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Michael Kinnucan

An Interview with Yasmin Nair, Part One: There's No Rescuing the Concept of Equality

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Yasmin Nair is a writer and activist based in Chicago. Her work addresses neoliberalism and inequality, sex, gender and queer issues, the immigration crisis, sex trafficking and state violence. She is a cofounder, along with Ryan Conrad, of the editorial collective *Against Equality*. She has published widely, and a great deal of her writing is collected on her website. Below is the first part of a two-part interview.

Michael Kinnucan: I first got into your work by reading *Against Equality*, a tremendously inspiring book from a collective that I think you helped found. That book is extremely critical of virtually everything that goes on under the banner of gay rights in this country: critical of gay marriage, of don't-ask-don't-tell repeal, and also of hate crimes legislation. How could anyone be against those things?

Yasmin Nair: Well, we think of those, at *Against Equality*, those three issues have become what we refer to as the Holy Trinity of gay rights. On the surface, they all look like they are movements forward, but if you look at each of them closely you realize they're all really part of a neoliberal agenda, of extreme privatization, of expansion of the prison-industrial complex, and of expansion of the US imperial military project. The best example of course is gay marriage, which really reinforces, especially in the United States, a system which guarantees something as basic as healthcare only to those who are married. And that's a retrograde process, because it also reverses what the gay movement tried to do in the 1980s, during the AIDS crisis; gay activists at that time were actually advocating for universal healthcare. And they were fighting alongside, for instance, Haitian refugees who were being quarantined, and the demands were very different from what we see today. So gay marriage is a retrograde measure, which only reinforces the neoliberal state's ability to determine, literally, life and death for people based on their marital status. As for DADT, we feel very strongly that the purpose of the gay rights movement is not to win for gays more participation in the US military-industrial complex, but actually to fight against that complex. The dominant idea about DADT has been that it's about equality and asserting more inclusion, and allowing people a degree of economic and social mobility through military jobs, and we find that extraordinarily oppressive because the people most targeted by the message of supposed economic and social mobility are of course, in general, African-American and Latino youth. And we feel that people should not have to attain social mobility by basically giving up their lives for the US. And then there's the fact that we are totally against the US imperial project.

And with hate crimes legislation—we're a prison abolitionist group, and we see this legislation as doing nothing more than increasing the likelihood of people going to jail or even getting the death penalty for crimes they might commit, as opposed to really examining what causes crime in society, as opposed to interrogating the very nature of the "drug wars," the implication of the US in military endeavors across the globe under the pretext of resolving quote-endquote drug issues.

Basically, those three causes in particular have been folded under this banner of "equality." And we called our group "Against Equality," a very provocative name, because our point has always been to question: what does equality mean? Equality for whom? And how is "equality," like "diversity," a term that has come to be used and manipulated by the neoliberal agenda? An agenda of extreme privatization, yes, but also of extreme violence towards not just queer bodies but all bodies across the board. So that's why we're "against equality."

MK: To take you up on the notion of equality, I imagine a lot of people in the mainstream gay rights movement would answer you: "To be sure, healthcare shouldn't be distributed this way, the military shouldn't be used this way, but our efforts are focused on helping gay people, on making sure that they at least have equal access to goods within the current system. And maybe we can change the system later, or maybe that's someone else's job." But you actually say a demand like gay marriage *reinforces* the neoliberal agenda—these moderate reformist goals are actually counterproductive. How is that?

YN: Right, the logic of the gay rights movement has been like "yes, these things are true, but if we can just gay marriage, for example, it will be the rising tide that lifts all boats." Well, my short response to that is that it's bullshit, it's absolutely not true, and here's why: What actually happens, in the case of gay marriage, what we see happening now, is that gay marriage becomes the only option. It does not become a gateway to other benefits, to more options, and it also isn't a stopgap measure, which is what the gay marriage movement would like you to believe. It has become the *only* way for people to survive.

