

HINDU NATION AND ITS QUEERS: CASTE, ISLAMOPHOBIA, AND DE/COLONIALITY IN INDIA

Nishant Upadhyay

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HINDU NATION AND ITS QUEERS: CASTE, ISLAMOPHOBIA, AND DE/COLONIALITY IN INDIA

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Nishant Upadhyay

Department of Ethnic Studies, University of Colorado Boulder, Boulder, CO, USA

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The 2018 Indian Supreme Court judgement decriminalizing homosexuality has been marked as a “decolonial act.” Section 377, which criminalized homosexuality, was a colonial law introduced by the British in India, which the postcolonial state maintained till 2018. The judgement may be “decolonial” in intent, but there are other simultaneous processes at play which are not so decolonial in praxis; this essay argues these processes are colonialism, brahminical supremacy, and Islamophobia. Caste-based violence is integral to Hinduism and intertwined with other matrices of oppression, making caste foundational to any claims of Hinduism as queer, trans and gender nonconforming friendly. Studying recent Hindu nationalist responses in favour of decriminalization of homosexuality in India, this essay traces how the Hindu Right deploys queerness to propagate its Islamophobic, casteist, and homohindunationalist agendas. The essay argues decolonizing the law, state, and sexuality would also mean annihilating caste and brahminical structures.

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“This isn’t India becoming ‘westernised’. It’s India decolonising.” This was 60
 Shahmir Sanni’s tweet on the historic Supreme Court of India judgement
 decriminalizing homosexuality in September 2018. Sanni, a diasporic
 Pakistani from the UK, was not alone in reading this judgement as a decolo- 65
 nial act.¹ Much of Indian and global media reported the ruling as decoloniza-
 tion, and celebrated the ushering of India into the league of other liberal
 countries where homosexuality is no longer criminalized; with the next stop
 gaining same-sex marriage rights.² The judgement struck down Section 377 70
 of the Indian Penal Code – a repressive act introduced by the British in
 1861, which criminalized sexual activities “against the order of nature with
 any man, woman or animal.”³ In 2013 an earlier ruling of the Supreme
 Court deemed the section as valid and constitutional, which went against
 the 2009 Delhi Court reading down of the Section. The 2013 judgement in 75
 effect recriminalized homosexuality and stated: “both pre and post Consti-
 tutional laws are manifestations of the will of the people of India.” Homoph-
 obia was thus justified as rooted in precolonial and postcolonial processes. The
 judgement may be “decolonial” in intent,⁴ but there are other simultaneous 80
 processes at play which are not so decolonial in praxis; this essay argues
 these processes are colonialism, Islamophobia, and brahminical supremacy.

Brahminical caste structures dictate and shape all contemporary political, 85
 legal, social, cultural, and economic violence in India.⁵ Caste structures and
 violence are integral to Hinduism, and intertwined with other matrices of
 oppression. However, to fight violence against queer, trans, and gender non-
 conforming communities,⁶ Hinduism is often invoked to demonstrate how
 precolonial Hinduism was accepting of peoples of diverse genders and sexual- 90
 ities. This is used as a framework to ground queer and trans genealogies and
 contemporary subjectivities, and usually caste is erased from these narratives.
 The following works, for instance, invoke Hindu scriptures and mythologies
 as a Hindu – read always as Indian – queer, trans, and gender nonconforming 95
 archive: Ruth Vanita and Saleem Kidwai’s collection of literary pieces *Same-
 Sex Love in India: A Literary History* (2000),⁷ Devdutt Pattanaik’s fiction *The
 Man Who Was a Woman and Other Queer Tales from Hindu Lore* (2000),
Shikhandi: And Other Tales They Don’t Tell You (2014),⁸ Vivek Shraya’s
 novel *She of the Mountains* (2014), and Nandini Krishnan’s non-fiction *Invis- 100
 ible Men: Inside India’s Transmasculine Networks* (2018).⁹ Universalizing
 and imposing Hindu narratives provides a limited understanding of the con-
 temporary experiences of queer, trans, and gender nonconforming peoples,
 more so for those who are further marginalized through the axes of caste, reli- 105
 gion, ethnicity, nationality, and class. Moreover, these revisionist narratives
 reduce homophobia to colonial legacies. Strategically, on the one hand, it
 may be important for the queer rights movement to reclaim Hinduism in its
 quest for justice;¹⁰ on the other hand, for some on the Hindu Right,¹¹ who 110

1 The tweet had over 3,500 retweets.

2 Examples include Dhillon (2018), Dudney (2018).

3 The law dates back to the English Buggery Act of 1533 and similar laws can be found in over thirty ex-colonies of the British Empire. India maintained the law as part of its colonial inheritance but seldom enforced it. The Criminal Tribes Act of 1871 was another colonial law that specifically targeted hijra communities by deeming them criminals. The law was repealed in 1952; however, legal legacies continue, such as the Karnataka Police Act 36 [A] of 2011, which allows police to register all hijras; the Supreme Court Judgement of 2014 on transgender persons; and more recently the Transgender Persons Bill.

