



Mapping Homo/Transphobia: The Valorization of the LGBT Protection Category in the Refugee-Granting System

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Abstract

A burgeoning interest in lesbian, gay, bisexual and trans (LGBT) rights has been noted to raise among the World Bank and supranational institutions such as the EU Parliament dealing with the allocation of monetary funding, as well as within the corporate world at a global scale. The LGBT acronym thus gains new meanings, as it is used and valorized by capital institutions and corporations. Importantly, the re-signification of the LGBT category has also occurred within the system of international protection and immigration policies at a time of strong immigration restrictions. In this article, we examine how neoliberalism reshapes the LGBT signifier as a valorized protection category by looking at the case of asylum for gender and sexual minorities within EU geopolitics. By specifically analyzing the French asylum system, we want to address the question of why and how refugee-granting processes erase or flatten locally-situated queer histories, experiences and social worlds. We argue that it is important to move away from an analysis aimed at reinforcing the ‘sexual democratic’ values of some countries versus what is cast as the ‘cultural homo/transphobia’ of others. Through a particular attention to the mapping of homophobia, the article will aim to unpack how queer asylum claimants are situated in a juridico-legal interstice from which they cannot challenge a colonial structure of thought about the schematic geography of homo/transphobia.

Keywords

LGBT; refugees; asylum seekers; asylum systems; map of homophobia

Introduction | LGBT Asylum: Widening or Restricting Protection?

Queers¹ have recently become the recipients of international protection through the asylum system (Akin 2017, Murray 2014, Spijkerboer 2013). Yet, there exists a discrepancy between the widening of refugee protection, through the inclusion of sexual orientation and gender identity as grounds of asylum, and the ever-more restrictive practices that define the asylum system in Europe and elsewhere in the Global North (Giametta 2018, Kobelinsky 2012a, Salcedo and E. Fassin 2015). In this conjuncture, what was the convergence of socio-political and economic factors that made this *queer inclusion* happen? And what are the stakes with the geographical representational politics of LGBT inclusion/exclusion on both global and national scales? These are the questions animating this paper, which by bringing to the fore some of the paradoxes of ‘inclusion’, will attempt to flesh out the working of the systematic suspicion characterising the immigration administration under neoliberal democracies.

This article emerges from our theoretical considerations based on the ethnographic work we conducted at different times with queer refugees, immigration lawyers, refugee support workers, and immigration officials. Many of the respondents we encountered during our fieldworks obtained legal protection and were finally granted refugee status. But this was only the beginning of their trials and tribulations to find their feet in the social worlds available to them in the French society. After going through the ordeal of asylum, they found themselves on their own facing racism and homo/transphobia in France. Considering this context, we are not attending to the variability of success rates of LGBT asylum claims, but rather we chose to focus on how the asylum process reveals the reproduction of the constraining narratives of sexualities organized through hierarchies of nation, race, sex and gender expression. Analyzing the processes producing these narratives and hierarchies about places and identities will help us reveal complex and nuanced lived experiences, as opposed to dominant rescue narratives of LGBT refugees fleeing homophobia.

More precisely, we elaborate on the data we collated from our semi-structured interviews with 24 decision-makers, lawyers and migrant support organizations (Havkin) between 2018 and 2019, and interviews with 20 asylum seekers (Giametta) between 2015 and 2017 in Paris and Marseille. Further, an important part of the text is based on our analysis of legal texts and judgments of LGBT asylum cases. As the fieldwork was conducted in France, the article’s focus will be the French context, yet it is noteworthy that the processes we will examine throughout are similarly articulated within other EU countries and the US. In order to grasp the intricacies of the geography of asylum and the mapping of homo/transphobia, we proceed from analyzing the global scale to subsequently shift to the national one, in which we seek to uncover how sexuality and modernization ideals circulate within France’s asylum system. From this multi-scalar perspective our focus will stay on asylum and its transformations and entanglement with three processes: i) the general dynamic of asylum restrictions; ii) the neoliberal

¹ We are using the term ‘queer’ and ‘LGBT’ interchangeably when referring to gender and sexual minorities in the text. Whilst the most used term by organizations and institutions is LGBT, or LGBTI, we choose to use queer to distance our language from the institutional one, and emphasize our theoretical dialogue with queer scholarship on the geopolitics of homophobia. It is also important to note that we do not use these terms as identity categories through which people self-identify.

administrative restructuring of asylum procedures and institutions; iii) and the capitalistic and democratic valorisation of the LGBT category.

In the first part of the article we aim to unpack the ‘LGBT’ acronym as a protection category under financialized global capitalism with a focus on asylum. Here we want to think through how this inclusion to protection leaves the structural problems around global inequalities directed at queers unchallenged, and how it participates in producing world maps that fix a binaristic cartography of homo/transphobia. In the second part, we will analyse the shifting character of asylum practices vis-à-vis the recent expansion of refugee protection categories to LGBT people in France, and how queers are naturalized as particularly deserving of international protection whilst simultaneously being subject to structural suspicion. We will then look at how, in the realm of suspicion, the production of knowledge about LGBT refugees in the asylum system demands them to embody the global cartography of homo/transphobia.

Across political debates in Europe, which cast migration as a negative phenomenon (Castels, de Haas and Miller 1993, Gill and Good 2019), the right of asylum is under attack, and those who defend it often evoke it as an antidote to the uncivilised mores of those countries that do not subscribe to it. This mostly serves to put into relief moral ‘values of providing shelter... a two-thousand-year old tradition but also as a responsibility to respond to international standards regarding fundamental rights’ (Borrillo and Mecary 2019 in *Libération*). It is to this liberal Judeo-Christian inflected worldview, positing asylum as an important instrument of democracy, to which we will be critically turning in this article. When critical commentators discuss queer asylum, there is a recurrent focus on critiquing the stereotypes about sexual orientation and gender identities, the institutional West-centric biases, or the administrative practices of asking intrusive questions about claimants’ sexuality (Dauvergne and Millbak 2003, LaViolette 2009, Chelvan 2011). Albeit these are important aspects to address when looking at the asylum system, we aim to shift the focus from the ‘bad practices’ of asylum to the more structural question of why and how refugee-granting processes erase or flatten locally-situated queer histories, experiences and social worlds. Following queer scholarship on the geopolitics of homophobia and homosexuality (Edenborg 2018, Puar 2007, Rao 2014), we contend that it is important to carry out an analysis aimed at nuancing the knowledge about the ‘sexual democratic’ (E. Fassin 2010) values of some countries versus what is cast as the ‘cultural homo/transphobia’ of others. Thus, how are queer asylum claimants put in a juridico-legal interstice which makes them into examples of the schematic geography of homo/transphobia?