For example, in every state, including Illinois, where gay marriage has become legal, those who were under domestic partnerships or civil unions are no longer permitted to have their partners remain on their healthcare. They *have* to get married. This is true in Massachusetts, this is true in Connecticut, this is true in every state where gay marriage has become legal. So we can see in that alone that gay marriage has not been a stopgap measure, it has become the only way for people to get healthcare, assuming their partners have healthcare in the first place. And you can argue, now, surely now that the ACA has passed, surely we can all get healthcare—well again, rubbish! Because we already know the deep flaws of the ACA by now. We know there are all kinds of issues with the ACA. But the point is, marriage is now mandatory, it's not an option. And in a country like the United States where the *idea* of healthcare for all is not something the average citizen even actually thinks of as a good thing, this is devastating for those who don't want to marry, for whom domestic partnerships or civil unions offer more flexible arrangements. But so in other words, what we see happening is what I and Against Equality said would happen all along: marriage becomes the requirement, not an option. And you can also expand that to hate crime legislation, where the left, which is dead in the US, which is hopelessly muddled, has consistently refused to look at how hate crime legislation actually operates, and we can see now that hate crime legislation works hand in glove with all the pernicious effects of the drug wars and so on, to increase imprisonment, to increase the use of the death penalty on the already embattled communities in which all of this is already at work. And once you let the horse out of the barn, things just move along in that direction: once you increase the ability of the prison-industrial complex to increase prison time, for instance, there's no going back, there's no making it softer and kinder. We see for instance the worsening of the effects of sex offender registries, we see the worsening of the drug wars, we see the way the prison-industrial complex is expanding in multiple ways. So none of these are stopgap measures.

MK: So the problem with these reformist, sort of achievable measures is that what makes them achievable is that they help the system—so if you come to the

government and say “hey let's imprison more people,” well, they will, they will happily do that.

YN: Yes! Happily! And with hate crimes legislation there's plenty of anecdotal evidence, and there's some research being done, to show that the people most affected by hate crimes legislation are likely to be people of color—not white gay men who might perpetrate violence against people of color, but people of color who can now be prosecuted on the grounds of hate crime. So we're already seeing racial disparities. And that's how the prison-industrial complex operates! Why on earth would you want to increase the scope of the PIC?

MK: You said that the problem with “equality” is that, like diversity, it could be manipulated for all sorts of purposes. Is equality *always* the wrong demand, or is *Against Equality* actually against a very specific understanding of what equality would mean?

YN: The term equality—well, there's no rescuing it. I mean I'm speaking for myself, AE hasn't had this discussion, but in my opinion there's no rescuing the concept of equality. I just don't think that's realistic. It's such a silly term because the way it's used—well, it's a liberal term. The idea is that if all things were perfect, everyone would benefit equally under certain circumstances. I think rather than talking about whether we want a certain kind of equality, or whether equality can be better, I think it's better to interrogate the conditions under which the rhetoric of equality flourishes, the conditions under which a certain type of equality is constantly being foisted upon us. And you could say the same thing for example about the women's movement, you could say, “Well, all things being equal, all we need is for women to earn exactly the same as men.” But we know that doesn't help us get away from capitalism.

What *Against Equality* does, what a lot of left groups have not done, is interrogate the conditions of capitalism. Because if you get stuck on the notion of equality, “can gay people get married just the same as straight people can?”, you're not really interrogating the conditions of neoliberalism which make marriage a compulsion, which reinforce the ways in which the state can use the family to mobilize capitalism. If you get stuck on the issue of whether men and women are earning equal amounts, or for example, whether men and women are equally represented on the board of some extremely problematic non-profit, for instance, you're not interrogating the conditions of capitalism! You're saying “hey yeah it's all good, we've got six women and six men on this really fucked-up board of this extremely fucked-up anti-sex-trafficking non-profit.” That's not progress! That's capitalism fucking it up all over again!

MK: Right and that's sort of the native discourse of capitalism's self-justification, you know, equality of opportunity not equality of outcomes.

YN: Exactly.

