Silencing Sexuality: LGBT Refugees and the Public-Private Divide in Iran and Turkey

SILENCING SEXUALITY:
LGBT REFUGEES AND THE PUBLIC-PRIVATE DIVIDE IN IRAN AND TURKEY

by

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As members of the Dissertation Committee, we certify that we have read the dissertation prepared by Farrah Jafari, titled "Silencing Sexuality: LGBT Refugees and the Public-Private Divide in Iran and Turkey" and recommend that it be accepted as fulfilling the dissertation requirement for the Degree of Doctor of Philosophy.

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DEDICATION

To Nasser Jafari—father and hero

and

To my sister, Marjan—thankful that we finally stopped grieving

over Goldengrove unleaving

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ABSTRACT

The current Islamic Republic of Iran distinguishes between homosexuals and same-sex sexual activity: the former is not recognized as an identity, while state apparatuses openly condemn the latter. Beginning in Iran's medieval period, through its current Islamic regime, this dissertation argues that the allowances made for behaviors and attitudes for queer same-sex sexual intimacies in the historiography of Iranian sexuality are very distinct from the modern and Western notion of 'gay'. Same-sex sexual relations in Iran threaten the conventional order that is built on an accepted series of gender differences reinforced by the Islamic regime. Marginalization of Iran's queer population permeates into local Iranian communities, creating ruptures with society and family. In the face of a generally repressive and heteronormative Iranian state, as well as the prospect of resettlement abroad, Iranian queers are fleeing to Turkey. This dissertation examines the processes by which queer Iranians face unprecedented forms of stigmatization and violence in Iran and later in Turkey.

Going beyond a simple report of homophobic abuse in the Middle East, I engage ethnography as a vehicle by which to appreciate the effects of the constant silencing of queer voices and issues on social, familial, governmental and religious relations in Iran. During the summer of 2012, I conducted 24 qualitative interviews with queer Iranian asylum seekers and refugees in Turkey to assess the impact of societal and state consequences for queers in Iran, and later as refugees. Migration into Turkey reworks social relations based on race, sexual orientation and nationality; Iranians are both

victims of and agents within the processes of asylum. An analysis of Iranians vis-à-vis one another, as well as their relations with local Turks, will explain the way race and sexual orientation impact migrant life. My research examines how the failure of figuring non-heteronormative sexuality into modern social, national, religious and academic discourses of Iranian culture is destructive on a human rights level, as it fails to generate new possibilities for developing truthful identities in Iranian and Turkish society and human rights law concerning queers.

INTRODUCTION

> You know, being gay in Iran, you always feel as if there's something missing...and that you're wrong…on the inside. So I decided to fix myself. Live that normal life everyone else has. But I couldn't… excuse me, be with women. So, I left Iran. And then this place? Turkey? This place is hell. One day here is like 1,000… It's been very hard….and now I don't have anywhere to call 'home'.
>
> -Kamran, age 34, gay Iranian refugee, Turkey

The Situation

From somewhere amid the crowd, staring at all the people in Taksim Square—the heart of Istanbul—during a Gay Pride Parade in summer of 2011, this project burgeoned. People from all over the world, it seemed, had come to the parade, waving rainbow flags or chanting while holding their partner's hands. Behind a massive group of Egyptian lesbians, I noticed a booth with banners in Persian which read "We're here too," and "The First of Mordad: National Iranian LGBT [lesbian, gay, bisexual, transsexual] Day." I was intrigued, and approached the six gay men and two transsexual women at this booth. Upon introducing myself, I was greeted with warm smiles, a chair to sit in, and a cup of tea. Pleasantly surprised by the generosity and hospitality, I accepted the tea…and suddenly realized that my eyes were watering. Was I crying? No, I had been tear-gassed. The Turkish police, who had sprayed the parade, later claimed that the gas was meant to target the small Kurdish demonstration a mile away. In attempting to escape the tear gas, we walked a few blocks while I listened to the varied hardships of these Iranians, ranging from the shame of being a queer citizen of Iran to the disappointment these individuals currently experience as asylum seekers and refugees in Turkey.[1] I listened intently as a post-operative transsexual woman detailed the struggles involved with changing into and

passing as a minority gender in a patriarchal country; while the whole time emphasizing that, despite those struggles, she simply *had* to do it. This was the genesis of this project. This group of Iranians, who started out as strangers, became among the most important people in my academic life.

I returned to Turkey during the summer of 2012 to formally interview members of the queer Iranian refugee population. I received contact information from the men and women I met during the 2011 Pride Parade, and conversations with those contacts led to further meetings throughout Turkey.[2] Upon renting an apartment in Ankara, my two months of fieldwork commenced.[3] Before that tear-gas-riddled Parade, I had initially planned to conduct my fieldwork of interviewing Iranian transsexuals who had fled the regime and were currently residing in small conservative cities throughout Turkey. I was unaware, though, at that point, of the multitude of Iranian LGBTs residing there; I was equally unaware that LGBT individuals were fleeing Iran at all.[4]

The contemporary history of Iranian migration shows various grounds for leaving. After World War II two distinct flows of Iranian nationals emigrated from Iran: one directly linked with the modernization/westernization efforts of the Shah's regime—manifested through heavy flow of migration as of the 1950s for education of the young elite. This migration flow was headed towards the United States and Western Europe. The other flow of migration was linked with the Islamic Revolution in 1979, causing many opponents and religious minorities to leave the country. Post WWII Iranian migration is most notably high during this post-revolution era, but is preceded by Iranian nationals' emigration directly linked with the modernization efforts of the Pahlavi regime as of the 1950s and education of the young elite headed towards the United States and

Western Europe. Generally, since the 1979 Revolution, the primary reason Iranians left their homeland was the Iran-Iraq war (Akcapar 1988), causing many anti-Islamic Republic political dissidents and religious minorities to leave the country and seek asylum in Turkey.[5] The overall focus of this research, however, examines migration along the axis of gender or sexual orientation, with the aim of addressing its particular interaction with queer sexuality.[6] Developed through an ethnographic study of Iranian migrants in Turkey, this dissertation assesses the catalysts of Iranian queer flight and subsequent experiences in Turkey and their consequences for those who flee.

The Question

This dissertation challenges a concept I have termed the 'queer question', which is based on the 19th century historical and distinguished genealogy of the 'Women's Question' in Europe and America (Evans 1994)[7] and later in the Middle East. The Women's Question asked, for the first time, if indeed women have existed throughout history, why haven't they been acknowledged in politics, economy, suffrage, education, property rights and much more?[8] My analysis of Iranian society and the Islamic Republic of Iran's (IRI) government's failure to acknowledge queer identities reveals the pattern of ignoring minority voices, such as those of women, which further marginalizes them.[9]

In consideration of the fact that the central thesis of the discourse on feminism and women's rights in the Middle East blends a study of colonialism, modernization, Islam and activism, I will provide a short history on the Women's Question in the Middle East, and specifically Iran, in order to offer a proper framework to use as a comparison when assessing the 'queer question'. Along this vein, I first focus on the Women's

Awakening of 1936-41, the brave yet contentious attempt of Reza Shah Pahlavi (reigned 1925-41) to fundamentally revamp Iranian womanhood and bravely ask the Women's Question in an Iranian context. This state feminism project was a major milestone in the development of modern Iranian women as it challenged codified conceptualizations on the particular Iranian practices and attitudes of society that embraced the mental and biological inferiority of women.[10] In the grand scheme of the Awakening, the modern Iranian, so was the Shah's vision, was to be offered new opportunities in employment and education; in exchange all Iranian women were to abandon their veils in public (Amin 2002).

