
Real Queer: “Authentic” LGBT Refugee Claimants and Homonationalism in the Canadian Refugee System¹

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Abstract: Since the early 1990s, Canada has become a primary destination for individuals who make refugee claims on the basis of sexual orientation persecution. Based on interviews with lesbian, gay, bisexual and transgender (LGBT) identified refugee claimants, social workers and refugee lawyers in Toronto, I argue that LGBT refugees and those who work with them are enmeshed in a system predicated upon highly malleable, historically and socio-politically specific sexual terms and identities that privilege particular gendered, classed and raced interests and, thus, place LGBT refugees from non-North American societies in a particularly vulnerable position.

Keywords: refugees, sexuality, immigration, nationalism, Canada

Résumé : Depuis le début des années 1990, le Canada est devenu une destination de choix pour les individus qui demandent le statut de réfugié en raison de la persécution de leur orientation sexuelle. À partir d’entrevues auprès de demandeurs d’asile lesbiennes, gays, bisexuel·les et transgenres (LGBT), ainsi qu’avec des travailleurs sociaux et des avocats en immigration de Toronto, j’avance l’argument que les réfugiés LGBT et ceux qui travaillent avec eux sont empêtrés dans un système basé sur des catégories et des identités sexuelles hautement malléables aux plans historique et sociopolitique, qui privilégient des intérêts particuliers de genre, de classe et de race. De la sorte, ce système place les réfugiés LGBT en provenance de sociétés autres que nord-américaines dans une position particulièrement vulnérable.

Mots-clés : réfugiés, sexualité, immigration, nationalisme, Canada

Introduction

At a meeting in Toronto for lesbian, gay, bisexual and transgendered (LGBT)² refugees who had received a positive decision from the Immigration and Refugee Board and were in the process of applying for permanent residency, the conversation focused on what the members had liked and disliked about the weekly LGBT refugee claimant support group meetings they had attended. Most of the conversation focused on the positive aspects of the group—how it was a “home away from home,” providing emotional support and important information for LGBT people going through the refugee claim process and adapting to a new life in Canada. However, toward the end, one member, Janine, started to talk about how things had changed since she first started coming to the meetings about 10 months before. She noted that these meetings used to have only 40 to 50 people attending each week but now had grown to almost 200. Janine now felt unsafe at the meetings, because she had been “hit on” by some of the men there and she saw some people from her own country whom she did not think were gay or lesbian. For example, she said, a few weeks before, she had seen a woman at the group meeting and then later outside, she saw a guy feeling her up. “I know she’s claiming refugee status as a lesbian and it pisses me off.” Janine wished there was some way to find out who the “fakers” were and get them out: “They’re using our tactics and they’re making it harder for people like us.” She was worried about her friends who were suffering back in her country of origin and planning to come to Canada, but the system was getting so “corrupt” it would be increasingly difficult for them. Others in the group murmured their agreement and one person added how the group was now “alienating and unfriendly ... [with] 99 per cent new faces, it feels totally straight.” The facilitator responded that their concern was duly noted and would be addressed by the group’s administrators.

Perhaps not so coincidentally, this conversation about fake refugees in an LGBT refugee support group contained similar themes to comments made by the Canadian government as it introduced Bill C-31 in 2011, the aim of which was to “reform” and fundamentally change certain components of the refugee system in Canada by speeding up the claim process, introducing mandatory detention and denying appeal procedures for certain categories of refugees. (The bill passed in the House of Parliament in June 2012 and was implemented in December 2012.) Jason Kenney, Minister of Citizenship, Immigration and Multiculturalism, and his Conservative Party majority government claimed that the reforms were in part motivated by the fact that the “system is clogged with false applications” (Smith 2012) and the refugee backlog was due in part to “fraudulent claims” (Ling 2012).

In this article, I argue that the talk of “false, fake and fraudulent” versus “true, authentic and genuine” sexual minority refugees, which pervades different levels and networks of the Canadian refugee system, is nothing new (Mountz 2010), as the refugee determination process is a quasi-legal juridical system in which most cases are predicated upon the “credibility of the claimant, along with documentary evidence of the claimant’s country” (Showler 2006).³ In other words, a process focused on the determination of “credibility” is premised upon the assumption that truth can be deduced through the analysis of factual evidence, which in most refugee cases is primarily oral narratives and written documents. The objective of evaluating credible evidence is to determine if the claimant fits the definition of a refugee outlined in the Canadian Immigration and Refugee Protection Act (IRPA), much of which is based on the United Nations Refugee Convention and Protocols. However, individuals who are claiming protection as a refugee on the basis of sexual orientation or gendered identity persecution face the daunting double challenge of proving that their sexual orientation or gendered identity is “credible” (i.e., that they who they say they are) and that they have been persecuted based on their membership in this particular social category. This challenge led more than one claimant to ask at the peer support group meetings, “How do I prove that I’m gay/lesbian/bisexual and that I have been persecuted?”

