

RATNA KAPUR: EROTIC JUSTICE: LAW AND NEW POLITICS OF POST COLONIALISM

Abstract

Erotic Justice, written by Ratna Kapur, is one of the most recent books to be added to the expansive and varied canon of postcolonial discourse. Professor Kapur investigates the overarching topic of the subaltern subject while firmly situating her theoretical paths within the framework of postcolonial legal feminism. While the topic of women is the primary emphasis of her book, she also discusses other topics that are on the outside of conventional legal discourse, such as Muslims, transnational migrants, and sexual minorities. Her book is an important contribution to the field of women's studies. Her work reconceives the legal system as a structure of dominance and resistance, within which the function and position of the world's periphery's subjects and cultural Others have been (and are still being) formed (and reconstructed). Kapur traces the hegemonic processes of the law via the lens of her sexual subaltern subject.

Keywords: Postcolonial Discourse, Subaltern, Feminism, Sexual Minorities, Hegemony, Sexual Subaltern, Postcolonial Feminism.

Authors

Haleshappa V.V

M.Phil.(A Gold Medalist) Ph.D. in English Literature

J.N.U.

Jaipur, Rajasthan, India.

haleshappavv.cuk@gmail.com

Dr. Rana Zaidi

Professor

School of Languages, Literature and Society

Jaipur National University

Jaipur, India.

I. INTRODUCTION

Erotic Justice, written by Ratna Kapur, is one of the most recent books to be added to the expansive and varied canon of postcolonial discourse. Professor Kapur investigates the overarching topic of the subaltern subject while firmly situating her theoretical paths within the framework of postcolonial legal feminism. While the topic of women is the primary emphasis of her book, she also discusses other topics that are on the outside of conventional legal discourse, such as Muslims, transnational migrants, and sexual minorities. Her book is an important contribution to the field of women's studies. Her work reconceives the legal system as a structure of dominance and resistance, within which the function and position of the world's periphery's subjects and cultural Others have been (and are still being) formed (and reconstructed). Kapur traces the hegemonic processes of the law via the lens of her sexual subaltern subject. These operations include the culturally continuous configuration of the Other within hierarchical frameworks of difference (Kapur, 2013).

Following on from the work of authors such as Spivak and Mohanty, Kapur's book offers a very fascinating and unique arena in which to critique the place of law in Western liberal epistemology, as well as the ensuing imbalanced power relations that it produces. She fiercely opposes the concept of law as something that is both universal and apolitical. Instead, we should acknowledge the lengthy history of colonial power structures that have resulted in the subjugation and oppression of Indian and third world subjectivities. These power structures were based on self-interest. According to Kapur, the word "postcolonial" refers to a continuance of "actual" or "imagined" constructions and structures that have endured from the British colonial past. These constructs and structures have been passed down from previous generations (Kapur, 2013). Under a framework that is Eurocentric, colonial, and heteronormative, these conceptions and institutions function to constrain and suppress people who are on the margins of society. She concentrates the majority of her attention on those who are trapped between what she refers to as a dichotomy of 'invisibility' and 'hypervisibility' in the legal system, such as women, sex workers, gays, and migrants. She is especially sceptical of the liberalist argument that granting more rights to previously excluded groups would, or ever has, led to greater freedom or equality. She believes this logic is flawed.

II. LITERATURE REVIEW

Kapur, along with other critical legal academics, contests the assertions made by the liberal positivist school about law's universality, impartiality, and objectivity. This perspective of law is presented by the liberal positivist tradition. They also could throw off balance the perceived 'centre-periphery' connection that exists between the East and the West, which will eventually result in the Orientalist gaze being turned on its head. According to Kapur, the sexual subject, rather than being perceived as a victim, has agency and power via the experience of pleasure and ecstasy. This is in contrast to the traditional view of the sexual subject as a victim. The author of this book has a vision in which each of the book's five sections, including the introduction and the four sections that follow it, could each effectively be read on its own as standalone works. This includes the introduction itself. Her work is unabashedly critical in her rejection of liberal legalism, as well as the basis from which its presumptions and "truths" are unquestioningly operated. She does not hide behind a veil of self-righteousness (Kapur, 2013).

