

“Apnon ka Bahut Lagta Hai” (Our Own Hurt Us the Most): Centering Familial Violence in the lives of Queer and Trans Persons in the Marriage Equality Debates

A Report on the findings from a closed door public hearing on April 1, 2023

Organised by PUCL and National Network of LBI women and Transpersons

17th April, 2023

The Supreme Court hearings in front of the five-judge Constitution bench headed by the Chief Justice of India (CJI) DY Chandrachud on Marriage Equality start tomorrow. These proceedings have generated a lot of interest all over the country and the world, but even more so has set many queer and trans hearts racing in multiple ways, and not similarly. It is with this precise moment in mind that **PUCL** and the **National Network of LBI women and Transpersons** are releasing this report to the public today.

This report is not about Marriage Equality, though the right to marry is one of the recommendations made by the panelists. But this report is very much **about the lives of the queer and trans persons whose rights will be debated** not just in the Supreme Court, but all around us, in the media, on the streets, in houses and where you have. The voice of the State has already become clear in the invocation of *sanskara*, *sacrament*, and such like in the defence of the cis and heterosexual marriage and family. There is a slew of voices all around defending the existing structures of families and opposing the right of not just queer and trans persons, but also inter-religious and inter-caste heterosexual couples to live as they desire.

*This moment therefore, is as much about **families, and not just about marriage**. While the focus is on the demand for marriage equality for queer and trans folks, the legitimacy given to assigned families is as much under question. Chosen families and intimacies cannot be thought of without also looking at the reality of what assigned families do to their queer and trans children.*

This report is about the families that are assigned to us and those that often are the biggest road blocks to being able to live the way we want to. The families that are supposed to be spaces of nurture, care and support, **turn against their own children (often at very young ages), treat them with utter disregard and violence, and force them to conform** to socially accepted ideas of what is “normal” without any regard to the individual’s dignity or personhood. Stigma and violence run deep within the space of these families that are assigned to us at birth (or adoption).

A closed-door **Jan Sunwai** or **Public Hearing on Familial Violence on Queer Trans People** was organised by the **People’s Union for Civil Liberties (PUCL)**, along with the **National Network of LBI (Lesbian, Bisexual, Intersex) Women and Trans Persons (The Network)** to bring these concerns in to **focus** was held on **April 1, 2023** before an eminent panel of judges, lawyers, academics and activists.

31 queer and trans persons testified in front of the panel. The focus of the testimonies was on the relationship with the assigned (natal) families and the various struggles that the testifiers had undergone to be able to live their lives.

Today we bring to you this report, ***Apon Ka Bahut Lagta Hai***, with the findings and recommendations of the Panel which comprised of: **Retd. Hon Justice Prabha Sridevan**, Chennai; **Asif Iqbal, Co-Founder, Dhanak**, Delhi; **Divya Taneja, Special Cell for Women and Children**, Mumbai; **Kavita Krishnan, Feminist Activist**, Delhi; **Manjula Pradeep, Anti-Caste Feminist Activist**, Ahmedabad; **Mihir Desai, Senior Counsel**, Mumbai; **Paromita Chakravarti, Feminist Academic**, Kolkata; and **Veena Gowda, Feminist Lawyer**, Mumbai.

The community and civil society organisations included in **the Network** are: **Nazariya: Queer Feminist Resource Group** (Delhi), **Sappho For Equality** (Kolkata), **Sahayatrika** (Thrissur), **Orinam** (Chennai), **Raahi** (Bengaluru), **QT Centre** (Hyderabad), **Hasrat-e-Zindagi Mamuli** (Mumbai), **Vikalp Women's Group** (Vadodara), **SAATHII** (pan-India), and unaffiliated **individuals**.

Please find the report in its entirety at:

<https://pucl.org/reports/apnon-ka-bahut-lagta-hai-our-own-hurt-us-most-centering-familial-violence-lives-queer-and>

<http://orinam.net/familial-violence-marriage-equality/>

<https://linktr.ee/nazariyaQFRG>