If we examine how refugees, their lawyers and support groups workers try to answer or negotiate this question and the attendant pervasive surveillance around real versus fake LGBT refugees, then we begin to uncover the struggle over diverse historical and socio-cultural understandings of and intersecting relationships between sexual desires and practices and gendered,

sexual, raced, classed and national identity formations. As we examine this struggle, which in the case of refugees, is deeply embedded in the gate-keeping mechanisms of the nation-state, a particular narrative of sexual identity and experience emerges as hegemonic or normative, thus producing a template of the “real” or “authentic” sexual minority refugee. In this article, I argue that this privileged configuration of sexual orientation reflects a particular historical configuration of gendered, raced and classed interests and experiences. This delimited “LGBT” identity has recently become an additional feature of Canadian national identity discourse that is already raced, gendered and classed and serves to undergird and enforce the privileged position of the neoliberal Canadian nation-state’s political and economic power on the transnational stage. That is, “authentic” LGBT refugees are now valorized in Canadian nationalist discourses because they have arrived in a nation where sexual diversity is held aloft as a feature of a “civilized” society, opposed to “uncivilized” societies characterized by their rampant homophobia. This is a similar argument to Jasbir Puar’s (2007) analysis of the operation of homonationalist sexual identity politics in the post-9/11 United States, where a highly delimited definition of sexual identity—one that is gendered, raced and classed—is employed (in a deeply contradictory way) to justify heightened security and militarization of U.S. borders to protect “tolerant” America from the homophobic, intolerant, monstrous, racialized immigrant other. Lionel Cantú (2009:56, 62) makes a similar argument in his research on sexuality and Mexican immigrant men when he observes that “the repeated narratives” in sexual asylum cases operate as discursive practices that have transformed the concept of the homosexual from a figure that was completely outside nationalist imaginaries to one of immutable essence which has come to delimit and define U.S.–Mexican national borders.⁴ In developing this argument, I follow the lead of researchers who are interrogating how queer migration contests and reconfigures nation-states and national regimes (see Kuntsman 2008; Luibhéid 2008; Manalansan 2003; Razack 1998; White 2010, 2013; Yue 2008) and, in particular, research that examines queer complicities with neoliberalism, best exemplified through Lisa Duggan’s concept of homonormativity as “a politics that does not contest dominant heteronormative assumptions and institutions, but upholds and sustains them, while promising the possibility of a demobilized gay constituency and a privatized, depoliticized gay culture anchored in domesticity and consumption” (2003:50) and extended through Puar’s concept of “homonationalism.” Examining the category of the (in)authentic LGBT refugee in

different domains of refugee support networks and in conversations among refugee claimants reveals the discursive power of homonationalist formations and the ways in which they work to include a few and exclude many, thus further enforcing a neoliberal, multicultural national agenda that masks the centrality of race, gender, class and other intersecting structures of inequality for an ever-increasing global system of capitalist exploitation (Eng 2010:9).

I begin with a brief overview of research on sexual minority refugees to outline the major thematic directions in this burgeoning field of scholarship. Next, I provide examples of “real versus fake” refugee talk among refugee claimants and their support workers that elucidate the centrality of homonationalism as an underlying precept of the Canadian refugee determination system and Canadian neoliberal, multiculturalist discourses. These discourses privilege particular intersections of sexual, raced, classed and gendered belonging, while simultaneously occluding ongoing practices of racism, sexism, class exploitation and border securitization (Eng 2010; Mountz 2010; Thobani 2007, White 2013).

Sexual Minority Refugee Research

Since the early 1990s, Canada has been a primary destination for individuals who make refugee claims on the basis of sexual orientation persecution (LaViolette 2009). While reports of most refugee decisions in Canada are unpublished (Rehaag 2008) and it is difficult to obtain exact numbers of sexual minority refugees due to changes in the organization of refugee claims statistics, according to the Immigration and Refugee Board (IRB) Director of Access to Information and Privacy, between 2002 and 2006, 6 per cent of all principle claim cases were related to sexual orientation and, from 2009 to 2011, the overall percentage grew slightly to 6.5 per cent.⁵ Another report maintains that, in 2004, the IRB made decisions on 1,351 sexual orientation claims (out of an approximate total of 34,000 refugee claims), with a 49 per cent average grant rate, similar to other refugee categories, such as political or religious affiliation (Rehaag 2008). Lawyers and other immigration service providers with whom I spoke in 2010–11 believed that the overall number of sexual orientation refugee claims has increased in recent years due to Canada’s increasing international reputation as a “safe haven” for sexual minority refugees.⁶ I attended the meetings of two LGBT refugee support groups in Toronto, which is recognized as the primary Canadian destination where these individuals arrive and await the outcome of their claim.⁷ One of these groups met weekly in a venue located in the area known as “the gay village” in downtown Toronto. As noted by

Janine at the beginning of this article, this group had grown substantially, from approximately 40 members in early 2010 (when I first attended) to just under 200 by December 2011, thus supporting the above claims made by lawyers and service providers. However, until recently, not a great deal has been written about this growing component of Canadian urban queer communities, their experiences of the refugee claim process, their adjustments to everyday life, their impact on the social, political and cultural dimensions of these communities, or their impact on the changing regulatory and disciplinary structures of Canadian immigration and citizenship making institutions.