4 As a scholar based in North America, conversations around decolonization are inherently linked to Indigenous lands currently under

occupation by the United States and Canada. I specifically draw from Tuck and Yang's (2012) argument that decolonization should not be used as a metaphor; rather, decolonization would require the return of lands to the Indigenous nations. As I theorize the limits of "formal" decolonization in the Indian context in this essay, I fully support the need for decolonization of the stolen Indian lands here and in all other occupied territories, including current Indian occupation of Kashmir, and parts of North East and central India. Hinduism divides Hindu society into four varnas, castes: brahmins (priests), kshatriyas (warriors), vaishyas (traders) and Shudras (laborers), with each group further subdivided into multiple jatis (subgroups). The first three groups are dominant caste communities, whereas Shudra peoples (*Bahujan* is a

were blatantly homophobic until recently, this has become a key strategy to claim homophobia as a colonial inheritance and establish dominance of Hindu ideologies over their *Others*.¹²

What is claimed as Hindu culture is dominant caste culture. Any assertion of Hinduism as queer, trans, and gender nonconforming accepting, is not only an oxymoron, but also a normalization of caste violence. In this essay I deploy critiques of caste to unmask brahminical and Islamophobic formations in India and the Indian diasporas.¹³ Gee Imaan Semmalar (2016) argues

relying on Hindu myths to affirm our identities gives rise to ... a regressive kind of trans identity politics that does not take into account the brutality of the caste system that finds its origin and sanction in the same Hindu religion.

Thus, dominant caste queer, trans, and gender nonconforming folks who locate their queerness through Hinduism as cultural, historical, and religious praxes are complicit in this caste violence.¹⁴ As structures of brahminical cisheteropatriarchy predate colonialism in the Indian subcontinent, decolonization is not possible in India without "annihilation of caste" (Ambedkar 1936).

This essay explores the intersections of caste, sexuality, and coloniality by focusing on the Hindu Right and *its* queer, trans, and gender nonconforming peoples, and the ways in which queer Hindutva discourses are mobilized to propagate casteist, Islamophobic, and nationalist agendas.¹⁵ The first section provides a conceptual framework of homohindunationalism to theorize how Hindu nationalists are appropriating queer and trans struggles. The second section studies the pro-decriminalization responses of the Hindu Right to Section 377 and how Hindu queer and trans peoples engage in homohindunationalist praxes. The examples explored are from within India as well as from Hindu Indian diasporas to highlight how Hindu nationalism is a transnational project. The concluding section calls for the decolonizing of the law, state, and sexuality, along with annihilating caste and brahminical supremacy.

Caste, Islamophobia, and homohindunationalism

widely used term by caste-oppressed communities), Dalit peoples (a term used by erstwhile "untouchable" communities, those outside the four-tier

Dalit feminists have long demonstrated the critical intersections of caste, gender, and sexuality (e.g. Pawar and Moon 2008; Stephen 2009). They show how gender and sexual relations are fundamental to the broader ideologies of caste. Caste structures are maintained through heteropatriarchal endogamy, the practice of marrying within the same caste, to control women's sexuality. Thus, caste and gender hierarchies are the organizing

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caste structures) and Adivasi/Tribal/Indigenous peoples are caste-oppressed peoples. Further, caste is not limited to Hinduism, but also practiced in other religions like Buddhism, Sikhism, Islam, and Christianity. Moreover, caste structures are also replicated within atheist, secular, and progressive communities.

6 Within South Asia, words like *queer* and *trans* are often seen as imperial impositions of the global North and the English language, while for others these are words used to describe their own identities. Across regional, religious, caste, class, and linguistic positions, there are many “local” words that people use, including Hijra, Kinnar, Aravani, Kothi, Thirunangai, Jogappa, and Khwaja Sara. These identities often challenge the singular definitions in circulation in the global North. I will be using *queer*, *trans*, and *gender nonconforming* mostly, as these words are frequently used as umbrella terms to include all gender and sexual nonconforming peoples.

principles of the brahminical social order and are closely interconnected. Cynthia Stephen (2009) elaborates: “Dalit woman as the OTHER is ... generated by ingrained patriarchal and Brahminical values at all levels in society, which in turn causes the high level of exclusion, invisibility and structural and domestic violence.” Rejecting dominant caste feminisms and their complexities within brahminical patriarchies, Stephen calls for a Dalit womanist praxis that dismantles all structures of caste and patriarchy.

Centreing the intersections of caste, gender, and sexuality, Dalit and Bahujan queer, trans, and gender nonconforming writers argue sexual/queer/trans liberations are impossible without the annihilation of brahminical cisheteropatriarchy (see Banu 2016; Jyoti 2018; Kang 2016; Vidya 2014). While many caste oppressed activists and writers work within/alongside queer and trans movements in India, they argue these movements have maintained dominant caste hegemony by centreing urban upwardly mobile dominant caste queer cis-men identities, and invisibilizing all caste oppressed peoples. Living Smile Vidya (quoted in Ahmad 2015) writes: “Our gender identity is linked to caste in such a way that it is impossible to separate the two at all ... We also critique Brahminism ... which is linked similarly in inseparable ways in India.” Similarly, at the Delhi Queer Pride in November 2015, Dhruvo Jyoti (2015) declared: “We bring caste up because caste is everywhere and in my everything ... Caste is in my sex. Caste is in my being and Caste is in every part of you too!” In other words, homophobia, hijrophobia, and transphobia in India are not just a byproduct of British colonialism, but are also a manifestation of brahminical endogamic structures. Thus, addressing the intersections of caste and colonial violence needs to be central to queer and trans struggles in India.

