Index

Abrahamic thought 216
Abu Ghraib 65
acedia (spiritual crisis) 172–3
Advaita 4, 10–11, 22, 185–6, 216–17
Afary, Janet 190
affect theory
  affect, meaning 165–6
  decolonization 167–8
  deferral of freedom, and 170–71
  despair, and 171–5
  emotions, role of 167–8
  feminist affect theory 165–70, 173–4, 183, 229, 233
freedom and unfreedom 153, 169–70
intimate, focus of 167–8
normative construction, reparative readings 168–70, 233–4
principles of 153, 165–8
shame, affect of 167–9
Afghanistan
  rescue of women, as conflict aim 102, 136–8
  women as combatants 102–4, 136–8
agnosticism 187
Ahmed, Sara 70–71, 78
Akka, Shenkottai Avudai 244–6, 249
Al-Hallaj, Mansur 199
Alavid Shi’ism 192
alterity
  epistemology, role in 201–3
  film representations of 72–4, 76–7, 210–13
  freedom, framing of 145–6
  veiling bans, and 126–35
Ana al-Haq (I am the truth) 199
Anderson, Kevin B. 190
anti-sex trafficking
  emancipation of women, and 97–8
  freedom, interpretation of 97, 99–100
  policy development 96–100
  policy limitations 98–100
  prosecution-oriented strategies 98
  root cause, failure to deal with 99–100
Asad, Talal 215
autonomy 223–4
awareness, non-dualist approaches to 220–22
bardo (Buddhist state of) 189
Baxi, Upendra 34–5, 158
Beijing World Conference for Women 1995 95
being and becoming 4, 23, 184
  becoming the ‘I’ 212–13, 225–6
  being as freedom vs. freedom to be 241–8
  doing, and 226–7
  timelessness of 223–4
belligerent subjects 40, 44–5
Berlant, Lauren 151, 170–71
biological gender categorization 91, 93, 107–8
Bollywood
  happy endings 71–2
  queer representations 72–4, 76–7
brittle subjects 223–4
Brown, Wendy 42, 152, 155, 159–63
Buddhism 215, 243
  cause and effect relationships 187–8
  consciousness, role of 187
  freedom, approach to 4, 21–2, 187–90
Mahayana Buddhism 167, 184, 186–90
non-self, theory of 21–2
reincarnation 188–9
subjectivity, role in 188–9
burkini 131
burqa see veiling
Buss, Doris 90
Butler, Judith 57–8, 92, 137, 223–5

Cairo Conference on Population and Development 1994 95
capitalism
femme economicus 87, 160
homo economicus 71–5, 157–8, 160–61
human rights policy development, and 156–7, 159
carceral 16, 19, 86, 89, 96–9, 104, 106–7, 132, 164
carceralità
control feature, as 105–8, 164
others, as belligerent subjects 40, 44–5
care
ethic of care 101–2
self-care, 194, 230
Cartesian moments 193–4
Cartesian subjects 187, 194–5, 198, 225–6
chador see veiling
Charlesworth, Hilary 109
Charlie Hebdo (magazine) 85
Chitrangada: The Crowning Wish (film) 210–13

Christianity
education, recognition in 126–8
epistemology of 215–16
homophobic evangelicism 63–4
secularism, understanding of 215
suicide 248
civil and political rights 34
civilization
see also First/Third World divide
hierarchies, influences on rights development 94
liberal approach 6–7, 42–3
linear progression view 6–7, 218
maturity, influences of 93
Cologne sexual assaults 85–6, 105
colonialism
contextual perceptions 59–60, 122
cultural difference, views on 93, 122
liberalism, influences on 36–8
rejection of 167–8
consciousness
freedom, and 187, 234–5
non-dualist awareness, and 220–27, 234–5
T’-thought 221–7
consumer-citizens 72–5
rights strategies, role in 15, 160–61
Cornell, Drucilla 193, 196
Cossman, Brenda 76
counter-hegemonic critiques 180–85
criminal law
homosexuality, recriminalizing 44, 55–6, 61–2, 72–3, 210–11
human rights, criminality vs legitimacy 61–2
offender profiling 107
sex industry criminalization, implications of 96–7
solutions to social problems, as 105–6
violence against women, intervention in 97, 105
Crowning Wish, The (film) 210–13
cruel optimism 153, 170–71, 197, 229
cruelty 30–36, 44–5

cultural collectives
emancipation, and 37
human rights role 36–8
liberalism, conflicts with 36–7
‘them’/‘us’ perception 36–40

culture and tradition
backwardness, perceptions of 6–8, 17, 63, 93, 94, 122, 130–31
cultural relativism 23, 145, 181, 184
freedom, indigenous practices 36–7, 157–8
gender assumptions 101
markers of, removal implications 126–9, 144–5
narratives, human rights
development through re-reading 158–9
obstacles to freedom, as 14, 144–5
veiling ban cases 122–35