MK: So I wanted to ask—reading your work, and reading the *Against Equality* collection, it seems almost as though there are no specifically gay issues, there are no specifically queer issues. All the critiques focus on broadening our scope, so that, you know, gay people have trouble getting insured and straight people have trouble getting insured. And it's not even intersectionality or solidarity—

YN: No. I fucking hate intersectionality. But that's a whole other conversation!

MK: Right, it's beyond that. But then what if anything is a specifically queer or gay movement look like? Or is it that we want to be focusing elsewhere, and on more general kinds of problems?

YN: So you're asking what if anything is specifically queer about this? If I could just dwell on the word queer for a minute here... For me, coming out of queer—for me personally, and I think this is also reflective of what AE does: we don't actually interrogate people's sexuality, “who are you fucking? How many people have you fucked? What gender are they?” We're just not interested in those issues, and we're also not interested—I am not interested at all in the idea of queer being somehow

better than or more politically recalcitrant or engaged or more radical than anything else. But the moment when I came out as queer was in the nineties, around '92, '94, which is why I describe myself as a child of deconstruction and queer theory: at that moment in time, to be queer seemed to be the most radical position to be in. And it was in some ways, yes, connected to sexuality, but what I've always been trying to explore in my work is to think about what it really means to occupy a position within the left, or to occupy a radical position, that actually thinks deeply and actually works against the conditions of neoliberalism, the conditions of capitalism. And to be honest—I still use queer, yes, but not always with great satisfaction. Because I came out of the nineties, when to be queer was inherently radical. And the dissertation I wrote, for instance, was very much derived from principles of queer theory, from queer theory work. But today I find queer theory to be not only unsatisfactory, but actually to be part of the neoliberal project itself, and to be deeply apolitical. And I think recent discussions around trigger warnings, or race, or ethnic studies, have really demonstrated the complete paucity of queer theory.

On the other hand I would defend queer *studies* as opposed to queer theory—if you look at the work of Christina Hanhardt, for instance, or Matilda Bernstein Sycamore, you see the ways that work actually forcefully and brilliantly interrogates actual living conditions and material conditions. And I'm much more of a materialist now than I was in the nineties. And in that respect I find queer theory very lacking, but I think queer studies is the future of thinking about sexuality. I hold on to “queer,” though. I don't know why. I think there has to be a place for actually thinking about —if I simply identified as someone on the left, I wouldn't be able to think through these issues around sexuality and gender which I think are actually fundamental, right? Not in themselves! Not because gender matters, although it does, and not because sexuality matters, although it does, but I'm not interested in exploring the identity itself, I'm interested in seeing how the identity is wrapped up in the neoliberal project. Which is where the left is a fucking failure: if you only see sex and gender in very essentialized terms, as identities... The left only recently accepted that homosexuality, quote-unquote, was okay, and already it's patting itself on the back about gay marriage, “yeah, we support gay marriage.” And then we come along, AE comes along, and they have no idea what to do! And the only way the left can interrogate gay marriage these days is to say “oh yeah, gay marriage is bad because it doesn't allow people to fuck around as much.” And I'm like—it fucking doesn't matter! Who you fuck and how many people you fuck and whether you fuck someone upside down from a goddamn motherfucking hot air balloon, it does not make you more radical! What makes you more radical is how you resist capitalism. And if you want to resist capitalism you have to think about gender. You don't have to think about the family, but you think about gender, you think about sexuality, and you think about all these narratives about the “global gay” right now for instance. If you don't think about gender and sexuality as integrated and as part and parcel of neoliberalism you are fucked royally.

