

# **Borderless Democracy and Diffusion of Alternate Sexualities**

## **SUMMARY**

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## A Summary

The concerns of the alternate sexualities appear as a challenge to the conventional discourse which attempts to understand these concerns through the lens of a heteronormative assumption. A major hurdle while studying the concerns of the alternate sexualities is this prismatic perspective of our discourse which filters our vision to view and understand everything through a heteronormative frame of reference. Thus, the spatiality of the alternate sexualities largely remains 'out of bounds' of the conventional discourse. This study seeks to understand the concerns of the alternate sexualities from this vantage of out of bounds and attempt to understand the changing dynamics of contemporary democratic society. In this attempt, this study endeavours to find a pedagogical breakthrough in the form of a foundational critique of the conventional discourse in such a way that the academic outcaste of the alternate sexualities may be addressed. While this epistemological pursuit holds the potential to bring justice to the population of alternate sexualities, it also addresses an important gap in the conventional discourse.

The proposed study also deliberates upon the role of the state in the unfolding of project of democratic inclusion, particularly in the third world countries like India. The matured status of the state becomes evident when it takes the responsibility of protecting and preserving the distinct identity and spatiality of different ethnic groups. This role is derived out of the democratic consciousness of the state which in turn is due to the deliberative engagement with the democratic procedures and practices. Owing to this emerging democratic consciousness, the state finds it obligatory to accommodate the democratic claims of different groups. The concerns of the alternate sexualities represent a distinct case in this regard.

The position of the alternate sexualities, within our discourse, is 'out of bounds' and marked by a coerced invisibility. This invisibility does not allow the concerns of the alternate sexualities to be raised within the legitimate domain of the social discourse. The injustice done to the alternate sexualities happens at an existential level and endangers the very identity of such groups. The nature of the injustice done to the alternate sexualities, and their spatiality within our discourse makes their case unique, and thus worthy of introspection. However, an enquiry into the concerns of the alternate sexualities makes it necessary to introspect the nature of the contemporary discourse itself. The existing discourse is based upon a heteronormative assumption, which discards as pathological anything that does not abide by its logic. The heteronormative framework also follows a logic of the binary, which understands everything in terms of duality- good/bad, male/female, black/white and so on. Such framework of understanding ignores the range of possibility and plurality of human culture. This puts the whole discourse on alternate sexualities under a dark area which suffers a systemic neglect.

The case of the alternate sexualities is also important to understand because it holds the key to an open society. While identities like caste and class are based on recognizable parameters where the identity becomes the interest, the discrimination of the alternate sexualities is complex as it is premised upon individual interest. Since it is difficult to portray an individualistic interest as the basis for an identity, the concerns of individuality of the alternate sexualities are rendered invisible. The invisibility of the alternate sexualities abrogates the democratic rights of these groups in such a manner that their political and social existence is allowed only on terms of adherence to the heteronormative norms. This is what makes the case of the alternate sexualities unique. The concerns of the alternate sexualities entail issues of individual rights and autonomy and the extent to which the society could put restriction on them.

It is also important to mention that my emphasis on the concerns of alternate sexualities does, in no sense, seek to undermine the relevance of the concerns of other ethnic identities. Nor have I attempted to undermine the significance of the other issues of justice. Instead, it has been my belief that these varying concerns of justice stand in contradistinction to each other, and does not follow a zero-sum game. An enquiry into the underexplored areas, such as those concerning the alternate sexualities, only works to broaden the overall scope of the democratic paradigm under which these deliberations take place. The goal of my study is to understand and address the concerns of the alternate sexualities in such a way that leads to a conception of a ‘borderless’ democracy, wherein the identity of an individual does not become a hindrance in the deliberative process. In doing so, I also hope that the conclusions I draw through this study would contribute in addressing the concerns of injustice of other identity issues as well.

## Major Questions and Concerns

The framework of understanding and the trajectory that I have pursued in my research touches upon four broad areas and concerns:

Firstly, through a revisit to the concepts like democracy, equality and liberty, I have attempted to understand the reasons that account for the neglect of the alternate sexualities from our discourse. This attempt, I have referred to as a ‘foundational critique’ of the discourse. Through this act, I have attempted to highlight the latent heteronormative assumption of our discourse, which acts as a prism to our opinion and understanding. This activity becomes an indispensable tool to understand the nature of democracy and the ideals that define it.

Secondly, I have attempted to carve out a sphere of individuality which appears to be the abode of personal space. I have understood this ‘personal sphere’ in contradistinction to the public and private aspects of life. Given the engagement of our conventional discourse with the

public-private dichotomy, I have attempted to explore and excavate the area of individuality through a 'trichotomous understanding of the public-private-personal sphere'. This framework becomes instrumental in my understanding of the space of individuality as it opens up the society to the claims of individuality.