Global Capitalism and ‘Sexual Humanitarians’: Moulding the Figure of the LGBT Asylum Seeker

We understand the specific protection mechanism of asylum as being embedded in a larger political economy logic, which endorses the project of fighting discrimination and safeguarding neoliberal values all at once. At an international political level a dialectic process has been set in motion concerning sexual politics. On the one hand, Western liberal countries have used the discursive strategy of ‘externalizing homophobia’ (Puar 2007), by presenting homophobia as relegated to other parts of the world. On the other hand, some countries from the Global South and East have ‘externalized homosexuality’ by casting homosexuality as antithetical to the endemic socio-cultural values of these countries, framing it as a contaminating import from the West. However, this binaristic world division denies the histories of gender variance, same-sex desire and practices in different historical times and geographical locations (Awondo, Geschiere and Reid 2012) while white-washing evidence of rising homo/transphobia throughout most northern hemisphere democracies.

At this historical conjuncture, global capitalism has produced a discourse of saving women and queers within both the Global North and South, as feminist and queer scholarship have amply explored over the past three decades (Farris 2017, Haritaworn 2012, McClintock 1995, Mohanty 1988, Puar 2007).

This, however, is not new to the working of capitalism under imperialism, colonialism and slavery, in that sexual politics has long been a way of justifying the subalternisation of racialized people through imperial projects, practices of dispossessions, and military interventions (Spivak 2013, Stoler 2002). The logic of saving women and queers from the impoverished parts of the world manifests itself in two ways. On the one hand, through intervention measures within these locations via the actions of NGOs and International institutions thus implying a movement towards them, that is, ‘going out to save them at home’. On the other hand, when women and queers manage to cross the migration borders, they might become the recipients of humanitarian benevolence and thus given shelter through various protection mechanisms in the global North—here the idea is of ‘receiving them, as they cannot be saved at home’.

Let us first expand on the logic of ‘going out to them’. The interest in LGBT livelihoods does not only sit with the promoters of human rights and democracy, nor with humanitarian ‘rescue’ initiatives in the Global South (Gosine 2018), but also among development institutions in the Global North. In recent times, substantial research efforts have been put to the service of understanding the links between LGBT rights and development. Drawing on critical development scholarship, Christine Klappeer shows how LGBT people became progressively included as recipients of development projects. She contends that: ‘while queers have long been seen as unproductive to development, [they] are now constructed within the new frameworks as ‘temporal’ and ‘cultural brokers’ who are able, due to their embodied modernity, to break willingly with their ‘time’ and ‘culture’ (2018: 107), thus contributing to instill ‘progress’ into their societies. The congruence between sexual modernization and development is also propelled by political leaders in the West and actors in the world of global Financial Institutions, such as the World Bank and the International Monetary Fund (IMF). These institutions have recently started to commission research, critique and intervene upon the problem of homophobia within impoverished regions of the globe, following the assessment that homophobia (as a specific form of social discrimination) is ‘bad for business’. In his article *Global Homocapitalism* (2015), Rahul Rao acutely notes that the Bank, by forgetting about its history of partnering with faith-based organisations in Sub-Saharan Africa, at the forefront of the moral panics about sexual minorities, sees homophobia as a cultural problem of certain countries without self-examining and explicitly addressing the very material socio-economic conditions that co-produce hostility and moral panics towards queers (2015: 45-46). This historical amnesia serves to externalize the problem of homophobia in culturalist terms. Further, the argument that LGBT inclusion is ‘good for development’ and ‘good for business’ conceals the violence of capitalism, it understands human subjects as entrepreneurs and homophobia as an economic structural barrier that ought to be removed so that the former can prosper.

As per the logic of ‘receiving them as they cannot be saved at home’, it is noteworthy that through the political fixation of migration as a negative phenomenon across the European Union, LGBT migrants have occupied a particularly contradictory space amidst the mainstream discourses on immigration cast by the Global North; they are paradoxically ‘valorised’ and read as ‘suspects’ at the same time. Valorised, because potentially perceived as worthy of state protection in socio-political contexts in which the protection of women and gender and sexual minorities’ rights is increasingly considered as a priority of neoliberal democracies. Suspects, as in the eyes of political immigration institutions, they remain threatening numbers in the statistics of new arrivals and ‘guilty’ of crowding or ‘invading’ the national space (Puwar 2004). From this it emerges that the dynamics of control to which they are subject prevail over those of protection of which they could avail themselves.

The vastly represented figure of the ‘LGBT refugee’ in the media, the democratic values of gender and sexual discourses, the global capital institutions’ interest in fighting homophobia have all clearly contributed to create a heightened sensibility towards queer asylum seekers in the Global North. At the same time, they have also participated in reinforcing the binary division between the

homo/transphobia at work within what are cast as ‘refugee-sending’ countries and ‘refugee-receiving’ countries.

New Maps: Visualizing Homo/Transphobia Globally

The exercise of mapping through global indicators and measures appraising homophobia or homo-friendliness can be inscribed into a long cartographic history of dividing the world into places of ‘progress’ on the one hand, and uncivilisation on the other (Browne et al. 2015). By focusing on the modernization frameworks that undergird developmental practices, citing Escobar (2012) Klappeer argues that processes of categorization, classification and identification of nations and societies are predicated upon an ‘imaginative geography’ of the world that allows experts to classify problems and formulate policies for the ‘under-developed other’ (2018: 108). Today there is a growing interest in measuring, calculating and mapping homo/transphobia globally, which has translated into a burgeoning scholarship from the disciplines of critical geography (Browne et al. 2015), development (Klappeer 2018) and international relations (Rao 2014, 2015). This scholarship has shed light on the homonationalist frames that connect humanitarian/development agendas to LGBT rights.

In their research project ‘Making Liveable Lives: Rethinking Social Exclusion’, Banerjea and Browne (2018) explored how LGBT friendliness is measured on global scales. They studied 39 entries published by corporate entities and LGBT organisations (from ‘gay friendliness indexes’ to lists such as ‘the world’s worse places to be gay’), classifying and ranking countries according to their perceived homo/transphobia or LGBT friendliness. Among other things, they criticize the focus on law/human rights emphasizing the understanding of progress as inextricably linked to legal protection, marriage and decriminalization (2018: 173). Other commentators also provide critical analyses of the Eurocentrism of this mapping, in which Western countries appear as the ‘prototype’ of homo-tolerance (Klappeer 2018: 108), giving rise to representations that are ‘not only problematic understandings of sexuality, but also simplistic deployments of the very notion of ‘place’ (Rao 2014: 181).