Similarly, caste is key to understanding the Hindu nationalist project, as it is cisheteropatriarchal, brahminical, and Islamophobic. The main aim of the nationalist project is to create a unified Hindu rashtra, a nation which is Hindu majority/dominant. The rashtra can be tolerant of all-Others as long as they assimilate within the Hindu fold. The project considers Hinduism as the main religion of India, and Christianity and Islam as “foreign” religions; and Hindi is the national language. Hindu rashtra is also invested in the continued occupation of Kashmir and Adivasi, and Tribal territories in the North East and centre of India. Further, Islamophobia is manifested through the continued oppression of Muslim communities across India, occupation of Kashmir, commitments to the “War on Terror”, and anti-Pakistan nationalism; targets of all are conflated into one another and rendered as “terrorists”, while India remains the victim.

Hindu nationalism posits itself as counter to the “official” secular nationalist discourses; however, caste unravels the commonalities between these not-so-different ideologies. Writing about dominant caste anticolonial nationalism in colonial India, M. S. S. Pandian (2002, 1736) critiques the conflated

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7 This is now a canonical text within queer Indian writings. It is a collection of queer narratives and examples spanning over two thousand years of precolonial, colonial, and postcolonial literature. Needless to say, the framing of India as a coherent geographical entity for centuries is flawed. However, mythological Hindu writings from the collection are often cited as examples of the openness of Hinduism to gender and sexual nonconforming practices. The collection also includes several narratives from Islamic traditions, and these are critical examples of queerness before colonialism through which many South

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Asians trace their genealogies. 8 Pattanaik would fall within the Hindu nationalist camp, as a lot of his work seeks to erase and/or justify caste structures. 9 Krishnan's book has been critiqued for its gross appropriation and transphobic engagement with the lives of trans men in India. One of the many critiques argues Krishnan has imposed a homonationalist

construction of Hinduness and Indianness: "What gets encoded here as Indian culture is what is culture to the brahmins/upper castes." Moreover, B. R. Ambedkar (1936) argued there is not much difference between secular and practicing dominant caste Hindus because of their shared positionalities. While it is important to see Hindutva as extremist Hinduism, following Ambedkar and Pandian, it is also critical to make clear that caste structures are inherent to Hinduism and Hindutva, and that all dominant nationalist projects in India remain brahminical.

Paola Bacchetta (1999) argues the intersecting logics of queerphobia and xenophobia are essential to the Hindutva ideology. The Hindu right deploys "xenophobic queerphobia" to see homosexuality as a British import to India, rendering queerness as always non-Indian and always outside of the nation (143). Further, "queerphobic xenophobia" posits Others of the nation, specifically Muslim men, as the queer Others (144). Muslim men are rendered hyper-masculine and queer simultaneously. Elsewhere, Bacchetta (2013, 122) demonstrates how Hindu queers "are found not only on the 'They' side of Hindu nationalism's 'We vs. They' binary as might be expected, but also on the 'We' side as well." I build on Bacchetta's critiques to demonstrate the emergent queer paradoxes within the Hindutva project and the role of brahminical supremacy and Islamophobia. While exiling queers was essential to the twentieth-century Hindutva project, I argue that at the turn of the century, the Hindu nation needs its queer, trans, and gender nonconforming Hindus to increase demographic numbers. Indeed, it is welcoming back queer and trans Hindus into the fold, quite literally following the "ghar wapasi" propaganda. Ghar wapasi "produces and enforces notions of a primordial religious identity, whereby all and everyone are declared Hindus" (Gupta 2018, 100). It seeks to "welcome back home" those Hindus who have historically converted to Islam and Christianity and reconvert them. As the rahstra needs its "ex" Hindus to come back into the fold, it also needs those whom it previously excluded due to their nonconforming identities.

In the last three decades, the Hindu Right has become mainstream, with multiple government tenures across the country; primarily led by the Bharatiya Janta Party (BJP), Indian Nationalist Party, which serves as the political/populist medium for the Hindutva agenda. During the same period, there has been unparalleled visibility and recognition of queer and trans peoples and their struggles, culminating in the recent judgements and bills.¹⁶ Further, within the same period, the Indian economy has also been unprecedentedly neoliberalized. Needless to say, these three processes are deeply intertwined, and neoliberal processes have enabled both the rise of the Hindu Right as well as the rights of the queers.¹⁷

While, arguably, the rashtra remains anti-queer, these intertwined processes have also given a platform to Hindu right queers and trans voices. This essay

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Hindu-centric lens to non-Hindu communities, like the Nupa Maanba community in Manipur (Bose 2019). I do not seek to negate the spiritual and affective relations with Hinduism of hijra and other gender nonconforming communities. In North India, for instance, this spiritual relationship enables hijras to earn a livelihood in exchange for blessings (which the trans bill, discussed above, has criminalized now). Access to education and the formal economy is still very limited for most gender nonconforming peoples. Bhattacharya (2019) argues “the state effects of the way transgender labor is addressed by Indian law undermine the meta-narrative of the complicities of transgender movements with Hindu nationalism.” Thus, at the face of violence, if religion is used to authenticate gender nonconformity, then Hinduism is essential for survival. I use Hindu Right, Hindu nationalism, and Hindutva interchangeably.

explores this neoliberal queer assimilation within the Hindu nation. These paradoxes are central to the project of homohindunationalism (following Jasbir Puar’s [2007] formulation of homonationalism).¹⁸ For Puar, homonationalism is a key logic of US nationalism, whereby white queer bodies can be assimilated within the white supremacist imperial settler state. Over the last few decades, white queer subjects have become indispensable to the nation-state, while other queer bodies have been excluded through the logics of white supremacy, colonialism, Islamophobia, neoliberalism, and imperialism. Similarly, the Zionist Israeli state uses homonationalism as a tool to project itself as queer-friendly and Palestine as queerphobic, and to erase its own illegal occupation of Palestine (Puar and Mikdashi 2012).