Thirdly, while trying to understand the nature of the activism of the alternate sexualities, I have referred to Fraser's framework of 'recognition-redistribution'. This is an important reference in my framework of study as it accords a better analysis and contrast to the politics of identity and redistribution in the contemporary times. Fraser's model also helps to contemplate the different trajectories possible for different courses of activism. Such exercise helps to track the model of political action that is suitable for a non-redistributive political movement. A wrong trajectory taken by the queer movement could prove to be detrimental to the interest of the alternate sexualities. Thus, it is important to assess the possibilities that a particular trajectory of social action might entail.

Lastly, my framework of understand is suggestive of a 'structuralist' position as I have argued that the role of the state is instrumental in addressing the concerns of the alternate sexualities. Some aspects of this idea have been taken from Habermas' idea of a technocratic state, to suggest that the state in the 21<sup>st</sup> century has developed an independent conscience based on its democratic pillars, which guide it towards democratic ends. As a result, the state structures begin to show a democratic and just attitude towards the alternate sexualities. This democratic consciousness proves to be helpful to the alternate sexualities. I also argue in my study about the unfolding of the democracy towards a borderless form which, I believe, is based on pillars of deliberation and reciprocity. Such conception of democracy would show more faith in the ideals rather than the means to achieve them. Thus, democracy would remain as a 'floating place' wherein the

priorities and goals would be set through mutual deliberation and self-defined purposes.

## Methodology

My research is based on an analytical reading of the texts dealing with philosophical concepts like democracy, liberty and equality. Some prominent thinkers whose ideas I have referred to in my arguments include- Butler, Fraser, Lefort, Habermas, Tocqueville and Mill. The analytical reading of the texts has allowed me to explore the areas that might have been left unattended by several thinkers.

In order to support my arguments and understanding of the metaphysical concepts, I have used, as a primary source of reference, several reports published by the government and non-government organizations on areas dealing with alternate sexualities. These reports have been published by reliable sources and prove to be the primary source of data and statistical record in my dissertation.

I have also derived the primary data relating to the attitude of the public institutions towards the alternate sexualities through several correspondences done under the Right to Information Act, 2005 (RTI). The official reply received from the various public institutions have been used to support the findings and observations.

Since an important part of my dissertation deals with the activism in the field of civil society, I have also undertaken a direct participation in one of the projects of the Lakshya Trust, wherein I participated in the Instagram campaign and volunteered for two months. In the past, I had also volunteered with the Naz Foundation (India) Trust, and got the first-hand experience of the activism by the LGBTQI+ groups. These experiences have really helped me understand the activism of the queer groups and share the feelings and perspectives of the community.

Overall, my methodology has remained a harmonious mix of theoretical as well as practical aspects. The analytical reading of the texts and secondary data has been well supported through the primary information received through the optimum utilization of the RTI Act as well as through the first-hand experience of the queer activism.

## Scheme of Chapterization

My broader frame of discussion has touched upon three major themes- democracy/equality, liberty and alternate sexualities. The scheme of chapterization that I have tried to follow attempts to built a logical flow of arguments through these primary themes. Thus, the schema of chapterization begins with an introductory opening of the study and links the insights on democracy/equality, liberty and the concerns of alternate sexualities in such a manner which creates a logically coherent structure of arguments.

In Section 1.1, I commence with a short introduction of my study and introduce the spatiality of the alternate sexualities amidst our discourses. This builds the case for reading the concerns of the alternate sexualities. The discussion on the need to study these concerns is immediately followed by an analytical reading of the nature of the existing social science discourse, in Section 1.2. Here, I have tried to understand and uncover the latent heteronormativity of the prevailing discourses, which does not allow the concerns of the alternate sexualities to be addressed appropriately.

In Section 1.3, I have introduced the idea of ‘coerced invisibility’ to suggest the unique spatiality of the alternate sexualities with regard to our discourse. This section also discusses how the state might be an important actor in addressing the concerns of the alternate sexualities. Section 1.4 discusses the literature review for the prominent texts used for forming the arguments of my study. The closure of the first chapter

is done with Section 1.5, which summarizes the concerns of the study and the scheme of chapterization followed.

The Second Chapter of the study focusses upon the idea of democracy and equality. In Chapter 2.1 “Uncovering the relevance of Democracy” I have tried to understand the evolution of the idea of democracy through different ages. Such an excavation of the idea of democracy allows us to trace the evolution of the idea, and informs the values that are considered as cardinal to it. I have also tried to study the different ideas and understandings of the idea of democracy, in order to find out the possible reasons and factors that might have led to the outcaste of the alternate sexualities. The purpose of the chapter could be summed up as an attempt to understand the principles upon which the democratic struggles are said to be based; and uncover the reasons, within the existing political discourses, that might have led to the exclusion of the alternate sexualities. This uncovering of the reasons for exclusion of alternate sexualities would also form the *foundational critique* of the political discourses.