Dabashi, Hamid 183
*Dahlab v. Switzerland* 124
Davies, Margaret 92–3
de Sousa Santos, Boaventura 152, 155, 157–9, 197
deconstructionism 186–7
Delhi rape case 16, 86, 88, 105
democracy
human rights and freedom, relationship with 161–3
market influences on 163
deportation 86
dervish 198–200
desperar 171–5
Devi, Mahasweta 168–9
discernment 1, 10, 12, 20, 24, 146, 174, 221–3, 226, 231, 234
disenfranchised persons, freedom of 8–9, 11
Donnelly, Jack 34
*Dostana (film)* 72–4, 76–7, 211
Douzinas, Costas 152, 155–8
*Draupadi (short story)* 168–9
dreaming, states of 220
economic, social and cultural rights 34
education 43–4
emancipation, generally
human rights as vehicle for 154–6
emancipation of women
consumption practices 137–8
facial visibility as symbol of 137
*femme economicus* 87, 160
embodiment
becoming the ‘I’ 212–13, 225–6
sexual identity, and 211–13
epistemology
affect theory critiques 166–7, 183

alterity, role of 201–3
benefits 166–7
counter-hegemonic critiques 180–85
failures in, causes 172–3, 182–3, 200–201
linear and non-linear time 218–21
Mahayana Buddhism, of 167, 184, 186–90
non-dualist approaches 216–17, 240
non-liberal, features of 197, 200–201, 214–15
non-Western traditions 215–16
religion, limitations for 215–16
shift in, need for 163–4
error
correction of 221–2
epistemic 230
freedom from 153
liberal perceptions of freedom 174–5
root 221, 233
ethnic nationalism 156
eunuchs 246–7
European Court of Human Rights
veiling cases 122–5
Fanon, Franz 167–8
fasting 247–8
fear, freedom from 30, 242–3
feminism, generally
*see also* post-colonial feminism
activism trends 108–9
Anglo-American feminism, taking a break from 108–10
governance feminism 16, 95, 104–5, 109
institutional attitudes to 109
international human rights law, place within 108–9
liberal challenges for 108–9
obstacle to freedom, as an 108–9
political spirituality theory, criticism of 195
vulnerable subjects, and 40–42
Western and globalization influences 110–111
feminist affect theory 165–70, 173–4, 183, 229, 233
feminist legal scholarship
gender categorization, and 90–91
post-colonial feminist theories 92–3
sex and sexuality interpretations 91
femme economicus 87, 160
Fernando, Mayanthi 133, 136
Fineman, Martha 41–2
First/ Third World divide
femininity, civilizational differences 93, 122
gender categorization 89, 93
post-colonial feminist thinking, and 110–111
sexual liberation and repression conflicts 66–7, 76
victimization of Third World women 89
forced labour 98
Foucault, Michael 4, 21–2, 35, 160, 201
feminist criticism of 195
Iranian Revolution, on 190–92, 195–6
liberal individualism 195–6
non-liberal influences 196
political spirituality theory 22, 184–5, 190–97
power relations 70, 92–3, 180, 197
sexuality, repressive hypothesis 196–7
France
gender equality, conditions of 131–6
neutral secularism 126–9
othering of French Muslim women 130–34
personal vs. national identity conflicts 131–4
same-sex marriage 64
veiling bans 17, 125–34
freedom, generally
see also liberal freedom
Advaita 4, 10–11, 22, 185–6, 216–17
alternative framing of 145–6, 153, 244–51
contemporary acquiescence, as 240–41
cultural interpretations 36–7, 157–8
cultural obstacles to 14
cultural practices, and 157–8
deferral of 170–71
despair, and 171–5
displacement 23
from error 153
fear, from 242–3
historical definition 1
from identification of the self 247–8
ideology, as an 155
illusions of 153–5, 174–5
individual autonomy, and 157–8
individualism, relationship with 228–9
liberal articulations 1, 3–7, 10, 12–13, 21–2, 121
market influences 15, 160–63
metaphors of 10–13
non-corporeal freedom 247–8
non-dualist articulations 1, 4, 10–11, 184, 189–90, 199–200, 229–32
non-liberalist articulations 4, 10–12, 21–2, 201–3
passion and dispassion, and 198–9
philosophical approaches 4
political theologies, role of 157–8
from prescribed legal space 198–200
rebellious and revolutionary nature of 157
religion, role in 157–9
reparative readings 165–70, 233–4
self-reflection, through 4, 247–8
sexual surveillance, and 105
struggle, narratives of 158–9
through rights 229
turn away option 152–3
uncoupling from human rights 152–3, 156, 230
universal assumptions 23
Index

