Sexual States

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Sexual States: Governance and the Struggle over the Antisodomy Law in India.

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Uncovering sexuality’s constitutive effects on states through struggles playing out in the Indian context is the central charge of this book. De-naturalizing the image of a measured monolithic entity, it suggests that the mandate to regulate sexuality helps reproduce states and that cares and considerations related to sexuality impact the spaces, discursive practices, and rationalities of governance. Spotlighting the more than decade-long struggle to decriminalize homosexuality through fieldwork conducted among state institutions, sexuality rights organizations, and activist networks, this investigation underscores sexuality’s salience in shifting the grounding framework for understanding the state.

Coming to grips with sexuality’s effects on states cautions against assumptions about the declining relevance of states as a result of neoliberal policies or transnational forms of governmentality. Indeed focusing on the antisodomy law and the shutting down of dance bars indicates the tenacity of sexual discourses, practices, and imaginations that continually breathe life into the idea of the state. State-based governance may be receding in some areas, but sexuality’s putative threat to lineage and inheritance, marriage and family, work productivity, the socialization of children and their conduct, life and health helps perform states ontologically as coherent, rational, asexual, and indispensable.

Pressing against ontologies of the state draws attention to the discursive practices that give it substance and force. Focusing on them during visits to NCRB yielded fresh insights into the potency of routinized bureaucratic procedures, how sexual concerns parse statistics and how they structure the agency’s spaces and interpersonal relations. Similarly
repeated calls to the Ministry of Home Affairs revealed that the government’s responses to the Naz Foundation writ issued from the ideologies of sexuality embedded in institutional processes. Honing in on the forms and methods of governance exposed the inconsistencies that keep it supple and expansive. Recall, for instance, that Section 377 has been flexibly used to prosecute child sexual assault, and case law archives a steadily expanding interpretation of sexual offenses. Such a view also reveals that biopolitical, juridical, and neoliberal modalities do not supplant one another but continually and unevenly play out at various (blurred) levels of the state—in the streets and in regionally based policy, national discourses, institutional practices of national-level agencies that are nonetheless located in the neighborhoods of the capital city, and more.

At the same time, a close look at these subjective, sexualized practices of governance confirms that those marginalized on the basis of social class, caste, gender affiliation and expression, sexual orientation, religion, and, as will become clearer below, nationality are disproportionately affected. Speaking passionately, if pejoratively, Delhi police reveal that enforcing Section 377 more likely imperils the underclasses that they encounter on the streets and the beats, particularly the racialized and gendered minorities among them. These revelations also suggest the need to marshal more thoroughgoing appraisals of the state, accounting for the biases, desires, and passions of power as much in terms of sexuality as race, gender, social class, and caste.

Grappling with questions of states’ desires from this perspective leads to the key findings of this book: that it is not one law or another but an entire corpus of laws, practices, policies, and discourses directed toward managing sexuality that helps produce states and that not only generic gay subjects are impacted by the antisodomy law, therefore complicating and implicating reform-oriented struggles for sexual justice. Such endeavors inevitably animate the sexual state by returning repeatedly to the judicial sphere as the more progressive arm of the state and, especially in the case of the efforts to decriminalize homosexuality, assuming Foucauldian histories of the homosexual subject. Seeking justice through litigious interventions and therefore working within the institutional parameters already set in place, these efforts were obligated to focus on only one law and an equally narrow understanding of who is impacted by it. Missing, then, was a broadly conceived strategy impaling governance by taking on the nexus of laws, policies, and practices, among
them the law against castration that affects hijras, the Immoral Traffic (Prevention) Act, the abuses of policing against multiple constituencies, and more. Responding to such omissions, the coalition Voices against Section 377 took on some of the battles deferred by the Naz Foundation writ, establishing evidence of a more systemic pattern of institutional discrimination against same-sex sexualities.

In response the Delhi High Court ruling decriminalized homosexuality and rightly brought sexual minorities under constitutional protection but was subsequently overturned. The verdict can be seen as a symbolic diminishing of the state, except that its recourse to gay rights as a marker of India’s successful transition into modernity left out those who are most vulnerable to the vagaries of law. Yet this ruling looks less dire in comparison to the Supreme Court decision recriminalizing homosexuality and, in effect, renewing Section 377 as the scene of the battle for sexual justice. Setting back expectations of a legal victory as a sign of and threshold to more gains due sexual minorities, the Koushal v. Naz ruling unequivocally upholds the role of the state, especially the legislature, at a moment when the nation and state appear to be flailing under economic and social liberalization.