The global maps released by the International LGBTI Association (ILGA) are among the most widely circulated representations of this type of cartography. For the purposes of our analysis we will initially turn our attention to the ILGA World map². The map in fig. 1 from 2017 shows where criminalization, protection and recognition laws for LGBT people are enacted. This map exceeds what it is there to represent, that is, the criminalization of homosexuality, and it becomes more about what it stands for, that is, the fact that homo-transphobia is still present in the world and specifically so in some geographies. Relegating homo-transphobia exclusively to the non-West misrepresents both the West and the rest of the world. This readily casts homo-transphobia as a problem of certain countries, thus obscuring the sociological reality concerning how and where homo-transphobia occurs. Here the notion of progress, as in progressive sexual mores, ought to be looked at not only through a spatial prism but also a temporal one; these countries are not seen to be ‘there yet’ or they are now what western democracies were in the past (Kulpa and Mizielinska 2014).

² Source: <https://ilga.org/maps-sexual-orientation-laws>

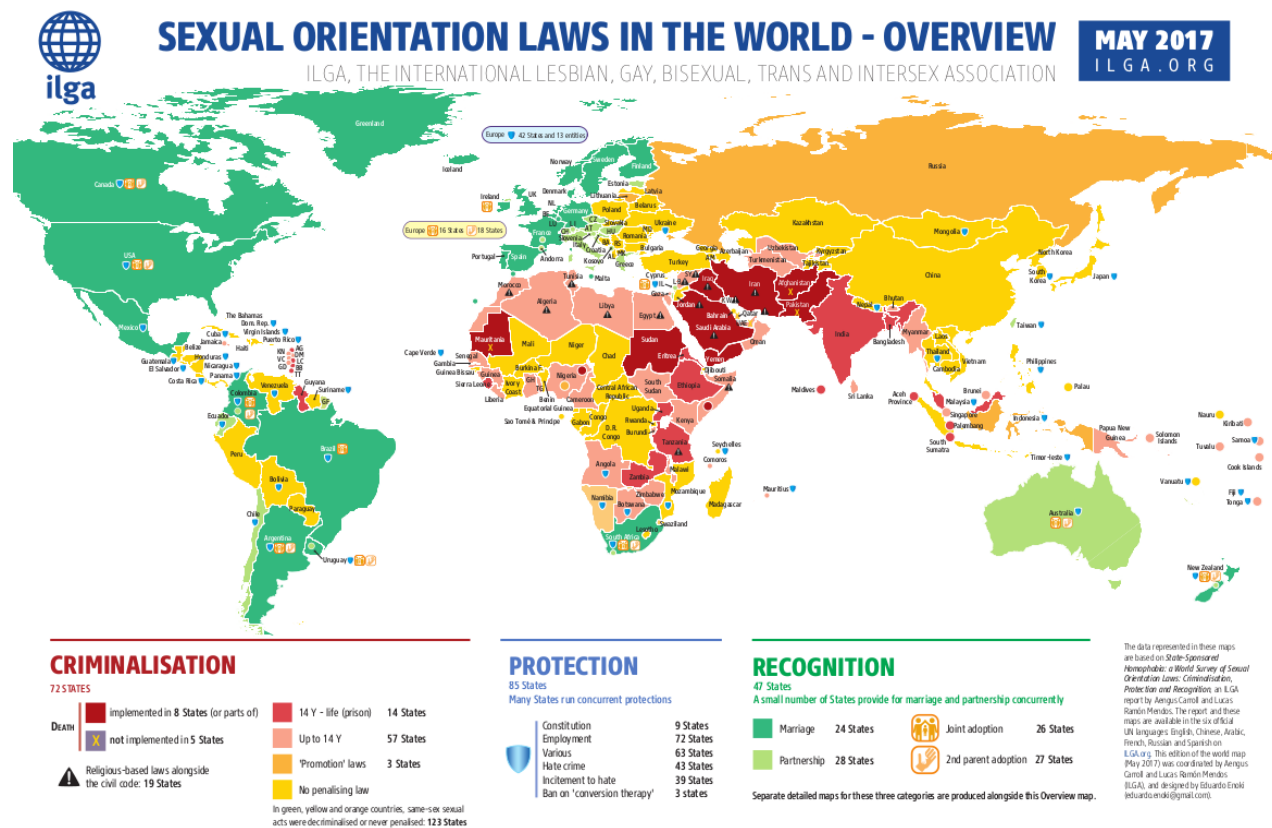


Figure 1: ILGA map showing sexual orientation laws in the world, 2017.

Another example of this kind of mapping can be found on PlanetRomeo, a gay dating online platform, which published a global ‘gay happiness survey’ in 2015. This example is illustrative of how even when such mappings do not focus on legal frameworks, but on the lived experiences of surveyed queers, they can produce and circulate similar flattening representations of global homo/transphobia and LGBT friendliness following the same neo-orientalist logic. Using data given by their users to rank the ‘happiness’ of gays around the world, PlanetRomeo created this visualisation³ (fig. 2) of what they term ‘gay happiness index’.

³ Source: <https://www.planetromeo.com/en/care/gay-happiness-index/>

Introducing the Gay Happiness Index (GHI)

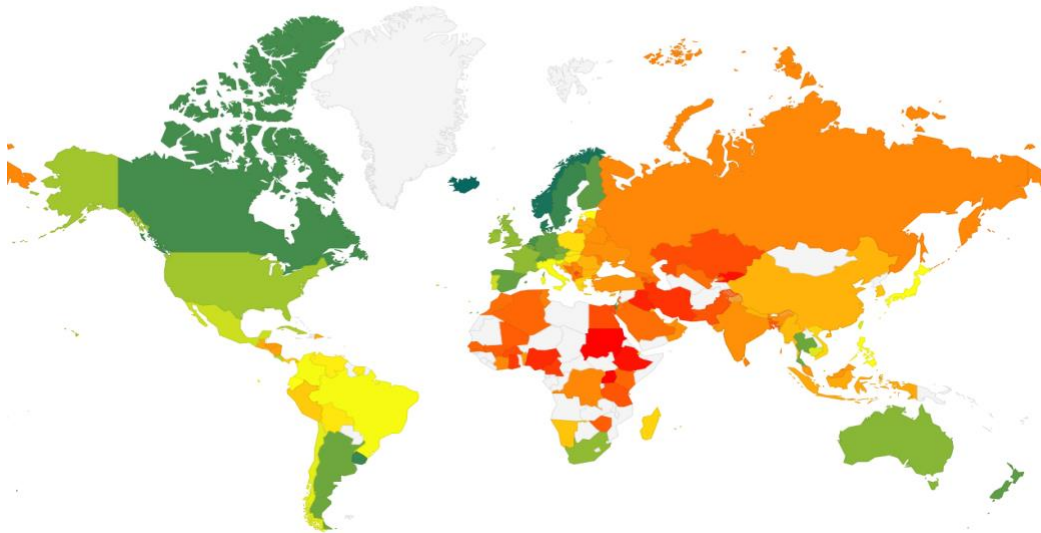


Figure 2: PlanetRomeo map showing what they cast as ‘gay happiness index’ across the world, 2015.