While women were meant to contribute to the discourse of Iranian civil society and state-building, the governmental and societal fervor for the Women's Awakening enervated with the abdication of Reza Shah in 1941. However, adding women to the discourse of state-building and nation lastingly transformed the limitations of Women's Question and Iranian society's conception of gender roles. It was, after all, only after the movement that some Iranian feminists began to advocate openly for true gender equality in Iranian society. The broader principles and further reaching goals of Iranian women were symptomatic and learned from similar gender reform activities in the surrounding geographical area (Amin 2002).[11] However, as Moghissi (1997) notes, the modernization processes undertaken by Reza Shah and later by his son Mohammad Reza Shah, failed to create the structural changes necessary as a precondition for development of gender consciousness. Indeed, more is necessary than the coercive unveiling of women to modernize women's roles and challenge patriarchal societal structures; women's political mobilization was only encouraged when it served the general goals of the national

struggle.[12] This patchy and inconsistent effort to modernize women failed, as "radical change in one aspect of society without corresponding changes in other domains only intensifies incoherence and introduces new conflicts and contradictions" (Tohidi 1994:113). Before the Revolution, the monarchical regime placed women's oppression in the sphere of traditional Islam and defined their emancipation in terms of modernization and acquired through modern institutions. However**,** change in government affected women's legal rights in detrimental ways, evident in the abrogation of gender equality laws enacted under the previous regime, resulting in more stringent legal practices and bureaucratic rules for women (Nashat 1980; Moghissi 1999). Islamic institutions have been instrumental in institutionalizing women's subservient status in Iranian society (Afary 2009; Talattof 2011). Family eventually became deemed the fundamental unit of society (Osanloo 2009) and women were assigned the status as mothers and revered as national and communal symbols.

Whether pre-revolutionary Iranian modernization efforts in the Pahlavi era produced better or worse gender relations, or post-revolutionary juridical authority of the IRI permanently changed the parameters of Iranian society's conception of gender and sexuality, it remains important that women's status was questioned, addressed, constructed and reconstructed to incite a discourse. This dissertation argues that had the same factors been present to address the 'queer question' as contributed to the emergence of the Women's Question (e.g. organized activism, a shared ideology and cognizance of historical events which need to be atoned, encouragement from the state)—queer sexuality would not be at its current level of stigmatization. Thus, in the spirit of the Women's Question, the research questions in this dissertation assess the following: Why

doesn't modern Iranian discourse figure queer bodies as a site of the articulation of sexuality, when evidence shows that queer practices have existed throughout its history? And, given this omission, what are the consequences of the societal and state treatment of non-heteronormativity in the environs of Iranian society, and how does this treatment impact these Iranians later as refugees in Turkey? While the answers to the first question are dealt with directly, the answers to the second are addressed implicitly, through the experiences of individuals. Has the continued marginalization of non-heteronormative sexualities by Iranian state and societal practices led to the demonization, criminalization, and pathologization of these sexualities?

The Population and Methodology

Ethnographic fieldwork consisted of semi-structured and open-ended interviews and participant observation in Turkey. In total, I conducted 26 interviews: 19 individual interviews with queer Iranian migrants, five group interviews with the same population, one interview with an official representative from the UN's official refugee agency, United Nations High Commissioner for Refugees (hereinafter: UNHCR) and one interview with human rights lawyer in Turkey Hayriye Kara. I had informal discussions with many more, including Iranian roommates of refugees who did not identify as queer, and other members of the Iranian migrant population.[13] I conducted research at the UNHCR Headquarters in Ankara in order to get both sides of the story. Interview topics varied, but frequently included motivations for escaping Iran—mostly asylum seeking-refugee dominated by a discussion of societal and state practices, composition of the queer minority population in Turkey, and interactions with locals and the UNHCR. Major

themes emerge from excerpts of these interviews including belonging-exclusion, helplessness, and humiliation, which are consistently structured in victimhood.[14]

Participants in this research were 25-40 year-old Iranian men and transsexual women who had undergone a secular education, identify as queer, and have urban Muslim origins. Most participants voluntarily left after being caught engaging in a sexual activity that put them under the fear of execution. The naming, labels, language and subjectivity concerning gay identity were defined by participants to reflect their experiences and background. These 19 queer migrants explained how they had escaped persecution in Iran due to sexual orientation. Interviews took place in three Turkish satellite cities (non-metropolitan, often conservatively religious places meant to control refugee movement by limiting migrants to one place): Kayseri, Nevsehir, and Kirsehir.[15] I administered interviews in groups of approximately 5-7 people in small shared apartments in which at least one of the participants was residing. Participants were privately interviewed for approximately an hour, which subsequently led to semi-structured group interviews at the end of our one-on-one meetings. The narratives and oral histories from which I quote are derived from interviews conducted between only myself and participants in the Persian language.[16] My interviews were audio recorded and later transcribed. All translations to English are mine. Certain Persian words, when relevant, have been transliterated in order to stress their importance in the original Persian.[17] Per their request, I have not changed the names of my respondents, the reasoning for which was best articulated by Marjan, a research participant: "I've lost, looked for and found myself. I'm not hiding anymore. I want everyone to know my name and who I am."

Visiting the participants in their homes, or in the privacy of another Iranian's home, often blurred the boundary between daily refugee life and fieldwork. Interviews (both individual and group) took various turns and deviations; tea often turned into dinner, which sometimes led to early morning conversations. I entered each home of a stranger as a stranger, and left with added voices and contributions to a silenced discourse of sexuality in Iran. Private interviews described the circumstances which led these 17 gay men and three post-operative transsexual women[18] to leave Iran. Each interview elicited refugees' own definitions, identities, and processes of self-construction in relation to experiences in Iran, while group interviews focused on life in Turkey and interactions with locals, state and refugee organizations. Consistently, participants described the struggle of refugee life in similar ways; difficulties often involved separation from family, being subject to exploitation and degradation by being able only to obtain jobs for a fraction of what a Turk typically earns for the same work, the constant fear of expulsion to Iran, and exposure to violence in the street from locals who are either homophobic or anti-Iranian.[19]

This study recognizes the concepts of gender and sexuality both autonomously as well as the intersections between the two, and indicates them throughout the text. I attest that 'gender' results from the roles and behaviors framed by what society deems acceptable according to one's sex as either male or female, while sexuality is a person's sexual preference.[20] Furthermore, in exploring same-sex sexual inclinations and behaviors in Iran, I deal with males only.[21] This is for two reasons: first, there is a very limited Iranian lesbian population in Turkey. My research participants informed me that the queer Iranian migrant community is predominantly male. This is because female

sexuality does not dominate the conversation concerning 'indecency' within the non-heteronormative debate; lesbianism is treated, if at all, as a strange and almost trivial concern for the Iranian state—thus, obviating lesbians' impetus to leave Iran. In fact, same-sex sexual acts among women blur in a discussion of masturbation, since such acts are difficult to define as penetrative sexual acts, such as they are between men (Kugle 2010). The second reason this dissertation does not address lesbians is because female homosexuality has earned a place in scholarly discourse to merit its own analysis, beyond the reach of this work, especially given its intricacies in Iranian and Islamic history.[22]