Section 2.2 “Equality, Democracy and the idea of People” expands upon the idea of equality as the founding pillar of democracy. This section also discusses the idea of the ‘people’ as the constitutive component of a democracy, and defines the category of the ‘people’ as a dynamic element which undergoes change and transformation. Thus, the idea of equality is proposed to be read as a dynamic ideal which cannot be understood as a static element. The arguments of Section 2.2 are materialized in Section 2.3 “Equality as Renegotiation” wherein the idea of equality is discussed as a form of renegotiation between contending sets of interests and groups. This section proposes the idea that equality need not be understood as a state of ‘sameness’; rather, equality is a condition of renegotiation between equally capable actors/groups to mold their conditions. Chapter 2 closes with an understanding of the idea of democracy and equality as free-floating ideas that cannot be bound in norms of fixity.



Chapter 3 focusses upon the idea of Liberty, and tries to explore the extent of individual liberty in contrast to the claims of the society. Section 3.1 “Exploring the Idea of Liberty” explores some of the interpretations and understandings of the idea of liberty, and tries to develop an understanding of the concept. The primary aim to discuss liberty is to build a foundation of understanding to discuss the debates about the self/other regarding actions of the individual and how far the society could put restrictions on such liberty.

Section 3.2 “The imperative of the Public Private Divide” is the logical unfolding of the discussion on liberty and explores the domains of the conventional public-private dichotomy. This section exposes the misunderstandings and confusions attached to the nature of the private sphere, and tries to uncover the cause of stereotype of the alternate sexualities. The task left incomplete in section 3.2 is taken up in Section 3.3 “Trichotomizing the Divide” wherein I have tried to read the conventional public private dichotomy as a trichotomy of ‘public-private-personal’ sphere. Such revised understanding is capable of securing a sphere of dignity and individuality to the alternate sexualities.

Chapter 4 takes up the third theme of my study, that is, the case of alternate sexualities. Section 4.1 “Inclusive politics and realm of law” is a descriptive part that deals with the outlining of the legal provisions in India concerning the alternate sexualities. This section also outlines some observations of International and national reports that have had significant influence on the fate of alternate sexualities in India. This section is particularly important for the study because it summarizes the changes in the lego-political framework of the state in India.

Section 4.2 “Social consciousness and change: A case study of Lakshya Trust” is based on my experience and study of the Lakshya Trust. This section explores the various channels through which the civil society organizations, like the Lakshya Trust, are spreading the awareness about

the concerns of the alternate sexualities. It also summarizes the various initiatives taken by Lakshya Trust and the impact of these initiatives. Section 4.3 “Assessing the impact of political-social possibilities” is an assessment of the changes in the lego-political framework of India as well as the efforts of the civil society organizations. This section tries to understand the impact of different strategies adopted in the political and social sphere, and suggests the future trajectory of the movement of alternate sexualities.

Chapter 5 is the conclusion part of the study wherein I try to sum up my observations and make inferences on the basis of them. In Section 5.1, I try to offer an overview of the study by revisiting the ideas discussed throughout the dissertation. The purpose of this revisit is to summarize the arguments and observations before coming up to the final conclusions. In Section 5.2, I attempt to offer the final conclusion of my study and offer inferences based on the arguments made throughout the dissertation. Here, I also try to offer a probable redress to the concerns of the alternate sexualities. I also try to offer a proviso that would lead towards a borderless democracy as understood in my framework of understanding. And which would address the concerns of the alternate sexualities in a visible just manner.

## Major Conclusions

There are four major arguments that I have tried to establish throughout my study. The inferences, or conclusions, are drawn on the basis of these arguments. I have tried to bring together the three themes of my study on one path, and paint the picture of my understanding of the issues concerning the alternate sexualities. Needless to mention that, the problem at hand does not have a definite solution, and thus any argument is, but one of the several possible solutions. These arguments would help to correct the inequalities, especially in a society like India, where such instances flow through every structure and try to link it with borderless democracy. The main point that needs our attention is the end of the subjugation and suppression of individuals, in the name of tradition and

pride. The idea of a borderless democracy is not to extend the borders of the state, but to dissipate the ones that create unequal statuses between individuals. In this context, my study draws an important conceptual schema, in the form of idea of 'out of bounds' and 'coerced invisibility', to understand the distinct nature of injustice done to the alternate sexualities.

The first argument, or conclusion, that I have drawn from the discussion relates to the nature of the conventional social science discourse which shows heteronormative inclination to the extent that it leads to a systemic outcaste of the alternate sexualities. This systemic outcaste appears in the form of 'coerced invisibility' and works to subjugate the alternate lifestyles while also reinforcing the presumptions of heteronormativity. This results in a severe injustice for the alternate sexualities who find it impossible to express and identify themselves. This is 'out of bounds' spatiality of the alternate sexualities become a distinct form of injustice which is not found in case of conventional ethnic identities such as caste or class. A revisit to the foundational aspects of our discourse becomes necessary in order to revalidate our understanding and establish the relevance of our democratic ideals.

The second argument, or conclusion, relates to the analytical understanding of aspects of life as- 'public-private-personal' spheres. This trichotomization of the aspects of life is necessary in order to establish an autonomous sphere of individuality which is otherwise suffocated and negated by the social norms. The conventional understanding of the public-private dichotomy is limited as it only deals with the socio-political aspects of individual life, and leaves the aspects of individuality unattended. Such unattended domain of individuality becomes an easy prey to the aggrandizing domain of social norms. The trichotomization of the public and private aspects of life helps to secure the most sacred and the most fundamental aspects of human self.

