Continental Drift: 
Queer, Feminism, Postcolonial

Brenda Cossman*

In this article, I tell a story of drifts - of continental drifts from feminism to queer theory, drifts between continents, from West to East and back again. From its genesis in the works of Eve Sedgwick and Gayle Rubin, queer theory emerged as a project of theorising sex and sexuality in an analytical framework independent of feminism. Others, like Judith Butler have resisted the bracketing of gender and the break of feminism, insisting instead that neither feminism nor queer theory should have such clearly delineated 'proper objects'. I seek to bring the continental drift to the question of queer theory's relationship with feminism, and its location in the postcolonial. While the story starts in the West, where queer theory first emerged, it drifts eastward. But continental drift is not a story of movement from West to East; it is a story of the movement of the Earth's continents relative to each other. Shifting tectonic plates produces more than a little deep structural change. So too does the drift of queer theory toward the postcolonial, and the postcolonial toward the queer.

The relationship between feminism and queer theory has long been a contested one. From its genesis in the works of Eve Sedgwick and Gayle Rubin, queer theory emerged as a project of theorising sex and sexuality in an analytic framework independent of feminism. As Rubin wrote in Thinking Sex:

In the long run, feminism's critique of gender hierarchy must be incorporated into a radical theory of sex, and the critique of sexual oppression should enrich feminism. But an autonomous theory and politics specific to sexuality must be developed.1

Others like Judith Butler have resisted the bracketing of gender and the break of feminism, insisting instead that neither feminism nor queer theory should have such clearly delineated proper objects, and

---

* Director, Bonham Centre for Sexual Diversity Studies, and Professor of Law, University of Toronto, Canada <b.cossman@utoronto.ca>. I would like to thank the Centre for Feminist Legal Research, New Delhi, for research assistance. An earlier version of this paper was presented at the 'Feminisms of Discontent' conference organised by the Jindal Global Law School in New Delhi, February 2011. I benefitted enormously from the engagements of my co-panelists, Brinda Bose, Shohini Ghosh and Arvind Narain.

that more is to be gained from a kind of 'intellectual trespass' between them. Indeed, Butler's work on gender performativity, so foundational to queer theory, was itself an intervention in feminist debates.

In this article, I tell a story of drifts—of continental drifts from feminism to queer theory, drifts between continents, from West to East and back again. Much of my own work has been located in these drifts. It is located in the drift away from feminism to queer theory. I turned to the sex radical work of Rubin and became more engaged with questions framed by Michel Foucault, Eve Sedgwick, and Judith Butler. Yet I never fully repudiated feminism: I remained committed to the idea of its continued analytical purchase. My drift away from feminism to queer theory also involved going back again. Much the same can be said of my work in terms of drifts between continents. It has been located in the West and in India, sometimes sequentially, sometimes simultaneously. The temporal, spatial and theoretical drifts back and forth have produced a slightly dislocated and disoriented body of work that sometimes speaks parochially and other times speaks between and across. In this article, I seek to bring that continental drift to the question of queer theory's relationship with feminism and its location in the postcolonial. While the story starts in the West, where queer theory first emerged, it drifts eastward (or westward depending on one's flight route). But continental drift is not a story of movement from West to East; it is a story of the movement of the Earth's continents relative to each other. Shifting tectonic plates produce more than a little deep structural change. So too does the drift of queer theory toward the postcolonial and the postcolonial toward the queer.

I. Queer Theory?

Queer theory is a tough thing to pin down. Its deconstructive nature defies any simple definition or synopsis and from its inception, it has

2. Judith Butler, Against Proper Objects, in Feminism Meets Queer Theory (Elizabeth Weed & Naomi Schor eds., 1997).
3. See for example Shannon Bell, Lee Gotell, Becki Ross & Brenda Cossman, Bad Attitude/s on Trial: Pornography, Feminism and the Butler Decision (1997); Brenda Cossman, Sexual Citizens: The Legal and Cultural Regulation of Sex and Belonging (2007).
refused the definitional. However, if we go back to its roots, to the foundational writings of Eve Sedgwick, Gayle Rubin, and Judith Butler amongst others it is possible, and I believe useful, to identify several basic themes or perhaps predispositions. Its genesis can perhaps be seen to lie with Foucault’s argument that sexuality is a discursive production rather than a natural condition. Queer theory has developed as an interrogation and deconstruction of the multiple discursive productions of sexuality, seeking to denaturalise the assumed connections between sex, gender and desire. Teresa de Lauretis, the first to coin the term and one of the first to denounce it, described queer theory as “a refusal of heterosexuality as the benchmark for all sexual formations.” It was a critique directed to “recast or reinvent the terms of our sexualities, to construct another discursive horizon, another way of thinking the sexual.” Perhaps at its most general, queer theory can be seen as an interrogation and denaturalisation of the sex, gender, desire matrix. As Annamarie Jagose has described:

Broadly speaking, queer describes those gestures or analytical models which dramatise incoherencies in the allegedly stable relations between chromosomal sex, gender and sexual desire. Resisting that model of stability – which claims heterosexuality as its origin, when it is more properly its effect – queer focuses on mismatches between sex, gender and desire.