The role of courts in advancing or mitigating the integrity and importance of states in the Indian context continues to unfold on more than one front. Months after the crushing Koushal v. Naz decision was issued, the Supreme Court delivered a breathtakingly different ruling, National Legal Services Authority v. Union of India and others (hereafter NALSA v. Union), impacting transgender persons, hijras, and other gender-based minorities in India. Likewise issued by a bench of two justices, K. S. Radhakrishnan and A. K. Sikri, NALSA v. Union unequivocally confirmed the legal right to choose gender identity for those transitioning between male and female and, in an exceptional gesture, established that hijras and all those who do not subscribe to a binary frame could identify as third gender. A relief, a victory, a bold judicial vision written in two parts seeking to correct society’s moral failure to embrace different gender identities and expressions by extending social justice to those long oppressed and denied. Noteworthy about the judgment is that it distills gender from biological sex as well as sexual orientation to recognize a broad spectrum of trans/gender subjects and critically assesses a range of international conventions and foreign case law to conclude that gender identity and expression ought to be protected by
the Indian Constitution. In further contrast to the ruling recriminalizing homosexuality, *Nalsa v. Union* interprets the legal recognition of gender minorities within the ambit of the constitutional rights to equality before the law (Article 14), prohibition of discrimination based on sex (Article 15), freedom of speech and expression (Article 19), and protection of life and personal liberty (Article 21). What’s more, it openly presses against *Koushal v. Naz*’s troubling logic of small minorities by noting that gender minorities may be numerically insignificant but are nonetheless entitled to their rights.

And yet, despite its substantial differences from *Koushal v. Naz* and the fact that it unambiguously seeks to deliver justice to transgender persons and other gender minorities, or really because of how the justice is to be delivered, *Nalsa v. Union* too shores up the role of the state. Even though the justices see gender identity as part of the moral prelegal entitlements due all persons, its arbiters are regional- and national-level state agencies and institutions. These are the units charged with determining and implementing procedures for legal identity recognition, leading Aniruddha Dutta to express concern about haphazard, regionally varied procedures to come and the overall trend toward bureaucratic hurdles and requirements over simpler, community-based processes.3

In another twist the government of India or, more precisely, the national-level Ministry of Social Justice and Empowerment subsequently petitioned the Supreme Court seeking clarity and modification on certain aspects of *Nalsa v. Union*, revealing in the process the complex ways governance proliferates. Asking for greater clarity on parsing transgender from third gender, rightly suggesting the deletion of references to the term *eunuch*, and aptly questioning the collapsing of lesbian, gay, and bisexual persons into the category of transgender, the writ also takes up the justices’ sweeping directives that states have to go beyond legal gender identity recognition. These include extending affirmative action policies to gender minorities; providing them adequate and separate medical care, public toilets, and other facilities; introducing welfare initiatives; addressing their social vulnerability; and ensuring their social integration. Undoubtedly crucial, these interventions nonetheless raise the conundrum of the extent to which social justice is routinely filtered through the imagination of the state. Ironically the ministry’s writ wonders at the practicality of extending caste-based affirmative action policies to transgender and third gender persons since, according to its
logic, caste is fixed at birth! Clarifications and modifications by the apex court are pending at this time and administrative procedures continue. Perhaps this ruling will slowly bridge the gap between law and life, all the while enabling the expansion of governance.

Rather than legal outcomes, then, the lasting political gains of efforts to ensure justice to gender and sexual minorities lie in forging movements that in the case of decriminalizing homosexuality have (re) emerged from failures in the courts—the social and political firestorm that followed in the wake of Koushal v. Naz, public demonstrations, scathing op-eds, angry blogs, and interviews criticizing the apex court’s decision, keeping it in the limelight for many months. A Global Day of Rage inspired outpourings against the legal outcome from within India and numerous cities and organizations elsewhere, and for the first time many political and elected officials expressed support for decriminalizing homosexuality. In a complete volte-face from its earlier position, the government, as well as Naz Foundation, Voices against Section 377, and other parties to the legal proceedings, filed a review petition asking the Supreme Court to reassess the decision on technical grounds. Dismissed without so much as a hearing, the review petition has been followed by a more rarely exercised option, the curative petition, that can be filed on the grounds that a ruling represents a gross miscarriage of justice.