freedom of choice
human rights, role in 31–6, 41, 164
individualism, and 126–33, 164
national identity vs. religion
conflicts 127–35
unfreedom, forced choices as
128–35, 164
veiling bans 130–32, 141–3, 164
freedom of expression
gender equality, and 129–35
veiling bans 127–8, 134–5
freedom of religion
right to die 247–50
veiling bans 122–7
gay international 60–61, 66–8, 75–6
gender binaries
distancing from 93
governance feminism 104–5, 109
law, role in 90–95
militarism and war 102–3
UN Resolutions on women, peace
and security, in 101–2
unfreedom, as 16
visibility, and 232–3, 246–7
gender equality
conflicts within 129
discriminatory nature of 129
scrutiny, need for 144–5, 157
secularism, conflicts with 17, 126–35
sexual violence, influences on
attitudes to 87–8
veiling practices 17, 43–4, 126–35
vs. freedom of expression 129–35
gender, generally
biological determination 91, 93, 107–8
categorization 89, 91–2
cultural assumptions 101
international law, place in 90–91
interpretations of 89
male dominance 91–2
post-structural interpretations 92–3
power relations, and 92–3
regulatory power of 92–3
securitization of 101–2

shame, role of 167–9
social construction, interpretation as
91–3
stereotypes 87–8, 90
gender imperialism 88
Germany
Cologne sexual assaults 85–6, 105
Ghamari-Tabrizi, Behrooz 195
 Ghosh, Rituparno 210–213
global gay identity 60–61, 66–8, 71
globalization
consumer-citizens, rights of 15, 72–5, 160–61
planetary marketplace 157, 160–61
Golder, Ben 35–6, 154–5
good life
cruel optimism 171
human rights, and 28, 33–4, 43–4, 46, 151–3, 171
governance feminism 104–5, 109
examples of 95–105
grief
collective responses 57–8
liveable life, interpretation of 57–8
public expressions 169
rage, and 57–8
grievable lives 57–8
non-recognition 137–8