The burgeoning field of queer migration studies explores how overlapping regimes of power and knowledge generate and transform identity categories, particularly as they related to gender and sexuality (Cantú 2009; Decena 2011; Epps et al. 2005; Espin 1999; Hart 2002; Jordan 2010; Luibhéid 2002, 2008; Luibhéid and Cantú 2005; Manalansan 2003, 2006; Patton and Sanchez-Eppler 2000; Weston 2008; White 2010, 2013). This body of scholarship has been enabled by understanding sexuality as constructed within multiple intersecting relations of power, including race, ethnicity, gender, class, citizenship status and geopolitical location. It also foregrounds ongoing transnational ties between migrants and their homelands and how migration affects others in both the old and new homelands, as well as those who migrate. Finally, this body of scholarship not only reveals the fundamental ways in which sexuality undergirds the organization and boundaries of nation-state, citizenship and national identity projects but also connects migration and sexuality to transnational capitalism and neo-imperialism. While queer migration scholars no longer take for granted the boundaries of the nation-state, nationalism and nation-based citizenship, they now theorize these concepts as critical loci for upholding and contesting regional transnational and neo-imperial hierarchies and for producing forms of exclusion, marginalization and struggle for transformation (Luibhéid 2008; see also Agathangelou 2004; Carillo 2004; Gopinath 2005). I am particularly interested in following the lead of researchers who are interrogating how queer migration contests and reconfigures nation-states and national regimes (see Kuntsman 2008; Puar 2007; White 2010, 2013; Yue 2008).

Queer migration studies is generally critical of the various distinctions made between “legal immigrants, refugees, asylum seekers or undocumented immigrants” (Luibhéid and Cantú 2005:xi), as these terms are less reflections of empirically verifiable differences among queer migrants (who often shift from one category to

another) than techniques of the nation-state's power, which classifies migrants to delimit the rights they may have or be denied, and the forms of surveillance, discipline, normalization and exploitation to which they will be subjected (Luibhéid and Cantú 2005; see also Glick-Schiller et al. 1992; Povinelli and Chauncey 1999). However, we must take into account how these terms invoke different limitations and possibilities as they intersect with other forms of inequality and discrimination. For example, according to Miller (2005), a person seeking asylum because of persecution on account of sexual orientation, gender identity or HIV status faces additional challenges. This is in part because asylum involves "a moment of transnational judgment when the decision makers of one nation decide not only on the credibility of the individual asylum claimant, but on the errors or strengths of the protection of rights in the country from which the claimant flees" (143). This argument resonates deeply with my fieldwork with LGBT refugees in Toronto, which I will return to below.

Much of queer migration scholarship has been generated by U.S. scholars and focuses on issues pertaining to immigration in the United States (see Canaday 2009; Cantú 2009; Epps et al. 2005; Luibhéid 2002, 2008; Luibhéid and Cantú 2005). While there are broad conceptual and thematic similarities between Canada and the United States in terms of their settler-state histories and international political and economic power, there are also significant historical and contemporary differences in terms of constitutional law, social policy and attitudes toward homosexuality, immigration and refugees. In the Canadian context, there is a large and diverse body of research examining issues of im/migration as it intersects with racism, gender, class, multiculturalism, nationalism and citizenship, but until recently less attention has focused on the role and significance of sexuality in migration processes and attendant nation-state structures, hegemonies and policies, although this is rapidly changing (see Dua 2007; Iacovetta 2000; Macklin 2003; Valverde 2008). The history of Canadian sexual minority refugee law and ongoing problems in refugee decision-making processes are now receiving some attention. Socio-legal scholars are analyzing documentation of IRB decisions on sexual minority refugees and producing valuable insights into the challenges sexual minority refugees face in producing credible documentary evidence about origin country conditions at their hearings (see LaViolette 2009). This body of research also analyzes problematic assumptions about homosexual, bisexual or transgendered identities made by decision-makers that can negatively impact the outcome of the hearing (Berg and Millbank 2009; Millbank