Throughout this work I choose to use the term 'queer' or 'having same-sex sexual inclination' instead of 'gay' or 'homosexual'. I prefer the term 'queer' because it simply recognizes sexual preference while 'gay' or 'homosexual' is an ideology, an identity, a lifestyle—basically, it is not what someone *does* but who someone *is*. While 'gay' brings with it a westernized identity, 'queer' is a general term which specifies behavior rather than identity. I provide a more historically sensitive account that recognizes varied and ambiguous categories of demarcation and identity operating throughout modern Iranian sexuality. Because Iranian discourse of sexuality has not reached a point of using these terms, I don't feel that it's appropriate to use the term 'homosexual' to speak of people outside of modern, Western culture (Kamano & Khor 1996). I also refrain from using the term 'homophobia' until I arrive at more recent times, as this term is attached to the modern concept of 'gay' (one who is aware of his homosexual identity). In the majority of the dissertation I use more descriptive terms, like anti-same-sex sexual acts, or heterosexism, when referring to concepts which the modern reader may more readily connect to the term 'homophobia'.

Between my return to Tucson in August 2011 and my August 2012 return to Turkey, I explored various topics related to this research. Before embarking on my second summer of research, I received a Title VI FLAS Fellowship to study Turkish (so as to facilitate movement in Turkey, as I was not accompanied by my Turkish-speaking travel companion from 2011), and conducted research projects on migration, LGBT issues in the Middle East, and UNHCR asylum policy in my home academic department. Two summers of fieldwork (one preliminary and one officially under IRB approval), the reading of various books, and many conversations have culminated in this dissertation. In it, I do not endeavor to condemn state practices for violating human rights (or even to say that they are), nor does this dissertation attempt to make a case for the redesigning of asylum policy. When I began this project, my central goal *was* to explain the nature of the Iranian queer refugee problem in an effort to suggest better administrative guidelines on sexual orientation (Gibney 2004). Indeed, I intended this dissertation to encourage UNHCR's rethinking of ethics in order to create a more plausible account of duties to refugees. Inundated with stories pregnant with disillusionment, depression and hopelessness during queer refuge, I thought—with great bravado—that it was only logical to advocate the revision of administrative practices to ensure equal treatment with regard to movement and freedom of life. My research was meant to be a vehicle by which to ignite action; through these written words, I would call on governments to pursue sanctions against workers in the criminal justice system subjecting queer Iranians in Turkey to discrimination or harassment. But, upon realizing that my strength was in working as a scholar, not as an activist, I have determined to simply lay out a story which weaves through history and modernity, state and country, self and society, me and them.

If others choose to use my work for activist purposes, I wish them good luck.

Themes

The duality of *baten/zaher* (exoteric-esoteric) and how it dictates behaviors in Iranian society through societal, familial, juridical and state practices is the main theme of this dissertation and will appear throughout the manuscript. In offering definitions, I attest that the epitome of the inner core of individuals is the *baten*, while the *duality* (not the opposite) of the internal space of *baten* is made up of the *zaher*, in the external. The *zaher* is where the positive and appropriate elements of the concept of self and desired projections emerge to maintain propriety and avoid embarrassment, as opposed to the very internal *baten* where one internalizes and suffocates negative manners of conduct that may defy convention. The *baten/zaher* duality recognizes how humans change behavior by 'fixing' mannerisms and controlling the impression others may have of him/her.[23] Interactions between both parties enable power to shift back and forth as each individual engages in certain behaviors or 'performs' in order to avoid embarrassing self or others.[24]

Most scholarship done about the Middle East equates *baten/zaher* to private-public (respectively). My argument, however, recognizes that private and *baten* are not equivalent; and also refuses to fall into the common habit [in Western academia of the Middle East] of positioning family in a rigidly 'private' space (Valentine 2004; Gallagher 2005). I argue that the conventional pressures of family actually belong in the exoteric *zaher*, as these expectations actually dictate how individuals represent themselves outwardly. Throughout this analysis, I demonstrate that the rhetoric of post-revolutionary

Iran showed how the internal *baten* cultural space could only be "purified through the clear exclusion of external *zaher* elements" (Beeman 1986:10). I then demonstrate how a social crisis emerges from monitored behavior due to the fact that "the Islamic persona formed at home is inconsistent with the one formed by the state" (ibid). Instead identity and self-awareness are more often constructed through such social practices as Islamic rituals, public appearance, religious rules displayed by behavior (Varzi 2006:133). Dutiful Islamic subjects vigilantly regulate public spaces in order to maintain propriety in the *zaher.* Thus, I approach the *baten/zaher* duality in a specifically Iranian context to explain that, in addition to the material and physical body, the civic body has become the location of national and Islamic forms of a project which aims to create rigid normative constructions of sexuality in Iran.

I would like to emphasize that in contrasting articulations by the duality of the 'private-public' discourse, *baten/zaher* are not *physical* spaces, but ideological spaces in which people function under the auspices of social propriety. Participation of one's social consciousness in the *zaher* is not voluntary; the Iranian state-subject inescapably enters into defined dynamics, autonomous of self-will or desire, from which emerge varying economic, legal, behavioral, social, personal, religious and political superstructures. In Adelkhah's (2000) words, this is where Iranians eventually create "a form of modernity that is their own". This version of modernity relies on creation of the perfect Shi'i state subject, dutiful child, Iranian citizen and is framed by Iran's own heteronormative structures of society that are ruled by the principles of *baten/zaher*.[25]

While this dissertation engages the *baten*/*zaher* duality to explain social and personal dynamics in Iranian society, it does not treat people, relationships or behaviors rigidly in terms of exoteric/esoteric. Duality is not a synonym for binary. I realize that the world is not that simple; the duality and interweaving of components—not the binary—dictates behavior. I do not ignore, however, that the nature of social issues in Iran is structured on a binary as a normalization tool. In the complex social system of Iranian culture, "the high value which is put on integrity and sincerity…results in a profound dilemma, for sincerity escapes that effort at virtue in which one practices what one does not feel and thus gets on with life" (Beeman 2007:273). In specific reference to my research participants, the duality and processual nature of *baten/zaher* parallels the English phrase and Western privilege of 'coming out of the closet' in that both inherently involve a movement from the interior, shameful, and private interpretation of sexuality into the outside world of the public. The parallel of 'coming out' which the *zaher* captures—albeit in a Western, cultural way—the complexities and truths of a *baten*/*zaher* relationship and the shame issues inherent in realizing an alternative sexuality. Beeman is a very effective scholar to engage with this material, as he explains that the space of *zaher* serves as, what he calls, a 'buffer' for the fragile world of the *baten*. He goes on to explain that "one may not value the *zaher*, but one must know how to operate in it….by maintaining the external aspects of one's behavior, one can remain out of danger and control the *baten*" (1986:11). The following chapters illustrate the opposite; that 'coming out' in a lived, empowering and active way in Iran does not exist for those with non-heteronormative sexualities; rather the experience is one that comes from being 'outed' and punished by family or institutions. The following chapters acknowledge these forces

of 'outing' the queer individual by family (disown the individual), society (inflict shame on family), state (various means of corporal punishment) and UNHCR institution (forcing 'gay-enough' behavior while cast in a condemning environment). The result of all this outing is to create and perpetuate sexual binaries and maintain principles of honor and shame.