Halley, Janet 104, 108–10
happiness
conformity, and the unhappy queer 71–2, 79
film perceptions of 72–4
happy endings 71–2
happy queers 69–75
human rights role in 28, 33–5, 43–4, 46, 151–3, 163–4
same-sex relationships, recognition 212–13
harm or injury, recognition of 57–9
Hasson, Kevin J. 35
headscarf bans see veiling
Hermeneutics of the Subject, The
(book) 193
hijab see veiling
hijras 246
Hinduism
epistemology of 215
Hindu Right, position of 216–17
sexual diversity, restrictions on 71–2
surveillance of public conduct
71–2
HIV/AIDS 57
*homo economicus*
  human rights and freedom 157–8, 160–61
  queer theory, and 71–5
  rise of 71
*homo politicus* 155, 160–62
homosexuality
see also LGBT
cultural narratives, changing attitudes through 158–9
decriminalizing 44, 61–2
recriminalizing 44, 55–6, 61–2, 72–3, 210–211
Hoskote, Ranjit 243
human beings
avowed vs. disavowed interpretations 151
categorization, influences on 58–60, 151
hierarchy of 29, 45, 56, 58, 240
worth and value, market influences on 107–8, 160–63
human dignity
freedom, and 157–8
liberalism of fear, and 33–4
veiling bans, and 125–8
human rights, generally
see also LGBT rights
alternative to, limitations on 163–4
alternatives to 156
challenges to 156
choice, role of 31–6, 41, 164
civil and political rights 33–4
collective vs social rights 33–4
conformity, imposition of 59–60, 121
as defence against power 240–41
deserving characteristics 57–8
despair, and 171–5
education, role of 43–4
extremist pressure, role against 123
freedom, relationship with 1–2, 152–3
fundamentalism 39
good life, and 28, 33–4, 43–4, 46, 151–3, 171
governance role 35–6
happiness, and 28, 33–5, 43–4, 46, 151–3, 163–4
harm or injury, recognition 57–8
historical influences on 29
illiberal transformation, and 43
illusions of freedom 153–5, 174–5
individual autonomy, and 157–8
interventions, contextual limitations 59–60
liberal values, and 28–9, 174–5
liberalism of fear, and 30–35, 44–7, 159–60
limitations of 31
negative liberty, and 28, 32
neoliberal capitalism, and 156–7, 159
non humans, interpretation 58
normative influences on 164
‘othering’ of 36–40
paradoxes 159–60
political goals, and 28–9
pragmatism, and 154–5, 162
purpose 123
reduction of suffering, and 30–36, 239
religion, role in 157–9
reparative turn 165–70, 233–4
repressive hypothesis 35–6
rights inflation 33–4
sexual marginalization 58–9
sexuality normalizing, and 60–69
specific normative alignment 151–2
subjective vs. institutional rights 156
subjects, perceptions of 40–45
tools of empire, as 155–6, 161–2
transnational focus 28–9
universality, and 36–40
<table>
<thead>
<tr>
<th>Term</th>
<th>Page(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>‘I’, becoming the 212–13</td>
<td></td>
</tr>
<tr>
<td>Ignatieff, Michael 33–4, 38, 40–41, 155–6, 162</td>
<td></td>
</tr>
<tr>
<td>illiberalism</td>
<td></td>
</tr>
<tr>
<td>belligerent subjects, perceptions of 44–5</td>
<td></td>
</tr>
<tr>
<td>colonizing mission of liberalism 38–40</td>
<td></td>
</tr>
<tr>
<td>human rights, transformational role 43, 180–83</td>
<td></td>
</tr>
<tr>
<td>incommensurability 232–5</td>
<td></td>
</tr>
<tr>
<td>India</td>
<td></td>
</tr>
<tr>
<td>cultural values 86–7</td>
<td></td>
</tr>
<tr>
<td>Delhi rape case 86, 105</td>
<td></td>
</tr>
<tr>
<td>gender perceptions 86–7</td>
<td></td>
</tr>
<tr>
<td>homosexuality, recriminalizing 44, 55–6, 61–2, 72–3, 210–211</td>
<td></td>
</tr>
<tr>
<td>neoliberalism 55, 71–3, 78, 214</td>
<td></td>
</tr>
<tr>
<td>Penal Code, section 377 55, 72–3, 78</td>
<td></td>
</tr>
<tr>
<td>philosophical traditions 214–15</td>
<td></td>
</tr>
<tr>
<td>rape law reforms 86–8</td>
<td></td>
</tr>
<tr>
<td>right to life vs. right to die 247–8</td>
<td></td>
</tr>
<tr>
<td>sexual diversity, restrictions on 71–2, 77</td>
<td></td>
</tr>
<tr>
<td>transgender persons’ rights 246</td>
<td></td>
</tr>
<tr>
<td>womanhood, perceptions of 86–7</td>
<td></td>
</tr>
<tr>
<td>women’s rights, law reforms 86–7</td>
<td></td>
</tr>
<tr>
<td>India’s Daughters (documentary) 88</td>
<td></td>
</tr>
<tr>
<td>individualism</td>
<td></td>
</tr>
<tr>
<td>freedom, relationship with 228–9</td>
<td></td>
</tr>
<tr>
<td>liberal individualism 126–33, 164, 239</td>
<td></td>
</tr>
<tr>
<td>veiling bans vs. freedom of choice 126–33, 164</td>
<td></td>
</tr>
<tr>
<td>international law, generally</td>
<td></td>
</tr>
<tr>
<td>anti-sex trafficking policies 96–100</td>
<td></td>
</tr>
<tr>
<td>gender binary focus 90–95</td>
<td></td>
</tr>
<tr>
<td>women’s rights, place in 90–91</td>
<td></td>
</tr>
<tr>
<td>Iranian Revolution 190–92, 195–6</td>
<td></td>
</tr>
<tr>
<td>Iravan (deity) 246, 249</td>
<td></td>
</tr>
<tr>
<td>IS see Islamic State</td>
<td></td>
</tr>
<tr>
<td>Islam</td>
<td></td>
</tr>
<tr>
<td>see also Muslim practices; Muslim women</td>
<td></td>
</tr>
<tr>
<td>authoritarianism, perceptions of 124–5</td>
<td></td>
</tr>
<tr>
<td>good vs. bad Muslims 135–6</td>
<td></td>
</tr>
<tr>
<td>negative autonomy, and 138–40</td>
<td></td>
</tr>
<tr>
<td>Shia Islam 190–92, 195–6</td>
<td></td>
</tr>
<tr>
<td>Western perceptions of 135–6</td>
<td></td>
</tr>
<tr>
<td>Islamic State</td>
<td></td>
</tr>
<tr>
<td>Western condemnation 140</td>
<td></td>
</tr>
<tr>
<td>women, military participation 102, 138–40</td>
<td></td>
</tr>
<tr>
<td>Islamophobia 86</td>
<td></td>
</tr>
<tr>
<td>Jainism 247–8</td>
<td></td>
</tr>
<tr>
<td>Jihadi Brides 138–9</td>
<td></td>
</tr>
<tr>
<td>jilbab see veiling</td>
<td></td>
</tr>
<tr>
<td>Kashmiri Shaivites 242–3</td>
<td></td>
</tr>
<tr>
<td>Kennedy, David 154–5</td>
<td></td>
</tr>
<tr>
<td>Khanna, Ranjana 200</td>
<td></td>
</tr>
<tr>
<td>Khomeini, Ruhollah (Ayatollah) 191, 195</td>
<td></td>
</tr>
<tr>
<td>Koovagam 246–7</td>
<td></td>
</tr>
<tr>
<td>laïcité 126–7</td>
<td></td>
</tr>
<tr>
<td>Lalla (Lalleswar, Lal Ded) 242–3, 249</td>
<td></td>
</tr>
<tr>
<td>law, generally see also international law</td>
<td></td>
</tr>
<tr>
<td>apolitical role of 31</td>
<td></td>
</tr>
<tr>
<td>sexing and heterosexing of 92–3</td>
<td></td>
</tr>
<tr>
<td>LGBT rights</td>
<td></td>
</tr>
<tr>
<td>behaviour decriminalizing 44, 61–2</td>
<td></td>
</tr>
<tr>
<td>criminality vs legitimacy 61–2</td>
<td></td>
</tr>
<tr>
<td>criticism of 66–7</td>
<td></td>
</tr>
<tr>
<td>global conflicts 64–5</td>
<td></td>
</tr>
<tr>
<td>governance project, as 68–9</td>
<td></td>
</tr>
<tr>
<td>human rights advocacy 61–9</td>
<td></td>
</tr>
<tr>
<td>interpretations, blurring 61</td>
<td></td>
</tr>
<tr>
<td>linear regulatory framework 68–9</td>
<td></td>
</tr>
<tr>
<td>liveable life, interpretation of 57–8</td>
<td></td>
</tr>
<tr>
<td>naturalization 62–3</td>
<td></td>
</tr>
<tr>
<td>normalization 60–69, 70–71, 75–9</td>
<td></td>
</tr>
<tr>
<td>power relations 62–6</td>
<td></td>
</tr>
<tr>
<td>public activism 55–6, 62, 76</td>
<td></td>
</tr>
<tr>
<td>pursuit of rights, non-linear 62–3</td>
<td></td>
</tr>
</tbody>
</table>
queer theory, and 60–61
racial and cultural influences 63–4, 66
recognition 69–70
recriminalizing homosexuality 44, 55–6, 61–2, 210–211
same-sex relationships, recognition 212–13
sexual assaults/rape,
non-recognition 58–9
UN policy development 66
validation 63–4
Western value conflicts 63–4
liberal freedom
achievement, means of 28
articulations of 1, 3–7, 10, 12–13, 21–2, 121
assumptions 27
choice, role of 31–6, 41, 164
criticisms 14
cultural collective restrictions 36–7
definition 28
as expression of human rights 28–9, 174–5
happiness, and 28, 33–5, 43–4, 46
human rights creation, and 28–9
negative vs positive rights 31–2
post-9/11 influences on 37–8
reduction of suffering, and 30–36, 239
relationship with freedom, analysis of 30–45, 228
separation of 174–5
transnational focus 28–9
unfreedom, as 46–57
universalism, and 36–40
liberal imaginary 18–23, 142, 163–4
freedom outside 186–90, 213–32
liberal imperialism 8–9, 36–40
civilizing mission, as 39–40, 94
harmful cultural practices, and 94
human rights as tools of 155–6, 161–2
moral superiority, and 94
liberal individualism 36–7, 126–33, 164, 239
liberalism
see also liberal freedom
autonomy, and 223–4
civilization, approaches to 6–7, 42–3
illiberal threats to 36–40
internationalism, and 6
linear civilization view 6–7, 218
market influences 107–8, 160–63
norms of 43–4
‘others,’ concept of 36–40, 66, 102
paternalism, and 40–41
post-9/11 influences on 37–40
purpose 31–2
self-actualization 43–4
superior morality of 36–7
violence, justification for 44–7
Western anti-gay conflicts 63–4
liberalism of fear
human dignity, and 33–4
paradoxes of rights 159–60
reduction of suffering, and 40–41
violence and human rights 30–35, 44–7, 159–60
life, right to 248, 250
liveable life, interpretations of 57–8
‘living together’, French national identity 127–35