Here a formula is used to calculate a country’s ‘happiness rate’, taking into account participants’ answers concerning a wide range of topics, from partnership to abuse, going through their self-acceptance and coming out experiences, moving behaviours, discrimination, bullying, perception of change, life satisfaction and so on. Methodologically this survey has a number of flaws, for instance concerning its attempt to produce knowledge about countries or regions where the number of participants is extremely low. Yet this mapping is interesting to us because of its explicit focus on ‘gay happiness’ and how through the discourse of happiness, or lack thereof, participants enunciate their embodied experiences of gayness exactly as one would expect; from the ‘living hell’ of a participant in Algeria to the feelings of ‘acceptance’ and ‘luck’ of a UK-based one. Further, this map highlights the cohort of unlikely actors participating in producing these representations--today it is not only LGBT-focused NGOs but also commercial firms and hookup websites that can present themselves as sexual humanitarian actors, bringing the opportunity of achieving self-fulfillment and happiness to the ‘homo-suffering’ parts of the world. It is noteworthy that this mapping is a clear visualisation of the values intrinsic to neoliberal rationality that rest on narratives of individuality, freedom and social progress through which the discourse of happiness, although not manifestly, is ensnared in capital-oriented subjectivization, opportunities and life-plans.

Although the gay happiness map does not directly address the respondents’ material conditions of life, it is revealing to highlight the striking similarities between this map and mappings showing the global distribution of wealth. Fig. 3 shows a map⁴ (from 2018) drawn up by the multinational investment

⁴ Source: https://commons.wikimedia.org/wiki/File:Countries_by_mean_wealth_per_adult_in_2018.png

bank, *Crédit Suisse*⁵, which divides the world according to the mean wealth per adult in each individual country. The same colours as in both the ILGA and PlanetRomeo maps are applied here; red, yellow/orange, green whereby we quickly understand that the greener the better, the redder the worse. Most of Africa, the Middle East and South-East Asia in these maps are characterized by a vivid red, whereas most of Europe, North America and Oceania are conspicuously green-lit. Although these maps are not referencing to each other, once they are put side by side one can readily note the invisible threads connecting gay happiness (and suffering) with rights frameworks, material living conditions and a common-sense understanding of human happiness. This way of visualizing the world fixes what the ‘problematic’ countries are both in terms of exiting poverty and providing liberal rights, and these countries coincide with those parts of the world ‘producing’ refugees.

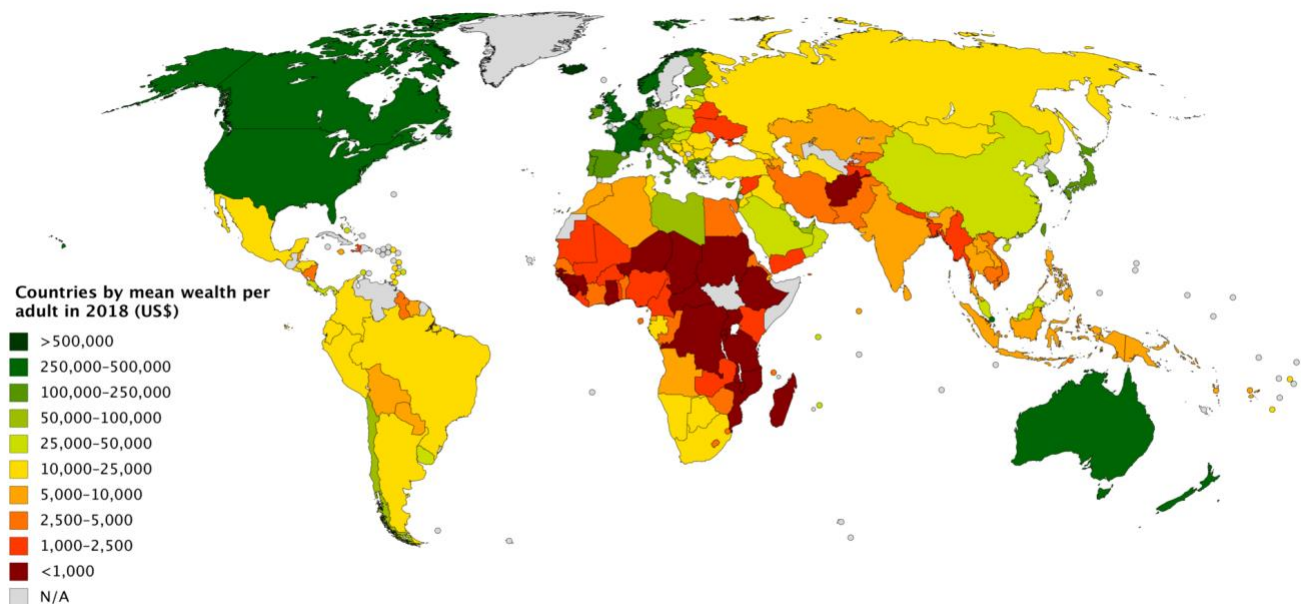


Figure 3: *Crédit Suisse* map showing the mean wealth per adult in each country of the world, 2018.