Because that's exactly what's happening with gay rights now, if you think about the gay agenda in terms of the global gay project and the fact that fucking Human Rights Campaign is now deciding to basically embolden and make more powerful—if you think about Samantha Powers, for instance, and you think about her whole human rights campaign, and how she's now eyeing gay stuff, and how the HRC is now eyeing international gay rights issues. And if you think about what's happening in India right now for instance with very neoliberal nonprofits or NGOs are now engaging and colluding with the state to bring about gay rights, while not resisting, and being blind to, and actually enabling neoliberal agendas by enabling the non-profit-industrial complex, which buys into a certain mode of capitalism. So my point is simply: if you ignore gender and sexuality in that realm of capitalism we are royally fucked. And we are moving in that direction. So for me the only reason I still use queer is because it is the only goddamn way I have right now to be in that space and to say “Hey, look, this shit is fucked.” Because otherwise I'm just going to be on the left, and the left still has this pure idea that *all* that matters is economics, and those who think and write about gender and sexuality haven't quite grasped the ways in which it is actually *essential* to neoliberalism, it's not just a part, it is essential, and we're going to see more and more of that as time goes on. For instance the UN, now, has come out in favor of gay marriage—and I don't know what that means! What the fuck does it mean? What does it mean for you to say that as the fucking UN? And

what we're going to see in future years is I think a devastating range of neoliberal policies which will be made and propelled in much more effective ways precisely because we've ignored the ways in which gender and sexuality work with it. So that's why I still use "queer." So that's a roundabout way of coming back to your question—what makes all of this queer? I don't want to say everything is queer because I fucking hate how queer theory does that, but I can explain why I still use the word queer.

MK: ...which is because there are two extremes on the left, the "everything is about economics, let's not talk about gender" extreme, and then the "economic issues are separate from libertarian fucking, which is awesome!" side of the left. And you want to do something like the political economy of sexuality, and "queer" is a good locus for that.

YN: Right. For now, that's where I rest.

MK: Yeah and just to put my cards on the table I'm a straight guy who's interested in, sort of, political economy of the family—

YN: Yeah yeah no worries, yeah—

MK: And for that reason I find some of the queer studies work very interesting.

YN: Right.

MK: So coming back to *Against Equality*: My understanding is that it was founded at this moment in 2009 when a ballot initiative to pass gay marriage in Maine had lost, and there was this moment where people were saying "Hey, we've spent a huge amount of money and effort, organizing effort, trying to get this, and it didn't work—so why did we spend all this, is this even the right goal?" And now, five years on, we have this new reality which is shocking to everyone, across the political spectrum, which is that the gay rights agenda turned out to be—almost easy. I mean the agenda of DADT, marriage equality, etc. Being gay in this way went from being this horrible, closeted thing to absolutely mainstream in the course of very few years. And part of what I hear you saying about "queer" is that it really seemed unassimilable in the nineties, like it was in itself this radical position, and now it turns out to be totally assimilable to the society as it is. If you're rich and white, if you're gay, well that's okay.

YN: Exactly.

MK: So what I want to ask is: now that the gay rights movement in America, the mainstream movement, has pretty much won on every front, what do you see as the future of that movement? You mentioned that HRC is now focusing on international issues; do you think there will be a broader rethinking of goals in the movement, or do you think it will just disappear as a movement?

YN: I think the most important thing to remember is, as Jay Michaelson said, it's not a movement, it's a campaign. And I think it's very important to keep in mind that the mainstream gay movement is not a grassroots movement. That's important. And you can see this with gay marriage, which I keep returning to again and again because it represents everything about the gay movement, but in gay marriage, for instance, the widespread misconception about the gay marriage movement is that it's this grassroots movement, "thousands of people came out after Prop 8 to protest," yeah whatever. Bullshit. That didn't matter. The gay rights movement, the gay marriage movement, has always been led and fostered by big big big big money, and that's how it has always won. We are seeing this now—and I've written about this in my review of Jo Becker's book—we are seeing now that the histories are coming out.

What's ironic for me is that the histories that are celebrating gay marriage are actually the histories that I find most informative, because they unintentionally reveal the workings behind the gay marriage movement. What we are seeing is that the gay marriage movement was always funded by big money. And—read Kate Sosin's book about this— what we're seeing is that this was planned years ago by

extraordinarily wealthy people, in Illinois for instance, there were legislative battles that were plotted years ago—and this had nothing to do with a grassroots movement.