2009; Rehaag 2008). However, there has been no sustained investigation of the Canadian refugee process from the perspectives of those who claim refugee status on the basis of sexual orientation and gendered identity persecution. Neither has there been any comprehensive analysis of the transnational organizations, networks and discourses that contribute toward the movement of these individuals from their country of origin to Canadian urban centres. Furthermore, while the research on queer migration in Canada acknowledges the importance of studying the intersectionality of sexuality with the nation-state, gender, class and race, the unique and particular circumstances, negotiations and challenges facing sexual minority refugees in Canada, their migration and adaptation to a new homeland, and the impact of their narratives on the citizenship-making institutions of the Canadian nation-state (and vice versa) have yet to be related and analyzed (for important exceptions, see Jordan 2010 and Ou Jin Lee and Brotman 2011). Pursuing the ground-breaking work of queer and feminist scholars such as Ahmed (2001), Eng (2010), Jordan (2010), Haritaworn (2012), Luibhéid and Cantú (2005), Manalansan (2003), Razack (1998), Puar (2007), Thobani (2007) and White (2010, 2013), I apply an analytical framework that foregrounds refugee claimants' adaptive agency in navigating refugee processes and policies that reinforce racialized, classed and gendered inequality and perpetuate neoliberal agendas of the Canadian settler-colonial state. The folding of a specific formation of an "authentic" LGBT identity into the asylum and immigration system reinforces "the invidious distinctions made between migrants in migration policies, which are based on North-South relations, their class position, race/ethnicity, gender or other marker of differences including disability and sexual orientation" (Bakan and Stasiulis 2003:12). This results in the granting of citizenship to preferred subjects bearing particular, valorized combinations of race, gender, class and sexuality.

For this research project, I conducted intake interviews with 54 LGBT-identified refugee claimants, then two or three follow-up interviews with eight of these individuals over a period of 24 months. I visited some members of this smaller group of eight in their homes and attended their hearings at the IRB offices. I also regularly attended two support groups for LGBT refugees from July 2011 to July 2012. The vast majority of participants (over 90 per cent) were from Caribbean or African nations and, within these two broad regions, the majority was from Nigeria or Jamaica; however, there were also participants from Latin America, the Middle East and Eastern Europe. It is important to note that I worked only with refugees who had claimed refugee pro-

tection from inside Canada; that is, they had lodged their claim at a port of entry such as a Canadian airport or they had gone to a Citizenship and Immigration Office (CIC) in Toronto after arriving in Canada. I did not work with LGBT refugees who were resettled from outside Canada or privately sponsored. “Out of country” LGBT refugee claimants represent an important dimension of research that is not addressed in my project.

In/Authentic Refugees

Almost all of the interviewees whom I met through the LGBT refugee support groups were in the pre-hearing stage of the process; that is, they had arrived in Canada and submitted their refugee claim upon or after their arrival. The majority were still waiting for their hearing date with the IRB when I first interviewed them. Up until recently, this could be a long wait, taking anywhere from 8 to 24 months.⁸ The settlement period for refugee claimants involved spending a lot of time working through various levels of legal, provincial and federal bureaucracies, beginning with filling out refugee claim application forms with the CIC, applying for legal aid, visiting law offices, taking medical exams, applying for a work permit, applying for social assistance (Ontario Works) and a temporary Social Insurance Number and trying to obtain additional relevant documentation for the hearing. Furthermore, many interviewees were searching for permanent accommodation—some were staying with family, some were in shelters and some were sharing apartments with roommates whom they were not “out” to or did not feel safe with.

Most interviewees had been told by their lawyers or fellow refugee claimants that, while they were waiting for their hearing, work permit and social insurance number, they should start volunteering with LGBT, HIV/AIDS and other community organizations. These organizations would be able to write letters confirming their volunteer membership, which could then be submitted to the IRB as part of the documentation package used as evidence to demonstrate their credibility as a participating and engaged member of the LGBT community. Additional recommended documentation to help demonstrate sexual orientation credibility included personal photographs of the claimants and their partners or of the claimants attending LGBT events like the Pride March in Toronto or LGBT gatherings and events in their countries of origin, letters from current and past romantic partners, and letters from friends and family members attesting to the claimants’ sexual orientation.

Most of the interviewees spoke about the vital importance of LGBT refugee support groups—for many, this was the first time they had been in a safe space

with “people like me” (Olu), where they could talk with each other, find out information about what was expected at hearings and how other lawyers were treating their clients, what jobs other refugees were finding and other issues pertaining to the refugee determination process and settlement. In addition, the support groups were social spaces in which people made new friendships, flirted and sometimes started up new romantic relationships. However, some interviewees made comments similar to the one at the beginning of this paper: they were somewhat wary of these groups, as they felt there were individuals from their home nations in attendance whom they “knew” were not lesbian, gay, bisexual or transgendered and, in fact, had been homophobic toward them back home.