MacKinnon, Catharine 91, 110, 228
Madan, T.N. 242–3
Mahabharata (epic story) 168–9, 210
Mahayana Buddhism 167, 184, 186–90
Mahdi (messianic figure) 192
Mahmood, Saba 17, 120, 121, 141–2, 145
Maitreyi (philosopher) 214
majoritarianism 124
Christian 124
Hindu 72
religious 128, 163
Mamdani, Mahmood 39
Manji, Ambreena 90
marital rape 87
marriage
attitudes towards 77
Index

queer sexual choice, and 77
same-sex marriage 64, 69–71
Massad, Joseph 68
Matilal, Bimal Krishna 215
migration
deporation 86
human rights developments 158–9
trafficking, and 98–9
women, as forced migrants 97–8
militarism and war
aggression vs. humanitarian intervention conflicts 155–6
gender-based rehabilitation 103, 137–8
justifications for 102
post-conflict normative order 103
rescue of women, perceived need for 102, 135–8
unrecognized and ungrievable lives 137–8
women as combatants 102–4, 138–40
Muslim practices
gender discrimination, and 123–4
homosexuality, attitudes to 65
rights limitations 43–4
veiling 17, 43–4, 122–35, 141–6
Muslim women
binary conflicts 134–5
emancipation restrictions 132–6
failed subjects, as 132, 141
liberation from veil, relevance 143–6
marginalization 132–3
nationality vs. religious choice conflicts 132–5, 164
othering 130–34, 145–6
rescue, perceived need for 102, 135–8
victims, as 124–5, 127–9, 135–7
national identity
minority interests, recognizability 136
sexual nationalism, and 132–3
social inclusion 136
veiling bans, and 126–33
natural law 156
neoliberalism
capitalism, and 156–7, 159
carcerality, role in 105–8
market influence 71, 160–63
rights shifts under 99–100
Neshat, Shirin 22, 198–200
neutral secularism 126–7
Nāgārjuna 215
niqab see veiling
non-dualism
Advaita 4, 10–11, 22, 185–6, 216–17
awareness, approaches to 220–22
consciousness, and 220–27, 234–5
epistemology approaches 216–17, 240
freedom, articulations 1, 4, 10–11, 184, 189–90, 199–200, 229–32
incommensurability 232–5
Indian philosophical thought, in 214–15
principles of 212–13
self, perspectives of 221–7, 230
time, non-linear progression 218–21
non-humans 58
non-liberal
see also non-dualism
counter-hegemonic critiques 180–85
epistemology, features of 197, 200–201, 214–15
freedom, articulations 4, 10–12, 21–2, 201–3
intellectual pursuits, views on 202–3
Mahayana Buddhism, and 167, 184, 186–90
marginalized groups, implications for 15
threat, as 202
now, concepts of 220–21
Nussbaum, Martha 228

others, liberalist concept of
belligerent subjects 40, 44–5
empowered subjects, and 43–4
incommensurability, and 232–5