The third argument, or conclusion, talks about the strategy pursued by the alternate sexualities for addressing their concerns. Given the unique spatiality of the alternate sexualities, a conventional strategy of claiming redistributive justice might be unsuitable for the alternate sexualities. Since the basic premise of the concerns of alternate sexualities lies in the recognitive aspects of justice, it is more plausible to remain focused on such aspects. However, the redistributive aspects are bound to arise in such process of reification and recognition.

Fourthly, the state plays an important role in addressing the concerns of the alternate sexualities. With the fairly mature experience of democracy, there has emerged a degree of consciousness in the state itself which flows through its structures and beliefs. This autonomous consciousness happens to support the democratic concerns of different groups. Thus, while the majority of social groups might be against the alternate sexualities, it becomes difficult for the state structures to deny the valid democratic claims of the alternate sexualities. Thus, either willingly or unwillingly, the 'out of bound' spatiality of the alternate sexualities is changed and they are accommodated into the democratic fold of the polity. This political accommodation helps the movement of the alternate sexualities to advance further in other spheres of democracy.

In this study, my main concern is to uncover the politics underlying the normative and natural claims of the dominant heteronormative discourse. It is to underscore the essential exclusive nature of the categories which are meant to be the basis of inclusion. It is to underscore the tools through which marginalization or otherness is employed towards the alternate sexualities, tools which I conceptualize as "out of bounds" and "coerced invisibility". A concern is also to emphasize on complimenting any discursive rereading with the civil-political and legal discourses. My modest attempt in doing this is to begin to offer a possibility and imperative for a borderless democracy, which I contend, would provide a basis for a more just and inclusive politics.

## Select Bibliography

- Abramson, Jeffery. 2009. *Minerva's Owl: The Tradition of Western Political Thought*. Harvard: Harvard University Press.
- Acevedo, Gabriel A. 2005. "Turning Anomie on Its Head: Fatalism as Durkheim's Concealed and Multidimensional Alienation Theory." *Sociological Theory* 23(1): 75–85.
- Agarwal, Sourav. 2017. "Civil and Political Rights of Transgenders Indian Constitutional Perspective." *International Journal of law and legal jurisprudence studies* 4(4): 144–60.
- AIDS Bhedbhav Virodhi Andolan. 1991. *Less than Gay- A Citizens' Report on the Status of Homosexuality in India*. New Delhi: AIDS Bhedbhav Virodhi Andolan (ABVA).
- Altman, Dennis. 2001. *Global Sex*. London: The University of Chicago Press.
- . 2013. *The End of the Homosexual?* Queensland: University of Queensland Press.
- Anderson, Benedict. 2006. *Imagined Communities: Reflections on the Origins and Spread of Nationalism*. New York: Verso.
- Anderson, Elizabeth S. 1999. "What Is the Point of Equality?" *Ethics* 109(2): 287–337.
- ANI News. 2018. "India's Gay Prince Opens Doors to LGBT Community." *ANI News*.  
<https://www.aninews.in/news/national/general-news/indias-gay-prince-opens-doors-to-lgbt-community201801111552480001/> (July 3, 2021).
- Arneson, Richard. 2000. "Luck Egalitarianism and Prioritarianism." *Ethics* 110(2): 339–49.
- . 2018. "Four Conceptions of Equal Opportunity." *The Economic Journal* 128(612): F152–73.
- Ashcraft, Richard. 1994. "Locke's Political Philosophy." In *The Cambridge Companion to Locke*, ed. Vere Chappell. Cambridge: Cambridge University Press, 238–51.
- BBC News. 2000. "Eunuch MP Takes Seat." *BBC News*.  
[http://news.bbc.co.uk/2/hi/south\\_asia/668042.stm](http://news.bbc.co.uk/2/hi/south_asia/668042.stm) (April 28, 2022).
- Beitz, Charles R. 1989. *Political Equality An Essay in Democratic Theory*. Princeton: Princeton University Press.
- Bergholz, Max. 2018. "Thinking the Nation: Imagined Communities: Reflections on the Origins and Spread of Nationalism by Benedict Anderson." *The American Historical Review*: 1–11.
- Berlin, Isaiah. 1969. *Liberty: Incorporating Four Essays on Liberty*. ed. Henry Hardy. New York: Oxford University Press.
- Beteille, Andre. 2003. "The Public as a Social Category." In *The Public and the Private: Issues of Democratic Citizenship*, eds. Gurpreet Mahajan and Helmut Reifeld. New Delhi: Sage.
- Borah, Poonam Kakoti. 2018. "Engaging with the Law: Decriminalisation of Homosexuality and the Johar Judgement, 2018." *Space and Culture, India* 6(3): 5–22.
- Boyce, Paul. 2006. "Moral Ambivalence and Irregular Practices: Contextualizing Male to Male Sexualities in India." *Feminist Review* (83): 79–98.
- Brown, Wendy. 1988. *The Manhood and Politics: A Feminist Reading in Political Theory*. Rowman & Littlefield.
- Bubb, Alexander. 2009. "Blustering Sahibs and Section 377." *Economic and Political Weekly* 44(35): 25–28.
- Butler, Judith. 1999. *Gender Trouble- Feminism and the Subversion of Identity*. New York: Routledge.
- . 2004. *Undoing Gender*. New York: Routledge.
- . 2011. *Bodies That Matter: On the Discursive Limits of "Sex."* New York: Routledge.