Rumours about who is or is not a “real” or “genuine” LGBT refugee and ongoing anxiety over being able to demonstrate the authenticity of one’s own sexual orientation were a common topic of conversation in these support groups, discussed by both group members and leaders. One refugee support group volunteer, who wrote letters for refugee claimants confirming their membership, attendance and participation in the support group, told me that he sometimes felt uncomfortable writing a letter for particular individuals whom he did not think were really gay. When I asked how he knew this, he said, “Well there was one guy who shook my hand so hard I thought it would fall off—plus, he said he had a wife and child back home.” The firmness of the handshake and the wife and child reference made him suspicious of the refugee claimant’s “true” sexual orientation. Another group leader told me there were some people attending the support group meetings whom she suspected weren’t gay but were coming “just so they can get the letter,” because they had heard the letter had become the gold standard among some IRB members when determining sexual orientation credibility. Another group facilitator told me that IRB members were becoming more suspicious of the Nigerian gay and bisexual claimants because so many of them had the exact same story: a family member threatened to beat, kill or ostracize the individual when they found out he had sexual relationships with men, forcing the individual to leave immediately without any plan, funds or documents. The facilitator claimed that some board members believed these Nigerian claimants were being trained, either by an “agent” back in Nigeria or by communicating with each other about “what works,” to get a successful hearing.

It should not be all that surprising to find this genuine/authentic versus fake/bogus refugee discourse in various contexts of the refugee system, since the system is built upon a series of legal and legislative policies

that presuppose a clear-cut definition and process to determine who does and who does not qualify as a refugee. As Hall (2012:104) notes, legislative developments within asylum and immigration systems are underpinned by moral distinctions between the “undeserving” asylum seeker and the “deserving,” genuine refugee. If refugee claimants do not present their stories in the right order with the necessary components or they do not comport themselves in a way that conforms with refugee workers’, other refugees’ or decision-makers’ preconceptions of the authentic LGBT refugee, then they run the risk of being labelled inauthentic or fake. The persistent surveillance of authenticity at all levels of the global refugee system illustrates its centrality as a gate-keeping mechanism for the nation-state. Thus, while claiming to enact policies and procedures to ensure protection of persecuted individuals and groups, “authenticity” is as much about ensuring the exclusion of those who do not fit the particular (and highly malleable) categories of refugee (Hall 2012:104).

At support group meetings and in conversations with lawyers and peers, LGBT refugee claimants quickly learn that at their hearing (the event where the claimant’s case is cross-examined by a board member on the evidence contained in the refugee claim application⁹) the burden of proof rests upon the claimants to persuade the board member that their claims are credible and eligible for refugee protection. As noted above, for most LGBT refugee claimants, the burden of proof that must be demonstrated is generally twofold: they must prove to the board member they are a member of a particular social group and they must prove that, as a member of this social group, they face persecution. Examining issues that arise in eliciting and presenting a sexual orientation refugee narrative in a hearing, Berg and Millbank (2009:196) note that sexual orientation refugee claimants face additional challenges because much of the adjudication is based on the personal narrative of the applicant. Unlike claims based on political opinion, nationality or religion—which more commonly have some form of independent verification of group membership—sexual orientation claims depend mostly on the presentation of internal, often unspoken or unspeakable qualities, desires and practices such that extremely private experiences infuse all aspects of the claim. Furthermore, “in the refugee context, it is always the decision maker and not the applicant who has the power to name, the authority to decide who the applicant ‘really’ is and what sexuality ‘really’ means” (208).

As numerous researchers have pointed out, sexual and gendered desires, identities and prejudices are organ-

ized in complex and multiple ways within and across social, cultural and national borders (Manalansan 2006; Miller 2005; Murray 2009). Demonstrating “authentic sexual orientation” in the refugee determination process becomes deeply entangled in socio-sexual terms with particular socio-cultural definitions and histories (which are, themselves, in constant flux); yet, particular configurations of these terms circulate in privileged positions within refugee discourses, policies and events. Thus, for example, an Afro-Caribbean woman from a rural, impoverished community in St. Lucia who has had sexual relations with women and men may not identify or feel comfortable with the socio-sexual identity categories of lesbian, gay or bisexual used by IRB members at the hearing, as these terms are freighted with particular Euro-American racial, gendered and class qualities. If she does not produce adequate documentation (such as letters from family members and former and current sexual/romantic partners, and police and medical reports), answer questions or perform in ways that reproduce the board member’s understanding of sexual orientation, then she risks failing to be “credibly” or gay or lesbian. Thus, in addition to Cantú’s (2009:55–73) observation that the asylum process requires queer applicants to attribute their persecution to a reified version of their country of origin’s national culture that is cast in racialist, colonialist terms, I am arguing that the credibility of LGBT refugee claimants is also evaluated through processes and questions that impose a prism of assumptions about “real” gays or lesbians that reflect white, middle-class LGBT experiences and beliefs about their own and “other” cultures—what a handshake should feel like, how one should act in LGBT support group settings or how a narrative of persecution should be constructed (or conversely, when a narrative becomes suspiciously repetitious). Berg and Millbank (2009:207–215) reveal how adjudicators often apply their own understandings of sexual identity based on a staged model of sexual identity development, which is itself based on specific cultural, gendered, raced and classed experiences and operates with particular assumptions about sexual identity as fixed, discoverable and moving from a position of closeted to “coming out,” in which the hearing serves as the apotheosis to this narrative. Once again, as Manalansan (2009) has demonstrated, this staged model of sexual identity development reflects a hegemonic white, middle-class gay subjectivity that judges other possible formations to be “less liberated” or, worse, “untrue.”