The logic behind creating a ranking system of nations in relation to standardized LGBT-phobia measures is, however, inherently problematic as it reveals the neo-orientalist nature of this practice. It is indeed important to think about these mappings as a way of reinforcing the existing hierarchy between rich/homofriendly countries and poor/homophobic ones, and it is equally relevant posing the question as to what these mappings produce beyond consolidating this dichotomy; in what project do they participate? Among other things, the cartography of homophobia, as a representation of the distribution

⁵ Similarly to *Crédit Suisse* other banks and financial institutions produce world wealth distribution maps yearly. It is interesting to note here that in 2013 *Crédit Suisse* was the first bank to initiate an index to track the fiscal performance of LGBT friendly companies, in so doing it fashioned itself as one of the precursors of the articulation between LGBT rights and Capital. According the bank the rationale behind this index was not exclusively to do with profit, but to recognize sexual minorities as active members of the business world. (See: <http://en.diversitymine.eu/investing-in-gay-friendly-companies-the-credit-suisse-equality-index/>)

of sexual modernity, informs asylum system's decision-makers in many 'refugee-receiving' countries today. Through asylum today, LGBT refugees are essentially expected to embody this cartography, thus becoming the human proof that these differences are precisely locatable geo-politically and culturally.

LGBT: A New Protection Category in Times of Asylum Restrictions

Although the liberal political tradition presents asylum as a guarantor of civil liberties, it is evident that the asylum system has become much more restrictive (Bohmer & Shuman 2008, Squire 2009, De Genova & Peutz 2010). The hardening of asylum granting as an instrument of international protection is a general dynamic that started in the mid 1980s in the Global North, in parallel with ever more restrictive migration policies. As borders were progressively shutting down for economic migrants, the image of the refugee was also being transformed. Although the refugee definition according to the Geneva Convention did not change, its interpretation by the asylum administration was largely restricted, and now it only corresponds to a small minority of asylum seekers (Akoka forthcoming, Coutin 2001, Zetter 2007). In France, while at the beginning of the 1990s approximately 85% of asylum seekers used to be granted status, by the mid 2000s almost 85% were denied protection (Valluy 2009).

Until the late 1990s, fleeing homophobia, lesbophobia and transphobia was not considered as a legitimate reason to be granted asylum in Europe. This, in itself, is not surprising as it was only at this time that protection against discrimination of sexual and gender minorities was institutionalised in Europe (Treaty of Amsterdam 1997; Council Directive 2000/78/EC; in France loi n° 2002-73 of January 17th 2002). In France, asylum protection on the basis of sexual orientation and gender identity (so-called SOGI) was granted for the first time in 1997 to a transwoman from Algeria (CE, SSR, 23 juin 1997, 171858, Ourbih)⁶. This new protection category has become ever more 'successful' in recent years. During the ethnography conducted by one of us (Havkin), a Paris-based lawyer specialised in asylum revealed:

At first it was anecdotal, in the 2000s I had two or three LGBT cases per year. Today I have two or three per day. It's also the legal framework that's changed, in 2001 if someone had a homosexual life in a country where it was penalised, he was considered as the one to blame for his own persecution (interview, September 2018).⁷

There are no available statistics regarding sexual orientation and gender identity-based claims in France, however our interviews and observations conducted at the asylum court reveal that this protection category became 'successful' both in terms of a rise in the number of claims on this ground and in terms of relatively higher protection rates. Commentators focusing on the humanitarization of asylum emphasize that today one can more easily be recognized as morally legitimate when claiming asylum on the basis of sexual orientation and gender identity, rather than as a result of political engagement, religious belief or ethnic belonging (D. Fassin 2013, Ticktin 2011). But as the general rates of protection

⁶ As sexual orientation and gender identity does not appear explicitly among the five grounds for asylum evoked in the Geneva Convention (race, religion, nationality, membership of a particular social group and political opinions), the recognition of people who fled persecution due to their (real or presumed) sexual orientation or gender identity as refugees results from a broadening of the definition of 'membership of a particular social group'. In Europe, this inclusion was formalised in 2004, when the European Commission declared that a group whose members share the common characteristic of sexual orientation can be considered as a social group according to the Convention.

⁷ In order to guarantee all respondents' confidentiality and anonymity we chose not to give details about their names or identities in this article.

imply the rejection of about three quarters of asylum claims at the OFPRA level⁸, this relative ‘efficiency’ does not mean that all LGBT asylum seekers are granted protection. This new ‘queer inclusion’ in times of asylum restrictions goes hand in hand with the spread of systematic suspicion, a main characteristic of an asylum administration which systematically suspects asylum seekers of not being truly who they say they are (D’Halluin Mabillot 2012, Kobelinsky 2012b). The nexus between inclusion and suspicion can be readily noted in this excerpt from an interview with a judge of the National Court of Asylum (CNDA), he stated:

...with the definition of homophobia as an offence in Europe, persecution of sexual and gender minorities has become a legitimate reason to be granted asylum. The perverse effect is that since homosexuality is still prohibited in many countries, sexual orientation became a good argument for seeking asylum. Sometimes it seems that all Senegalese and Bangladeshi people are gay (interview, September 2018).

The asylum administration thus views the special focus on sexual orientation and gender-based claims as a way to include and protect, but the efforts are also directed at defining criteria to evaluate the ‘credibility’ of one’s sexual orientation and thus distinguish between ‘real’ and ‘fake’ LGBT refugees (Kobelinsky 2012a, Salcedo & E. Fassin 2015).

Since 2013 the OFPRA has introduced new procedures stemming from the EU directives for asylum seekers who carry a ‘particular vulnerability’, among whom LGBT asylum claimants. A new specialised ‘groupe de référants’ (referral group) became responsible for producing, sharing knowledge and formalising new tools in order to deal with these new particularly vulnerable groups. In 2018, during a panel on sexual orientation and gender identity protection at the ‘open house day’ at the OFPRA the then-director Pascal Brice said: ‘this is our most beautiful and difficult task, to protect people persecuted in their country because of their sexual orientation, because of who they are’. When interviewed for a mainstream gay newspaper *Tetu*, he said: ‘the protection of people because they are homosexual, lesbian or transgender, is one of our most beautiful tasks and one of the most impossible ones, because it is up to us to establish the credibility of someone’s sexual orientation’⁹. Yet despite the mainstreaming of the protection discourse for this specific refugee group, queer refugees are not relieved them from the burden of suspicion and the ordeal of truth-telling when facing the asylum procedures.

Structures and Strictures of Knowledge and Ignorance in the Context of Suspicion

The restriction of asylum and the drop in the protection granted to refugees over the past forty years can be explained through the transformation of the asylum procedures and administration and their entanglement with the systematic suspicion of migrants (Bohmer & Shuman 2018, Schuster 2018). These processes rest on, and reaffirm, specific structures of expert knowledge and ignorance following a racializing logic.