Even as sexuality rights supporters pursue law to its last possibility, increased political visibility, an expanding grammar of rights and justice for same-sex sexualities, more attention (especially from the media), and additional spaces for political activism and cultural expression are among the palpable changes that have occurred alongside and as a result of the focus on Section 377. Such engagements are helping to overcome legal defeats and inspiring criticisms of legal victories represented by NALSA v. Union that promise dignity to trans/gender minorities while criminalizing same-sex sexual activity. Rather than shortsightedly focusing on one law or one subject, the best of these engagements are articulating broader visions for social justice that bring together the most vulnerable, whether on the basis of sex, gender and gender expression, racialization, sexual orientation, caste, religion, or social class.
The State’s Many Sexual Lives: Issues of Sexual Violence

In the spirit of juxtaposing the struggle to decriminalize homosexuality alongside other contestations, I sift two additional sites through a critique of the sexual state: sexual violence and immigration. While I stay within the Indian context, these issues reverberate widely across other settings as well.

Since December 2012 demands for the government to address sexual violence in India have occupied public discourse at an unprecedented scale. Triggered by the sexual assaults on Nirbhaya, a twenty-three-year-old woman, by six men and her subsequent death, these protests are against the pervasive sexual violence that women in Delhi and elsewhere in the country endure because of region, caste, religion, class, and gender. Yet it was the sexual assault on Nirbhaya by a group of unknown men that prompted demonstrations in Delhi. Even as details of the assault filled the newspapers and digital media, the rallies as well as the public discourses of which they were a part hinged largely on the state’s role in preventing and punishing sexual assaults on women.

The thrust of the demands has been to argue for better governance in order to deter sexual crime against women and ensure greater accountability from state institutions, including the police, law, state-run hospitals, and elected officials implicated in the safety and security of women. Much ire is rightly directed at the police, for they often do not follow established guidelines when sexual assault is reported. Moralism and bigotry on the part of police officers—for example, the notion that respectable women ought not to report sexual assault—often make them reluctant to record crime reports and gather and report evidence properly and make them more likely to be punitive toward survivors of sexual assault. The need for improved legal protocol in trying cases of sexual violence galvanized the spirit of protest as well. A legal process that tries accusers rather than the accused and is marred by loopholes, pervasive judicial sexism, and a glacial pace compound state ineffectiveness in preventing and prosecuting sexual violence. For the most part demands were focused on better laws, improved law enforcement, and harsher punishments, including the death penalty or at least chemical castration. Such approaches, however, are likely to yield uneven or unsatisfactory results at best, for they encourage an enlargement of existing structures of governance rather than their overhaul. Accordingly sexual violence
cannot be seen primarily as either a failure of the state or the unfortunate result of a lack of adequate governance. Instead state governance needs to be viewed through the lens of sexual violence.

“JUSTICE J. S. VERMA COMMITTEE REPORT”
More effective responses, of which the “Report of the Committee on Amendments to Criminal Law” is a case in point, have taken sexuality’s significance to governance as a point of departure to issue more thoroughgoing critiques of the state rather than call for its expansion. Better known as the “Justice J. S. Verma Committee Report,” furnished by a committee of three—two retired justices, Leila Seth and J. S. Verma, and Gopal Subramanium—this 630-page document compellingly reframes the persistent split between state and sexuality. A collective archive produced at the threshold of state and society, the report is the outcome of contributions from a variety of women’s groups from around the country, including Kashmir and the Northeastern States under military imposition, lesbian and gay constituencies, children’s rights activists, legal experts and intellectuals from within and outside of India, research and support provided by young lawyers and academics, and, not least, over seventy thousand responses solicited from the general public.

Although the committee was charged with suggesting amendments to criminal law that would make for speedier trials and enhanced punishment, the input from women’s groups working at the forefront of sexual, caste-, political-, and military-based violence led to a more sweeping indictment of governance. In contrast to the populist demands for increased governance, the committee’s report is critical of legislative expansion by taking the position that earlier interventions, such as the Protection of Women from Domestic Violence Act (2005), have had uneven consequences, failing to stop the disempowerment of women. Indeed the report indicts the very structures and practices of governance for not ensuring gender equality and, worse, contributing to ongoing sexual violence by discriminating on the basis of sex or gender. In lieu of reinforcing a dichotomy between state and society, the recommendations emerge at their dense intersections.