The second chapter debates centre on topics such as hegemony and subalternity, cultural homogenization vs cultural variety, as well as the public arena versus the private realm. The research conducted by Professor Kapur is primarily a study of the connected connection that exists between different types of knowledge and different kinds of power. Its primary focus is on basic concerns that are related to epistemology and ontology. This conversation is taking place within the context of "New Cosmologies: Mapping the Postcolonial Feminist Legal Project," which is the title of the aforementioned project. Kapur challenges Nussbaum's adoption of a liberal narrative of development as a means of providing support for the feminist arguments that she herself has made. According to Kapur, Nussbaum is in fact complicit in gender and cultural essentialist discourses because she argues that the limiting 'traditions' of the third world are what makes these subjects lack equality. Nussbaum comes to this conclusion because she believes that it is the 'traditions' of the third world that prevent equality. This is the conclusion that Kapur arrives to as a result of considering Nussbaum's argument. She accuses her of denying the agency of women living in Third World countries and contributing to the victim narrative that is widespread in international societies that are controlled by the West. In this aspect, the concept of what makes "real" and "accepted" sexuality and sex is the factor that most dramatically divides one culture from another (Krishnadas, 2006).

She continues the study that she started on this topic in the chapter five. This chapter is located near the end of the book. The concept of the "sexual subaltern" starts to take form in the middle of a discursive environment that, at first glance, seems to be relatively devoid of content. This "sexual subaltern" has the ability to shatter and transcend this gendered and cultural essentialism, which will ultimately result in the creation of places in which desire and pleasure may flourish. Kapur investigates the ways in which 'cultural essentialism' was being used to support traditional Indian sexuality by promoting an inaccurate conception of what constituted 'authentic' sexual and cultural mores. Specifically, Kapur focuses on the ways in which this misconception was being used to bolster traditional Indian sexuality. In particular, Kapur focuses on the region around the Indian subcontinent. A more in-depth inquiry into the backdrop of Indian culture led to this interpretation, which is based on that research. Kapur grounds her postcolonial feminist legal perspective in the context of the Indian subcontinent, she has an intention of speaking to an audience that is more representative of the whole world. In point of fact, the disagreements in her writing are a microcosm of the wider discussions that take place in academic discourse. (Sircar and Jain, 2017). Yet, she continues by drawing attention to the underlying irony that is present in the act of criminalising or regulating these purported "transgressions" in such a retrograde way. This is particularly the case when one considers the fact that the laws "...had their origin in Victorian England...and English common law..." When evaluated in the context of a legal tradition that is built on colonial law, the concept of "authenticity" completely loses all of its meaning and value.

The terms "sex worker" and "gay" are also symbols of the hypervisibility of improper sexualities. Both of these terms are seen as being especially dangerous to the family unit and Indian cultural norms, both of which are seen as being the glue that holds the country together. Consequently, the hypervisibility of improper sexualities is also symbolised by these terms. This is also tied to the notions of contamination and contagion in their literal meaning, since both of these ideas are condensed within the discourse of what is being called an "AIDS catastrophe." Those who are touched by this issue are made even more vulnerable since the legal management of this problem entails criminalization and jail. This leaves those affected without recourse to the law or their rights in general. Instead of elevating the "sexual

subaltern" as having a type of straightforward agency, as is often done, Kapur contends that these transgressive subjects are able to harness the power and the delight that comes from the erotic. This is in contrast to the common practise of elevating the "sexual subaltern." And that in light of the fact that they do not deserve such treatment, they should not be singled out, silenced, or "saved."(Weiss, 2018).