Drawing upon Puar, I argue certain Indian (a.k.a. dominant caste, upwardly mobile Hindu, queer and trans) bodies can also be willingly included within the Hindu nationalist project to uphold brahminical supremacy and Islamophobia. This assimilation is homohindunationalism,¹⁹ and these are its four interrelated logics: first, Hinduism is projected as a queer, trans, and gender nonconforming friendly religion. Second, Islam and Christianity are deemed as homophobic and causes for homophobia in India. More specifically, Hinduism is projected as liberal, and Islam is reduced to being a homophobic, barbaric, and violent religion. Third, dominant caste Hindu queer, trans, and gender nonconforming folks are welcomed within the Hindutva project as long as they partake in its brahminical and Islamophobic tendencies. And fourth, all Hindu/Indian *Others* – Dalit Others, Bahujan Others, Adivasi/Tribal Others, Muslim Others, Kashmiri Others, North Eastern Others,²⁰ Christian Others, Sikh Others, etc. – are simultaneously rendered queer as well as queerphobic.²¹ On the one hand, logics of queerphobic xenophobia (Bacchetta 1999, 2013) render all Others as queer, that is perpetually outside of brahminical cisheteronormativity. On the other hand, simultaneously queer Hindutva discourses see all *Other* communities as queerphobic and Hinduism as queerphilic. *Others* are always queerphobic, violent, and oppressive, while Hindus are always open, tolerant, and welcoming. Dalit and Muslim communities are always seen as heteropatriarchal through these logics.²²

Kashmir is a prime example often marked as the queerphobic Other of the Indian state.²³ In mainstream Indian media such narratives of Kashmiri queer and trans people are common: “The LGBT community in the ... Kashmir Valley has almost no voice due to religious and cultural orthodoxy, which assume radical nature following the outbreak of the Islamist militancy in 1989–90” (Singh 2018). Accounts such as these are not only deeply Islamophobic, they also obfuscate the ongoing occupation of Kashmir. The “Islamist militancy” is not terrorism, as the Indian state portrays it; rather, it is the resurgence of Kashmiri movement for azadi, sovereignty, from the Indian occupation.

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12 I use “Others” to signify that others – those oppressed along the axis of caste, religion, nationality, indigeneity, and ethnicity – make up the majority in India.

13 Within Indian North American diasporic contexts, caste structures are as present and invisibilized as in India. While sociocultural and economic processes

Sayan Bhattacharya (2019) warns against totalizing narratives of Hindutva queer politics and homohindunationalism and asks for “closer attention to the complex ways in which the imaginary of the Hindu nation is also intensely resisted and contested by queer and transgender communities.” Anti-Hindutva queer and trans contestations are indeed critical and urgent as they defy any singular claims over queer, trans, and gender nonconforming lives in India. In consideration of Bhattacharya’s critiques, my analysis of homohindunationalism is limited to those on the Hindu Right. As I expand below, while it is important to critique dominant caste-sexual formations across the political spectrum, in this essay I focus solely on Hindutva queer and trans politics. The next section explores such queer assertions from the Hindu Right.

Hindu (right) queers and their others

in the diaspora have changed caste formations, they have not eroded them. For instance, in terms of cultural, social, and spiritual practices, caste is everywhere in the diaspora. See Soundararajan (2012),

Soundararajan and Varatharajah (2015).

14 As a brahmin, queer, non-binary person based in North America, 377 has had little effect on me. My experiences of gender and sexual marginalization, in India and within the diaspora, are produced and simultaneously protected through caste, class, racial, and diasporic privileges and complications.

15 This is not to exempt liberal/ secular/progressive dominant caste

The 2018 judgement on Article 377 was in response to petitions submitted to the Supreme Court by gay elite celebrities. These petitions marked a clear disjuncture from the last few decades of queer activism in India. While there are many critiques of the dominant caste, cis, urban, global/English centric queer movement, the Delhi High Court judgement of 2009, the first judgement reading down Article 377, marked a significant moment for queer rights in postcolonial India, as it was a result of decades of grassroots organizing by activists across the country. However, akin to dominant caste feminist movements, dominant caste queer, trans, and gender nonconforming activists often erased caste.

As I argued above, along with the more liberal, albeit mostly brahminical, queer activism of the last few decades, in recent years there has also been an escalation of dominant caste right-wing Hindu articulations of queerness and claiming of superiority to Muslims and caste Others. The Hindu Right has come a long way from its protests in the 1990s against the film *Fire* for its depiction of queer intimacies between sisters-in-law in a middle-class Hindu household. The Hindu Right argued lesbianism goes against Indian values and wanted the film to be banned. The protest against the film was a pivotal moment for the Hindu Right to come out as homophobic in the open. Until recently, both the BJP and the Rashtriya Swayamsevak Sangh (RSS), National Volunteer Organization, Hindutva parent organization of the BJP, maintained their support for keeping homosexuality criminalized. For instance, in 2013 Rajnath Singh, BJP ex-chief spoke in favour of Section 377, stating “homosexuality is an unnatural act and cannot be supported” (Singh 2013). That same year, a BJP source added: “It is a flawed assumption that ratifying homosexuality is equal to being progressive and

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queer, trans, and gender nonconforming Hindus, as I/we/they are equally complicit in brahminical violence irrespective of our/their relation to Hinduism. It is vital to theorize dominant caste queer complicities across the political spectrum, and it is a failure of this essay to not do so.