Judith Butler’s groundbreaking work in *Gender Trouble and Bodies that Matter* took aim at the identity and essentialist constructions of gender, insisting that chromosomal sex, gender and sexuality are discursively produced and performed. In *Epistemology of the Closet*, Eve Sedgwick centred the critical analysis of the homosexual/heterosexual dichotomy. Through these works, queer theory deconstructed the dichotomy between gay and straight, homosexual and heterosexual, suggesting

---


8. **Judith Butler**, *Gender Trouble: Feminism and the Subversion of Identity* (2nd ed. 1999); *Bodies That Matter: On the Discursive Limits of “Sex”* (1993); Rubin, supra note 1.


11. *Id.*

that these dichotomies were themselves part of the problem. The homo/hetero distinction normalised heterosexuality and reinforced very static and essentialist conceptions of sex, sexuality and desire. It was similarly a critique of identity – specifically gay and lesbian identity claims – arguing against the essentialisation of gay identity against a heterosexual norm.

Secondly, queer theory was positioned as a critique of the normal and, by extension, of normative sexuality. David Halperin described queer as, by definition, whatever is “at odds with the normal, the legitimate, the dominant.”

Queer demarcates not a positivity but a positionality vis-à-vis the normative – a positionality that is not restricted to lesbians and gay men but is in fact available to anyone who is or who feels marginalized because of her or his sexual practices.

Michael Warner, for example, in *The Trouble with Normal* focused queer on resistance to regimes of normal, particularly, to sexual regimes of normalisation. This critical positionality against regimes of sexual normalisation and normative sexualities teeters at times towards a more normative celebration or affirmation of sex, particularly of ‘non-normative’ sexual practices. Although this normative pro-sex affirmation sits uncomfortably with queer theory’s critical and more poststructuralist tendencies, it gestures towards an underlying if not always stated normativity. Indeed, some, like Gayle Rubin, argue for an ethics of sexual pluralism that expressly affirms the non-normative. While the underlying normativity of queer theory remains contested and unresolved (perhaps irresolvable), the interrogation of normative sexuality and the implicit embrace of non-normative sexualities can be seen as a thematic gesture that runs through much queer theory.

Thirdly, queer theory seemed to emerge as a lens to focus on sex and sexuality independently of gender. It was articulated by Rubin and Sedgwick as a kind of break from feminism and the colonising lens of gender, arguing that much could be gained by exploring sex and sexuality through its own unique lens. Rubin challenged feminism’s claim to have occupied the field of sexuality and argued that it was essential to “separate gender and sexuality analytically to more accurately reflect

---

14. Id.
16. Rubin, supra note 1, at 283 (“A democratic morality should judge sexual acts by the way partners treat one another, the level of mutual consideration, the presence or absence of coercion and the quantity and quality of the pleasure they provide.”).
their separate social existence." It was time, she argued in 1984, to
develop an "autonomous theory and politics specific to sexuality." Sedgwick picked up on Rubin's call and argued in *The Epistemology of the Closet* that it was axiomatic that "the study of sexuality is not coextensive with the study of gender; correspondingly antihomophobic inquiry is not coextensive with feminist inquiry."

[...] the question of gender and the question of sexuality, inextricably
from one another though they are [...] are nonetheless not the same
questions, that in twentieth century Western culture, gender and
sexuality represent two analytic axes that may productively be imagined
as being distinct from one another.

The emerging body of queer theory was demarcating an area of
studying sexuality without gender and without feminism, producing
a sophisticated body of work on sex and sexuality that troubled
heteronormativity independent of feminism's focus on male/female
relationships.

Some have since declared queer theory as over, dead or passé. Yet
others continue to work with a queer lens. Given Lee Edelman's work
on queer time, Judith Halberstam on queer time and space, Elizabeth
Freeman's on queer temporarilities and histories, and Kathryn
Bond Stockton on the queer child, to name but a few of the more
haunting works of the last decade, queer still appears to have more
than a little intellectual energy pulsating through its veins, rendering its
pronouncement as dead a bit premature. Queer is still in the process
of being written. It remains, as Judith Butler has argued, "a category in
constant formation":

It will have to remain that which is, in the present, never fully owned,
but always and only redeployed, twisted, queered from a prior usage
and in the direction of urgent and expanding political purpose.