Taking institutional histories, practices, and policies as its point of departure, the “Justice J. S. Verma Committee Report” advocates for their overhaul. It devotes an entire chapter to police reforms, spanning the modernization of the force, a significant reorientation of the relation-
ship between police and community, and measures aimed at the welfare of those who police. Elsewhere the report recommends a review of the Armed Forces Special Powers Act (1958) and similar provisions that allow military and paramilitary forces to commit sexual violence on women in areas under occupation—Chattisgarh, Kashmir, Northeastern States, among others. Most notably a chapter on electoral reforms takes issue with the procedures that allow candidates accused of, charged with, or convicted of some form of sexual violence to contest elections. In a context where almost a third of the members of Parliament faced criminal charges and where members of Parliament, members of legislative assemblies, and candidates enter the electoral process even though they have been charged with sexual violence or crimes against women, this indictment is overdue.

The report also expands the definition of sexual violence by seeing it as a consequence of a view in which women embody religious and caste groups. Exceeding the conventional view that only respectable heterosexual women are to be protected from sexual violence, it incorporates lesbian, gay, and transgender people within the purview of nondiscrimination and safeguards from sexual violence. The definition of sexual violence is further expanded beyond rape as coercive penile-vaginal penetration to include sexual harassment at work, sexual harassment in public places, acid attacks, stalking, sex trafficking, and, perhaps most significant, marital rape. Even more expansive is the link to the biopolitics of nationally skewed sex ratios, particularly egregious in the states of Haryana, Punjab, and Rajasthan, to underscore the mix of cultural practices and state ideologies and failures that contribute to women’s vulnerabilities. Limited access to land rights, resources, social services, education, and employment are identified in the report as contributing to women’s vulnerability and implicitly being forms of sexual violence themselves.

Building on the extensive work conducted by women’s and children’s rights groups as well as feminist scholarship, the report reverses the relationship between sexuality and governance. Rather than serving as a mere commentary on how state institutions should tackle the difficulties of sexual violence, the report implies and implicates a deeply subjective state and criticizes institutional exploitations of sexuality and gender. Thus, cutting across the putative divide between state and society, suggested remedies include the dismantling of extraconstitutional bodies
of governance, such as the Khap Panchayats and the Katta Panchayats, through which sexual violence against women is frequently arbitrated at the village level. In place of the death penalty or chemical castration, the report emphasizes the need for education starting early in the informal and formal school curriculum and also encompassing state institutions. State institutions are seen as having a role to play in the curbing of sexual violence, but the report asserts that such a role will not be effective without a holistic review of governance, the sociocultural, and the gender and sexual biases that mark these institutions.

Yet the split between state and society is not so easily undone. The Criminal Law (Amendment) Act of 2013, inserting changes in the rape laws and criminal procedures, was hastily passed by Parliament and approved by the president even though it violates the spirit and recommendations of the “Justice Verma Committee Report.” The Indian Penal Code was amended to punish police failure to register grievous hurt, the purview of harm was expanded to include acid attacks, definitions of sexual harassment were revised, the employment of trafficked persons was penalized, rape laws were modified to include sexual assault, a provision for gang rape was included, and, contrary to the “Justice Verma Committee Report,” the death penalty was instated in cases where sexual assault leads to death or a “persistent vegetative state.” But because the Act elides a review of governance, gender inequality, and structural factors contributing to sexual violence, the modifications will produce uneven results at best and will strengthen governance rather than overhaul it. As Ratna Kapur notes, in its eagerness to “do something” the government has issued an ordinance that does nothing to further women’s sexual autonomy and bodily integrity while expanding a security regime to further regulate sexual conduct.