16 I am not claiming that visibility and recognition are always good, as the case of the trans bill illustrates. On queer and trans movements in India, see Narrain and Bhan (2005), Revathi (2016).

17 On neoliberalization and the queer movement in India, see Tellis (2013), Rao (2015).

18 I am not claiming authorship of the term “homohindunationalism”, as it is already widely circulated by academics and activists.

19 While similar processes are at play in the United States, Israel, and elsewhere where certain queer bodies can be assimilated within dominant nationalist formations, it is important to name the differences as well. In the United States, homonationalist processes work in tandem with white

broad-minded. The present discourse has been largely generated by a niche of the elite, which reflects the Bharat-India divide” (Ramseshan 2013). Bharat is a Sanskrit/brahminical name for India; it is often invoked to binarize between “authentic” rural India versus the “elite” mostly urban India. The above statement reduces queerness as an urban, elite, and “western” issue, whereas the rural is rendered traditional and heterosexual. The RSS, in 2014, reiterated its opposition to homosexuality, and stated it would not compromise on “moral values, social system and traditions in the name of individual freedom” (Singh 2014).

In 2014 the BJP came into power at the national level under the leadership of Hindutva ideologue Narendra Modi. This was an unprecedented victory for the BJP and marked a significant ideological shift to the right. In May 2019 Modi came into power again, with a higher victory margin than 2014. This second victory has further entrenched Hindutva ideologies and escalated violence against all oppressed communities in India. At the same time, there has been an escalation of Hindutva support for queer rights. Prior to the judgement and since, gay bhakts (supporters of Modi) have rejoiced that their great leader has “liberated” them from colonial homophobic clutches. Needless to say, during the court proceedings in 2018, the BJP mostly remained silent and deferred the judgement to the court, while simultaneously maintaining deeply heteropatriarchal, homophobic, and transphobic positions.²⁴ In fact, in 2017 India rejected a UN resolution on abolishing the death penalty for queer people (Prasad 2018), and in 2018 the government dropped “sexual orientation” from workplace discrimination guidelines (Gupta 2018). Indicative of state-sanctioned transphobia, instead of declining, violence against the trans community escalated within weeks of the decriminalization judgement (Rastogi 2018). Further, within a few months of the judgement, the Indian government proposed a draconian Transgender Persons (Protection of Rights) Bill in December 2018, what Grace Banu calls a bill “meant to kill the trans people” (Dharmadhikari and Gopinath 2018). The Bill goes against all the demands that the trans and gender nonconforming grassroots activists had been making with regard to gender self-identification and determination, reservation (positive affirmation) policies, equal punishment for sexual violence against trans people as against women, and decriminalizing sex work and begging.²⁵ Amidst country-wide trans-led protests against the bill, it became stalled in parliament. However, with the reelection of Modi’s government, the bill passed without much discussion in November 2019.²⁶ The gap between the BJP’s lack of support for queer and trans rights and the gay supporters of the BJP speaks to the unconditional faith of the latter towards the BJP.

Surprisingly, the RSS supported the judgement in 2018. In the last few years, different RSS leaders have supported decriminalizing homosexuality on the grounds of Hinduism’s acceptance, but with caveats such as it is still

supremacy and settler colonialism, where white queer people can partake in the state's colonial and imperial processes. In Israel the state and non-state actors invoke Zionist state-making processes to mark their queer friendliness as opposed to the assumed homophobia in the rest of the Middle East. Homohindu-nationalism works by relying upon precolonial and pre-Islam notions of Hinduism as a queer positive religion, without much "formal" state participation. It is critical to acknowledge that Islamophobia cuts across all these global processes.

20 Conflation of all communities across the North East as "North Eastern" is limiting and reduces the differences and diversity in the region.

21 In naming different marginalized communities, I do not seek to erase differences in their histories and experiences, and that some may have more power than others within brahminical hierarchies.

22 On the experiences of queer Muslims, see

a "psychological case" and queer relations are "not compatible with nature" (Sethi 2018). After the judgement, the RSS chief declared that LGBTQ peoples are part of society and should not be isolated. Paradoxically, this affirmation of queer desires has happened at the same time as the Hindu Right has escalated its attack on inter-caste and inter-religious heterosexual love.²⁷ The contradictions and ambiguities between support shown by the RSS, the calculating silence of the BJP, and the unconditional support of gay Hindutva supporters all attest to the fact that queer and trans desires can be assimilable within the Hindu fold as long as these desires emulate neoliberal, casteist, Islamophobic, and nationalist agendas of the Hindutva project.