While Berg and Millbank (2009) point out the numerous and profound problems inherent in applying a staged model of sexual development to adjudicate sexual

minority refugee narratives, I think it is important to note that many of the refugee claimants with whom I worked were not naïve about this model and other components of the adjudicating process. They spent a great deal of time and energy learning about the structure and process of the hearing and what was necessary to ensure they would appear as credible and authentic, both in their file and at the hearing. In other words, the refugee claimants were actively engaged with the system in which they had been placed and exercised agency in their efforts to meet or fit into these racialized, gendered and classed standards of evaluation (albeit to greater or lesser degrees of success depending on the individual claimant). As they learned about the refugee system in Canada, in refugee support groups and in conversations with their lawyers and each other, they also learned about the criteria used to determine credibility which could then be used to critically evaluate other refugee claimants who did not appear to perform according to the normative script of LGBT identity.

“Real versus fake” refugee questions take on additional freight when they are applied to racialized bodies, which applies to most of the refugee claimants I interviewed, as they were from Caribbean or African nation-states and, upon arriving in Toronto, came to be identified as a visible minority in addition to being a sexual minority. As numerous scholars have noted, the “black” body is always/already doubted or debated in North American mainstream, white, LGBT discourses based on assumptions about “down low” (hidden homosexual) practices and “macho” black masculinities that are problematically classified as homophobic (Ferguson 2004; Johnson and Henderson 2005; Manalansan 2009). Doubt or disbelief is augmented when racialized bodies are also refugee bodies. These “foreigners” are perceived to be seeking state protection (and eventually citizenship) based on their claim to being queer and persecuted. But their claims are judged, evaluated and scrutinized according to a normative white, middle-class, LGBT identity script in everyday settings as well as every step of the way through the refugee process—from the Canadian Border and Security Agency officers at the airport, to support group volunteers, to fellow refugee claimants and, finally, to the IRB members. Some of this suspicion may be generated through cross-cultural *mistranslations* (which are often linked to racialized stereotypes), but I would argue that suspicion is more profoundly generated through the racialized, gendered and classed hierarchies and normativities that undergird the structure of the refugee system itself.

All queer refugee claimants are negotiating proscribed identity narratives before, during and after

their hearings and struggle to make hidden, invisible or highly personal aspects of the self legible according to the terms and rules of refugee system (this includes interactions with adjudicators, support workers, volunteers and other queer refugees). These terms and rules are premised upon the exclusionary process of determining an authentic refugee, resulting in the need to constantly search for and define a fake refugee as much as save the authentic one. When differential understandings of self and sexual desire come into contact with a refugee determination process premised upon specific formations of socio-sexual identity reflecting Euro-American white, middle-class, cisgender subjectivities, the potential for misinterpretation and, in turn, accusations of “false identity” are all the more likely.

Homonationalism in Queer Refugee Narratives

Homonationalism emerged as a theme in several interviews and engages with similar issues found in authentic-versus-fake LGBT refugee talk. Toward the end of most intake interviews, I asked interviewees what they thought of Canada as a potential new “home” and how it compared to their nation of origin. It should be noted that most of the intake interviews took place just after the Toronto Pride festivities in July and August 2011. Many of the interviewees had either participated or volunteered in various Pride events, ranging from marching in the Pride parade to helping out with community organizations like the 519 or Blackcap (Black Coalition for Aids Prevention).¹⁰ The majority of interviewees said they had enjoyed themselves and talked about how Pride was the first time they had seen so many LGBT people together in public and how liberating this was, although some mentioned that it was a bit overwhelming as well. Olu, a Nigerian man, told me that walking around the streets during Pride made him realize that “Canada was the place for me, for here I can be myself.” He said he could never go back to Nigeria and “go back into hiding” after experiencing this event.

At another refugee support group meeting, held a few months after the Pride festivities, the theme of the evening was “learning about Canada.” The facilitator presented several PowerPoint slides with information or questions pertaining to Canadian political organizations, laws and social customs. One of the slides contained the following quote: “Canada is known to have the best living conditions, the most money, the lowest poverty in the world and is considered the most civilized country in the world.” The facilitator asked the group what they thought about this statement. Several people shouted out that they agreed, but others said it is not

true. The facilitator responded, “How many countries can you go to apply for refugee status and get social assistance and legal aid? Not the USA for sure, you get nothing, not even legal aid . . . Holland’s a little better but you have to wait five years to get status and you must learn their language and get a job.” One person then raised a hand to ask, “If you don’t believe this statement, then what are you doing here?”

