Special Issue Theme Note

It would not be too romantic to call this 'The Decade of Sex Rights'. Over the past ten years unprecedented legal developments have marked the recognition of the human rights of sexually marginalized people internationally: in 2006 the Norwegian statement at the UN Human Rights Council received support from 54 states; in 2007 the Yogyakarta Principles (though not international law) was adopted as a comprehensive charter of sexual rights guarantees; 2009 saw the UN General Assembly pass the Resolution on Human Rights, Sexual Orientation and Gender Identity; and in 2011 over 80 countries supported a US joint statement to end acts of violence on the basis of sexual orientation. These developments have had parallel avatars in the form of decriminalisation of anti-sodomy laws within national jurisdictions, notably the Lawrence and Garner case in the US (2003), the Fourie case in South Africa (2005) and two historic judgments from South Asia: the Blue Diamond Society case in Nepal (2008), and the Naz Foundation case in India (2009). In May 2011, a controversial anti-homosexuality law that attracted the death penalty as punishment was shelved by the Ugandan parliament after a concerted effort by human rights and sexual rights groups from across the world.

These celebratory moments for the Queer movement have also been accompanied by the brutal rise of crony capitalism, the perverse consequences of the war on terror, the institutionalisation of the industry-military complex, and the birth of a 'new' civil society, in this context the "Gay International": all of these armed with the virtues of liberalism and its vicissitudes in marketism, secularism, masculinism, nationalism, legalism and an unflinching belief in corporate globalisation's

1. A slightly altered version of this theme note was circulated as the call for papers to this issue. See H-Net Online – Humanities and Social Sciences, JGLR Queer Sexualities Issue, available at: http://www.h-net.org/announce/show.cgi?ID=185575 (last visited July 15, 2012).
magical ability to turn former Queer outlaws into entrepreneurial and consumptive citizens, provided they play by the rules of the state-market nexus.

The spate of legal recognitions is socially manifest most powerfully in our cultural and reproductive economies. Queers now occupy central screen space in several popular cultural representations like Dostana and Queer Eye for the Straight Guy, and have become targets for marketing campaigns that promote everything from queer-friendly clothing to real estate to tourist destinations to wedding planners to adoption agencies to surrogacy clinics and sperm banks. Queer subjects are now being transformed from figures of death – as primary vectors of AIDS – to figures of life and productivity – as “homonormative” subjects who reproduce heteronormativity through demands for the legal recognition of gay marriage.  

Reponses to rights demands of Queer people are being met by the enactment of laws and economic policies, and states, particularly non-Western, seem to favourably consider their claims to live up to the civilisational marker of being an evolved and progressive polity. In effect, while the borders of citizenship are expanding to include Queer subjects, the process of inclusion is also resulting in making them engage in an exercise of privatised self-governance – where the trade-off is between recognition of sexual citizenship in the public sphere, and in return the promise to conform to heteronormative governance tactics in the private. It isn't a surprise that major legal decisions decriminalising anti-sodomy laws have used the 'privacy' argument to depoliticise the radical nature of Queer organising. On the other hand, public visibility of Queer collectivisation, particularly Pride Marches, is increasingly getting corporatised.

How does one explain the co-existence of the promise and contingent feel of Queer emancipation and the rise of insidious forms of corporeal and structural violence on the Queer body? What prompts the belief of many Queer rights groups in the law, when it is the very body of knowledge that legitimises violence against them? Can rights guarantees de-historicise the experiences of Queer resistance? Are Queer movements becoming masculinist, racist, casteist and Islamophobic? Do they reproduce gender, caste and race hierarchies while claiming to dismantle sexual ones? Are there idealised notions

of the Queer body? Does Queer subjectivity embody disabilities? How can such experiences of embodiment help us imagine sexuality and disability differently? Should we celebrate 'The Decade of Sex Rights' or be cautious and contemplative about the slippery slopes of our locations and strategies? Can there be a right-wing Queer? What are the connections between sexual cultures and sexual economies that define the contours of the Queer revolution today? Is there a revolution actually? Can 'Queer' be de-provincialised as a move towards building solidarity across other locations of sexual marginality, particularly sex work? Does Queer theory mark the end of Feminist theory? If not, how are they encountering each other? How do Queers negotiate between conformity and subversion in their visual representations in the cultural economy? What happens to “sexual subalterns” who do not possess the currency of engaging in QueerSpeak? On what terms do they join the after-party of decriminalisation? How does one speak about Queer emancipation beyond the liberal legalese of rights? How does disease and desire interact within a heteronormative political economy? How do we read nationalism and capitalism into the methods of Queer organising today? What would a radical Queer politics look like? What constitutes a “counter-heteronormative”? Queer utopia?

These questions and the concerns shared above emerge from an understanding of the present moment in the life and times of Queer struggles – both in the metropole and the postcolony – as one where new intimacies are recognised and forged – be it solidarity between disparately located sexual rights groups or alliances between agendas of corporatisation, communalisation and militarisation. The moment is also characteristic of old desires resurfacing – be it the legalistic desires for equality and justice, the humanist desire for dignity, or the orientalist desire of liberating the postcolonial Queer from barbaric cultures. Keeping these problematics in mind, this special double issue proposes to engage in a rigorous self-reflexive critique of the Queer movements' engagements, confrontations, and negotiations with modernity and its investments in liberalism and legalism, with the objective of queering the ethics of our Queer politics.

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