Notable dominant caste Hindu queer and trans activists like Ashok Row Kavi and Laxmi Narayan Tripathi have come out vehemently in support of the Modi regime by being openly casteist, Islamophobic, and nationalist. Ashok Row Kavi, one of the first openly gay activists and founder of the NGO Humsafar Trust, has long been a supporter of the BJP and the RSS. Kavi has long been known for his Islamophobic and Hindu nationalist politics. In 2001, Bharosa, a NGO working on HIV-AIDS in Lucknow, was raided by the local police and its employees were charged under Section 377 (this incident became one of the main catalysts for the queer rights movement). In response to this incident, Kavi wrote an article against Bharosa's partner, the Naz Foundation International (the prime organization behind the mobilization that led to the 2009 decision), claiming that a Muslim of Anglo-Bangladeshi origin (Shivananda Khan) was the founder of Naz (Menon 2007). Over the decades, Kavi has maintained that in Hinduism, unlike Christianity and Islam, homosexuality has never been a sin. For him, Christianity and colonialism are the root cause of homophobia in India (Singh and Rampal 2018). Thus, within the Hindu Right, both homosexuality and homophobia are simultaneously western imports. Such contradictions are an inherent part of the Hindutva project, and are deployed rather arbitrarily on the basis of varied oppositional stances to Christianity and Islam. Further, Kavi believes Muslim and Dalit queers asking for queer rights as Muslims and Dalits are diluting the movement and stands against all pro-minority rights, except queer rights. In an interview he questioned Muslim queer activism: "Now these queer Muslims are creating their groups because they say that their religion doesn't permit homosexuality and Hindus hate them. Where will the activism go with such belief?" (Singh and Rampal 2018). Vikramaditya Sahai points out, "For people like Row Kavi, the pride is an imagination of the cis-Hindu upper class, upper caste gay male, and all the other kinds of queer people don't exist" (Singh and Rampal 2018).

Laxmi Narayan Tripathi is a renowned Kinnar (Sanskrit word used by some Hijras) activist and celebrity. She has openly claimed that within Kinnar communities there is no caste or religion (Bhain 2016), even though her own name consists of two brahmin last names. In 2016, when Indian

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Rahman (2018),
 Toor (2011).
 23 I am thankful to
 Kashmiri feminist
 scholar Huma Dar
 for insights on
 Kashmir and
 homohindu-
 nationalism.
 24 While the
 government remained
 silent, its solicitor-
 general Tushar
 Mehta argued against
 decriminalization as
 it would promote
 incest, bestiality, and
 sadomasochism
 (Rautray 2018).
 Invoking the Hindu
 Marriage Act, Mehta
 cautioned against
 extending marriage
 rights to queer
 peoples. This
 highlights the
 government’s own
 contradictions and its
 insistence on
 maintaining
 heterosexual,
 arguably endogamic,
 marriages.
 25 Additionally, after
 the decriminalization
 judgement, the court
 and the government
 have passed other
 rulings and bills
 which affect caste
 oppressed
 communities further.
 For instance, the
 Supreme Court
 turned an appeal to
 reconsider
 reservations in job
 promotions; the
 government created a
 new reservation
 quota for poor
 communities, giving
 advantages to
 specifically poor
 dominant caste

forces crossed the Pakistan border to attack Pakistan’s sovereignty, Tripathi
 appealed to the Modi government to start a “kinnar battalion” that would 500
 help erase Pakistan from the world map. Bhattacharya (2019) notes:
 “While Laxmi’s proclamation chimes in with the jingoist climate currently
 dominating India, this invocation of nationalism as a trope to claim Indian 505
 citizenship and thus legibility in the Indian polity is similar” to other videos
 depicting hijras signing national anthems and participating in drills for Inde-
 pendence Day marches. More recently, in 2018, Tripathi publicly supported
 the Hindutva call for the construction of a temple at the controversial site in 510
 Ayodhya where, in 1992, Hindu mobs destroyed a sixteenth-century mosque,
 the Babri Masjid. The destruction of the mosque unleashed anti-Muslim com-
 munal violence across India, and since then the construction of the temple has
 been central to visions of Hindu nation-making. A group of trans, gender non-
 conforming, intersex peoples and collectives and their allies signed a statement 515
 (2018) critiquing her stance:

Tripathi, a dominant-caste brahmin trans woman, has been appealing to the Hin-
 dutva ideology and justifying the existence of the caste system in India ever since 520
 she began aspiring for the political position within the current ruling party. Her pos-
 ition negates the politics of communal harmony that is espoused by Hijras and
 Kinnars ... [Her] position idealizes a mythical past ... supports the right-wing poli-
 tics of communal hatred in the guises of ‘we were always accepted’. 525

As the statement argues, Tripathi has mobilized her caste positionality to align
 herself with Hindutva forces and become a dominant Kinnar voice in propa- 530
 gating Islamophobic, brahminical, nationalist state violence.

In 2018 many pro-homosexuality Hindutva articles appeared online. These
 included a piece by an RSS member claiming: “It is a fact that ancient Indian 535
 attitudes and mores were receptive to the idea of homosexuality” (Awasthi
 2018). Citing the RSS’s acceptance of homosexuality, the author asks
 Muslim and Kashmiri leaders to change their homophobic stances on homo-
 sexuality. Calling other religions anti-queer and positioning Hinduism as a
 queer friendly and liberal religion is a common Hindu pinkwashing or saf-
 fronwashing tactic.²⁸ Another author argues Christianity and Islam have 540
 always been against queer rights as compared to Hinduism, as the latter
 does not have any scriptures prescribing anti-homosexuality (Didolkar
 2018b). Elsewhere, the author blames the imposition of Christian and 545
 Islamic homophobic moralities for homophobia in postcolonial India
 (Didolkar 2018a). He accuses the homophobic faction of the Hindu Right
 for following Christian and Muslim leaders, as the Hindu Right is “actually
 joining hands with [Muslim and Christian] bigots and extremists” (Didolkar
 2018a). Along with blatant Islamophobic and brahminical discourses, criti- 550
 ques of Left politics comprise another common strategy deployed by

communities; and the more recent judgement in favor of building a temple in the contested city of Ayodhya.