Kapur revisits the idea of a woman from the third world being a "victim" in the fourth chapter of her book, which is headed "The Tragedy of Victimization Rhetoric: Resurrecting the 'Native' Subject in International Postcolonial Feminist Legal Politics." Her argument is that the focus that has been made, within the confines of international law, on putting an end to violence against women has also contributed to promote "gender and cultural essentialisms." Kapur is persuaded that these interventions have, for the most part, been very problematic and have committed their own sorts of symbolic violence. This is despite the fact that certain feminist interventions have been effective in international law on behalf of Third World subjects in certain cases. In order to provide support for her thesis, she asserts that the assumed dominant legal identity of 'woman' has been developed within the context of a universalist framework. This ostensibly coherent community was, in truth, established by the individualistic attitude of a "...white, Western, middle-class, heterosexual lady"(Kapur, 2013). This results in glaringly obvious omissions of discussion about issues of social class, colour, religious affiliation, and sexual orientation, while simultaneously producing a picture of the legal issue that is simple to grasp(Kapur, 2013). Catherine Mackinnon, a radical legal scholar, is the only subject of Kapur's attention for the whole of the book. According to her, Mackinnon's work on the problem of violence against women has supported something that can only be defined as a "protectionist agenda". The goal of this agenda is to develop a wide narrative in which males are aggressive and women are powerless. This is an issue that has proven particularly difficult for women who work in the sex business. In her, Kapur does not see "a victim," but rather a "market actor" who is capable of exerting agency while simultaneously reflecting on the materialist limits she experiences in her own life. This dichotomy is what fascinates Kapur about her. In point of fact, Kapur is a member of the school of thought held by a subset of legal academics who maintain that the Western legal enterprise, which is rooted in the liberal positivist tradition, maintains a dominant position and rejects other categories of recognition and meaning. Kapur, however, is just one of many Indian voices trying to refocus attention away from the "sexual subaltern" and towards the liberal legal discourse of the West. The "pro-sex work" stance itself may be problematic for certain people because of the argument it makes. The "transgressive subject" holds up the possibility of legal protections that see sex workers as people with rights and to whom the law may be turned for help rather than punishment. These safeguards would establish that the sex worker is entitled to legal protections and protection under the law. In the event of a violation of their rights, sex workers would be able to seek legal recourse with the help of these laws and protections(Kapur, 2013).

The fifth chapter, moves the discussion away from a strictly Indian or Third World context in order to analyse the subaltern subject as transgressive in both speech and action. The basis for this is the border-crossing migrant topic. The "transgressive subject" in this scenario is assumed to have crossed national boundaries in order to become a "transnational migrant." When seen in the context of the recent increased exposure and discursive frenzy around immigration in Europe, this specific chapter in Sensual Justice makes for a very fascinating postcolonial contribution. Kapur focuses on what she sees as a serious legal fixation with the idea of trafficking and border control, rather than on the concept of

migration that is performed voluntarily. Her strategy employs the language of terrorism and securitization as she explores the changes made to the legal systems of the United States, the United Kingdom, and Australia in the aftermath of the events of September 11, 2001.

The rhetoric that surrounds migration is exploited in a way that belittles and undermines the movement of migrants. This is done with political motivations in mind. They are called "invaders" who will without a doubt wreak havoc on the social, cultural, and sexual coherence of the country, which is why they are recognised as undeserving of Western national rights. This is because they will surely create devastation on all of these fronts. They are obliged, once they arrive, to agree with the liberal idea of the West and to "assimilate," which implies that they must give up all of their previous subjectivity. This is a condition of their immigration status. Kapur makes this point in his argument. But, as she argues in a very convincing manner, these "transgressive subjects" are more often than not relocated as a consequence of globalisation and the imperialist practises of Western nations. This is something that she brings up in her argument(Kapur, 2013).

The recursive ramifications of the fight for Indian cultural autonomy and independence in the 19th century is shown by Kapur's questioning of the postcolonial present as the location of "an intertemporal historical conflict." The family unit continues to serve as the primary locus for the expression of traditional Indian cultural values in contemporary India, and related forms of resistance continue to shape how the legal system interacts with women and the private sphere. To the degree that women continue to occupy this space, they will continue to be subjected to stereotyping by the culture that predominates in today's society. This culture includes conservative political organisations like the Hindu Right(Kapur, 2013). Whenever the law has been permitted admission into the private domain of the family, such as in the prosecution of adultery, it has done so solely to strengthen the moral control of women and sexuality according to the prevalent sexual ideology and conservative norms. This is the case in every instance where the law has been granted entry into the private realm of the family. This is the situation in each and every case in which the legal system has been allowed to pry into the personal sphere of the family. So, the idealisation of women's bodies, which was the nationalist response to the colonial goal of legal reform, also indirectly impacts the substance of the law in contemporary India. This is because the idealisation of women's bodies was the result of the legal reform mission of the colonial government. As a direct result of the colonial past, the Indian woman continues to be at the centre of cultural and legal issues, both in her position as a nationalist ideal and as a stereotyped character. This is true whether one considers her to be an ideal or a figure.