---

17. Rubin, supra note 1, at 308.
18. Id.
20. Id.
21. See for example Jeff Nunokawa, *Queer Theory: Postmortem*, 106 (3) South Asian Quarterly 553-563 (2007) (Others, less quick to declare its death, have explored its present and future.);
22. See for example *Special Issue, Social Text: What is Queer about Queer Theory Now?* 84-86
(David Eng, Judith Halberstam & Jose Esteban Munoz eds., Fall/Winter 2005); *After Sex: On Writing since Queer Theory* (Janet Halley & Andrew Parker eds., 2010).
27. Butler, supra note 8, at 228.
These themes or analytic predilections, which no doubt oversimplify the contested terrain of queer theory, remain compelling and analytically useful. I believe that they can usefully be brought to bear on what passes for queer theory these days, which in its less complex modalities, borders on reconstituting queer simply as gay. Indeed, this is where I risk becoming an unreconstituted queer theorist, or Sedgwickian, insisting perhaps a little too strongly on some of queer theory’s originalism as an anti-identitarian project. Eve Sedgwick once said that almost every attempt to deploy Foucault’s repressive hypothesis has gotten it exactly wrong. I think that the same may be said of Sedgwick’s work. Queer theory was intended to trouble identity: to explore and deconstruct the discourses producing gay identity. Yet today the word ‘queer’ has muted and transformed. While I agree with Butler and others that queer theory itself is a contested terrain, an ongoing critical project, without ownership, I cannot help but recoil from the deployment of queer as a mere synonym for ‘gay’, only hipper. Queer parenting, queer marriage, queer community – while I do not suggest that the practices of parenting or marriage or community could not in fact be queered, I question the extent to which the mere insertion of queer as an adjective in front of those practices does so. For me, queer theory offers a powerful, anti-identitarian lens to explore sex and sexuality. If this makes me an unreconstructed Sedgwickian, so be it, but acknowledging it may allow the reader to make their own judgments.

II. Feminism?

The rupture between feminism and queer has, as I have suggested above, been productive. Yet there is also a way in which it has been stultifying. As Judith Butler has argued, each has been given its proper object: gender is allocated to feminism while sexuality is allocated to queer theory. The two are cast in an antagonistic relationship, their differences incommensurable. For queer theory, feminism is reduced to one side of the sex wars – those that seek to regulate the harms that sexuality presents for women - while casting itself as a more liberatory politics that seeks to destabilise the disciplinary regulation of sexuality. For feminism, queer theory is reduced to a sexual libertarian and representation politics, overly male in orientation, devoid of ethicality, unconcerned with the material conditions of women and the role of

27. Sedgwick, supra note 19, at 48 (“My first aim is to denaturalize the present, rather than the past – in effect, to render less destructively presumable homosexuality as we know it today.”).
sexuality in producing inequality. This is an unproductive dichotomy, trafficking in caricatures and stereotypes that fails on the one hand to recognise the contribution of different currents of feminism, while erasing debates within queer theory around gender, ethicality and political engagement on the other. Feminism becomes equated with dominance feminism. As Butler has argued:

feminism becomes identified with state allied regulatory power over sexuality [...] and these feminist positions which have insisted on strong alliances with sexual minorities and which are skeptical of the consolidation of the regulatory power of the state have become barely legible as 'feminist'.

It is a divide that fails to interrogate the more productive potential of analyses that might lie in the interstices of gender and sexuality, feminism and queer theory.

In a more recent intervention in the feminism/queer theory debates, Janet Halley has provocatively argued that it is time to "take a break from feminism." Halley has demonstrated the conflicts between dominant variants of feminist critique and queer theory in the context of sexual harassment law, with feminist "victories" producing queer theory losses. She argues that it may be time "to urge feminists to learn to suspend feminism, to interrupt it, to sustain its displacement by inconsistent hypotheses about power, hierarchy and progressive struggle." She defines feminism as having three shared features: "First, to be feminism, a position must make a distinction between M and F ... Second ... a position must posit some kind of subordination as between M and F, in which F is the disadvantaged or subordinated element." Finally, a position must advocate against this subordination, or in Halley's words, it must "carry a brief for F." This concern with the distinction and subordination between male and female, men and women, particularly as it has sedimented in dominant or 'governance feminism' operates to preclude a range of alternative insights into the workings of sexuality.

---

30. Halley et al., supra note 29, at 604.
31. Id.
32. See Janet Halley et al., From the International to the Local in Feminist Legal Responses to Rape, Prostitution/ Sex Work, and Sex Trafficking: Four Studies in Contemporary Governance Feminism, 29 HARV. J. L. & GENDER 335, 340 (2006) (Janet Halley coined the term "governance feminism" to "refer to the incremental but by now quite noticeable installation of feminists and feminist ideas in actual legal-institutional power.")
that could be seen through an alternative theoretical lens, such as queer theory.\textsuperscript{33}

Halley’s methodology allows her to produce counter-narratives of the operation of power on the terrain of sexuality, narratives that were obscured from within feminism’s male/ female binary. Yet, as a methodology, taking a break from feminism runs the risk of reproducing some of the problematic effects of the feminism/ queer theory rupture. While Halley recognises the diversity within feminism and the deep ideological divisions within feminism on issues of sexuality, thereby avoiding the simplistic feminism/ queer theory, gender/ sexuality dichotomies, “taking a break” from feminism risks leaving in place rather than “moving between” the polarised worlds.\textsuperscript{34}