- Cambridge Companion. 1994. "Locke's Moral Philosophy." In *The Cambridge Companion to Locke*, ed. Vere Chappell. Cambridge: Cambridge University Press, 199–225.
- Carnes, Lord. 2013. *ARISTOTLE'S Politics*. 2nd WITH AN INTRODUCTION, NOTES, AND GLOSSARY. Chicago: The University of Chicago Press.
- Carver, Terrell, ed. 1991. *The Cambridge Companion to Marx*. Cambridge: Cambridge University Press.
- Chandhoke, Neera. 2003. "Transcending Categories: The Private, the Public and the Search for Home." In *The Public and the Private: Issues of Democratic Citizenship*, eds. Gurpreet Mahajan and Helmut Reifeld. New Delhi: Sage.
- Change.org. 2018. *Change.Org Impact Report 2018*. San Francisco.
- Dahl, Robert A. 1998. *On Democracy*. 2nd ed. New Haven & London: Yale University Press.
- . 2006. *On Political Equality*. London: Yale University Press.
- Datta, Ankur. 2016. "Dealing with Dislocation: Migration, Place and Home among Displaced Kashmiri Pandits in Jammu and Kashmir." *Contributions to Indian Sociology* 50(1): 52–79.
- Deccan Chronicle. 2018. "No Rice, Maggie, Non-Veg for Lunch: School to Students." *Deccan Chronicle*. <https://www.deccanchronicle.com/nation/current-affairs/130718/no-rice-maggie-non-veg-for-lunch-school-to-students.html> (May 14, 2021).
- Department of Pension and Pensioners' Welfare. 2020. *A Handbook on Family Pension under CCS (Pension) Rules, 1972: Synopsis and Case Studies*. [https://pensionersportal.gov.in/Document/Handbook\\_on\\_Family\\_Pension.pdf](https://pensionersportal.gov.in/Document/Handbook_on_Family_Pension.pdf) (February 10, 2022).
- Dworkin, Ronald. 1981a. "What Is Equality? Part 1: Equality of Welfare." *Philosophy & Public Affairs* 10(3): 185–246.
- . 1981b. "What Is Equality? Part 2: Equality of Resources." *Philosophy & Public Affairs* 10(4): 283–345.
- Eleftheriadis, Konstantinos. 2018. "Anti-Identity, Politics and the State Queer Challenges and Future Directions." In *Queer Festivals*, Amsterdam: Amsterdam University Press, 167–79. <https://www.jstor.org/stable/j.ctv5nph43.10>.
- Foucault, Michel. 1978. *The History of Sexuality Volume 1: An Introduction*. New York: Pantheon Books.
- Fraser, Nancy. 1990. "Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy." *Social Text* 25/26: 56–80.
- . 1997. *Justice Interruptus- Critical Reflections on the PostSocialist Conditions*. New York: Routledge.
- Fukuyama, Francis. 2012. *The End of History and the Last Man*. Penguin.
- Gandhi, M K. 1909. *Hind Swaraj or Indian Home Rule*. Ahmedabad: Navjivan Publishing House. [https://www.mkgandhi.org/ebks/hind\\_swaraj.pdf](https://www.mkgandhi.org/ebks/hind_swaraj.pdf).
- Giddens, Anthony. 1990. *Consequences of Modernity*. Cambridge: Cambridge University Press.
- Govt of India. 1950. *The Constitution of India*. <https://legislative.gov.in/constitution-of-india>.
- . 2019. *Transgender Persons (Protection of Rights) Act 2019*.
- Gundogan, Ercan. 2008. "J J Rousseau and the Thoery of the General Will: An Introduction." *ILIRIA International Science Magazine*: 167–87.
- Gupta, Dipankar. 2003. "The Domesticated Public: Tradition, Modernity and the Public/Private Divide." In *The Public and the Private: Issues of Democratic Citizenship*, eds. Gurpreet Mahajan and Helmut Reifeld. New Delhi: Sage.
- Gupta, Nikhil Kumar. 2022a. "A Riddled Restitution: The Indian Journey from the Recognition of the Transgender towards the Queer." *Sexuality, Gender and Policy* 5(1): 87–99.

