensive approach to political reform, such assertions can inadvertently perpetuate systemic inequalities. This highlights the need for activism that not only advocates for individual rights but also seeks to transform the underlying structures that shape the experiences of individual *Nachchi* sex workers in contemporary Sri Lankan society.

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7

Conclusion: Endings and New Beginnings

> There is no 'essential freedom' to be achieved, …..but rather freedom is to be understood as a practice conducted in resistance to power. (Scoular, 2015: 122)

Self-Reflective Account

I write this conclusion in the year 2025, having embarked on this writing journey two years ago in 2023. At that time, I approached this work from the vantage point of a researcher and an academic. Today, I find myself completing it in a new role, as a full-time politician representing the government. This transition has offered me self-reflective insights, not only into the mechanics of governance but also into the dynamics of power and marginalisation. Reflecting on this political journey, I have come to realise that some of the perspectives we, as researchers and activists, consider true about power and those often deemed 'powerless' were either overlooked or undervalued in our own approaches to political mobilisation. These insights compel me to reconsider how political

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strategies are designed and implemented—ensuring that they are truly inclusive and reflective of diverse lived experiences. This evolving awareness has been both challenging and enriching, shaping how I understand the difficult relationship between academic inquiry and political praxis. In recognising these gaps, my hope is that this work will serve as an invitation to deepen dialogue and engagement, bridging the theoretical and the practical to build a more inclusive political narrative.

To critically examine the potential of the 'powerless', it is essential to understand the dynamics of power within their specific contexts. Power, in this sense, is multi-layered and can be manifested in various forms—economic, political, social, and cultural. The circumstances in which powerless individuals operate are often shaped by historical, economic, and social forces that perpetuate their marginalisation, as I argued throughout this book. Therefore, our approach in understanding power should consider how power is distributed, maintained, and contested within different contexts. It should also explore the ways in which powerless individuals and groups can leverage their agency to challenge and disrupt existing power structures. I also argued that understanding justice as either an individual triumph or a product of political dissent necessitates a nuanced exploration of power. This exploration must account for the complexities of the environments in which powerless individuals exist and strive for justice. Only through such an examination can we fully appreciate the potential and limitations of the powerless in achieving meaningful and lasting justice.

In January 2024, a prominent female political activist from the NPP (then an opposition party) spoke about the necessity of establishing a legal framework to safeguard the rights and well-being of sex workers in Sri Lanka. In a widely discussed interview, she acknowledged that prostitution remains an enduring aspect of societal culture and highlighted the economic hardships that often compel women to engage in sex work. Her remarks sparked extensive public debate and media coverage, bringing the issue of sex work into the national discourse. In response to the ensuing controversy, multiple NPP members issued public statements clarifying that the party does not support the legalisation of sex work. Instead, they emphasised the critical need for systemic interventions aimed at empowering women to exit the profession. They talked

about creating alternative employment opportunities and addressing root causes of economic insecurity. They further reiterated the NPP's core commitment to economic reforms designed to alleviate poverty and reduce the structural pressures that push women towards sex work. The clarifications were particularly significant amidst vocal opposition from religious groups and various organisations, who argued that any move to legalise prostitution would conflict with traditional values and moral principles. Within the NPP itself, the topic prompted an intense internal debate about the party's official stance on sex work. Members, highlighting Marxist ideas, criticised sex work as a manifestation of women's subjugation and an instrument of the ruling class, asserting that it should be abolished alongside the socio-economic conditions that sustain it.

Ultimately, as a leftist coalition influenced by Marxist ideologies, the NPP rejected neoliberal interpretations of sex work framed through the lens of individual freedom, sexual liberation, or bodily autonomy. Party leaders contended that these liberal ideas often mask underlying systems of exploitation perpetuated by neoliberal economic structures. Instead, the NPP resolved to focus on collective socio-economic transformation, viewing sex work not as a matter of personal choice, but as a manifestation of deeper inequalities tied to global capitalism. While I personally struggled to fully come to terms with this black & white stance, I observed how the entire situation confronted the NPP with the dominant and deeply ingrained concept of 'civilised citizenship'. As a party gearing up for the upcoming elections in late 2024 and aspiring to secure governance, the NPP found itself under pressure to demonstrate consistency and clarity in its policy on sex work. It became critical for the party to address any perceived contradictions in its position to maintain credibility and alignment with societal expectations. This moment of reflection and debate was not merely about addressing an isolated policy issue; it was connected to the party's broader ideological commitments.