In my debates with Halley, I argued that a return to feminism might mitigate these risks.\textsuperscript{35} I argued that feminism’s focus on gender as an axis of power continued to have analytic purchase. Gender when understood broadly as, in Joan Scott’s words, “a primary way of signifying relationships of power,”\textsuperscript{36} a way in which material and symbolic resources are produced and distributed in asymmetrical ways, remains an important foundational and analytical frame for feminism. Gender still matters in the world in real and symbolic, discursive and material ways. But in keeping with the influence of queer theory I argued that it should not be an exhaustive analytic frame: “Feminism as an analytic lens on gender as an axis of power” could “be supplemented, challenged, and confused by other theoretical and analytic frames.”\textsuperscript{37}

Gayle Rubin gestured towards a possible rapprochement of sexuality and gender “in the long run.” Others, notably Butler, have mused on whether the long run has since arrived. My argument with Halley would suggest

\textsuperscript{33} Halley, supra note 29, at 604 (Halley’s idea of “taking a break from feminism” is not a renunciation of feminism, nor an anti-feminist position. It is simply a bracketing of feminism’s questions and its focus on the masculine/ feminine distinction. Although she is extremely critical of “governance feminism” - the alliance of liberal, radical, and cultural feminism that has informed a range of regulatory approaches - she does not condemn all feminism with the same brush stroke. Her argument is often misconstrued as an anti-feminist renunciation. A more careful reading of her work reveals that it is not.).

\textsuperscript{34} Biddy Martin, Sexuality without Genders and Other Queer Utopias, in Femininity Played Straight: The Significance of Being Lesbian 3 (1996) (The idea of “moving between” polarised positions is borrowed from Biddy Martin’s piece. Halley’s focus on governance feminism - radical and culture feminism - similarly runs the risk of obscuring the potential insights of the multiple variants of more marginal feminisms that live more closely on the porous borders between the feminist and the queer.).

\textsuperscript{35} Cossman et al., supra note 4, at 601; Brenda Cossman, Sexuality, Queer Theory and Feminism After: Reading and Rereading the Sexual Subject, 49 McGill. L. J. 847 (2004).

\textsuperscript{36} Joan Wallach Scott, Gender and the Politics of History 42 (1988).

\textsuperscript{37} Cossman, supra note 35, at 853.
I agree. But I must admit to a continuing apprehension. If the long run has arrived, and it is time for more “intellectual trespass” between the two, the *rapprochement* must be a careful and contingent one. Gender still has – has always had – analytic purchase in the study of sex and sexuality. But feminism has not always been a humble discourse. It can no longer seek the first and last word. It should begin by recognising the limits of its own imagination. It simply cannot see everything in its lens or mind's eye. I have argued that it may be theoretically productive to leave feminism behind – and its expertise on gender – to allow for a critical engagement beyond its own borders. Queer theory allows for, indeed demands, a multiplicity of readings that bring a different set of questions into sharp relief.

III. POSTCOLONIAL?

It has not escaped my attention that my discussion has been focused exclusively on Western texts and located exclusively within Western debates on feminism and queer theory. The invocation of the “we” has been in terms of the arguments that I have made in my work, engaging a predominantly Anglo-American audience. And so what if any purchase should any of this discussion have in the postcolonial, post-globalising, post-*Naz* mobilisation moment in India? One entirely legitimate response would be “absolutely nothing at all.”

Admitted, at the heart of queer theory, in its Sedgwickian origins, is an assertion about western culture and the overwhelming focus has been on the production and deconstruction of heteronormativity and queerness in western culture. Foucault's work, including the volumes on the *History of Sexuality* has been thoroughly criticised for its failure to engage the histories, knowledges and subjects of colonial/postcolonial experiences. Yet the most basic insights of Foucault inspired queer theory, that is, of the social and regulatory production of sexual subjects in historically specific discourses, are worthy of analytic pursuit beyond this massive failure. Queer theory traction, at a minimum, might lie in the questions that it can ask: how are sexual subjects produced? What are discourses of inclusion and exclusion? How, if at all, are subjects produced through discourses of heteronormativity?

---

Not all would agree. Joseph Massad in *Desiring Arabs* takes postcolonial aim at the universalising Western discourse of gay and lesbian rights. Following in the intellectual tradition of Edward Said, Massad argues that the promotion of the concept of gay rights in the Arab world has been an orientalising and colonising one, a missionary campaign by Western gay activists, “produce[ing] homosexuals, as well as gays and lesbians, where they do not exist.” Massad argues that it is not that same-sex activity does not exist but homosexual identity that did not exist prior to the intervention of the 'gay international':

> The new and refined universal human subjectivity that they are proselytizing to the rest of the world is not that of including the homosexual but that of instituting the very binary which will exclude the homosexual that it created in the first place, and all that is carried out in the name of 'liberation' for oppressive cultures and laws.