Olu’s sentiments and the opinions expressed at the group meeting might be labelled “inaugural homonationalism” based on the claimants’ recent arrival into Canada and their initial experience of the stark contrasts between life in their countries of origin and the celebratory atmosphere of Pride festivities, which could be interpreted to represent Canadian national attitudes toward diverse sexualities (a message that is often conveyed through Pride publicity and advertising). These comments about the freedom and opportunities in Canada resonate with homonationalist discourses found in Canadian mainstream media discussing LGBT refugees, rights and activism (Jenicek et al. 2009). As Jenicek, Wong and Ou Jin Lee observe in their analysis of Canadian media coverage of sexual minority refugees, they now constitute another group of “‘mediating agents,’ employed and deployed by the press to maintain numerous imperialist binaries, with the acceptance of sexual minorities offering a fresh example of the West’s progressiveness and cultural superiority” (2009:637). Based on the above comments, it appears that, for some refugee claimants, their initial experiences in urban queer Toronto “fit” the homonationalist discourse of Canada as a nation that embraces LGBT communities, supports LGBT rights and is part of “progressive liberal democratic” nation-states. However, it is important to keep in mind the social and political context in which these inaugural homonationalist claims were made. For example, in interviews, participants may have associated the interviewer (a gay-identified, middle-age, white male affiliated with a university) to be in a similar position of authority and power to that of an IRB adjudicator or that it was important for their narrative and opinions to be presented consistently in any pre-hearing context. Part of that narrative includes a requisite statement of gratitude toward the host nation for “rescuing” them from persecution and “allowing” them to be free as an LGBT-identified member of society. A similar dynamic might be operating in refugee support group meetings, where members attend not only to obtain information about the refugee process and life in Toronto but also to obtain a letter from the group facilitator confirming their membership in the group. This letter would then be sub-

mitted to the IRB as part of a package of documents attesting to the claimant’s credibility as an LGBT-identified person. Supporting homonationalist statements like “Canada . . . is considered the most civilized country in the world” might be a strategic move to ensure one is viewed as a model group member and thus deserving a strong letter of support.

However, in subsequent conversations with some of the participants, inaugural homonationalist declarations were sometimes replaced with questions and critiques based on encounters that took some of the sheen off the “promised land” veneer. For example, Olu told me that he was taking a taxi from Union Station (the central train station in Toronto) to the 519 Community Centre on Church Street, and, as they drove up Church Street, the taxi driver, who was “a Pakistani guy,” according to Olu, said that he did not like this area. When Olu asked him why not, he appeared uncomfortable and, when Olu asked him to stop in front of the 519 building, Olu said he became really uncomfortable. It was, for Olu, a moment when he realized that not everyone here likes “gays” and that he might have to exercise caution about what he says to whom in Canada, although he was aware that here he could, in theory, go to the police if he was harassed or assaulted because of his sexual orientation, which was very different from back home.

Another interviewee, Rene, who was from a small Caribbean nation, spoke about how much he loved the fact that he could dress up as he liked in Canada, which meant going out in drag in public. However, after a few months, he reported that he had been stopped by the police three times, questioned aggressively as to what he was doing on the street and told not to think about doing “business” around there. Rene was incensed, as he was not a sex worker and was not bothering anyone. He was quickly discovering that he was being racially and transphobically stereotyped by the police. Even though he had been told he could trust the police here more than back in his country, he said he was no longer sure if this was true.

Rene’s and Olu’s experiences with homophobic taxi-cab drivers and racist and transphobic police officers disrupted their inaugural homonationalist sentiments, and they began to question some of the content of the narrative they had learned in group meetings, from lawyers and from other refugee claimants to obtain a successful decision at their hearings. Their increasingly complicated relationship with the Canadian nation-state is similar to White’s (2013) findings with LGBTQ migrants and sponsors who have secured same-sex family-class migration privileges. Running through the narratives of

her informants is “a latent homonational affect—a hesitant cleaving to the nation, an ambivalent attachment at best, underpinned as it is by relative precariousness and a sense of vulnerability” (51). As Grewal (2005:184) notes in her analysis of Sikh women from the Punjab who claimed refugee status in the United States, the concept of “transforming” is a key aspect of refugee discourses that involve movement into the west. In moving from one nation-state to another, LGBT refugees may indeed have to change narratives of subjectivity and identity, learning that espousing homonationalist sentiment is a key component of the authentic LGBT refugee identity in the west. However, what is actually experienced may not be a simple transformative movement from repression to freedom; rather, it may be an experience whereby one kind of state-national discourse of sexuality may have to be replaced by another one, in which new or different forms of erasure, discrimination and inequality are imposed (Grewal 2005:184).