Historically, the decrease of the success rate of asylum claims in France is the result of a progressive shift from a small administration that granted asylum to people coming from specific countries (mostly in the context of the Cold War), to a more bureaucratized system that distributes

⁸ At the level of the second instance, the National Court of Asylum (CNDA) the acceptance rate grows up to 36%. See: https://www.ofpra.gouv.fr/sites/default/files/atoms/files/ofpra_ra_2018_web_pages_hd.pdf

⁹ See: <https://tetu.com/2018/09/27/un-demandeur-dasile-lgbt-na-pas-a-prouver-son-orientation-sexuelle-selon-le-patron-de-lofpra/>. Last Accessed on 20th September 2020.

protection on an individual basis (Akoka forthcoming). Infused with suspicion, the obligation to produce a personal account of one's fear of persecution transforms each element of the claimant's story into an occasion to doubt and question its entire credibility. Thus, many rejections of LGBT asylum claims are justified by the fact that the claimant's account of their LGBT trajectory or their persecution was not 'personal enough' and remained too general and schematic. Recently both at a national and European level, there has been a continuous effort to harmonize asylum criteria and instruction procedures, aiming to further objectify and homogenize them. But in the current context of systematic suspicion, the investigation of each application through an ever more formalized procedure turns the inquiry on truth-telling into a process of lie-detecting (D. Fassin 2013:17).

Some research has been dedicated to the production of Country of Origin Information¹⁰ and the way in which 'objective' expert knowledge about countries, regions, political situations, ethnic or religious differences and tensions is produced (Murray 2015). The general tendency towards the so-called 'harmonization' of asylum assessment led, in France, to a dramatic change in the role of Country of Origin Information in the past twenty years, as asylum court decisions started to systematically refer to it. However, in the context of structural suspicion, this type of expert knowledge is largely used to filter asylum seekers.

The individualization and the so-called harmonization of asylum procedures, in the climate of structural and systematic suspicion, produce new epistemologies of expertise and ignorance. By examining the epistemologies of ignorance intrinsic to the asylum process, Bohmer & Shuman write: 'In any process of inquiry, whether sympathetic or antagonistic, an interrogator can create a situation in which an individual is made to appear ignorant of his or her own circumstances' (Bohmer & Shuman 2007: 607). Among the strategies for producing ignorance, they evoke: 'stories that are too recognizable or not recognizable enough'. In this sense, the obligation to present a personal account of one's persecution on the one hand, and the production of more homogenized Country of Origin Information on the other hand, put asylum seekers in a double-bind, as they have to present a story that would fit the knowledge that the instructors already have, yet be original and personal enough so that it would appear to be genuine.

Large part of the literature critiquing the disbelief to which asylum seekers are subject locates the production of ignorance on the side of the asylum seekers, as they are apprehended as ignorant of their own stories throughout the asylum process (Bohmer & Shuman 2007). Other scholars, analyzing the asylum system, highlight the racial dimension of suspicion and disbelief addressing asylum seekers of color (Dos Ventos Lopes Heimer 2019, Schuster 2018). We argue that the production of ignorance of identities and places is one of the main effects of the asylum system as a whole. Although asylum seekers and judges are structurally situated in diametrically opposed positions of knowledge, they are both actors within the specific regime of truth that sustains schematic and exoticizing conceptions about places and identities. We understand this regime of truth and the epistemologies of ignorance that emerge from it as an apparatus of domination and oppression. Given the continuities between the contemporary set-up of asylum regimes and the ongoing racial oppression at the hands of states and institutions to which the majority of refugees are exposed, it is important to attend to the critical work on the epistemologies of ignorance that is central to race and critical whiteness theory (Cesaro 2019).

¹⁰ Country of Origin Information (COI) refers to information on countries from which asylum seekers originate relevant for decision makers in the field of asylum. See: https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/glossary_search/country-origin-information-coi_en

Ignorance, as Sullivan and Tuana emphasize, is not merely an accidental by-product of limited time and resources: in the case of racial oppression, ignorance is consciously and unconsciously generated for the purpose of domination and exploitation (2007:1). When discussing the epistemology of ignorance in his book, *The Racial Contract*, Mills examines the necessity of holding on to ‘structured blindness and opacities in order to establish and maintain the white polity’ (Mills 1997: 19), which in this context refers to the position of decision makers as experts. Through his focus on unpacking the meanings and effects of ‘white ignorance’ (in Sullivan and Tuana, 2007), Mills provides us with a useful lense to understand the hurdles of credibility on the part of the asylum seekers today, as well as the paradoxes of producing expertise on the part of the decision-makers.

Immigration officers and judges occupy the positions of experts of places, identities and political contexts which they know only from succinct reports (mostly from CNDA information sheets, ref-word reports, NGOs’ reports). Further, within the racialized realm of suspicion, the way they listen to asylum applicants’ stories is not supposed to let them learn anything new from claimants’ genuine experience of what has happened to them, but rather to examine the applicants’ credibility according to what they think they already ‘know’ about their emplaced experiences. In the context of structural suspicion, schematic conceptions about places and identities can hardly be undone or complexified.

Institutional Expectations of Asylum Seekers to Embody the Cartography of Homo/Transphobia

There is a vast socio-legal and, more recently, sociological literature on asylum highlighting that during the refugee-granting process LGBT migrants’ emplaced experiences of their sexual orientation and/or gender identity are perceived as fully knowable. This follows racializing and stereotyping ideas of what a gay, lesbian or trans life in different parts of the world should look like (Dustin and Held 2018, Giametta 2017, Murray 2015, Raboin 2017). From the ethnographic fieldwork conducted in France, it readily emerged that a central problem asylum seekers had to face was proving their ‘credibility’ (Lewis 2014) vis-à-vis an immigration administration that mistrusts them and assumes it already knows what their experiences should look like:

Officers and judges know nothing about homosexuality and the experience of homosexuals, let alone in the African context. They rely on general representations or stories they have heard before and that they consider trustworthy to build a model of what is credible and what is not (interview with a member of an LGBT asylum support organization, February 2019).

In some countries, such as Senegal or Mauritania, the repression of homosexuality is perceived to be depending on the claimant’s neighborhood, living circumstances and social class (rather than being a generalized social phenomenon). In these cases, judges look for precise data on forms of persecution on specialized online sites (CNDA sheets but also refworld and international and local NGOs sites). One judge from the Court of Asylum said he rejected a claimant from Mauritania whom he did not find credible because his story did not match the information he had read concerning the situation of homosexuals in the country. He continued: ‘Mauritania is very hypocritical: the law provides a death sentence for homosexuality but in fact it is tolerated among men from wealthy background and if they remain discreet. Yet, the applicant did not know this phenomenon of discretion’ (interview, September 2018). He also said that he rejected a claimant from Nigeria who came from Niamey and said there was no homosexual life in Niamey while reports show otherwise. Thus the judge ‘knows’ about gay life in Niamey and about the ‘phenomenon of discretion’ in Mauritania, places and situations he never encountered and on which he only read reports written by ‘experts’, yet this would suffice to reject the claimants who do not know what he thinks he knows about the places they come from.