Massad's critique is not intended to be particularly queer-friendly. Yet I would argue that it is one with queer overtures. His rejection of the essence of homosexual identity and interrogation of the multiple discourses producing the gay subject in the Arab world is one consonant with queer theory's insistence on the artificiality and centrality of the homo/hetero dichotomy in Western culture. While it stands as perhaps the most controversial and damning postcolonial critique of the emergence of the postcolonial gay and lesbian subject, theoretically it does not do the work to displace the critical moves of queer theory.

Other postcolonial and transnational theorists are rather less overtly hostile to the critical manoeuvres and analytic gestures of queer theory. Many scholars have in recent years begun to interrogate both the limitations of Western queer theory and the electrifying challenges of transnational sexuality and queer studies. Gayatri Gopinath, for

---


40. *Id.* ("The categories gay and lesbian are not universal at all and can only be universalized by the epistemic, ethical, and political violence unleashed on the rest of the world by the very international human rights advocates whose aim is to defend the very people their intervention is creating.").

41. **Massad, supra note 39, at 41.**

example, offers a provocative and compelling deployment of queer in a postcolonial context. In *Impossible Desires*, Gopinath sutures 'queer' with 'diasporic' as a corrective lens for both queer and diasporic studies. Yet Gopinath's deployment of the queer diaspora is expressly intended to move beyond the "homonormativity of certain strands of Euro-American queer studies that center white, gay, male subjectivity" and part of the collective project of decentring whiteness and dominant Euro-American paradigms in theorising sexuality both locally and transnationally." She challenges the "Gay International" yet she does so through the deployment of a more nuanced and postcolonialised queer rather than in Massadian opposition to it.

Gopinath's work also foregrounds the feminist alongside the queer, in so far as she centres queer female diasporic subjectivity. She seeks to uncover articulations of queer female desire in a range of diasporic cultural representations, often in places where such desire would seem most impossible. Gopinath builds on the work of postcolonial feminist scholars who have revealed the discursive role of woman in the projects of nationalism but have failed to interrogate the particular role of "heterosexuality as a key disciplinary regime." She is explicit about her theoretical location:

[...] while this project is very much situated within the emergent body of queer of color scholarship [...] it also parts way with much of this scholarship by making a queer female subject the crucial point of departure in theorizing a queer diaspora. In so doing, Impossible Desires is located squarely at the intersection of queer and feminist scholarship and therefore challenges the notion that these fields of inquiry are necessarily distinct, separate and incommensurate. Instead the book brings together the insights of postcolonial feminist scholarship on the gendering of colonialism, nationalism and globalization with a queer critique of heteronormativity of cultural and state nationalism formations.47

44. Id. at 11.
45. Id.
46. Id.
47. Id. at 16.
Her work is postcolonial, queer, feminist, pushing each beyond their own blinders.

Jasbir Puar similarly propels queer theory beyond many of its self-imposed boundaries to explore the role of heteronormativity in US nationalism and its production of the terrorist subject as insidious, violent outsider.48 Queer is deployed as a regulatory norm, which in the post 9/11 war on terrorism, becomes implicated in the racialisation of Muslim terrorist subjects. Puar develops the idea of queer assemblages, a kind of Deleuzian assemblage 'of dispersed but mutually implicated networks' in which "queerness [com]es forth at us from all directions, screaming its defiance."49 For Puar: "Queerness as an assemblage moves away from excavation work, deprivileges a binary opposition between queer and not-queer subjects, and, instead of retaining queerness exclusively as dissenting, resistant, and alternative (all of which queerness importantly is and does), it underscores contingency and complicity with dominant formations."50

Amongst her many critical moves and insights, Puar observes an archetypical failure of Foucault's repressive hypothesis of the sort identified by Sedgwick. In her critical reading of the Abu Ghraib "sexual torture scandal," Puar demonstrates the ways in queerness colluded with American nationalism in many gay/lesbian/queer commentators. The photographs were framed "as evidence of rampant homophobia in the armed forces," with scarce mention of the linked processes of racism and sexism. Even more troubling was the reason given for the particular efficacy of the torture: the taboo, outlawed, banned, disavowed status of homosexuality in Iraq and the Middle East, complemented by an aversion to nudity, male-on-male contact, and sexual modesty with the rarely seen opposite sex.51 Puar notes the stunning failure to recognise the most basic of Foucault's insights:

[In the uncritical face-value acceptance of the notion of Islamic sexual repression, we see the trenchant replay of what Foucault termed the "repressive hypothesis": the notion that a lack of discussion or openness about sexuality reflects a repressive, censorship-driven apparatus of sexual desire.52]

It is but one of her countless deployments and redeployments of queer theory, highlighting the potential analytic purchase of queer assemblage

48. JASIR PUAR, TERRORIST ASSEMBLAGES: HOMONATIONALISM IN QUEER TIMES (2007); See also Jasbir K. Puar, Queer Times, Queer Assemblages, 23 (3-4) SOCIAL TEXT 121-139 (2005).
49. Puar, supra note 48, at 127.
50. Id. at 121-122.
51. Id. at 123.
52. Id. at 125.
in engaging the postcolonial. Puar's is an exhilarating, high-voltage intellectual assemblage, taking the queer to unchartered territory, with multiple intellectual trespasses across a broad range of critical theoretical interventions.