So to come to that question: what happens to the gay rights movement? I think on the level of everyday people, well, I see a lot of gay divorces in the future, but more importantly, I see a lot of quote-unquote ordinary people simply retreating back to the lives that they wanted and that they think they have; I don't see them getting involved with anything other than what really concerns them intimately. But more importantly, I think what we have to look for in terms of where the gay movement will go now is to see: what is big gay money going to be focused on? My guess is that what's going to happen is that there's going to be a sharp uptick in interest in quote-unquote human rights issues across the world. That's not because anyone involved gives a flying fuck about what's going on in Uganda or in India or anywhere else. It is simply because there is already a well-established massive sponge for money there. So now that the UN has given its official blessing, for instance, now that the WHO has stepped in to talk about AIDS drugs and so on—well, there's always already been a kind of network, very similar to the anti-sex-trafficking organization network has always been an extraordinarily moneyed network; you have organizations like International Justice Mission, for instance; NGOs on the ground throughout the world, connected to US interventionist groups like HRC. There's already these existing networks which are a sponge for money. What the gays, the money gays want, is to figure out ways to increase their resources. What you're going to see increasingly, I think, in a generation or two, is groups of young queer people getting more into international gay rights issues. You're going to see that kind of network increasing much more in power, or at least in influence, because now these large international organizations are lending their strength to all of this. So I think the gay rights movement is going to migrate towards that. Not because of any fucking ideological inclination to do anything for anyone in any meaningful way, but because that's where the money will be.

The money and more importantly the influence. This is also about power. This is also about wanting prestige and power, and that's where the money and the power will be located. So that's what I predict is going to happen. In terms of marriage, well, you know, the middle class and wealthy people—I mean the idea that Edie Windsor was this poor little old lady striking matches in some cold loft in New York City is so fucking ridiculous. I mean the woman is worth at a minimum around 6 million dollars. The only reason she had that court case is because she refused to pay the taxes she was asked to pay. And she could afford to pay those taxes, it's not as though they were going to make her bankrupt. The point I'm trying to make is that Edith Windsor is a multimillionaire. Now granted, six million in New York City is not a lot of money—

MK: [Laughter]

YN: ... but it's a hell of a lot more than most people have. So this is a wealthy woman who just dug her heels into the ground and said “I'm not paying these taxes!” These are the “death taxes” that even Warren Buffet has supported. And she simply refused to pay them. She's a millionaire who refused to pay the taxes she owed the government, taxes which go to fund our schools, etc. So I think what we're going to see is an increase in gay power, more gay people being out in neoliberal administrations like Obama's. Whether the next administration is Republican or Democratic of course as we know doesn't really matter. There are very few differences between the two. So what we're going to see is higher gay visibility in the corridors of power, and that's not necessarily a good thing. Because what we're going to see is an implicit—and we see this in Hillary Clinton's statements already, the connection being forged already between gay rights and power, Clinton goes around admonishing countries that don't have “good records” on gay rights, and they will suffer from a lack of funding and aid. And I think we're going to see that much more drastically, and I really worry about that. Scott Long writes a great deal about that. So international stuff is going to be prominent, but also policy.

I'm concerned also about issues around health. We have, for the first time in forty years, a growing, visible elderly population of LGBTQ people, many of whom are living with HIV/AIDS, people we never expected to survive the epidemic, and I'm

very concerned. We have, for the first time, out people who are aging, and we don't know what to do about it. I'm very concerned about the healthcare industry in relation to the LGBTQ population. I'm concerned that we're not really doing much for an elderly LGBTQ population except in the most arbitrary way. A lot of what I see in Chicago, for example, these constant calls: "Oh, let's help our LGBTQ aging population, oh, let's help our youth homeless population," is mostly bullshit. What I see a lot of social service agencies doing in Chicago is taking grant money, getting tons of grant money, to work with these quote-unquote populations at risk, and then not actually doing shit about it. I also see the non-profit industrial complex in relation to the elderly LGBTQ population rising in that regard and gaining more power. In other words, I have nothing but cause for concern. I think we're fucked. I see a lot of money being diverted to gay issues, and I see it not actually doing a lot of good, because I have no faith in the gay population.