- . 2022b. "Out of Bounds: The Idea of Coerced Invisibility and Alternate Sexualities." *Sexuality, Gender and Policy* 5(1): 58–68.
- Gutmann, Amy, and Dennis Thomson. 2004. *Why Deliberative Democracy?* Princeton: Princeton University Press.
- Habermas, Jürgen. 1974. "The Public Sphere: An Encyclopedia Article (1964)." *New German Critique* 3: 49–55.
- Hall, Donald E. 2003. *Queer Theories*. New York: Palgrave Macmillan.
- Held, David. 1980. "Part 2: Critical Theory Habermas." In *Introduction to Critical Theory: Horkheimer to Habermas*, Cambridge: Polity Press.
- Heywood, Andrew. 2004. *Political Theory: An Introduction*. New York: Palgrave Macmillan.
- Hindu Succession Act. 1956. *The Hindu Succession Act*.  
<https://egazette.nic.in/WriteReadData/1956/E-2173-1956-0038-99150.pdf> (July 29, 2022).
- ILGA. 2020a. *Curbing Deception: A World Survey on Legal Regulation of so-Called "Conversion Therapies"*. Geneva: ILGA.
- . 2020b. *Trans Legal Mapping Report 2019: Recognition before the Law*. Geneva: ILGA.
- International Commission of Jurists (ICJ). 2006. *The Yogyakarta Principles- Principles on the Application of International Human Rights Law in Relation to Sexual Orientation and Gender Identity*. Yogyakarta.
- . 2017. *The Yogyakarta Principles Plus 10 - Additional Principles and State Obligation on the Application of International Human Rights Law in Relation to Sexual Orientation, Gender Expression and Sex Characteristics to Complement the Yogyakarta Principles*. Geneva: International Commission of Jurists (ICJ).
- Jaggar, Alison. 2008. *Just Methods: An Interdisciplinary Feminist Reader*. London: Paradigm Publishers.
- Jagose, Annamarie. 1996. *Queer Theory- An Introduction*. New York: New York University Press.
- Joseph, Sarah. 2003. "Creating a Public: Reinventing Democratic Citizenship." In *The Public and the Private: Issues of Democratic Citizenship*, eds. Gurpreet Mahajan and Helmut Reifeld. New Delhi: Sage.
- Joseph, Sherry. 1996. "Gay and Lesbian Movement in India." *Economic and Political Weekly* 31(33): 2228–33.
- Kuper, Andrew. 2004. *Democracy Beyond Borders: Justice and Representation in Global Institutions*. Oxford: Oxford University Press.
- Kuriakose, Francis, and Deepa Kylasam Iyer. 2020. "Rights through Resistance: What Lies beyond Legalism for the LGBT Movement?" *Economic and Political Weekly* 55(17): 28–34.
- Kymlicka, Will. 1995. *Multicultural Citizenship: A Liberal Theory of Minority Rights*. New York: Oxford University Press.
- Lefort, Claude. 1988. *Democracy and Political Theory*. London: Polity Press.
- Li, Dennis H. et al. 2017. "Harassment and Violence Among Men Who Have Sex with Men (MSM) and Hijras After Reinstatement of India's 'Sodomy Law.'" *Sex Res Soc Policy* 14: 324–30.
- Madan, T. N. 2003. "Of the Social Categories 'Private' and 'Public': Considerations of Cultural Context." In *The Public and the Private: Issues of Democratic Citizenship*, eds. Gurpreet Mahajan and Helmut Reifeld. New Delhi: Sage.
- Mahajan, Gurpreet, and Helmut Reifeld, eds. 2003. *The Public and Private: Issues of Democratic Citizenship*. New Delhi: Sage.
- Menon, Nivedita. 2012. *Seeing Like a Feminist*. New Delhi: Penguin.
- Mill, John Stuart. 2003. *Rethinking the Western Tradition: On Liberty: John Stuart Mill*. eds. David Bromwich and George Kateb. New York: Yale University Press.



- MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS. 2021. *Central Civil Services (Payment of Gratuity under National Pension System) Rules, 2021*.  
[https://documents.doptcirculars.nic.in/D3/D03ppw/NPS\\_GratuityRules\\_%202021\\_notification7aOqg.pdf](https://documents.doptcirculars.nic.in/D3/D03ppw/NPS_GratuityRules_%202021_notification7aOqg.pdf) (July 29, 2022).
- Ministry of Social Justice and Empowerment, GoI. 2014. *Report of the Expert Committee on the Issues Relating to Transgender Persons*. New Delhi.
- Mnookin, Robert H. 1982. "The Public/Private Dichotomy: Political Disagreement and Academic Repudiation." *University of Pennsylvania Law Review* 130(6): 1429–40.
- Mule, Nick J. 2018. "HUMAN RIGHTS QUESTIONED: A Queer Perspective." *Canadian Social Work Review* 35(1): 139–46.
- NACO. 2020. *NACO Annual Report 2018-19*. New Delhi: National AIDS Control Organization.  
<https://main.mohfw.gov.in/sites/default/files/24%20Chapter%20496AN2018-19.pdf>.
- NALSA judgement. 2014. AIR 2014 SC 1863 *NALSA Judgement*.
- National Institute of Social Defence. 2020. *Guidelines for Garima Greh: Shelter Home for Transgender Persons*. New Delhi: Ministry of Social Justice and Empowerment.  
<https://transgender.dosje.gov.in/docs/GarimaGrehGuidelines.pdf> (October 18, 2021).
- National Legal Services Authority. 2022. "NALSA- About Us." *About us*.  
<https://nalsa.gov.in/about-us> (July 23, 2022).
- National Portal for Transgender Persons, and Department of Social Justice and Empowerment. "National Portal for Transgender Persons."  
<https://transgender.dosje.gov.in/Applicant/HomeN> (August 27, 2022).
- Navtej Singh Johar case. 2018. Writ Petition (Criminal) No. 76 of 2016 *Navtej Singh Johar Vs Union of India*. [https://main.sci.gov.in/supremecourt/2016/14961/14961\\_2016\\_Judgement\\_06-Sep-2018.pdf](https://main.sci.gov.in/supremecourt/2016/14961/14961_2016_Judgement_06-Sep-2018.pdf) (March 29, 2021).
- Naz Foundation Case. 2009. *Naz Foundation vs Government Of Nct Of Delhi*.
- Nussbaum, Martha C., and Juha Sihvola, eds. 2002. *The Sleep of Reason: Erotic Experience and Sexual Ethic in Ancient Greece and Rome*. Chicago: The University of Chicago Press.
- Omvedt, Gail. 2003. "The Struggle for Social Justice and the Expansion of the Public Sphere." In *The Public and the Private: Issues of Democratic Citizenship*, eds. Gurpreet Mahajan and Helmut Reifeld. New Delhi: Sage.
- Pakaluk, Michael. 2005. *Aristotle's Nichomachean Ethics: An Introduction*. Cambridge: Cambridge University Press.
- Pateman, Carole. 1988. *The Sexual Contract*. California: Standard University Press.
- Penney, James. 2014. *After Queer Theory: The Limits of Sexual Politics*. London: Pluto Press.
- Phillips, Anne. 2004. "Defending Equality of Outcome." *The Journal of Political Philosophy* 12(1): 1–19.
- PIB Delhi. 2020. "Shri Thaawarchand Gehlot E-Launches 'National Portal for Transgender Persons' and E-Inaugurates Garima Greh: A Shelter Home for Transgender Persons in Gujarat." *PIB*.  
<https://pib.gov.in/PressReleaselframePage.aspx?PRID=1675629> (June 29, 2021).
- Rawls, John. 1971. *A Theory of Justice*. Original Edition. Cambridge: Harvard University Press.
- . 1993. *Political Liberalism*. New York: Columbia University Press.
- Renan, Ernest. 1882. "What Is a Nation?" In ed. Ethan Rundell. Sorbonne.
- Reserve Bank of India. 2015. DBR.No.Leg.BC.91/09.07.005/2014-15 RBI/2014-15/572 *Rights of Transgender Persons – Changes in Bank Forms/Applications Etc*.  
<https://rbidocs.rbi.org.in/rdocs/Notification/PDFs/NT57241E8D4D09BCE485396254E0302B6BE41.PDF>.



- Right to Information Act. 2005. 22 *The Right to Information Act*. <https://rti.gov.in/rti-act.pdf> (July 24, 2022).
- Robertson, Ronald. 1994. "Globalisation or Glocalisation?" *The Journal of International Communication* 1(1): 33–52.
- Roper, Jon. 1989. "Part One: Introduction." In *Democracy and Its Critics: Anglo-American Democratic Thought in the 19th Century*, London: Unwin Hymen, 1–22.
- Routledge. 2008. *Routledge Philosophy Guidebook to Hobbes and Leviathan*. ed. Glen Newey. New York: Routledge.
- Sandel, Michael. 1984. "The Procedural Republic and the Unencumbered Self." *Political Theory* 12(1): 81–96.
- Scholte, Jan Aart. 2005. *Globalization: A Critical Introduction*. 2nd ed. Palgrave Macmillan.
- Sebastian, John. 2018. "The Opposite of Unnatural Intercourse: Understanding Section 377 through Section 375." *Indian Law Review*.
- Sen, Amartya. 1999. *Commodities and Capabilities*. New Delhi: Oxford University Press.
- Shklar, Judith N. 1978. "Jean-Jacques Rousseau and Equality." *Daedalus* 107(3): 13–25.
- Sircar, Oishik. 2017. "New Queer Politics in the New India: Notes on Failure and Stuckness at a Negative Moment." *Unbound: Harvard Journal of the Legal Left* 11: 1–36.
- Skinner, Quentin. 1985. *The Return of Grand Theory in the Human Sciences*. Cambridge: Cambridge University Press.
- Splichal, Slavko. 2018. "Publicness–Privateness: The Liquefaction of 'The Great Dichotomy.'" *Javnost-The Public*.
- Stella, Francesca, Yvette Taylor, Tracey Reynolds, and Antoine Rogers, eds. 2016. *Sexuality, Citizenship and Belonging: Trans-National and Intersectional Perspectives*. New York: Routledge.
- Stern, Philip Van Doren, ed. 2000. *The Life and Writings of Abraham Lincoln*. New York: The Modern Library.
- The First Openly Gay Prince Fights for Equal Rights | Where Are They Now | Oprah Winfrey Network*. 2015. <https://www.youtube.com/watch?v=i6a39D0PtPM> (December 28, 2021).
- The Hindu. 2016. "An Unwritten Rule for Non-Vegetarian Students." *The Hindu*. <https://www.thehindu.com/news/national/karnataka/An-unwritten-rule-for-non-vegetarian-students/article14335233.ece> (May 14, 2021).
- . 2021. "Extend Garima Greh Scheme to Entire LGBTQIA+ Community: HC." *The Hindu*. <https://www.thehindu.com/news/national/tamil-nadu/extend-garima-greh-scheme-to-entire-lgbtqia-community-hc/article38051413.ece> (December 28, 2021).
- The Humsafar Trust. 2015. *Mission Azadi Document (MAD)- An Advocacy Reference Manual for LGBTQH Rights in India*. The Humsafar Trust. <https://humsafar.org/wp-content/uploads/2018/08/Mission-Azaadi-Documents-2015.pdf> (March 28, 2021).
- The Lakshya Trust. 2021. "The Lakshya Trust." <http://www.lakshya-trust.org/> (December 28, 2021).
- The New York Times. 2020. "In India, a Gay Prince's Coming Out Earns Accolades, and Enemies." *The New York Times*. <https://www.nytimes.com/2020/07/31/world/asia/india-prince-manvendra-gay-rights.html> (February 7, 2021).
- The Princes Who Found Love In Brighton | Undercover Princes | Real Royalty*. 2021. <https://www.youtube.com/watch?v=l3m2lrwPEs> (December 28, 2021).
- The Telegraph. 2019. "Imposing a Veg Diet in Schools Will Hamper Nutrition." *The Telegraph*. <https://www.telegraphindia.com/education/imposing-a-veg-diet-in-schools-will-hamper-nutrition/cid/1711701> (May 14, 2021).