Conclusion

LGBT refugee claimants face daunting challenges negotiating a system in which questions of authenticity are constructed through an evaluation of bodily appearances, comportment and narratives that are consistently evaluated for their fit with western homonationalist sexual categories. The scrutinization, surveillance and changing modes of evaluation of the authentic refugee body throughout all spaces and moments attached to the refugee determination process create substantial challenges and anxieties for anyone placed into this process. As Razack (1998:97) notes, IRB members, lawyers, legislators and journalists are the describers and the imaginers whose gazes construct asylum seekers, either as unworthy claimants or as supplicants begging to be saved from the tyranny of their own cultures, communities and nations. Sexual orientation persecution, like gender persecution, as deployed in refugee discourse, can function as a deeply racialized, culturally essentialist concept in that it requires—mostly, but not always¹¹—that Third World LGBT-identified claimants speak of their realities of sexual violence outside and at the expense of their realities as colonized peoples (Razack 1998:99). The inaugural homonationalist sentiments about Canada as a free and liberated space for queer people articulated by some participants reinforce a similar dynamic of the “sexually exceptional” west (Puar 2007), enshrining “a narrow concept of diversity defined in terms of freedom and choice ... that not incidentally chime with a neoliberal free market ideology whose inherent exclusions are harder to name” (Haritaworn 2012:3). Yet, these inaugural homonationalist sentiments may be questioned over time, as individuals encounter homophobia, racism

and other forms of discrimination in their daily lives in Toronto, resulting in ambivalent homonationalisms (White 2013).

As Luibhéid (2008:179) has argued, successful refugee claims often require generating a racist, colonialist discourse that impugns the nation-state from which the asylum seeker comes, while participating in an adjudication process that often depends on constructs of an immutable identity refracted through reified colonialist models of culture shorn of all material relations. Furthermore, queer refugee claims may be taken up by mainstream LGBT groups and human rights organizations in ways that perpetuate homonationalist discourses, which in turn support neocolonial transnational relationships even as they seek to support queer refugees (Luibhéid 2008:179–180). The effects of authentic LGBT refugee discourses and their racialized, homonationalist features expose the exclusionary dynamics of asylum definitions and processes and their critical role in underpinning the securitization and privilege of the neoliberal state (Goldberg 2009). More important, when the histories of imperialism, colonialism and racism are left out of authentic refugee narratives of sexual identity formation, violence and migration, we are not able to see how these systems of domination produce and maintain violence against racialized sexual minorities both within and beyond national borders.

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Notes

- 1 Research for this paper was funded by a Social Sciences and Humanities Research Council of Canada Standard Grant.
- 2 These are the sexual identity categories utilized by the group in its title. In this article, I utilize sexual identity terminologies as they are articulated by organizations and individuals and as they appear in texts. As this article and other research on sexual minority refugees demonstrates, all sexual identity terminologies are fraught with historical, political and cultural specificities, which are heightened and intensified when inserted into the bureaucratic and juridical apparatus of the immigration and refugee determination system.
- 3 The author of this quote, Peter Showler, is a former chairperson of the Immigration and Refugee Board of Canada.
- 4 See Decena 2011 for a similar argument about U.S. views of Dominican immigrant men.
- 5 Personal correspondence. It is estimated that between 2001 and 2004 over 2,500 claims for refugee status on the basis of sexual orientation persecution from 75 countries were submitted to the IRB (Jimenez 2004).

- 6 Since the implementation of Bill C-31 in December 2012, there are reports that the overall number of refugee applications has dropped drastically; thus, it is possible that the number of sexual orientation refugee claims may also decrease in the foreseeable future.
- 7 Vancouver and Montréal are also major destinations. See Cooney 2007; Newbold and DeLuca 2007.
- 8 Under the Bill C-31 legislation enacted in December 2012, this waiting period is supposed to be reduced substantially.
- 9 All refugee claimants with whom I worked had legal counsel present at the hearing.
- 10 The 519 Community Centre is located in the centre of a downtown Toronto neighbourhood known as the Gay Village and provides numerous peer support, social and recreational services and programs for the LGBTQ communities. BlackCap is an organization that focuses on HIV prevention education and provides support services for Toronto's diverse black, African and Caribbean communities.
- 11 While not forming a substantial part of my interview set, LGBT refugee claimants from Eastern European bloc countries like Russia, Ukraine and Croatia also attended support group meetings and, thus, complicate an argument premised on a single factor like race. At the same time, while these individuals may be classified "white" in mainstream Canadian ethno-racial discourses, their "originary" location in non-Western European nation-states places them lower in the transnational developmental hierarchy in which Western European and North American political regimes locate themselves and their "cultures" at the apex.

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