Stirring the Sexual State and Anti-Immigrant Discourses in Delhi

Security regimes are enacted through sites overtly identified with sexuality but also terrains that are less obviously so marked. To explore the broad-based relevance of a critique of the sexual state, I turn to discourses of migration. India’s reputation as a nation of emigrants notwithstanding, I focus on it as a site of immigration from neighboring Bangladesh. In May 2001, just months before the Naz Foundation plea was filed,
another public interest litigation, Civil Writ Petition No. 3170 of 2001, found its way to the Delhi High Court. On the surface the two writs had little to do with each other, not least because of the difference in focus, but much like the Naz Foundation writ, the petitioner Chetan Dutt a Delhi-based advocate, sought state intervention to criminalize and deport migrants and prevent further migration specifically from Bangladesh: “A petition by way of Public Interest Litigation seeking directions, orders or appropriate writs from this Hon’ble Court whereby the influx of illegal migrants from Bangladesh into the capital of India could be checked/stopped and effective steps taken to remove the illegal migrants already in Delhi.”

Dutt’s emphasis on Delhi rehearsed earlier histories of anti-immigrant discourses that have played out most acutely in the nation’s capital, even though it does not represent the highest concentration of immigrants from Bangladesh. As Sujata Ramachandran notes, by the early 1990s Bangladeshi migrants in Delhi were the target of political vitriol and the active use of state capacities for deportation, even though many had lived in the city’s slums for more than two decades. As a result of this politicization by Hindu right-wing organizations and the ruling Congress Party’s capitulation to their political rhetoric, Operation Pushback (1992) forcibly deported thousands of Bengali Muslims to Bangladesh. A subsequent Action Plan vested authority in local police to identify and detain unauthorized migrants. Dutt’s writ sought judicial directives that would continue these earlier initiatives by requiring the police and other relevant state agencies and institutions to identify and deport migrants from Bangladesh, stalling further unauthorized cross-border movements.

Dutt’s rationale for the writ was twofold: the stresses on the social fabric and social services, as well as risks to the security of Delhi and its residents. Consistent as his fears were with Hindu nationalist convergences on Muslims as imminent threats to national security and sovereignty, he subsumed them under the pressures on the city’s social infrastructure from extralegal migration. Suggesting that Delhi was home to some three million unauthorized migrants from Bangladesh, the writ goes on to claim that such migrants have overburdened the city by creating slum dwellings serving as hubs for a variety of criminal activities, namely drugs, sex, pornography, contraband liquor, and illegal guns, impacting numerous neighborhoods. By overloading civic facilities, threatening law and order, creating more slum dwellings, encroaching on
scarce open land, engaging in fraudulent political participation, draining precious resources, and making welfare schemes ineffective, these migrants, the writ maintains, jeopardize the well-being of the capital and its people.

Biopolitical rationalities and sexual anxieties drive the scant evidence on which anti-immigrant discourses are based. This evidence is quotes from fourteen articles published between April and May 2001 in the Hindustan Times, the Pioneer, Times of India, and the Financial Times. What is striking about these articles is their shared emphasis on how unauthorized migration from Bangladesh jeopardizes the well-being of Delhi’s presumably authorized residents. These biopolitical logics—that the welfare of Delhi’s population is at risk because of voter fraud, unauthorized slums, criminal activity, and violence—are fueled by attention to unauthorized migration’s impact on local demographics and, implicitly, sexuality. As elaborated in chapter 2, demographic indices—births, deaths, population growth, fertility rates, among others—reflect the obligations of managing sexuality as much at the individual as the collective level. A Hindustan Times article, “Bangladesh Used Us as a Punching Bag,” cited as evidence in the writ, suggests, “We are playing host to no less than 15 million illegal immigrant Bangladeshis. They are a drain on our resources apart from the fact that they have disturbed the demographic balance. But political parties are busy increasing their vote bank through their support.”

The sexual imperatives of anti-Bangladesh rhetorics were further amplified in a meeting with Dutt. Reluctant to meet with me at his office, he agreed to a neutral, nondescript location to discuss his motivations for petitioning the Delhi High Court. Describing unauthorized immigration from Bangladesh as “voluminous,” Dutt had much to say about all the ways he thinks migrants are “eating into the major resources” and presenting “an economic load on public facilities.” Racializing the migrants as inherently “antisociety” because of their involvement in crime and violence, low level of education, and immoral practices, Dutt further underscored their significant demographic impact especially in certain areas of the city. He contemptuously likened immigrants from Bangladesh to fungus that will continue to grow until checked. Bringing sexuality directly into the equation, he lamented immigrants’ ostensible propensity to have many children: “India is trying to restrict birth rate, but they
think that all offspring are God’s gift. For them, the more they procreate the better [for they are able to make demands on existing resources].”