Binary understandings of sexuality are best understood when *baten/zaher* components are translated into family behavior. However, honor and shame become a propelling duality through the social process of categorizing people; practices of language, family, society, discourses of UNHCR and Turkish state all resort to binary—one is either in or out, fixable or not. Rigid binaries in sexual practices and intimacies are enforced throughout modern Iranian society by keeping people quiet about non-normative sexuality in both public and private spaces. The stigmatization of queers in Iranian society emerges from the strength of this *baten/zaher* relationship.

Synopsis of the Chapters

Crucial to this discussion are the varying dimensions of sexuality in Iranian history, addressing specifically the evolutionary process of how queer sexuality has been marginalized, closeted, or criminalized. Thus, I begin with a historical consideration of queer sexuality in Iran, which I trace using sexual behaviors and practices from the pre-modern period to the present Islamic Republic. Chapter One establishes a context for further discussions, as well as a framework for the dissertation by documenting the evolution of [in]tolerances to queer sexuality in Iran from the Qajar period, through the Pahlavis and ends with present-day fundamentalist Iran. Through various players, we see different implementations of gender reform, evolving stigmas and the policing of

sexuality. Chapter Two then looks at the relationship between the queer individual and Iranian society. The root causes and manifestations of the dismissal of the 'queer question' are examined through an exploration into the internal-external Iranian social and cultural space of *baten/zaher*, which, again, I do not treat as binaries, but supplemental dualities weaving in and out of each other. This culminates in a culture thriving on the conventions of outward appearance and stigmatizing unbefitting, or what society considers 'vulgar,' practices, such as non-heteronormative ones.

My work emphasizes similar assertions to those of Talattof (2011), insofar as acknowledging that the impact of silence regarding sexuality impeded modernity in Iran; this is especially clear in his argument that "the reason for the absence of a successful modernization process and a pervasive discourse of modernity in Iran, particularly in the seventies, was that any public and theoretical discussion of modern ideas and philosophies lacked the necessary academic, intellectual, and national debate over the seminal subjects of gender and sexuality" (9). Talattof's work enriches this work as it asserts the ways in which failing to acknowledge gender and sexuality precludes modernization, thereby precluding modernity. Where I part ways with Talattof is in my consistent emphasis that Iranian modernization efforts were not unsuccessful, they just created a very autonomous modernity specific to Iran. Specific versions of Iranian modernity emerged from the failure to acknowledge gender and sexuality, which created structured modernization efforts on heteronormalization. This will be further elucidated in Chapter Two through discussion of constraints of family and society as factors in structures of heteronormalization in Iran's own version of modernity.

Chapter Three raises a host of significant issues about methods by which Iranian *ulama* as well as state apparatuses challenge the closely guarded moral order of society in the *zaher*. Throughout this chapter, I explain how the state enforces convention in the regulated space of *zaher*, while creating inner turmoil in the *baten* of a queer Iranian. This chapter explains how non-heteronormativity becomes an issue for state, society and self in the Islamic Republic of Iran (IRI), where it becomes suspended within the duality of *baten/zaher*—which has, ultimately, led to the omission of the 'queer question'. My argument fleshes out the social, religious and political influence over LGBT Iranians and demonstrates how the Islamic state has sought to bolster its authority through nationalist rhetorics—one of them portraying homosexuality as a 'white disease'[26] — another example of cultural imperialism from the West.[27]

The final chapters of the dissertation present detailed interviews conducted in Turkey with research participants about refugee life. Throughout Chapters Two and Three, the reader will have been exposed to the strife of everyday life in Iran and the battle of *baten/zaher* in the background of the macrocosmic forces of *ulama* and IRI state powers among heteronormative Iranian society. Going from the role of Iranian state subjects in Iran to migrants in Turkey, Chapters Four and Five suggest how life for LGBT Iranians remains difficult, focusing on asylum and refugee life, with the former explaining the Iranians relationship vis-à-vis the UNHCR, and the latter explaining relations with Turkish authorities and society. First, in Chapter Four, I identify the social and psychological issues of particular importance to LGBT asylum applicants and which may act as hindrances to drawing out narratives of self-identity. LGBT Iranians making sexual orientation-based persecution claims are in a constant battle with the UNHCR.

The main focus of this chapter, then, is to demonstrate the elements restraining a proper 'gay' narrative by sexual orientation-based asylum claimants and it shows why their claims have been described as "easy to make and impossible to disprove" (Kagan 211:2003), often leading to the conclusive determination—if erroneous— of 'bogus' or fraudulent asylum claims. The lack of consensus about the factors that determine sexual orientation (Luibheid 2005) has created new, artificial and inorganic standards and behaviors which align with the lawyers' conception of 'queer.' The application may fail if the claimant's demeanor in the asylum interview is not found credible by the adjudicator (UNHCR representative who decides outcome of asylum claims), or if there is lack of sufficient corroborative evidence of the claimant's sexual orientation (Magardie 2003). Turkey forces the refugees out of the secret 'gay-closet' in which they have been seeking refuge within themselves in the Iranian *baten* and throws them out into Turkish public spaces—often leading to devastating circumstances.

In addition to the hardships of asylee life vis-à-vis partner NGOs and organizations—placing the migrant squarely in part of the greater globally mediated system in Turkey, Iranians continue to battle societal and state forces—only now with a change in geography. This is the focus of Chapter Five, which begins by elaborating methods by which authorities in the Republic of Turkey's Ministry of Interior control migrant life by placing restrictions on refugee housing and employment. When compounded with the anti-Iranian and homophobic environs of Turkish society, these factors perpetuate the stifling sense of misery these individuals experienced in Iran. The unpleasantness caused by family and neighborhood bullying is nostalgically missed in a

sense, while the alienation which springs from the seclusion and depression of migrants deters any sense of community for Iranians.

Literature Review

Scholars noted in this dissertation survey the sharply contrasting background of Islamic thought in Iran from the monarchical pre-revolutionary era to the present. Many of the arguments build on Talattof's (2011:6) assertion that "more than a century of struggle for or against modernity has constituted much of the social, political, and cultural history" of Iran. The literature in this research draws on scholarship from a number of fields and theories: feminism, migration studies, deconstruction, diasporic cultural studies, queer theory and Middle Eastern and Iranian women's studies. In addition to academic works and critical theory, I have relied on primary sources through interviews with refugees as well as with a lawyer or adjudicator (one who decides the success of refugee claims) of the United Nations' refugee agency, UNHCR. I actively move back and forth between my primary and secondary sources, constantly tying theory to practice.