26 Analysis of this bill is beyond the scope of this essay. The postcolonial state has disguised the bill as for the welfare of trans communities, yet is taking away the dignity and self-determination from trans peoples and ignoring their political will. That this and the current Kashmir crisis is all in the name of democracy and giving rights to those marginalized, speaks to the intersections of coloniality and caste this essay highlights, and that when the postcolonial state is indeed the colonial state, no decolonization is possible.

27 Heterosexuals couples who defy caste and religious structures often face violence, some of which results in death through honor killings and lynching targeting specifically Muslim and Dalit men. For instance, the Hindutva campaign against “love jihad” is an attempt to protect Hindu women from Muslim men, as the latter seek to convert Hindu women to Islam through trickery and

Hindutva queers. For instance, the same author critiques the Indian Left for politicizing queer rights in India, and calls for the “masses among LGBTQ to protest the political appropriation of their voices for political gains” from the left (Didolkar 2018b). He calls on the homophobic Hindu Right to learn from the failures of the American Christian Right, as

the perception of the American right as anti-LGBT is so well-formed that in spite of the left supporting Islam, a religion equally if not more harsh on the LGBT community, the LGBT community has largely remained in the left’s fold. (Didolkar 2018a)

According to another article, published before the 2018 judgement, the reason that India, as a liberal country open to same-sex relationships, had not yet decriminalized homosexuality is “owing to the malaise of intersectionality” (Iyer-Mitra 2018). The author elaborates that the Left has created a “mythical enemy” and failed because of its tendency to bring together all kinds of issues, including the Naxalite resistance and Kashmiri struggles for self-determination. Another author claims that under Modi gay Indians will feel less discriminated from “left liberal” queers as “people from the Hindu Right wing are routinely made to shut up by the ‘Left liberals’ as they would crack jokes about Modi” (Rampal 2018). These articles demonstrate what homohindunationalism, with its saffron-washing, Islamophobic and neoliberal anti-left tendencies, looks like. Dominant caste queers can so easily deny occupation of Kashmir, Islamophobia, neoliberal, and brahminical caste violence, but continue to believe that the BJP and the RSS can liberate them.

Similar strategies are deployed by Hindu nationalist forces in the diaspora. In 2017 the US-based Hindu American Foundation (HAF) came out with a solidarity statement with LGBTQ communities demanding inclusive and equitable representation in California’s school textbooks. Since 2005, the HAF has been at the forefront in seeking changes to history and social science textbooks to depict Hindus and Hinduism positively.²⁹ The HAF contends that talking about gender, caste, religious, and class violence in India makes Hindu students vulnerable to racism and bullying in schools. Along with asking for unbiased representation of Hinduism in textbooks, it collaborated with the FAIR Education Implementation Coalition to advocate for more LGBTQ inclusive curricula in Californian schools. In a policy brief, “Hinduism and Homosexuality,” the HAF (n.d.) proclaims Hinduism is an LGBT friendly religion and allows for equal rights for people of all sexualities and genders, and is supportive of same-sex marriage. Blaming colonialism for homophobia in India, the HAF call for an acceptance of LGBT peoples within Hindu society, and “Hindus should not reject or socially ostracise LGBT individuals, but should accept them as fellow sojourners on the path to *moksha*” (Venkataraman and Voruganti 2018).

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marriage (Gupta 2018b, 85).
 28 Pinkwashing as a practice is often associated with Israel’s attempt to create an image of Israel as “gay haven” and the rest of the Middle East as homophobic, and to obfuscate its ongoing occupation of Palestine (Puar and Mikdashi 2012). In a similar vein, saffronwashing is when Hinduism is depicted as a religion free of gender, caste, and anti-Muslim oppression (Zwick-Maitreyi 2017).
 29 For more on the HAF and California textbook case, see Zwick-Maitreyi (2017).
 30 Since then the Valley continues to be an open-air prison without access to information, communication, food, and medical facilities. Already the most militarized region in the world, Kashmir has seen additional deployment, taking the total to one million personnel. Several Kashmiris have been killed by the army; many have been wounded, electrocuted, and tortured; thousands have been arrested, including children and pro-India Kashmiri leaders; journalism has been curbed using all state

Their alliance with LGBTQ groups is troubling given how the HAF has been asking for Hindu inclusion from a casteist brahminical, Islamophobic and Sikhophobic stance and seeks to sanitize Hinduism of its violent practices. Denying caste, gender, and religious violence, while propagating a myth of queer, trans, and gender nonconforming friendliness, is part of the same saffronwashing ideological framework. As discussed above, following global anti-Islamophobic homonationalist formations in the United States, Israel, and elsewhere, Hindus are also mirroring these processes. Responding to the HAF’s solidarity statement on the killing of queer activists in Bangladesh in 2016, Farhat Rahman (2017) writes: “In doing so, it cynically uses queer Muslim deaths ... to justify and uphold American imperialism. HAF is not concerned about homophobia and transphobia as evidenced by its utter silence on the violence and extremist violence faced by minorities in India.” These alliances allow the HAF and Hindutva queers to align themselves with other Islamophobic global powers to assert their superiority to Islam.