Kapur argues how, throughout the process of the creation of Indian nationalism, the law, and more specifically the law as it applied to women, turned into a site of conflict between imperialism and nationalism. In particular, Kapur focuses on how the law developed into a site of struggle when it was applied to women. More particularly, Kapur focuses on how the law became a place of conflict as a result of its treatment of women. She does this by looking at how the law changed through time. The British colonial presence in India was partly justified by pointing to the backwardness of some rites, such as the practise of child marriage. Other aspects of Indian culture also had a role in the justification of this presence. These actions were carried out by the Brits. Liberal-minded reformers in Britain attempted to change what they saw as antiquated and barbaric customs, and as a consequence, they enacted laws that increased the age of consent for marriage from ten to twelve years old. In order to sustain their opposition to change, Indian nationalists rearticulated the home sphere

as being beyond the grasp of colonial interference. In spite of the fact that British laws and reform were ultimately implemented, the domestic sphere of the family emerged as a protected place for the formation of Indian cultural values and tradition as a result of these colonial disputes (Kapur, 2013). This occurred despite the fact that British laws and reform were ultimately implemented. In addition to this, the women who finally came to occupy this area came to be seen as a symbol of Indian nationalism. At the same time, the nationalist political elites who comprised the dominant social force imposed upon these women a set of essentialist ideas of normative sexuality. These stereotypes were based on the idea that women should conform to a certain sort of sexuality. The roles of motherhood, wifehood, virginity, purity, and self-sacrifice were among the sexualized symbols of Indian culture that were incorporated in these stereotypes. These stereotypes have had a profound impact on the lives of Indian women, limiting their opportunities and perpetuating gender inequality. Efforts to challenge and dismantle these stereotypes are ongoing in India and around the world. This resistance selected the home as a space of Indian cultural autonomy because of its association with Indian cultural autonomy. This opposition chose these regions because they were seen to be the locations that most accurately represented Indian culture. In the course of their fight against the imperialist intrusions of British law and Western culture into their country, Indian nationalists saw the home sphere as a locus of non-colonization in their nation. Since they were confined to this region, they were protected from the corrupting influence of the West; as a consequence, they became the symbol of pure, unadulterated Indian culture. This area was included on the UNESCO World Heritage List in 1987 (Dhawan, 2013).

The reality that globalisation has built a new, more nuanced system of winners and losers is lost on those who read agency, freedom of choice, and moral challenges into prostitution, migration, and acceptance of Western culture. This is the weak point in Kapur's argument. As much as it is about agency, hybridity, and questioning hegemonic notions, the "choice" of a woman to work as a prostitute or to leave her family in search of employment is about the changing arrangements of global capital. This is true whether the woman leaves her home in search of work or works as a prostitute. In a similar vein, a man's "choice" to leave his family in pursuit of job or to work as a prostitute amounts to the same thing in essence. On the one hand, choice may be read into third-world women's "determination" to work as prostitutes or emigrate for employment, and, in a way, a choice is being made that has the potential to question and challenge normative preconceptions as a result. On the other hand, one may read choice into the so-called "decision" of women living in third-world countries to work as housemaids or as domestic workers. In a similar vein, in order to have a thorough knowledge of the "decisions" made by these women, it is important to explore the social and economic circumstances that set constraints on women's professional "choices." This is because these variables create restrictions on women's ability to earn a living in a variety of occupations. Changes in the market that are brought about by occurrences such as, for instance, the decision of an international company to transfer production, have the ability to shift, restrict, and otherwise distort markets and preferences that were previously in equilibrium. If this is the case, then the only two viable options for women who have less opportunities and fewer choices are to either participate in prostitution or to leave their nation.