Feminism and Subjectivity in Iran

The particular endeavor set out through this collection of scholarly works is to present a background of feminist ideology in relation to discourses in modern Iran. Historically, feminist studies of Iran dealt with ethnocentric sociological discourses on the family, subordination of women or anthropological discourse on kinship—ultimately neglecting political-economic discourses (De Groot 1996; Beck & Nashat 2004). These discussions are blanketed as an assumption of Middle Eastern society or attributed to the

repressive nature of the Islamic Republic/statehood, and fail to position gender in the more theoretical and scholarly discourse of contemporary Iranian studies. While some authors (Shahidian 1996; Mir-Hosseini 1999) observe internal obstacles in Iranian society which contribute to major antagonisms in the social, economic and political sphere related to gender and sexuality, others (Moghissi 1994) observe the ways in which Western outlooks produced and maintained existing institutional and ethical structures and upheld gender relations. The centrality of post-revolutionary religious ideology and its specific attention to gender and sexuality has caused an expansion of themes and variations of feminist thought in Iranian scholarship.

Pahlavi modernization efforts both liberated (e.g. through freedom of press, changes to marriage, divorce and custody laws, education policies) and hindered women (e.g. forced unveiling) (Sedghi 2007; Afary 2009). In both the pre- and post-revolutionary era, ideologies constructed the modern woman, yet held modernity back, as it was never "imported, implemented, or emulated unequivocally or in its entirety" (Talattof 2011:224). Marginalization of non-heteronormative identities continued into the Khomeini regime, which dealt with modernity by redrawing *baten/zaher* boundaries and crafting the unequal construction of gender through *fiqh* based literature and shari'a law (Mir-Hosseini 2004). Gender as a binary has become a template for categories of modern sexuality[28], and this category is a normalization tool, not only creating aberrant/normal constructions of sexuality, but giving the state more fodder to control its subjects (Katz 1995; Butler 1999). In addition to feminist critiques, authors provide a theoretical and empirical analysis of both the nature and magnitude of the modernization processes undertaken by Iran and their impact on Iranian social consciousness.

The Construction of Sexuality

Expressing and sustaining a gay identity is considered Western, by such authors as Massad (2007), as this 'aberrant' sexuality is out of sync with the heteronormative outer culture that has permeated into the modern Muslim world. Shari'a law emerges to maintain the order of things in an Islamic framework of conduct. While unraveling the assemblages of sexuality, nation, and gender, the works in this review illuminate constructions of gender and sexuality categorization as they were happening in a historical framework (Chauncey 1995; Najmabadi 1998:2005). It is important not to ignore binaries, as "we still have to deal with the reality of the existence of many dichotomies that social players have imposed on life in that society" (Talattof 2011:6). The category is a normalization tool, not only creating aberrant/normal constructions of sexuality, but giving the state more fodder to control its subject through binary categorizations of right/wrong, appropriate/lewd etc. Once the hetero/homosexual binary was consolidated in the hegemonic sexual regime of Iranian society, and the dominant/weak players were decided, the aberrant (weak) behavior 'gay' became criminalized (Chauncey 1995).

Gender as a binary has become a template for categories of modern sexuality, first appearing in Iranian history during the Qajar era. At this time in Iran—during European modernization efforts—sexual practices were not considered fixed into lifelong patterns of sexual orientation (Keddie 2007; Najmabadi 2005). From the European standpoint, homosocialism and same-sex sexual practice came to mark Iran as backward. In addition, the current Iranian state does not recognize homosexuality as an identity, but rather as a performance; non-heteronormative behavior demonstrated through same-sex sexual

relations and intimacies are penalized, regardless of how people describe themselves (Zanghellini 2010).

Iran's transsexual population demonstrates how gender, body and subjectivity in the *zaher* interact with state and society. Iran ranks second for occurrences of sex reassignment surgery (SRS), behind Thailand (Tait 2007). State practices are creating transsexuals out of the Iranian queer population—by subsidizing, and ultimately creating circumstances in which people feel compelled to undergo SRS; the other option for the homosexual, should he choose not to undergo surgery, is execution (Eqbali 2004; Harrison 2005; Stack 2005; Barford 2008). The punishments and abuses meted out on the basis of sexual orientation continually increase, which causes individuals to flee Iran. The nexus between the workings of the state system, sovereignty and the regulation and control of target populations elaborated by Cruikshank (2011) is demonstrated in an Iranian context by the IRI's need to 'fix' gendered subjects if the arbitrary and enforced binary between male and female is challenged (Najmabadi 1995; Kimmel 2000).

Migration and the UNHCR

Similar to the debate on sexuality and gender of the Middle East, much of the early literature on international migration has been silent on the issue of sexuality or sexual orientation in the context of a gendered world. Due to the omission of sexuality as a factor within human rights policy or international political discourse, sexual orientation has been continuously bracketed and written out of any instruments adopted by state as well as human rights organizational powers (Saiz 2004). Proving credible persecution has become the most difficult part of the asylum process (Crock, McCallum & Ernst 2011). New fields of power emerge through institutional agencies (Ayata and Yukseker 2005).

While the UNHCR was designed as a mechanism to ensure the awareness of member states' obligations to protect refugees seeking asylum, UNHCR requirements sometimes hinder, rather than assist, the claimant (Loescher 2001; Coffey 2004). Credibility determination is assessed by subjective tools usually used by adjudicators to assist them in their decision-making. Too, the disparity in distinguishing the 'bogus' asylum seeker from the genuine one has created a rift in the asylum process for both claimants and adjudicators (Luibheid 2006). The growing number of asylum seekers fraudulently filing a sexual orientation-based claim in order to legally resettle to the West has disadvantaged LGBT individuals and made 'proving it' much more difficult (Morgan 2006). Focusing on the evolving interplay of the UNHCR and/or the nation-state, I will examine these negotiations through the analytical lens of Foucault's (2009) concepts of discourse, power/biopower and sexuality.

In 1951, in response to large migrations of refugees following World War II, the United Nations and some European nations drafted the 1951 United Nations Convention Relating to the Status of Refugees. They aimed to create a document to which all countries would agree regarding the treatment of the surge of Eastern European refugees entering Europe, as well as a mechanism to ensure the awareness of member states' obligations to protect refugees seeking asylum.[29] The definition of 'refugee' is the same today as it was when the statute was drafted and has been adopted by many countries to determine eligibility. By not specifically citing sexual minorities in the official migration documents (the detrimental results of which are explained in Chapter Four), the U.N. relegates to individual states the power to decide how they will treat their lesbian and gay citizens and to the subjective knowledge of their adjudicators to determine 'authentic'

homosexuals. Several tools are usually used by adjudicators to assist in decision-making, but no consensus exists in the scientific, medical, or social science field about specific factors that determine sexual orientation (LaViolette 1996; Luibheid 2005). Credibility determination is subjective; the outcome of the claim depends on the decision-maker as much as on the claimant and the facts. In some cases, before a migrant's sexuality is an issue with international human rights agencies, it is an even bigger issue for the state. Nation-states have been radically challenged by processes specifically posed by immigration (Levitt & Schiller 2007; Vertovec 2007).