Sanders (2009) contends that mechanisms of 'forced welfarism', implemented through anti-social behaviour policies, act as tools of public patriarchy to enforce normative standards of sexual citizenship. These policies subject sex workers to coercion, rehabilitation, and demands for personal responsibility, framing them within the contradictory roles of 'victim' and 'offender'. Such 'anti-social behaviour' policies, operating

through contractual forms of governance, have evolved into instruments that uphold the norms of sexual citizenship by employing a politics of inclusion and exclusion. Therefore, the challenge for the NPP was to take a stance on sex work, which resonates with its overarching vision of justice, equity, and empowerment for marginalised groups; to dismantle structural inequalities and reject tokenistic or superficial solutions that fail to address the systemic causes of oppression.

The NPP had to navigate this paradox carefully. On one hand, its policies and practices were explicitly inclusive of all social classes, particularly those from the most economically disadvantaged backgrounds. On the other hand, the women at the forefront of the NPP were predominantly educated, middle-class professionals engaged in socially 'respected' fields. The formation of its women's arm, the Progressive Women's Collective, marked a radical shift in the Sri Lankan women's movement. However, in mobilising middle-class women, it also had to uphold the image of the 'respectable woman'. This dynamic was evident on social media, where NPP supporters often contrasted the party's educated female candidates with women from other political parties. While, as NPP women, we neither encouraged nor endorsed such comparisons, we inevitably had to perform the role of 'respectable' women in politics.

Respectability and women's political engagement often have close ties. Chatterjee (1989) writes about the notion of 'spirituality' influenced women's participation in public life. In colonial India, women in nationalist movements had to embody dignified activism—their engagement in politics was acceptable only if they maintained their moral and cultural integrity. This expectation carried over into post-colonial politics, where women in leadership were often judged not only by their political competence but also by their ability to uphold an image of respectability. De Alwis (1997) discusses how Sinhala-Buddhist nationalism constructed the ideal of the 'moral mother', positioning women as bearers of cultural purity and national virtue. This ideal not only reinforced patriarchal expectations but also served to police women's sexuality and autonomy, as deviations from this norm were seen as threats to national integrity. As such, the prevailing perceptions of women's bodies and sexualities are deeply rooted in colonial history, and therefore, any substantial efforts to reform these perceptions must contend with

nationalist reactions. For example, in 2024, Sri Lanka's proposed Gender Equality Bill faced significant opposition, particularly concerning provisions related to transgender rights. The bill aimed to ensure equal opportunities for all individuals, regardless of sex or gender identity. However, various groups expressed concerns that it might promote LGBTIQ and transgender rights in ways they believed could compromise local cultural values. These concerns culminated in the Supreme Court blocking the Gender Equality Bill, citing potential conflicts with the Constitution, particularly regarding the recognition of same-sex marriages and liberal attitudes towards gender identity.

In the initial phase of its governance, the NPP government too is confronted with the challenge of engaging with sex work as a subtle social issue—one that extends beyond the lens of mere exploitation under capitalist and neoliberal economic structures. A more comprehensive approach necessitates acknowledging that, for many transgender/*nachchi* individuals, sex work is not solely a product of economic coercion but can also be a space of choice, pleasure, and desire. Addressing this reality requires the genuine inclusion of transgender communities in both political mobilisation and policymaking processes, ensuring that their lived experiences inform legislative and structural reforms. The NPP's bold decision to incorporate the policy on decriminalising same-sex relations into the Penal Code marked a significant step towards securing LGBTQ rights. While progressive members of the NPP have, on various occasions, advocated for the abolition of the Vagrants Ordinance, the policy document does not explicitly include this commitment. The overwhelming support I, who was a human rights activist, received from members of the transgender community during my candidacy in 2024 election reflected their deep-seated hope for meaningful justice and transformative change in their lives—justice that moves beyond tokenistic recognition to real, substantive progress.