Downloaded from Elgar Online at 03/01/2021 02:00:37AM via free access
interpretations, them/us/other
36–40, 66, 102, 140
Islam, conflicts with 86, 124–5,
129, 135, 138–40, 144–5
linear time, and 218, 250–51
men, demonization 86, 102, 124–5,
129, 135, 138, 144–5
sexual violence 85–6
threat, as 40, 44–5, 231–2
unfreedom, and 46–7, 140
violence, and 44–7, 97, 105
women, need for rescue 94, 96–7,
100, 102, 135–8, 244–5
Otto, Dianne
Overruled (video installation)
198–200
Pahlavi, Muhammad Reza Shah
190–91
Pandey, Jyoti Singh 86–7
passion and dispassion 198–9
peace and security
liberal peace 103–4
post-conflict normative order 103
securitization of gender 101–2
violence against women policy
focus 105–8
women as peacemakers 101–2
women’s rights linked with 101–2
Persian Sufism 4, 22, 185, 198–200
piety 141–2
planetary marketplace 157, 160–61
political spirituality theory 22, 184–5,
190–97
post-9/11
grief, collective responses 57–8
liberal freedom, influences on
37–8
postcolonial feminism 13–14, 17
developmental influences 94
feminist legal scholarship 92–3
First/ Third World divide, and
110–111
trends 109–11
victimization and rescue concept
94, 96–7, 100, 102
postcolonialism
gay rights, attitudes towards 66–7
power
empowered subjects 42–4
human rights as defence against
240–41
power relations 70, 92–3, 180, 197
sex and gender, regulatory power of
91–3
precarious subjects 239
precarity 15, 43, 56, 68, 75–6, 100,
170
prostitution
see also sex industry; sex
trafficking
freedom, as law enforcement
outcome 96
protectionism, and freedom 101–2
Puttaswamy v. Union of India 79–80
queer
see also LGBT rights
becoming and being 75–9
coming out narratives 67–8
conformity, and the unhappy queer
71–2, 79
consumer-citizen 70, 72–5
cosmopolitanism, and 72–4
depoliticization 74–5
film representations 72–4, 76–7
gay international 60–61, 66–8, 75–6
gay stereotypes 72–5
global gay 60–61, 66–8, 71
happy queers 69–75
interpretation 60–61, 65, 67
liveable life, interpretation of 57–8
marriage, legal and cultural
conflicts 77
negative/ positive uses 65, 78–9
normalization and respectability
75–9
queer desire, visibility of 73–4,
232–3, 246–7
queerly queer 232–3
recognition conflicts 69–71, 78–9
sanitization 68–9, 72–6
self-regulation 75–6
Index

sexual vs. socio-political uses of 65, 67
successful queer 213, 232
queer theory
happiness, reconceptualizing 69–75
LGBT advocacy and scholarship, and 60–61
sex/gender binary interpretations 93
social inclusion, and 73–4

rape
Cologne sexual assaults 85–6, 105 consent 86
Delhi rape case 86, 105 gay rape, non-recognition 58–9 justifications for 88 marital rape 87 rape refugees 85–6

Rawls, John 28
Realization of the Absolute: The Naiśkarmya Siddhi 217–18
regulatory heuristics 68–9
religion, generally
see also freedom of religion epistemological limitations 215–16
freedom and human rights development, and 157–9 gender equality conflicts 17 piety 141–2 sexism of 158–9
religious fundamentalism 156
religious symbols bans 125–9 recognition 125–6
reparative turn 165–70, 233, 249, rescue of women concept of 94, 96–7, 100, 102 perceived need for 102, 135–8, 244–5

revolution
freedom, revolutionary nature of 157
interpretations of 190–93
Iranian 190–92, 195–6

right to die 247–50
right to equality 144–5, 246
right to life 248, 250
rights strategies, generally balance, need for 14, 17–19 consumer agency, and 15 criticisms 14, 19–20 freedom, and 1, 3–10 governance function 8, 20–21 morality of 20–21 motives of 2, 20–21 negative outcomes 8–9, 11–12, 17–18, 21

Rorty, Richard 31, 33–4, 40, 43
Rudali (short story/film) 169, 199
Rumi, Jalaluddin 198–9
Şahin v. Turkey 122–4, 127–8
Saṅkara, Adi 185–6, 215–17

same-sex marriage
normative order, place within 70–71
recognition 64, 69–71
Santhara (fasting) 247–9
SAS v. France 127–8, 130, 132
Śaṅkara, Adi 185–6, 215–17

secularism
Christian understanding 215
gender equality, conflicts with 17, 126–35 national identity, and 126–7 Sedgwick, Eve 4, 21, 166–7, 201 Buddhism and freedom theories 184, 186–90