A series of subsequent court orders by Delhi High Court justices in favor of Dutt’s writ gives some measure of its success. But it was fieldwork in the Foreigners Regional Registration Office, the state institution regulating temporary and long-term residence in New Delhi, that provided insight into why institutional concerns with sexuality are so easily activated. In our meeting the officer in charge of authorizing deportation of migrants highlighted numerous cases in which women from Bangladesh were being purchased as wives due to the skewed sex ratios in the proximate states of Haryana, Rajasthan, and Punjab. Casting the issue of unauthorized migration primarily in terms of the trafficking of women, the officer saw deportation as an act of intervention on behalf of the women from Bangladesh. In another instance, Mumbai police detained some two hundred women from Bangladesh on account of their being allegedly trafficked as bar dancers. Despite feminist reports suggesting that the vast majority of women are not trafficked, nor are they foreigners (chapter 1), in this and other instances the state’s ongoing preoccupation with sexuality echoed familiarly across different sites. By continually “doing something” about the perils of sexuality, whether in relation to dance bars, immigration, sexual violence, Section 377, or other social problems, the state is actively constituted and state governance enacted.

Even as struggles for justice hang in the balance, sexual states in their various iterations continue to thrive. Reformist struggles as well as sexually oriented forms of governance sustain these states, and their relevance applies not only to India but to myriad other settings grappling with similar issues as well as sex trafficking, sex education, state-related sex scandals, health and disease, demographics, and more. Indeed the insights derived from the Indian context open up new questions and lines of inquiry in settings such as the United States and Europe, reversing the wisdom that these are the theaters of knowledge production (rather than more accurately being seen as cases that are elevated to the status of theory). These takeaways also implicitly trouble the fact that state sexuality remains under theorized, asking why, for example, Margot Canaday’s fine analysis of the expansion of the bureaucratic state and the regulation of homosexuality in the twentieth century becomes virtually unimaginable in the contemporary United States.
Therefore I close by briefly extending the approach developed in this book to the Russian context, specifically to its infamous national law against the “propaganda of nontraditional sexual relations” passed by its parliament in 2013. Widely known in the international English-language press and social media as the ban against gay propaganda, this law was indicted as draconian, Russia’s war on gays, and the unleashing of state homophobia. Coming mere months before the 2014 Winter Olympics in Sochi, it was primarily attributed to President Vladimir Putin’s attempts to reaffirm traditional Russian cultural values in opposition to Western liberalism, symbolized by support for gay civil rights. While Putin was undoubtedly a key player in passing the law, the focus on him has been in lieu of a more systematic analysis of the Russian state leading to a thicker understanding of the legislation.

In her analysis Marie Mendras points to a fundamental paradox characterizing the national state in Russia, the illusion of strong centralized statism and the reality of dysfunctional institutions and practices and privatized concentrations of power, thereby paving the way for a different reading of the 2013 homophobic law.19 This is to say, the edict can be more usefully seen as an attempt to reconcile this paradox and shore up the role and relevance of the national Russian state, a point that is also borne out Laurie Essig’s history of Russian state intervention in sexuality.20 In other words, understanding the anti-gay propaganda law as an instantiation of governance that helps strengthen the illusion of statism and centralized control directed toward the good of the nation enables new possibilities of critical inquiry. It would also be useful to place this injunction alongside the corpus of laws, policies, discourses, and practices regulating sexuality that help bolster the state—for instance, the decree prescribing imprisonment for offending religious feelings that was passed by the Russian parliament immediately after the edict against gay propaganda as a means to limit the feminist queer political protests of the group Pussy Riot. And it would help to be mindful of the various constituencies, especially the Russian Orthodox Church and state television figures, who supported the ban against gay propaganda while actively fanning the idea and indispensability of the state.21

Engaging sexual states in a variety of contexts and through a variety of sites means reexamining foundational assumptions about sexuality as an object of governance and reorienting toward thoroughgoing analyses of governance practices, laws, policies, and discourses. If we are serious
about loosening the state’s grip on sexuality, especially in the interests of disenfranchised subjects, then the imaginations of states and expressions of governance have to be front and center in our analytics, as do our complicities in preserving the state or preemptively declaring its demise. Future critical assessments would attend to the afterlives of sexual states that persist well beyond the specific lenses through which they manifest.