In August 2019 India escalated its occupation of Kashmir by abrogating Article 370; the article allowed Kashmir to maintain a semi-autonomous status and to have its own constitution. For Kashmiris, this is a direct attack on their sovereignty.³⁰ However, the government claims this was done to integrate the state into India and give Kashmiris full and equal rights as other Indians. The state and many Indians, including those in the diaspora,³¹ claim this revocation will bring rights to those oppressed within Kashmir, including queer and trans peoples. They maintain that since the Indian constitution can directly be applied to Kashmir, Kashmiri queer and trans peoples can be “liberated” like their Indian counterparts. Queer Hindu Alliance, a Hindu queer group, on the day of the abrogation, tweeted a picture of a map with the entire Kashmir region part of India, saying: “From Kashmir To Kanyakumari, India Is One.” The Kashmir region on the map had a saffron turban tied around it. Such pinkwashing claims are false, as there are no special laws in Jammu and Kashmir’s constitution which criminalize homosexuality, and the Supreme Court’s 2018 decision applies to all state High Courts (Stand With Kashmir 2019). Furthermore, Kashmiri queer and trans peoples continue to suffer like other Kashmiris under the communication blackout, curfew, and sustained state violence (Bhat 2019). Bund (2019) argues the Indian response always already stereotypes Kashmiris as homo/trans/phobic and terrorists, and further:

It is an attempt to dehumanize Kashmiri LGBT community by reducing their existence and the human need for identity, intimacy, security and development to only sex. The motivation is to rebrand a violent masculine military state as champion of women and LGBT rights.

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Thus, homohindunationalism is rooted in Islamophobia, brahminical supremacy, and the occupation of Kashmir. 665

Beyond caste and coloniality

powers, and multiple incidents of sexual violence have been reported.

31 In October 2019, at an event on Kashmir at the School of Oriental and African Studies (UK), a group of masked protestors interrupted proceedings and spread leaflets identifying as “Gay for J&K.” The protestors claimed the revocation of Article 370 has been beneficial for the Kashmiri queer and trans community.

The above sections demonstrate the need to study brahminical supremacy to understand queer and trans struggles in postcolonial India. Further, I contend the claims to “decolonization” need to be reevaluated due to the intersections of colonialism and brahminical supremacy. To conclude, I engage with decolonial and anti-caste critiques to emphasize that decolonization can only be imagined if anti-caste praxis is centred in all liberation struggles. Drawing upon Anibal Quijano’s concept of the “coloniality of power”, María Lugones (2010, 748) theorizes the “coloniality of gender” thus: “The gender system is not just hierarchical but racially differentiated and the racial differentiation denies humanity and thus gender to the colonized.” Following Lugones and others, we know that coloniality shapes hegemonic constructs of race, gender, and sexuality. Within the Indian context, Aniruddha Dutta and Raina Roy (2014, 321) call to decolonize “transgender” as local nonconforming identities are rendered “as merely ‘local’ expressions of transgender identity, often without interrogating the conceptual baggage.” Their critique signals to the coloniality in the making of (trans)gender identity. 670 675 680 685

As argued above, brahminical supremacy has embedded caste to the logics of coloniality. Pandian, quoted earlier, critiqued dominant caste nationalism in colonial India as it was established through “valorising the inner or spiritual as the uncolonized site of national selfhood” (2002, 1736). Dominant caste leaders used this binary to construct themselves as spiritually superior to the colonizers as well as the caste Others. Simultaneously, the elites aspired to whiteness and colonial power. For instance, in her study of the English language in colonial India, Shefali Chandra (2012) argues: “The normative gendered subject ... [was] produced in a crucible of caste-based desires that provide[d] coherence to the English-education project” (23). These processes entrenched the caste-based gender and sexual differences between dominant caste and caste oppressed communities. In fact, these processes have been central to the ways “brahmanism came to stand in for Indian culture itself” (Chandra 2011, 148). The intersections of caste and colonialism continue to shape the postcolonial state. Chinnaiah Jangam (2017, 5) argues brahminical knowledges impose “epistemic violence ... to crush Dalits’ sense of self and to dehumanize their existence.” Challenging temporal dichotomies of colonialism and anticolonialism produced by dominant caste scholars, Jangam asserts that Dalit epistemologies rupture the ideas of an “ideal” pre-colonial Hindu past. These critiques destabilize the temporal and connect the postcolonial/modern/secular formation of the Indian state and brahminical supremacy as interwoven and not solely as a consequence of colonialism. 690 695 700 705 710 715

32 Elsewhere, I have argued Jyoti Puri’s framework of “sexual state” does not capture how caste is central to the logics of sexuality in India, as the Indian state is already always a “casted state” (Upadhyay 2018).

As well, they point out that there was never a “true” decolonial moment in India after independence.

In a “casted state” like India,³² where logics of endogamy and blood purity have always been at stake in regulating gender, sexual intimacies and caste lines, without questioning the modalities of caste, speak to the colonality of brahminical supremacy (Upadhyay and Bakshi forthcoming). The intersections of caste and sexuality also allow us to understand the Hindutva attack on desires, intimacies, and love in India – not just queer intimacies but intercaste and interreligious “heterosexual love” as well. M. Jacqui Alexander (2005, 100–101) calls for a politics of decolonization to be rooted in erotic autonomy: “within a desire for decolonization, imagined simultaneously as political, economic, psychic, discursive, and sexual.” Grounding the erotic in the decolonial praxis in the Hawaiian movement for sovereignty, J. Kēhaulani Kauanui (2018, 198) argues, can rectify “nationalist attempts at recolonization.” Within the Indian context, decolonizing erotics requires challenging homohindunationalist tactics, along with dismantling all colonial, brahminical, and Islamophobic structures. After the 2018 judgement, we can hope, decolonizing and de-casting erotics, as moulee (2018) writes, will “de-centralise the queer movement” to make visible “the forgotten fights” of queer, trans, and gender nonconforming peoples in India.

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