As Scoular (2016) notes, the modernist notion that sex work social problem to be tackled via disciplinary and biopower has had a significant and enduring legacy. The Penal Code and the Vagrants Ordinance in Sri Lanka, like similar laws in other former colonies, were originally enacted as a tool of colonial control. Their primary objectives were to regulate public morality, suppress behaviours deemed undesirable by

colonial authorities, and maintain social order by policing marginalised populations. These laws were used to criminalise poverty, homelessness, sex work, and non-normative sexual and gender identities, as much as it is used for the same purposes today. The laws were designed, and being utilised to police the poor, unemployed, and those perceived as a threat to public order. In history, they targeted individuals who did not conform to colonial social and economic structures. Today, these laws enable the law enforcement authorities to harass, arrest, and punish those who lived outside heteronormative and class-based respectability. These ordinances is still being used in Sri Lanka as a part of broader efforts to impose Victorian-era morality, shaping legal structures that enforced heteronormativity, gender roles, and sexual repression. Therefore, the NPP government faces the significant and complex challenge of advancing these legal reforms within a paradoxical landscape—where a leftist administration, grounded in the ideology of fundamental equality, must navigate the expectations of a support base largely composed of the Sinhala-Buddhist majority.

Necropolitics and Nachchi Lives

Mbembe's (2003) notion of necropolitics provides a framework for us to understand the way in which sovereign power dictates who may live and who must die. It extends Foucault's (1978) concept of **biopolitics**—which focuses on how power regulates life—by emphasising how modern states use political, social, and economic mechanisms to expose certain populations to death or conditions of living that are as good as death. According to Mbembe, necropolitics can create 'death-worlds' where certain populations are marginalised and subjected to conditions that make their lives precarious, while it often targets certain groups of people who are seen as threats or outsiders. Further, Mbembe explores the relationship between death, sovereignty, and sexuality through the lens of Bataille's (1985) work. Bataille links death and sovereignty to excess and the dissolution of boundaries, including those of the body and self, through orgiastic and excremental impulses. Sexuality, in this context, is intertwined with violence and the breaking of taboos, which

can be seen as a form of transgression against the limits imposed by the fear of death. This transgression is a key aspect of necropolitics, where the power over life and death is exercised in extreme and often violent ways. Hence, Mbembe suggests us that the dissolution of boundaries and the transgressive nature of certain sexualities can be related to the broader themes of sovereignty, death, and power.

I explore the application of necropolitics to the contemporary Sri Lankan context. This analysis necessitates an examination of both colonial and post-colonial governance structures that have rendered gender non-conforming individuals disposable through legal and political exclusion. First, under colonial rule, governance was structured around necropolitical principles, wherein gender non-conforming subjects were positioned as expendable. Their existence was regulated through violent exclusion, criminalisation, and social marginalisation, reinforcing their status as bodies that could be governed through disposability rather than inclusion. Colonial legal and ideological frameworks established the foundation for the systematic exclusion of such individuals from rights-bearing citizenship, shaping the course of post-colonial governance. Second, today's Sri Lankan legal, political, and governance structures continue to operate within the ideological remnants of colonial gender regulation. This enduring colonial legacy prevents the state from incorporating gender non-conforming individuals, particularly *Nachchi* sex workers, into formal political discourse and rights-based frameworks. As a result, they remain structurally excluded, existing in precarious conditions where they are systematically denied legal protections, social recognition, and political representation. This exclusion not only marginalises them but also exposes them to heightened vulnerabilities, including violence and premature death, as the legal system fails to recognise and safeguard their rights. The necropolitical framework suggests that their continued exclusion is not incidental but rather a continuation of colonial governance that determine whose lives are deemed worthy of protection and whose are rendered expendable. This is why the ongoing political transformation in Sri Lanka holds significant importance. It represents a rupture from the colonial legacy and the dominance of right-wing, elite-driven politics, offering the possibility of a new, populist left.