Seely, Stephen D. 193 seeker 194, 223, 242, 245, 250–1

self 184–5
being and becoming 188–9, 197, 212–13, 225–6

Ratna Kapur - 9781788112536
Downloaded from Elgar Online at 03/01/2021 02:00:37AM via free access
non-self 21–2
self-actualization 4, 43–4
self-care, 194, 230
self-direction 5–6, 160–62
self-reflection 4, 11–12, 227, 247–9
self-transformation, freedom as 239
‘I’-thought and consciousness 221–7
tenth person analogy 223
sex, generally
gender categorization, and 91, 93, 107–8
regulatory power of 92–3
sex industry
anti-trafficking policies 96–7
criminalization, implications of 96–7
freedom, interpretation of 97, 99–100
moral crusade against 97
sex worker 58, 72, 96–8, 100
sexual conduct
see also homosexuality
recognition 58–9
sexual legitimacy
Bollywood representations 72–4, 76–7
visibility, and 73–4, 232–3, 246–7
sexual nationalism 132–3
sexual security
policy targeting and stigmatization 106–7
unfreedom, and 15–16
sexual surveillance 15–16
policy development 105
profiling, and 107
women’s rights, restrictions on 87–8
sexual violence
see also violence against women
Cologne sexual assaults 85–6, 105
Delhi rape case 86, 105
enforcement mechanisms, conflicting influences 106
gay rape, non-recognition 58–9
gender categorization, and 89
law, changes in 86
public activism 85–7
racial perceptions of 85–6
sexual discourse, role in 85–8
sexual surveillance, and 88
unfreedom, influences on 88
sexuality
biological categorization, and 91, 93, 107–8
contextual interpretations 59–60
form of power, as 91–2
identity and embodiment 211–13
interpretations, male dominance of 91–2
repressive hypothesis 196–7
stigmatization 58–60
shame, affect of 167–9
Shari’ati, Ali 192–3
Shia Islam 190–92, 195–6
Shklar, Judith 30–31, 40, 45
slavery, interpretations of 98–100
sleep, states of 220, 222–3, 226
social rights, as collective rights 33–4
social transformation, pluralism in 157–8
Spivak, Gayatri Chakravorty 94
stigmatization
freedom of choice, and 164
policy targeting 106–7
sexuality 58–60
subjects
belligerent subjects 40, 44–5
brittle subjects 223–4
Cartesian subjects 187, 194–5, 198, 225–6
empowered subjects 43–4
failed subjects 132, 211–13, 232, 249–50
precarious subjects 239
self, conceptualizing 221–7
timelessness of 223–4
vulnerable subjects 40–42, 229
suffering
aggravating, human rights role 3, 175
causes, non-state actors role 35
cultural or racial primitiveness, and 240
liberalism of fear, and 40–41
reduction of, human rights role 30–36, 239
rescue and rehabilitation 94, 96–7, 100, 102, 135–8, 244–5
resolution of, 197, 212, 232–3, 239
sovereignty, and 33–4
vulnerable subject 40–42, 229
Sufism see Persian Sufism
suicide 247–8
Sullekhna (fasting) 247–8
Suresh Kumar Koushal v. Naz Foundation 79–80
Suresvara, Śrī 216–18
Switzerland 124
‘I’-thought and consciousness 221–7
Tabrizi, Shams 198–9
tectonics
friction, creation of 201
incommensurability, and 232–5
tenth person analogy, of self 223
terrorism
see also war on terror
liberalism, threat to 38
time
awareness, and 220–21
being and becoming 223–4
indivisible present 219
linear progression 6, 218
markers of 220
non-linear progression 218–21
timelessness 223–4
trafficking
see also anti-sex trafficking
definition 96, 98
forced labour, and 98
prosecution-oriented strategies 98

transgender persons, rights of 64, 246
Turkey 122–4, 141
Twelver-Shi-ism 191–2
Udwin, Leslie 88
UN Convention on the Elimination of Discrimination Against Women 1979 95
UN Convention on Transnational Organized Crime 2000 96
UN Resolution 1325 100–101
UN Resolution 1820 100–101
UN Trafficking Protocol 96
unfreedom
cruel optimism, and 170–71, 229
despair, and 172–4
liberal freedom as 46–57
rights, forced choices between 128–35, 164
sexual violence law reforms, and 87–8
veiling bans 128–35, 141–6
United Nations
LGBT rights policy sessions 66
women, peace and security resolutions 100–101, 164
United States
anti-Muslim propaganda, and 64
armed forces, transgender persons in 64
LGBT rights 64–5
same-sex marriage, Supreme Court ruling 64
Universal Declaration of Human Rights 248
universalities
Cultural collectives, conflicts with 36–7
human rights, of 36–40