During the same interview, the judge from the National Court of Asylum also described what he thought the most common gay trajectory of men was; starting from when they first discover their sexual orientation (usually around 14 years old), to their first homosexual relationship (between 18 and 25) that generally ends when the relationship is outed (first episode of violence and often migration to another city). He pointed out some differences in the sexual trajectories of homosexual men and lesbian women. According to the judge, women rarely have homosexual experiences during adolescence, they would have their first homosexual relationships later on in life, around 23 or 27 years old. Often the women would be subject to forced marriage. Thus their narrative would be centred on existential choices: fleeing forced or arranged marriages. Further, women would often have a single love story, at a later age, whilst men would have several stories throughout their lives. He ended his confident assessment by saying, jokingly, ‘you can really become an expert’.

Racist and exoticizing representations of queer otherness were common throughout the interviews with the judges. These misconceptions vehiculate colonial archives about places and about what being queer means. A common conception among judges seemed to be that in Arab countries sex between men is common, as gender-based segregation implies that women are not sexually available to men. While a UNHCR judge described this understanding as an example of the racism and homophobia of the asylum system (interview, March 2019), another judge revealed that he rejected the asylum claim of a man who described his homosexual experiences at the hammams that he frequented and insisted on the fact that he was exclusively sexually active (interview, October 2018). For the judge, this ‘caricatural description’, as he described it, shed light on the claimant’s homophobia (the fear to be perceived as sexually passive by the court), and therefore it proved that he was not ‘really’ gay.

Mistrust of asylum seekers’ narratives takes many shapes, for instance, during an interview, a judge criticised another one who, within a hearing at the Court of Asylum, referred to a list of gay bars in Abidjan that she had found online, asking an asylum seeker whether he knew these places (interview, March 2019). In addition, some rapporteurs testified that some judges still use information from gay tourism online sites. It is noteworthy to recount the experience of a Cameroonian asylum claimant we came across during the research. The claimant provided a straightforward description during his interview at the OFPRA, he talked about a certain margin of tolerance in nightclubs, especially clubs frequented by foreigners and the diaspora, and he referred to an ordinary flirtatious dynamic. Here is an excerpt from the transcription of the interview at the OFPRA:

- Did you go to nightclubs for homosexuals?
- No, that doesn’t exist in Cameroon yet. But in nightclubs there are people who do not live here, so it’s easier to be yourself (...)
- Can one really be oneself as a homosexual in Cameroonian nightclubs?
- Yes, yes, but not too much (...) not to the point of making people uncomfortable. In some nightclubs more than in others. There are...in places where foreigners and diaspora go people they are more flexible with this issue (...)
- How does one express one’s interest in someone?

At this point the claimant describes how gay men may recognise each other:

- It’s through chatting. But if it doesn’t work you stop immediately and you deny everything you said (...) And when you already know one then you have kind of a network. People know each other a little.
- How do you evoke this subject in a chat?

- With caution. For example, I'm with someone I like, we chat about everything and nothing, soccer, nightclubs. When there is some trust we start talking about sex, women. I then send small signals, 'I love men' I say, as if it was a joke. And I see his response when I approach the subject. If you're not interested I move on. But if I see that it can work, I can go further.

(Transcript of OFPRA interview, 2017)

This description does not fit with the (mis)conception of the OFPRA immigration officer about homosexuality and homophobia in Cameroon and thus the claimant is disbelieved. His claim was ultimately rejected because, according to the officer, he 'drew an unlikely picture of meetings and the recognition strategies between homosexuals'. The claimant's telling of an everyday experience of flirting interfered with the ideas the officer held of what shape the oppression of same-sex desire should take in Cameroon. Similarly, we remarked that in many court hearings judges would often ask questions such as 'how did you know you could tell him you were gay? Were you not afraid?' when what the claimant was describing had clearly been an episode of flirting, and not disclosure. This imagined and fixed idea of how fear and risk structure homo-sex is what, in many cases, prevents an officer from recognising someone's story as true.

'Happy to be Here?' The Cartography of Homophobia and its Moral Economy

When questions regarding one's sexual practices were banned¹¹ as they started to be viewed as infringing on the individual's dignity, asylum interviews became more focused on claimants' feelings. While during the ethnography, the majority of immigration officers, lawyers and judges recalled questions about 'who is active and who's passive' as being bad practice, the same respondents would not view questions about feelings as intrusive or problematic. Following the shift from *facts* to *feelings*, we would like to ask how the repertoire of expected feelings articulates with the cartography of homo/transphobia. In other words, we want to look at how asylum seekers' mobility from 'homophobic' to 'homo-friendly' countries is supposed to match a flattened narrative about their expected mobility from suffering to happiness.

When having to tell and write one's story – to then be officially presented to the decision-making authorities – asylum seekers need to focus on their past experiences; the very process of writing/telling becomes a way into their suffering. They need to tell what it is they left behind and why what they left behind was not bearable to them any longer. During an interview, a CNDA rapporteur stated that: 'the questions are generally built on the idea, or the cliché, that the trajectory of LGBT asylum seekers is one of suffering and difficulties' (interview, October 2018). The institutional practices of certifying people's genuineness and their need of protection produce a space where those who claim a right have to concentrate on their suffering and to then perform that according to the criteria imposed by Western liberal sensibilities. Claimants are expected to describe a discomfort, a feeling of difference, rejection, fear, psychological difficulties.

Many claimants are rejected because their narratives about discovering and living their sexual orientation and gender identity is not considered 'personalised' enough, in the sense that they cannot, or do not want to provide an intelligible story of suffering. Many asylum seekers describe their coming to terms with their sexual orientation positively:

¹¹ CJUE, Grande Chambre, 2 décembre 2014, *A, B & C / Staatssecretaris van Veiligheid en Justitie*, Affaires jointes C-148/13, C-149/13 & C-150/13

- Was it easy for you to accept your homosexuality?
- Yes.
- Didn't that cause you any problems with your religion?
- Sometimes I would ask myself questions. Then my family told me it was forbidden. The Koran prohibits homosexuality.
- How do you reconcile your religion and your homosexuality then?
- In fact, since I was in a Muslim country, I was hiding to practice my homosexuality.
- But you didn't feel any contradiction between the two?
- It disturbed me, but I couldn't control it.
- When you discovered your homosexuality, how did you feel?
- Very happy.