- The Times of India. 2018. "First LGBTQ Resource Centre to Come up near Rajpipla." *The Times of India*. <https://timesofindia.indiatimes.com/city/vadodara/first-lgbtq-resource-centre-to-come-up-near-rajpipla/articleshow/62421260.cms> (December 31, 2021).
- . 2020. "Transgenders Get a Home Where They Can Hone Skills." *The Times of India*. <https://timesofindia.indiatimes.com/city/vadodara/transgenders-get-a-home-where-they-can-hone-skills/articleshow/79434320.cms> (October 18, 2021).
- Tocqueville, Alex De. 1998. *Democracy in America*. Wordsworth Edition.
- Uberoi, Patricia. 2003. "Feminism and the Public-Private Distinction." In *The Public and The Private: Issues of Democratic Citizenship*, eds. Gurpreet Mahajan and Helmut Reifeld. New Delhi: Sage.
- UNDP. 2016. *Uptake of Social Protection Schemes by Transgender Population in India*. United Nations Development Program.
- Vaidhyanathan, Siva. 2018. *Anti Social Media: How Facebook Disconnects Us and Undermines Democracy*. New York: Oxford University Press.
- Weirich, Paul. 1992. "Rousseau on Equality." *History of Philosophy Quarterly* 9(2): 191–98.
- Wion. 2022. "Indian SC Says Unmarried Partnerships, Queer Relationships Can Also Be Considered as Family." *Wion*. <https://www.wionews.com/india-news/india-unmarried-partnerships-or-queer-relationships-are-also-familial-relationships-sc-511154> (August 31, 2022).
- Young, Iris Marion. 1990. *Justice and the Politics of Difference*. Princeton: Princeton University Press.
- . 2003. "The Logic of Masculinist Protection: Reflections on the Current Security State." *Signs* 29(1): 1–25.

## **Chapterization**

Chapter	Section	Title
1	Out of Bounds and the Question of Coerced Invisibility	
	1.1	Introducing to the study
	1.2	Understanding the Bases of Conventional Social Discourse
	1.3	Coerced Invisibility: In Search for a place of alternate sexualities
	1.4	Select Review of the Literature
	1.5	Concerns and Chapterization of the Study
2	Understanding Democracy and Equality	
	2.1	Uncovering the Relevance of Democracy
	2.2	Equality, Democracy and the Idea of People
	2.3	Democratic Equality as Renegotiation
3	Exploring Liberty and the Public-Private Domain	
	3.1	Exploring the idea of Liberty
	3.2	Imperative of the Public and the Private
	3.3	Trichotomizing the Divide
4	Alternate Sexualities and the Imperative of Social and Political Possibilities	
	4.1	Inclusive Politics and the Realm of Law
	4.2	Social Consciousness and Change: A Case study of Lakshya Trust
	4.3	Assessing the impact of Political-Social Possibilities
5	In Conclusion: Borderless Democracy for the Inclusion of Alternate Sexualities	
	5.1	Overview of the study
	5.2	The Politics of Inclusion of Alternate Sexualities
		Bibliography