Gopinath and Puar are but two particularly brilliant visions of the queer in the postcolonial and counter-narratives to Massad's rather more negative prognosis. Queer theory – even in its more narrow pre-Puar/Gopinath instantiations – has a range of questions apposite for the postcolonial context. Without presupposing the range of intellectual frameworks that the answers may need to deploy, queer theory can ask questions about the discourses through which contemporary postcolonial sexual subjectivities are constituted. How are sexual subjects naturalised? What ideologies of nationalism, postnationalism, colonialism and postcolonialism are deployed in naturalising some sexual subjects and exiling others? What discourses of resistance are deployed? And in a more post-Puar, post-Gopinath modality, queer theory might ask about the multiple ways that queer assemblages are ever-present in producing citizens and racialised deviants, postcolonial nationalisms and their sexualised, racialised others.

IV. QUEER INDIA?

Queer has recently emerged as a site of scholarship and activism in India.\(^{53}\) Ruth Vanita's ground-breaking edited collection *Queering India* first put the sign of queer on the Indian academic map.\(^{54}\) Several important recent anthologies have invoked the queer, most notably perhaps, Brinda Bose and Subhabrata Bhattacharyya's *The Phobic and the Erotic: The Politics of Sexualities in Contemporary India*\(^{55}\) and Arvind Narrain and Gautam Bhan's *Because I have a Voice: Queer Politics in India*.\(^{56}\) The essays that make up these volumes have produced diverse critical genealogies


55. *THE PHobic and the Erotic: The politics of Sexualities in Contemporary India* (Brinda Bose & Subhabrata Bhattacharyya eds., 2007).

56. *because I have a voice: Queer Politics in India* (Gautam Bhan & Arvind Narrain eds., 2005).
of sexual identities and practices in India. Narrain and Bhan specifically invoke “queer” both in their title and the framing of their theoretical lens. Although contested and evolving, a certain usage of queer appears to be emerging in much of the literature. Consider, for example, the glossary entry in a recent article on transgender rights in India.  

Queer: The word queer is increasingly being used in India to connotate a diversity of ways of living that contest the embedded nature of heterosexism in law, culture and society. The term denotes a diversity of sexual orientations and gender identities in the Indian context that includes hijra, kothi, transsexual, and intersexed persons.

Narrain and Bhan deploy queer in not dissimilar terms, careful to insist that it is not synonymous with LGBT. Queer, they argue:

captures and validates the identities and desires of gay, lesbian, bisexual and transgender people, but also represents, for many, an understanding of sexuality that goes beyond the categories of “homosexual” and “heterosexual.” It speaks, therefore, of communities that name themselves (as gay and lesbian, for example) as well as those who do not, recognizing the spaces for same sex desire and sexuality that cannot be captured in identities alone.

Queer politics, they insist, is not simply a minority issue of communities defined by their sexual orientation but a broader questioning of normative assumptions around sexuality and gender.

Bose and Bhattacharyya pick up from this usage of queer, both affirming it as a place to locate current discussions of LGBTQ identities, practices and politics in India while also mobilising a more theoretically complex engagement with the genealogy of queer theory and its transnational machinations. They frame their project as one of interrogating the contemporary politics of sexualities in India, seeking to highlight the emerging politics of non-normative sexualities. Bose and Bhattacharyya transitorily deploy the concept of alternative sexualities but replace 'alt' with queer along the way. While noting the many sexualities and practices that lie outside the “narrow berth” of the normative in India, they adopt the term queer more narrowly:

For the particular political usages of this anthology, we shall take, in the main, the sexual constituents of queer – lesbian, gay, bisexual,

57. Id.
58. Siddharth Narrain, Crystallising Queer Politics: The Naz Foundation Case And Its Implications For India’s Transgender Communities, 2 NUS L. REV. 455 (2009).
60. Id.
61. Bose & Bhattacharyya, supra note 55.
transgender – as the primary signifier of the "other" of sanctioned sexual identity as the LGBT movement quite justifiably exposes the absence of a level playing field whenever its battles are seen as analogous to those amongst the heterosexual community who feel beleaguered for a variety of impediments in the pursuit of their desires.62

Bose and Bhattacharyya's subsequent questioning of the appropriate theoretical framing for these interrogations engages the fraught relationship between sexuality and gender and seeks to locate the work within an emerging cosmopolitanism, attentive to both global processes and local heterogeneities. The volume is ultimately framed as one of sexuality studies but wherein the queer, as signifying LGBT identities, politics and practices, are in the sharpest relief. The essays that follow – richly textured genealogies of queer sexualities across cultural and literary studies – engage these heterogeneities; sometimes explicitly invoking the queer theory of the West, often assuming familiarity but moving to more cosmopolitan and culturally-specific interrogations.