MK: So why are non-profits so bad at doing this work? What's the history there? When did this whole industry get started, and why doesn't it do what it says it does?

YN: Well, the NPIC has been growing in strength since the fifties. Post-World War II, you have this idea—which is especially important in a country like India, where I'm from—the idea of having a structure that is outside the government per se. And the NPIC has always been imbued with this sense of righteousness and also with this sense of being an alternative to the bureaucracy of governmental organizations. The idea that it's somehow purer, that it's somehow outside, that it has a higher agenda and so on. But what we also know of course from all our experience and from the history of various non-profits is that in fact non-profits exist largely now to enable very high salaries for people at the very top and exploit people in the middle to bottom ranks. The NPIC is rather well known, unfortunately, for being extraordinarily exploitative; it is one of the worst, most stressful, most exploitative kinds of employers you could work for; it pays low salaries, and it basically chews people up and spits them out. And in the NPIC we also have to include certain labor unions, which are notorious for just cycling through employees.

So the NPIC is a post-World War II phenomenon, and it has gained strength through the existence of organizations like the UN, the WHO, etc. which have allowed for the proliferation of these kinds of organizations as alternatives to governmental organizations. And that's the very basic history. Suffice it to say that its purported aim is rather different from how it actually operates.

Which is not to say that there are not really good non-profits, but they have a hard time keeping afloat. Precisely because the very structure of the NPIC demands an adherence to an exploitative structure. Because when you found an enterprise on the idea that good will and energy should make up for being able to make a living, you're kind of screwed from the very beginning. You're setting up a system of exploitation, and you're also setting up a system where only people who come from extreme privilege can navigate the NPIC. So it's now surprise to me that many of the people I know who work in HIV/AIDS resources globally, many of these people come from extraordinarily privileged backgrounds, they have trust funds to fall back on, they have family incomes to fall back on, and this is true not only in the US but in many other countries. So there's a system of privilege that already exists, because if you really want to work at a non-profit you'd better have something else to fall back on. Which is not to say that every non-profit worker comes out of privilege, but this does tend to be the case. So it's inherently structurally problematic; to overhaul it would require a kind of work that I can't even conceive of. That's not even a conversation I want to have right now, because I can only talk about what the problems are, I can't think of a solution. But the system allows governmental structures to feel good about themselves, to say "Look, we provide support to these non-profits, etc." And in the case of sex trafficking you can see how that has become very problematic, because the US colludes with sex-trafficking organizations to bring about extremely harmful measures, related not only to sex trafficking, trafficking, labor issues, but also connects them to issues around the drug war and drug issues. So there's a way in which all of these non-profits are able to collude with governmental structures to create very exploitative networks that actually harm the very people they claim to protect. The sex-trafficking organizations are very symptomatic of that. And again I

will emphasize that I think the gay rights networks are going to be even worse than that. I really have fears of where it's heading.

MK: What's very interesting to me about the history you gave is this idea that NGOs replace government functions—that whenever we see a non-profit doing something, we should be asking “why isn't the government doing this directly, why is it outsourced this way?” And you see the exact same things you're describing going on with charter schools, for example, the replacement of government functions, the exploitative labor practices, this faith in good intentions, etc.

YN: Right. And in the gay movement you can especially see that with HIV/AIDS resource funding. That's exactly what happens there: the government abdicates, the gay community steps in—for very good reasons, of course!—and says “okay, if you're not going to do this we're going to do this,” and then by the nineties you now have this very strong network of HIV providers, many of which do very good work, many of which don't. It's a complicated situation, there's no black and white there, but for instance Howard Brown Health Center here in Chicago: it just had a major overhaul, but until recently it was really extraordinarily corrupt. So we can see this in the AIDS resource movement.

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