(Transcript of OFPRA interview, 2017)

Or:

- When you realized that you were falling in love with a woman, what did you feel?
- I felt very well, at peace with myself, like a teenager, I was happy'.

(Transcript of OFPRA interview, 2017)

Or:

- I loved it because I've never felt desire before.

(Transcript of OFPRA interview, 2017)

In all these cases, asylum was denied in the first instance although some of them were granted after their appeal at the Court of Asylum. The officers rejected claimants' applications stating that they delivered 'evasive statements about discovering one's sexual orientation and their experience of this difference'.

The expected narrative of suffering while in the country of origin should ultimately lead to a happy resolution in France. Examining the British asylum context, Thibaut Raboin unpacks how LGBT claimants must 'conform to a certain extent to representations of queer happy futures' (2016: 17) in the country of arrival. However, Raboin stresses, happiness here is intimately linked to the notion of freedom as afforded by neoliberal economy with an emphasis on individuals' choice and possibility for consumption in the marketplace. In our ethnography it was noted that some asylum claimants provided a 'happy ending' to their migration stories, for instance, when asked about how they felt about their future in France this Cameroonian refugee replied:

The most important thing is to rebuild myself. I really live what I am. For me it's the most important thing because I wasn't fulfilled. I wasn't living my life, actually. I'm happy because I'm rebuilding myself. The most important thing for me is to do what I'm doing, feeling comfortable with myself. I don't need to hide if I like someone. I can start all over from scratch (*repartir à zéro*).

(Transcript of OFPRA interview, 2017)

Some others fail to provide a 'happy ending':

- Since you are in France have you met people?
- No, I stay with my children, I don't know these places and I'm afraid I'll do things wrong.
- Have you tried to find meeting places?
- I don't sleep well, I have nightmares and I don't have time, I'm not stable.

Yet, the same respondent still felt she had to comply with the expectation to deliver a story about her journey towards liberation:

- How do you feel since you have been in France about your sexual orientation?
- Yes, I will not hide it, because if I meet someone I like here we can live it fully, without any problem.

(Transcript of OFPRA interview, 2016)

These recurrent representations of 'happy saved queers' may lead to epistemological misconceptions emerging from the schematic cartography we have discussed in this article, which draws a neat picture about a homogenous safe space and an imagined monolithic LGBT community. When in the winter of 2018 a Hijra person from Pakistan was granted asylum, the judges from the Court of Asylum stated: 'when asked what he can now do in France, he was able to express his ability to socialise with members of his community in public places without fear of negative perceptions around him' (CNDA decision 2018). While expert knowledge informs the asylum administration about fears, persecution and suffering through the Country of Origin Information, in this case the judges seem to adopt an idyllic portrait of tolerance towards gender and sexual minorities, as if France were a safe haven for transwomen, or as if Hijra people, a specific gender identity endemic to the Indian subcontinent, would 'naturally' find a sense of belonging and acceptance within a unified LGBT community. Moreover, the fact that the judges misgendered the applicant is not only deeply disrespectful, but also particularly ironic in light of their representation of this person as a 'happy saved queer'.

Conclusions

In this article we examined the recent emergence of the figure of the LGBT refugee in times of asylum restrictions focusing on France. Drawing from queer theory applied to geography and development as well as the sociological literature on migration, we wanted to highlight the contradictions between the processes of valorization of the LGBT category and the suspicion to which queer asylum seekers are subject. First, we discussed the incorporation of queers into the international development agenda as they are now perceived as deserving of protection. Second, this *inclusion* by global finance and humanitarian discourses is also countered by the suspicion to which queer subjects in search of exile are confronted vis-à-vis the immigration institutions of 'refugee-receiving' countries. Here, as other migrants, they are structurally cast as suspects because their presence is construed as a problem to the restrictive migration policies fixated with lowering numbers of migrants' arrivals into the European Union.

We analyzed the binary division between the homo/transphobia at work within what are cast as 'refugee-sending' countries and 'refugee-receiving' countries through critically referring to maps. In so doing, we highlighted how these mappings reinforce the existing hierarchy between rich/homofriendly countries and poor/homophobic ones. In order to discuss the homonationalist logic connecting humanitarian and development agendas to LGBT rights, we shifted our focus to visual representations of homo/transphobia through examining global maps. Thus juxtaposing the ILGA World and

PlanetRomeo maps with the map of the global wealth distribution allowed us to foreground the invisible threads connecting gay happiness and suffering with rights' frameworks, material living conditions and a common-sense understanding of human happiness. We looked at this type of mapping as a visualisation of the values intrinsic to neoliberal rationality that rest on narratives of individuality, freedom and social progress.

In the last part of the article, we stressed how the binaristic cartography of homo/transphobia informs filtering mechanisms within the immigration administration at a micro-level. In our discussion of the changes of asylum we attended to how the transformations of asylum procedures, its individualization and the so-called harmonization, privileged new forms of expert knowledge about places and identities. In the realm of systematic suspicion, schematic conceptions about places and identities can hardly be undone or complexified. Finally, by foregrounding the shift from *facts* to *feelings* that characterize decision-makers' practices in the assessment of asylum claims, we commented on the strengthening of the expectations on the asylum seekers to embody the cartography of homo/transphobia, and provide a credible story of suffering. In this context, we highlighted the double-bind in which asylum seekers are situated, namely, having to tell a seemingly genuine story about themselves and fitting into preconceived ideas about identities and places. In doing so, they are made to reinforce the flattening picture of France as a homogenous safe space for queers, and of their countries of origin as inherently and culturally homo/transphobic.

For many of the respondents we met during our fieldworks, finding a job, decent housing and building social connections turned out to be particularly difficult for (often racialized) migrants who are structurally positioned in the lowest ranks of a society organized through hierarchies of nation, race, sex and gender expression. Years after obtaining refugee status, many expressed frustration, as they could hardly find work outside of the devalored and low-paid precarious reproductive labor sector (i.e. dish-washing, cleaning, baby-sitting and so on). In this sense, particularly if we look beyond the asylum process itself, not only schematic representations of the homophobic Other are problematic, but also the image that France has of itself as a 'safe haven' for queers is strongly misleading.

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