Not all of those working on sexuality in India have embraced the sign of the queer. Ratna Kapur's work on the sexual subaltern, while having a decidedly queer bent, never invokes queer theory.63 Indeed Kapur gets to the sexual subaltern through a different theoretical trajectory. Her work is located within postcolonial theory, feminism and subaltern studies. Kapur defines the "sexual subaltern" to capture the diversity of counter-heteronormative sexual identities and sexual practices in India, including:

gay, lesbian, bi-sexual, transgndered, khushi, queer, hijra, kothi, panthis and many more. They have also included sexual practices and behaviours such as adult and consensual pre-marital, extra-marital, non-marital, auto-erotic/masturbatory, promiscuous, and paid-for sex, as well as MSM (men who have sex with men). It is this diversity of identities and range of practices that cannot be captured within the acronym 'LGBT,' and why there is a need to articulate the politics of sexual subgroups from within a postcolonial context rather than to borrow theories or politics from elsewhere, a move that is both decontextualised and dehistoricised.64

62. Id. at XXI.
63. See Ratna Kapur Erotic Justice and the New Politics of the Postcolonial (2005); See also Sexualities (Nivedita Menon ed., 2008) (She argues in favour of the politics of 'counter-heteronormativity', in and through an expressly feminist lens. For Menon, counter-heteronormativity refers to a range of political assertions that implicitly or explicitly challenge heteronormativity and the institution of monogamous, patriarchal marriage.).
Kapur has eschewed the sign of queer in favour of the sexual subaltern because of its better historical fit in the Indian context. Yet there is an obvious way in which her ground-breaking work on non-normative sexualities in Indian law, culture and history evokes theoretical hauntings not dissimilar to queer theory. While explicitly located in the subaltern tradition, Foucault, Rubin and Butler make their appearances. My point in drawing out the resonance between Kapur’s sexual subaltern and queer theory is not to suggest that her work is really queer. It is rather to suggest that critical genealogies of sexual identities and practice consonant with queer theory may be found in many places. The very theoretical orientation of queer theory has been to find non-heteronormative identities, practices, discourses and possibilities at the margins of culture and history. It need not claim these critical genealogies under an imperialising sign of the queer.

V. AND BACK AGAIN?

So, what of the queer and what then might be learned of these multiple encounters? What is the relationship of the deployment of queer in India with queer theory in the West? I ask this question not to measure queer studies in India against the norm of queer theory in the West. Rather I am seeking to interrogate and compare the theoretical assumptions and heuristic twists and turns in each. Comparison is a multidirectional exercise. If we turn the comparative gaze back on itself, what might queer theory in the West learn from its encounter with the postcolonial?

I began by highlighting three basic themes or analytic predictions of queer theory in the West that I argued continue to have purchase. But

65. Id. at 383 (Kapur argues, that both LGBT studies and queer theory “are seen to emanate primarily from ‘the West’, and neither captures the nuances and complex histories within which the sexual subaltern has emerged.”).


67. Indeed, it is precisely this kind of move that Kapur makes in her intervention in this volume; in shifting to a more explicit engagement with the sign of the ‘queer’ in the postcolonial and Indian context, Kapur explores the dissident and regulatory potentials of queer.

68. See Cosman, supra note 6.

69. Nishant Shahani, After the Fire: India Is Burning, 15 (1) GLQ 180 (2009) (As Nishant Shahani writes in his review of Bose and Bhattacharyya’s edited volume ‘The Phobic and the Erotic: The Politics of Sexualities in Contemporary India’: “if queer politics in India can learn something from queer theory in the West, can queer theory in the West learn anything from politics in India?”).
what becomes of these ideas in the continental drift? First, there was the interrogation of the sex/ gender/ desire matrix, which is of course a central dimension of sexuality studies in India, sometimes naming its intellectual influences in Western queer theory and other times seeking to unmoor the inquiry from Western scholarship, to produce more culturally and historically specific knowledges. Again, this is not about claiming such knowledges as “queer theory.” It is rather to unearth the continuing tracition of explorations into this matrix. But the queer theory I described is one that is avowedly anti-identitarian in its exploration of this matrix. As Ratna Kapur has argued in her article in this volume, there are visions of identity being reinscribed in the deployment of queer in India. On this count, there is indeed some considerable conflation with the usages of queer in the West where despite its anti-identitarian roots, queer has often become an identity. As I confessed above, this is to me a problematic deployment of queer, analytically at any rate. I believe that the more anti-identitarian spirit of queer theory continues to have explosively subversive potential.