Kapur argues that the ultimate objective of more comprehensive eroticism is hindered by the rights agenda of Western feminism and liberalism in the following contentious areas: Laws restricting the denationalization of sex and violence were advocated for by liberal

reformers, international organisations like the United Nations, and Western governments like Australia, the United Kingdom, and the United States to regulate the sex trade and reduce the threat of terrorism. The National Commission on Women, an Indian feminist organisation, did this to protect "morally pure" Indian women from the corrupting influence of Western film and music. These active efforts at liberal reform, in Kapur's opinion, are both naive and unreflective, and they propagate hegemonic conceptions that third-world subalterns are impotent victims who are unable to choose for themselves or act independently (Sircar and Jain, 2017).

Sadly, feminist and liberal engagement with law and sexuality in this postcolonial setting has neither been completely transformational nor empowering, and Kapur spends a substantial amount of the rest of *Erotic Justice* to revealing precisely how political action has tended to misunderstand postcolonial feminism and to perpetuate the hegemonic stereotype of subaltern women, which, in turn, has hampered the realisation of full eroticism in the postcolonial world. This point is presented most effectively by Kapur in her essay titled "The Tragedy of Victimization Rhetoric," in which she explores the international campaign against violence against women that was supported by the United Nations (UN), which has resulted in a proliferation of legal rights for women. Her piece is named "The Tragedy of Victimization Rhetoric," and it can be found on her website. Yet, Kapur argues that the articulation and execution of rights designed to protect women have tended to define the problem of violence in terms of the victimisation of women, which preserves normative assumptions about gender, sexuality, and culture. These assumptions are maintained by the fact that rights have been framed in terms of the victimisation of women. It is possible to interpret these presumptions as factors that contribute to the ongoing problem of violence against women. This essentialist view of women as helpless victims without choice only works to perpetuate the subordination of women and precludes the formation of more strong systems of justice that would challenge hegemonic stereotypes and normative assumptions. In other words, this presentation of women as helpless victims without choice serves to promote the subordination of women. The continued portrayal of women as helpless victims helps only to strengthen the subjugation of women in society (Weiss, 2018).

According to Kapur, the most important point that is made in *Sex and Social Justice* is not that the liberal stance is fundamentally faulty, but rather that there has been a great inconsistency and incompleteness in the way that liberalism has functioned for women. This is the argument that serves as the book's primary thesis. This is the refrain that occurs again and over again over the course of the novel. But, the feminist response that Nussbaum proposes is insufficient to solve the problem. According to Kapur's perspective, Nussbaum is a proponent of a feminist politics that strives to reveal disparities within society and the family and to extend liberalism's purpose of ever-expanding rights regimes into the home as well as other sites of patriarchal tyranny and subordination. This is because feminist politics seeks to expose inequities within society and the family and to expose injustices within society and the family. On the other hand, postcolonialism and subaltern studies, according to Kapur's thesis, have completely revealed the error of liberalism's dependence on the narrative of progress, liberalism's failure to transcend beliefs about the other, and liberalism's faulty assumptions about the autonomous, atomized subject. Hence, as a consequence of the fact that retaining a commitment to the liberal agenda, particularly after embracing the criticisms of feminists such as Nussbaum, runs the risk of perpetuating subordination and oppression, it is important to keep this risk in mind. The religious right-wing nationalist movement and modern conservative political parties in India — together referred to as the coalition of the

Hindu Right — have effectively used the principles and language of liberalism to integrate and subjugate Muslims on normative and essentialist grounds, in order to establish a homogeneous picture of India. In the same way that liberal ideals were used to facilitate and strengthen 19th century imperialism and colonial expansion, the coalition of the Hindu Right has been successful in doing the same thing. This comparison is provided by Kapur as an illustration(Dhawan, 2013).