Some literature in this dissertation suggests the way in which the refugee question is bound up with the issue of UNHCR asylum policy and the accommodations to, manipulations of, and deviations from these guidelines by the state. Human rights and refugee issues usually converge at two areas: theoretical and institutional; the former deals with human rights violations as causes of displacement, while the latter is comprised of violations of refugees and asylum seekers' rights. In spite of its characterization as a non-political organization, the UNHCR is shaped by the interest of the local government, while being at their mercy for funding (Loescher 2001; Barbou des Places 2004).

Foucault and the UNHCR

One of the strategies of modern national identity is the transcendence of culturally specific categories. The state is a major actor in the globalization and modernization process as it has created the legal and political infrastructure for many frameworks that offer insight into institutionalized categories, such as those relating to migration (Elyachar 2005). Parts of this dissertation are concerned with the nature of interaction and

cooperation of the UNHCR, the Turkish state and the refugee. The framework of biopower is helpful in understanding the numerous techniques for the subjugation of bodies and the regulation of populations (Foucault 1978). Foucault's explanation of biopower and discourses of power as a convergence of multiple forced relations streaming through the social body as a whole is helpful to scholars thinking about progressive organizing of refugees in modern Turkey.

A primary focus of Foucault's work is in the ways in which human beings are made subjects. For Foucault, the 'subject' is tied to one's own self-consciousness and subordinated to power from outside forces. Foucault emphasizes how these subjects are formed through discourses of knowledge (e.g. psychiatry, government, religion, medicine and biology) which create oppositions between the normal and the abnormal, permitted and punished forms of sex.[30] This dissertation acknowledges the significance of Foucault's theories for the formation of subjects, especially as they relate to Iranian migrants. Conceptualization of categories suits modernization theory; it finds a place to lump populations that interact with global economies. Turkey never attempted to develop migration policies; the restrictive policies of the nation-state are framed by the logic of seeing migrants as threat to national security and territoriality (Icduygu 2000; 2005). For the migrant, the feeling of displacement in the host country may create a profound sense of insecurity, instability and a sharpening awareness of cultural marginality.

Taken together, works by authors noted in the previous paragraphs facilitate an understanding of modern sexualities converging with past cultures. Although my discussion does not make mention of each scholar, these works contribute significantly to

the major arguments, themes and trends of the dissertation to expound upon previous scholarship in the fields of migration, gender and Middle East Studies.

NOTES

[1] Evolution of terms produced the often confused 'asylum seeker' and 'refugee': an asylum seeker is someone who says he or she is a refugee, but whose claim has not yet been definitively evaluated, while a refugee's claim has been accepted by the United Nations and he or she is awaiting placement in a third country. Despite this difference, both make exactly the same moral claim for entrance: allow me to enter, for you if you do not I will be persecuted or placed in life-threatening danger in my homeland.

[2] I was also assisted by a refugee organization in Canada, the Iranian Queer Railroad (IRQR). Arsham Parsi runs this organization which is determined to help LGBT Iranians in migration. Mr. Parsi helped me by offering the names of Iranian queers willing to talk to me in Turkey.

[3] None of the documented interviews in this dissertation are from the summer 2011 conversations (preliminary fieldwork). The interviews in this document are from IRB approved human subjects research during summer 2012.

[4] As of August 2012, the UN's official refugee agency, United Nations High Commissioner for Refugees (UNHCR), reported 2,300 new asylum applications from Iranians in Turkey, with 2,653 already in their system from previous years. The exact estimate of sexual orientation-based asylum claims is unknown, but this research has shown that it has replaced political asylum as the most commonly based claim. See interview with Metin Corabatir, Director of External Relations for the *UNHCR.* UNHCR Headquarters/Country & Liaison Office (hereafter: UNHCR Headquarters), Ankara, Turkey, September 10, 2012 in Chapter Four of this manuscript for further explanation on asylum claims.

[5] Turkey maintains a "geographical limitation" in its immigration policy which states that it is not obligated to apply refugee status to asylees coming from outside of Europe. This restriction emerged in 1980 as a reaction to the large number of Iranians seeking refuge in Turkey after the Islamic Revolution. More details in Chapter Five.

[6] Another popular modern strategy Iranians use is converting to Christianity from Islam. This is more difficult to prove if the asylum seeker has recently converted, which is often the case, frequently claiming that they hadn't discovered Jesus Christ until they fled the Islamically saturated Iranian society. Often this is done to have two claims of persecution instead of one, hence doubling their chances of gaining refugee status and resettlement. It, however, rarely works in the favor of the claimant as it creates suspicion of lack of genuine persecution.

[7] Ilan Pappe applies this comparative analysis to the 'Woman Question' in *The Israeli/Palestine Question* (1999).

[8] This marked a time when women's participation and contributions were recognized in society. Evolution and development of the modern nation-state made the concept of modernity more precise, having it come to be understood as establishing nationally binding legal and social positions for women. See Nashat (1980).

[9] In the absence of categories, however, a group may experience negative repercussions. In Istanbul, for example, Kurds are not recognized as a distinct group, and therefore, their specific problems are not addressed by local politicians and authorities.

[10] Ahmed attests that female subordination emerged in the Middle East notably when transferring rights to women's sexuality from the woman and her tribe to men. This defined marriage as a proprietary male right and Islam positioned women in an inferior position. The marriage rites prepared Middle East societies for future impediments for women: segregated homosocial space and institutions of internal mechanisms of control. Another scholar lively in this debate, Moghissi, focuses on the debate of female subordination in an Iranian context. She attributes the influence of Islamic and Shiite visions of female sexuality and sex-roles in Iranian culture as a key to understanding the acceptance of gender hierarchy. Islamic institutions and legal, political, religious and economic institutions of power have been instrumental in institutionalizing women's subservient status in Iranian society (75). Mir-Hosseini (1999:122) adds that the biological nuance to the debate attributes the inferiority of women to the mechanics of reproduction, motherhood, and bond between mother and child.

[11] During the "Second Congress of Eastern Women" (Tehran, November, 1932) a representative of Iraq proudly declared: And now that I have come to Iran and gathered with learned men and women, I am endlessly pleased that I am among them. I am also eminently satisfied that in Tehran, the imperial capital of Iran, with a great king such as the Pahlavi emperor, I see this awakening in [my] Iranian sisters. I can say that among the women of the countries I have listed, we can place them [the Iranians] in the middle -- we should not exaggerate and say that they are in the highest level [of progress] nor be unfair and say they are in last place (See Amin 2002:195)

[12] Women's strifes in third world societies relate, for the most part, to a low development of material production and the persistence of economic structures that restrict and limit women's access to societal resources.

[13] This dissertation offers data on the emerging and growing topic of queer sexuality and the transgender population in Iran. Many sources going beyond my 19 Iranian informants include the films *Ruz-e-Tavalod*/*The Birthday* (2006), *Be Like Others* (2008) and *Khastegi/Tedium* (2008).