vakh (mystic poetry) 243
veiling
coeention assumptions 121, 123–4, 127–8, 131–2, 138
facial visibility as symbol of emancipation 137
failed subjects, and 132, 141
freedom from 17, 122–4, 143–6
freedom through 141–3
human dignity, and 125–8
legitimacy of veiled females 141
liberal opposition to 130–32, 138–9, 142–3
negative autonomy of 138–40
piety, role in 141–2
rebellion, and 141–3
removal, perception as liberation 129, 135–7
self, significance for 43–4, 135–40, 141–2
social interaction, as obstacle to 130–32
submission, and 124–6, 127–9, 138–9
veils, meaning of 120, 141
veiling bans
disproportionate impacts 125–6, 129–31
European Court of Human Rights cases 122–5
freedom of choice 130–32, 141–3, 164
freedom of expression 127–8
freedom of religion 122–7
gender equality, and 130–5
governance mechanism, as 130–35
liberation, applicability 143–6
national identity, and 126–35
public safety 127–8
refusal implications 130–31, 141
unfreedom, as 128–35, 141–6, 164
victimization, politics of
postcolonial feminism, and 94, 96–7, 100
rescue concept 94, 96–7, 100, 102, 135–8
Third World women 89
vulnerable subject, and 42
Vienna World Conference on Human Rights 1993 95
violence 9
see also sexual violence; violence against women
liberalism of fear, and 30–35, 44–7
sovereignty, and 34
victimization, politics of, and 42
wahdat al-wajood (absolute existence) 199
wakefulness, state of 220, 222–3, 226
Walzer, Michael 38
war against terror
grief, collective responses 57–8
liberal freedom, influences on 37–8
women as combatants 102–4, 136–8
widows, rights of 244–8
women, generally
biological categorization 91, 93, 107–8
combatants, as 102–3
militarism and war 95, 101–3, 135–8
non-aggressor perception 103
normality, renunciation of 242–3
Index

peacemakers, role as 101–2
rescue, need for 94, 96–7, 100, 102, 135–8, 244–5
widows, rights of 244–6
women’s rights
  anti-sex trafficking, and 97–100
  covert and overt controls 15–16
  freedom, reality of 17–18
  global interventions 15–16
  national values, conflicts with 87–8
  protectionist approach 95, 102
public activism 85–7
rescue and rehabilitation concept 94, 96–7, 100, 102, 135–8, 244–5
sexual surveillance, and 16, 87–8
sexual violence, and 85–7, 104–5
UN Resolutions on women, peace and security 100–102, 164
unfreedom, as 16, 128–65, 164
Yajnavalkya (philosopher) 214
Yazidi women 102
For Mahayana Buddhism, awakening consists in understanding the true nature of reality. While non-Mahayana doctrine emphasizes the absence of the self in persons, Mahayana thought extends this idea to all things. The radical extension of the common Buddhist doctrine of dependent origination (pratityasamutpada), the idea that nothing has an essence and that the existence of each thing is dependent on the existence of other things, is referred to as emptiness (shunyata). They realize that since no individual has a self there can be no real difference between themselves and others, and therefore their own liberation is not distinct from the liberation of all beings. 2. Buddhists prefer to speak of 'rebirth' rather the 'reincarnation' since the latter implies the existence of an unchanging soul, which is something Buddhism denies. 3. On fundamentalism in religious traditions see Marty and Appleby (1993). 4. King (1964:vfl) 5. Answers to the first four questions were proposed in The Nature of. The Suramgamasamddhisutra is an early Mahayana Buddhist scripture. Within a narrative framework provided by a dialogue between the Buddha and the bodhisattva Drdhamati, it airs central issues of Mahayana Buddhism by means of philosophical discussion, edifying anecdote, marvellous feat, and drama. At its core is a description of the seeming conversion of Mara, the embodiment of all malign tendencies that obstruct advancement, and the prediction that he too will become a Buddha. Acting like Mahâyâna doctrine was the meaning of Buddhism from the beginning may reflect a sectarian commitment, but it is ahistorical and, for people who are supposed to be scholars of Buddhism, dishonest or incompetent. However, the idea that the world is essentially unpleasant, in all its details, and gives us a nagging feeling that something is not quite right, is a good Buddhist clue that something is wrong more deeply. Again, in the Mahâyâna, we get the notion that desire can be transformed rather than abolished, which strictly speaking leaves us as part of the cycle of Dependent Origination; and. No Self Nature means that there are no essences, just as Momentariness means that there are no substances. Mahayana Buddhism also spread to other South and Southeast Asian countries, such as Afghanistan, Thailand, Cambodia, Laos, the Maldives, Pakistan, Sri Lanka, Burma, Iran and other Central Asian countries before being replaced by Theravada Buddhism or other religions.[6]. Large Mahâyâna scholastic centers such as Nalanda thrived during the latter period of Buddhism in India, between the seventh and twelfth centuries.[1] Major traditions of Mahâyâna Buddhism today include Chan Buddhism, Korean Seon, Japanese Zen, Pure Land Buddhism, Nichiren Buddhism and Vietnamese Buddhism.