Kapur's *Erotic Justice* properly criticises liberalism's many failings, but it fails to give any theoretical or political solution to the challenges facing subaltern women in third-world nations and impeding greater justice. *Erotic Justice* focuses on the law as a discursive site of conflict, but it also breaks with the practise of employing literary texts and visual arts to demonstrate third-world realities. Kapur frequently turns her emphasis from politics and legislation to literature and "episodic" interpretations of contemporary events, which are more methodologically flexible. In reality, law and politics must apply social science analytic techniques to support and assess postcolonial claims. Postcolonial studies in law and politics need this. Postcolonial feminism student Christine Sylvester has been gathering data and undertaking fieldwork to test her assumptions about Zimbabwean women's needs. She is contrasting women's needs as viewed by women with development organisations' viewpoints on women's programmes, which are quite different. Postcolonial studies might improve policy results by using social scientific analysis like the liberal rights project. The UN, foreign countries, and other international political organisations embrace political, social, and economic development ideas. Postcolonial studies would advance policy results rather than just establishing a discursive space where imaginative descriptions outweigh necessity(Kapur, 2013).

Some subaltern perspectives are challenging the essentialist and normative portrayals of women in developing countries as helpless victims with no agency or choice. In her book, Kapur examines the ways in which Western media and entertainment have influenced popular culture in India. Prostitutes, homosexuals, and transvestites are only some of the sexual subalterns he looks at as potentially disruptive forces. These topics are covered in Kapur's research. In her article titled "The Other Side of Universality: Cross-Border Moves and the Transnational Migrant Subject," Kapur investigates the difficulties that are brought about by women who emigrate across international borders. The fact that they are hybrids, or culturally and geographically "in between," confuses essentialist beliefs about culture. Moreover, the fact that they are able to choose to leave their families and migrate across borders in pursuit of social and economic opportunities calls into question assumptions about gender and agency. The book written by Kapur addresses both of these concerns in detail. In all of Kapur's pieces, she depicts women in a positive light, as independent decision-makers who are capable of taking initiative. For instance, individuals could make the decision to work as "sexually aggressive" prostitutes or to travel across international boundaries as a "transnational migrant subject." These options contradict the idea that women living in third-world nations are helpless victims who are confined to the house in order to fulfil the responsibilities of obedient and dutiful mothers and wives(Sircar and Jain, 2017).

In order to improve erotic justice and formulate a more progressive legislative response, according to Kapur, it is necessary to acknowledge that "women may and do choose to migrate and engage in the sex industry, and even find clandestine means by which to sneak into another country." This is the first step towards achieving better erotic justice and formulating a more forward-thinking legislative response. More erotic justice may be

attained via this as the first stage, and a more progressive legal solution can be articulated as the second step. The goal is to have greater erotic justice. Diverse centres of subaltern discourse are brought to the forefront by calling attention to the fact that some women choose to work as prostitutes or immigrate in quest of jobs. This is done in order to bring employment opportunities. This makes it easier to resist the propensity towards simplicity that is connected to culture and gender essentialism. As a result, "more sophisticated judgements of the sex worker's cultural place in India" emerge, aiding in the struggle against the cultural essentialism that has fuelled the legal disputes. This in turn aids in combating the cultural essentialism that has dominated legal discussions. Since they tend to reinforce rather than question norms, more rights and legal safeguards are not the solution because they tend to reinforce rather than confront norms. More legal rights and safeguards are not the answer because of this. This is why expanding people's legal protections and rights is not the answer. Particularly vulnerable to Kapur's critique are the legal reforms that have been pushed by the UN, other Western political organisations, and governments who are committed to the rights movement. This is due to the fact that their "dubious facts have been intermingled with other confusions between trafficking, migration, and sex-work," according to Kapur.

How, however, could in-depth studies of where prostitution stands culturally in India help push forward legislative changes that attempt to expand the economic alternatives open to women who must resort to selling their bodies to support their families? Kapur does not elaborate on what a postcolonial feminism would say in response, and she does not provide any kind of answer herself. She instead takes a cautious approach by citing authors and scholars who are working in literary analysis and, for example, attempting to uncover the hidden history of prostitution among the Indian courtesans of the fourth century BC (Krishnadas, 2006).