Inspired as always by Foucault, I would suggest that the exploration of the proliferation of sexualities challenging the sex/ gender/ desire matrix is not enough. Queer, as it is emerging in the literature, although producing some wonderfully rich genealogies of sexual subjects, past and present, under its sign, could be pushed to more critique. As I have argued elsewhere, critique is about identifying the many ways that power and knowledge produce the objects, discourses and fields under study. But it is also about pushing on those fields of knowledge to their “breaking points” to:

the moments of its discontinuities, the sites where it fails to constitute the intelligibility for which it stands. What this means is that one looks both for the conditions by which the object field is constituted, but also for the limits of those conditions, the moments where they point up their contingency and their transformability. In Foucault’s terms, “schematically speaking, we have perpetual mobility, essential fragility or rather the complex interplay between what replicates the same process and what transforms it.”

70. See in this issue, Ratna Kapur, Multi-tasking Queer: Reflections on the Possibilities of Homosexual Dissidence in Law.
71. Brenda Cossman, Feminism in Hard Times: From Criticism to Critique (forthcoming 2012), in Feminisms of Discontent (Ashleigh Barnes ed.).
The anti-identitarian impulse of queer theory, in interrogating and deconstructing the sex/ gender/ desire matrices, fits with this spirit of critique; of not only taking apart but of looking deeply at how the very subjects and practices under study produce the knowledges through which we are studying them and limits of field of vision. Queer theory, I believe, can help push our fields of knowledges to these productive, if disorienting, breaking points.

The second theme was the critical interrogation of the normal and the embrace of non-normative sexualities. On this theoretical count, queer studies in India has perhaps surpassed its Western counterpart. In the very descriptions of the queer, the non-normative repeatedly takes definitional precedence, often outweighing the identititarian tendencies of the term. Western queer theory has been rightly criticised as centring the gay male subject, despite its anti-essentialist claims. While, as Kapur has argued, there is an emerging identity in the deployment of queer, it is an identity that self-reflexively extends well beyond the gay male subject to the panoply of non-heterosexual subjects: lesbian, bisexual, transgender, hijra, kothi. Queer – in most of its iterations – interrogates those sexual desires and practices as non-normative. Only a few scholars, however, take it beyond the non-heterosexual. Kapur, uncomfortable with the term queer itself and preferring sexual subaltern, extends her analysis to the many forms of non-normative sexualities, homo and hetero alike, bringing sex workers and young straight lovers expressing their desire on screen, into the embrace. This is perhaps a common, unresolved tension in queer's meaning. Despite Halperin's assertion of the potential queerness of straight subjects who operate outside the norm, this has not – at least until very recently – been within the purview of most queer theory in the West. The anti-identitarian, anti-normative impulse of queer theory seems to stall at the very edges of the binary that queer theory initially set out to deconstruct.

The third theme – of examining sex and sexuality independently from gender and feminism – is in and of itself a more problematic one, given the temporality questions of whether the long run has arrived and whether continental drifts even occupy the same temporality. There is no doubt that sexuality/ queer studies in India has emerged distinctively from feminism; although it has been produced by those who are located at the intersections of feminism and sexuality. It may also be that the historically and culturally-specific iterations of the sexual have produced a different kind of relationship with feminism. Narrain and Bhan speak of gender as a crucial dimension of queer inquiry yet do not deploy the
language of feminism nor do they often return to questions of gender per se. Kapur's work on the subaltern on the other hand is decidedly feminist if also subversive of many of its orthodoxies. Bose and Bhattacharyya's volume speaks of the liminal space between sex and gender and many of the contributors explore this liminal and fraught space. Some point out the limits of feminism – indeed the outright heterosexism or homophobia of feminism – while also gesturing toward the need to integrate an interrogation of sexuality into feminism and feminism into sexuality. These gestures toward the conversation and the resistance to the polarisation of feminist and queer articulated by many may be indicative of a nascent trajectory that sidesteps the fraught history of the West. Indeed the very questions posed and the essays published in this volume are indicative of this emerging conversation.

What might be learned about feminism's relationship with the queer in and through the postcolonial? The postcolonial work of Puar and Gopinath is already located within a dialogue between queer theory and feminism, amongst a multiplicity of other critical lenses. Kapur's work on the sexual subaltern is one with more than a twist of Butlerian and materialist feminism. In these works, feminism and its analytic lens is present yet not privileged, decentred but not disclaimed. Indeed these are works that lead the way in intellectual trespass, richly weaving together the treads of diverse critical theories into vibrant “queer assemblages.” Turning the gaze back on itself, queer theory may well stand to learn that in the postcolonial the long run has indeed arrived.

Continental drift is, after all, a drift of tectonic plates in relation to each other. The continental drift of the postcolonial and the queer, of these shifting tectonic plates, creates permanent, rupturing, seismic change. If we return for a moment to Butler's admonitions that queer is not to be owned but a category in constant formation, we can see the postcolonial/queer encounter as precisely such a moment of the queer being “always and only redeployed, twisted, queered from a prior usage and in the direction of urgent and expanding political purpose.”73 The queer/postcolonial encounter is one that may be queering queer from its prior usage and is certainly one taking it in urgent political directions.

---

73. Butler, supra note 72.