A New Understanding of Politics and Agency

At the outset of this book, I established that my conceptualisation of community is informed by Korf's framework, which recognises its fluid, contested, and dynamic nature. Building on this foundation, I have sought to critically engage with and contextualise the concepts of politics and agency by interrogating and complicating conventional understandings. Rather than framing 'the political' solely through the lens of suppression and struggle, I have emphasised its broader dimensions—highlighting how it can also encompass processes of collective organisation around shared identities, practices, or even transient moments of solidarity.

Mouffe (2005) conceptualises 'the political' as an ever-present dimension of antagonism and power struggles within society. She differentiates between 'politics'—the institutionalised mechanisms and procedures that seek to establish social order—and 'the political', which refers to the fundamental and unavoidable conflicts that arise due to the plurality of identities, interests, and ideological positions. Mouffe's approach underscores the inevitability of contestation in democratic life, where opposing forces engage in continuous negotiation and struggle. In contrast, Korf (2020) offers an alternative perspective, suggesting that 'the political' is not solely defined by antagonism or structural conflicts. Instead, Korf's framing allows for a deeper understanding of political engagement—one that recognises how communities, including those on the margins, actively construct meaning, organise, and assert agency beyond traditional power struggles. This perspective is particularly significant in analysing the lived experiences of *Nachchi* sex workers, whose political engagements do not always take the form of direct resistance or overt opposition. Instead, their agency is often expressed through the formation of alternative social structures, the establishment of networks of care, and the enactment of everyday practices that ensure survival, provide affirmation, reinforce cultural beliefs, etc. As I have argued throughout the chapters of this book, these forms of engagement challenge conventional understandings of political resistance by highlighting the ways in which the subaltern navigate and reshape their socio-political realities beyond traditional frameworks of activism.

This perspective compels us to critically reassess conventional understandings of 'agency', which are often framed in overly simplistic terms—most notably—as the unrestricted freedom to choose. Such an interpretation is not only reductive but also fails to account for the ways in which freedom itself is shaped, constrained, and manipulated by global capital. The notion of freedom is not an objective or neutral ideal; rather, it is entangled with economic structures, historical legacies, and power dynamics that determine the possibilities available to individuals and communities. Within this framework, agency cannot be reduced to a binary opposition between so-called 'free' and 'forced' choices. Instead, it must be understood as the capacity to navigate constraints, to carve out spaces of possibility within structures that are often designed to limit or erase certain forms of existence. It is within these negotiations—these acts of movement, adaptation, and survival—that politics takes shape.

This is precisely why the politics of *Nachchi* sex workers in Sri Lanka holds great significance within decolonial epistemology. Their lives and struggles challenge hegemonic narratives that seek to erase or simplify their existence. They reveal the ways in which agency is enacted not only through direct resistance but also through everyday practices of endurance, community-building, and self-definition. Their politics, then, is not merely about demanding inclusion within existing frameworks but about redefining the very terms through which belonging, rights, and survival are understood. In this sense, this book is not just a narrative of marginalisation but also of resilience, imagination, and the radical potential to rethink the political itself. It is a call to recognise agency not as an abstract ideal but as a lived, embodied, and deeply contextual practice—one that continues to shape, and be shaped by, the histories and futures of those who refuse to be erased.

Now, writing this as a member of parliament, I find myself questioning whether my current role better equips me to advocate for justice and equality for *Nachchi* sex workers. While my position offers access to policymaking and a platform for greater influence, it also comes with its own complexities and limitations. I now grapple with deeper uncertainties about the possibilities of genuine political mobilisation and the very

nature of politics itself—questions that weigh heavier on me than they did when I engaged with these issues solely as an academic and activist. The idealism that once defined my academic pursuits now coexists with the realities of bureaucratic constraints, competing priorities, and the slow-moving machinery of institutional change. Yet, amidst these challenges, I hold onto the hope that the insights and arguments presented in this book remain relevant and serve as a foundation for envisioning a more just and egalitarian future.

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