To put oneself in a position where they are forced to "choose" between emigration and prostitution is not to exercise one's freedom of choice but rather to be deprived of that liberty. Theories of agency, hybridity, and erotic justice all place a primary emphasis on the concept of individual liberty of choice. The postcolonial feminist paradigm developed by Kapur wrongly interprets sexual autonomy and cultural hybridity to mean things like forced prostitution and coercive emigration. Kapur interprets the illusion of agency and choice into conditions in which liberty is completely non-existent by framing the complexity and dilemmas that third-world women face as decision-based challenges to hegemonic norms. Choice is nothing more than a creative construct in contexts of poverty, malnutrition, and a lack of opportunities; it is a fresh way of understanding prostitution and emigration that, in the end, distorts and diminishes the awful realities that exist in the third world. As a result of such an exaggerated and distorted portrayal of the actual world, postcolonialism's usefulness as a theoretical and political framework for doing research on the third world is being called into question (Weiss, 2018).

It is not entirely obvious why Kapur's detractors dismiss the possibility of choice or agency along an East/West axis. Even in countries that have industrialised their economies, prostitution is seen as exploitative and repressive from the perspective of a fairly conventional kind of Western feminism. It is true that these stories are riddled with many of the faults that Kapur identifies in the logic of liberalism; nonetheless, Kapur dismisses other explanations without much study since she regards them as maintaining the rhetoric of victimhood in some capacity or another (Kapur, 2013).

Notwithstanding these criticisms, *Sexy Justice* continues to be a stimulating and revitalising addition to the canon of postcolonial literature. This is despite the fact that it was written by Kapur. Her research is a step in the right direction, and the work she has put in deserves the attention and respect of the academic community. This is a start in the right direction, even if a greater reconciliation between liberalism and postcolonialism has not yet been reached. It would seem that academics who study postcolonialism may stand to gain a large amount of knowledge from those who work on the liberal rights agenda after all. In order for postcolonialism to continue being used as a theoretical framework, it is going to be necessary for it to adopt some of the methodological rigour that is associated with postcolonial critique.

III. CONCLUSION

Erotic Justice is a highly intriguing theoretical investigation of the subaltern within the context of the intersections of gender theory and the legal system. The transforming capabilities of the topics labelled as "erotic" and "transgressive" are captivating and optimistic. But, when it came time to wrap things up, there was a feeling of dissatisfaction since there was no response to her own primary issue or a way forward that went beyond opening up new theoretical spaces or debates. On the other hand, it's possible that this is just the consequence of the competitive and constantly shifting industry in which she operates. On the other hand, I thought the ending of the book was somewhat sudden, and there was neither an endnote nor a summary; instead, there was just a gap filled with quiet. The voices of those who were discussing "transgressive" or "erotic" topics remained mostly silent during her presentation. Postcolonial feminism provides a number of useful skills, the most important of which is the capacity 'to grasp the world's 'Others' and the many sites from which they might speak.' Kapur is an advocate for these tools. She also thinks that postcolonial feminism might provide legal discourse some vital principles concerning procedure, including a wariness towards generalisations that transcend the confines of both culture and country. Kapur challenges the Eurocentric assumptions (and constructs) that pertain to identity, representation, and difference by using the junction of law and postcolonial feminist theory. Importantly, she makes use of her theoretical framework to explain how a centre-periphery connection can be seen to persist unequivocally in this postcolonial environment.

REFERENCES

- [1] Dhawan, N., 2013. The empire prays back: Religion, secularity, and queer critique. *boundary 2*, 40(1), pp.191-222.
- [2] Kapur, R., 2013. *Erotic justice: Law and the new politics of postcolonialism*. Routledge.
- [3] Krishnadas, J., 2006. The Sexual Subaltern in conversations "somewhere in between": Law and the old politics of colonialism. *Feminist Legal Studies*, 14(1), pp.53-77.
- [4] Sircar, O. and Jain, D. eds., 2017. *New intimacies, old desires: Law, culture and queer politics in neoliberal times*. New Delhi: Zubaan.
- [5] Weiss, M., 2018. Queer politics in neoliberal times (1970–2010s). *The Routledge history of queer America*, pp.107-119.