[14] Theories of social memory benefit the project because they advocate how different modes of remembering create a story. On this, Halbwachs' (1992) following observation substantiates that "society from time to time obligates people not just to reproduce previous events of their lives, but also to touch them up, to shorten them, or to complete them; however convinced we are that our memories are exact we give them a prestige that reality did not possess." Indeed, the story is important throughout the asylum process. Resettlement to the West comes only after competent authorities of a state, from which the individual is seeking asylum, grant the person the status of refugee.

[15] The list of Turkish satellite cities currently (2013) includes Afyonkarahisar, Agri, Aksaray, Amasya, Balikesir, Bilecik, Burdur, Cankiri, Corum, Eskisehir, Gaziantep, Hakkari, Hatay, Isparta, Karaman, Kastamonu, Kayseri, Kirikkale, Kirsehir, Konya, Kutahya, Mersin, Nevsehir, Nigde, Sirnak, Tokat, Van and Yozgat. The list of cities is frequently reviewed and altered by the Turkish Ministry of Interior (MOI). The justifications, consequences and policies connected to these cities are explained in further detail in Chapter Four.

[16] Although the IRB approved questionnaire for this research was present during interviews, I did not have participants fill it out, but used it as a roadmap during our conversations. Also, each participant was shown a copy (in Persian) before the interview to offer an idea of the types of questions and tone of our talk.

[17] Transliteration adheres to the Journal *of Iranian Studies* scheme.

[18] Lesbians are invisible in Iranian society, and hence less oppressed and less likely to flee. Beeman (2007) attests that while lesbian sexual relations are practiced, they are "the deepest secret in Iran, and rarely talked about at all". Thus, I do not have interviews with lesbians.

[19] Racist sentiment from Turks may result from the increased number of Iranians entering Turkey. Indeed, in recent years, the distaste towards Iranians has increased. Two factors may explain this: first, the specter of foreign settlers in Turkey has been dominated by Iranians in recent years. As of August 2012, the UN's official refugee agency, United Nations High Commissioner for Refugees (UNHCR) reported 2,300 new asylum applications from Iranians in Turkey, with 2,653 already in their system from previous years. Interview with Metin Corabatir, Director of External Relations for the UNHCR. UNHCR Headquarters, Ankara, Turkey, September 10, 2012. Note: The UN has four offices in Turkey.
Indeed, Turkey has turned into a major immigration transit country due to the Iranian Revolution, political turmoil in the rest of the Middle East, the end of the Cold War, and the three Gulf Wars (Kirisci 2007). Unprepared for the unprecedented mass influxes, Turkey implemented new regulations on asylum seekers in November 1994. Those were entitled 'Asylum Regulation,' which explained the procedures and principles related to mass influx and the foreigners arriving in Turkey or requesting residence permits with the intention of seeking asylum from a third country'. The emphasis was mainly placed on controlling entries into Turkey and limiting access to asylum procedures, and was seen as a way to skirt Geneva Convention (Kirisci 2007).

[20] Foucault (1990:139) suggests that sexuality and gender are variable and do not align with simple polarities.

[21] The attestation of lesbian acts is insufficient to establish that there is a recognized lesbian role or identity in Islamic societies. As one of my interviewees, Siamak, a gay man, noted "You know, for lesbians…it's just easier to keep things a secret. They're invisible. Parents might care. If you want privacy in your romantic relationship then it's difficult. It's usually just a private relationship. And society might frown upon it, but government authorities don't bother. They won't execute lesbians. They might execute them if

they keep doing it." Engaging in lesbian acts is often attributed to a choice women make due to the lack or infrequent availability of male sexual partners. Upon discovering that his wife was having sex with other women, one Muslim man illuminates the discourse on this 'situational' homosexuality, "as long as she frees me from any sexual obligation towards her, let her do what she wants" (Murray 1997:99). For a thorough, relevant and extensive, albeit not recent, study of the treatment of lesbian discourse in academia see Rich (1980).

[22] See Abou-Alsamh (2011) for thorough analysis on lesbians in pre-revolutionary Iran. Although some authentic hadiths condemning male homosexual behavior and Qur'anic verses prohibiting sodomy exist, there are significantly fewer hadiths and very little in the Qur'an prohibiting female homosexuality. A verse interpreted by some Iranian *ulama* to reference lesbian activity reads: "And for those of your women who commit sexual obscenities (*fahisha*) find for them four witnesses, and if they verify then jail them in their homes until they die or until God finds another way for them" (Holy Qur'an 4:15-16). This opaque reading may refer to any debaucherous or lascivious act by women—not necessarily those involving lesbian sex. Indeed, physical acts of female-female sex remain separate from 'Western' notions of lesbian identity (Habib 2007).

Although proving lesbian acts, *musahiqa* (rubbing), is similar to the steps needed to prove homosexual acts between males, the measures, impact and punishment are different: the death penalty will only be enforced after the act has been identified, witnessed and reported four times. In general, Islamic jurists have historically designated a lighter punishment for lesbian sex than homosexual male-sex because, according to them, the absence of penetration renders it less sinful. In fact, the discourse surrounding male homosexual acts is much more visible and prominent compared to the discourse on lesbians in these societies. This is all to demonstrate how physical acts of female-female sex remain separate from 'Western' notions of lesbian identity (Miller, Rosga and Satterthwaite 1995; Murray 1997; Habib 2007).

[23] Though employed in Western contexts, Goffman's (1959) and Blumer's (1986) theories about the symbolism framing social interactions is very helpful to my analysis of the *baten/zaher* duality. The concept that the forces creating society itself is social interaction.

[24] Abu-Lughod (1986) captures the duality of *baten*/*zaher* in her discussion of '*hasham'*. Though in the context of Bedouins in Egypt, she explains that *hasham* is conceptualized as a "voluntary set of behaviors conforming to the 'code of modesty'". She goes on to state that these experiences are linked to "feelings of shyness, embarrassment or shame…and the acts are those of the modesty code, a language of formal self-restraint and effacement" (108). Thus, obviating shame by showing deference in social and family spaces, as described by Abu-Lughod, is a further demonstration of proper behavior in the *zaher*.

[25] The nuclear family and heteronormative sexuality are ideal components of an ideal modern society; it contributes to the discourse of Iranian modernity in that these components are monitored and socialized behaviors. Despite rigid enforcement by state and society of creating the dutiful, heterosexual Iranian, there are nuances of sexuality which thrive in Iranian circles; individuals using sexuality and bodies in a contemporary way within an enforcement-oriented state in modern Iran are emerging in Iranian society. Hetero- and queer sexual practices can take place in the rigid confines of Iranian society and family through secret meetings, clubs, or parties. P. Mahdavi (2009) calls this a 'sexual revolution' that is about "changing what can be said about sex; it is about pushing the limits of restrictions on social behaviors and attacking the fabric of morality under which the regime seeks to govern its citizens." Indeed, her data shows that Iranians maintain the conventions of *zaher* by meeting secretly and engaging in sexual practices. Mahdavi's work challenges what does and does not constitute a revolution. A social revolution is usually embedded within the constructs of class upheaval—a significant societal transformation, which she has failed to demonstrate in her work. Instead, I employ her findings as valuable ethnographic data contributing to the discourse of sexuality in modern Iran among elite, upper class Tehrani youth.

[26] Commonly used in reference to those colonized lands that are infected with illness and decimate native populations; for example, the arrival of European settlers (1520) brought small pox to the Americas. This resulted in the death of 90% of the native population. See PBS (2005).

[27] Visible imprints of the West, specifically the United States, were increasing in public spaces in Tehran seen in such examples as bowling alleys, KFC, Coca-Cola and other instances of cultural domination. Following the 1953 CIA coup, which reinstated Mohammad Reza Shah after overthrowing Prime Minister Mohammad Mossadeq, the United States has symbolized Western imperialism and domination of the Muslim world.

[28] Problematizing the hetero/homosexual binary was first done by Alfred Kinsey (et al) in Western science. The Kinsey scale, also called the Heterosexual-Homosexual Rating Scale, attempts to explain a person's sexual experience or inclination at a given time, seeing sexuality on a continuum, and therefore not representing it as strictly homosexual or heterosexual. When introducing the scale into the world of sexology and behavioral studies, Kinsey et al concluded:

> While emphasizing the continuity of the gradations between exclusively heterosexual and exclusively homosexual histories, it has seemed desirable to develop some sort of classification which could be based on the relative amounts of heterosexual and homosexual experience or response in each history [...] An individual may be assigned a position on this scale, for each period in his life. [...] A seven-point scale comes nearer to showing the many gradations that actually exist (656).

While many sexologists today see the scale as a failure to represent all matters related to sexual identity, this was a landmark introduction to Western science and sexuality discourse. The Kinsey scale introduced sexology as a medical field.

[29] (The 1951 United Nations Convention Relating to the Status of Refugees, Art 1, § A, 189 UNTS 150 (April 22, 1954. (2). United Nations High Commissioner for Refugees (as amended by the 1967 Protocol, Art 1) emphasis added.

[30] Foucault argues that such categories conceal the complexity of human sexuality and are recent historical products; one example he gives is the homosexual.

CHAPTER ONE

PERFORMANCE vs. IDENTITY: PERIODIZATION OF IRANIAN QUEER SEXUALITIES

> **Saman**: This [queer sexuality] is in Iran's history. Have you read any of our old poems? You are acquainted with Sa'di, right? All of his poems, most of them, were about loving men.
> **Farrah**: Yes, but I thought those poems were usually about boys. Like, the men loving young boys…or something like that?
> **Saman**: Look, this doesn't matter. When you read these poems you see that there has always been something like this, what we call' gay' now. They didn't use this word in those times.
> **Farrah**: Yes, they didn't use the word 'gay'. But, sorry, can you really compare that [past] Iran and this one?
> **Saman**: I told you, it doesn't matter. Men were with other men. That's what matters. And nobody minded. They were in love with them. This has always been so. Just read our poetry and you'll see what I mean. If I had any books now I would show you, but I don't.
>
> Saman, Age 29, gay Iranian refugee, Turkey

As between women and youths, do not confine your inclinations to either sex; thus you may find enjoyment from both kinds without either of the two becoming inimical to you…During the summer let your desires incline toward youths, and during the winter toward women.

Amir Onsorol-ma-Ali advises his son Gilan Shah, *Qabus Nameh: 1082*

The concept of sex and sexuality in Iran—and, in fact, the greater Middle East—emerges as a tense combination of taboo and enjoyment. This tension is resolved differently throughout Iranian history. Official views of sexuality in Iran today are concerned with 'conventional/ nonconventional' or proper/lewd sexualities, focusing on what is officially considered appropriate behavior in the *zaher*—exoteric world with conventions and proprieties the citizen must live by. Deep cultural underpinnings of policies and points of view sustained throughout the centuries have led to the binary and heteronormative stance on sexuality of the Islamic regime. Throughout its history, Iran has restructured gender and family dynamics in response to Western influences. In the course of modernization, the state took on the heteronormative

opinions from the West—ironically only to claim non-heteronormativity itself was a Western import.[1] The strict categorical and structured identities of heterosexual-homosexual did not always exist throughout Iranian history, nor were they as enforced as the currently are. An Iranian blogger (Memarian 2009: n.p.) explains that "the lexicon we currently use in Persian to describe erotic events is fundamentally different from the one used up to a century ago. Sexuality in today's Iran is different from the one in old Iran, for we have got modernized, and modernity has fundamentally changed our understanding and experience of sexuality." To track the evolution and development of the change in opinion and language regarding sexuality in Iran, this chapter traces four periods of Iranian sexuality in which heteronormative discourse and action were advocated along a historical axis. My historiography of sexuality begins with medieval Iran,[2] spans through pederasty in the Qajar era, transitioning into formation of modern sexual and gender subjectivities in the Pahlavi era, to finally end up in the current Islamic regime's policing of non-heteronormativity. My historical analysis demonstrates how ambiguous sexualities in premodern and early modern Iranian society were less policed, silenced and stigmatized than they are now because appropriate behavior in the *baten/zaher* is expected in current Iranian society. Understanding key issues in twentieth and twenty-first century Iranian discourses of sexuality, gender, subjectivity, nationalism and modernity necessitates a thorough analysis of the political, cultural and social changes which occurred in Iranian history.

A historical study of sexuality is part of an effort, following recent trends in the studies of queer, gender and the Middle East, to write into history the lives of LGBT refugees who have fled Iran due to persecution on account of their sexual orientation.[3] Iranian history suggests that masculinity and homosexual acts were not always incompatible as they are currently seen to be in the Islamic Republic.[4] Too, this chapter attempts to address the following question: if

documented instances of same-sex sexual acts have taken place throughout Iranian history, why is non-heteronormative identity denied in the late twentieth and twenty-first centuries? My particular analysis of the 'queer question' in Iran draws from the transgressive nature of power in order to show that it is not simply "everywhere and nowhere" (Foucault 1990), but also condensed in societal expectations observed through the spatial duality of *baten/zaher*. In addition to Foucault's argument—that sex and sexuality have been secretly weaving in and out of discourses and forms of knowledge leading to our subjectivity— he also claims that this secrecy is not outside discourse, but runs alongside it, serving as an incitement to the discourse (1999:27). While a discourse on sexuality exists in Iran, it is confined to heteronormative identity structures. The IRI does not recognize homosexual identity, but same-sex acts are punished.[5] Murray's (1997:16) claim that "even frequent and recurring homosexual behavior does not matter in Islamic societies as long as a man continues his family line" addresses expectations of conventionality in the *zaher*. Thus, in tracing the development of sexuality in Iran's sexual historiography through the last 1,200 years, this chapter demonstrates that the Iranian authorities' (IRI and *ulama*/clergy) position toward homosexuality fluctuated in line with their intentions and goals – specifically those related to modernization.

Representations of Queerness in the Literary Tradition of the Medieval and Safavid Periods (10^{th}-16^{th} centuries)

Objects of Affection

Non-normative sexuality in Iran's medieval period is best illustrated through an analysis of the Iranian literature which emerged during the era. An example of literature illustrating Iran's non-heteronormative past can be found in the "Mirror for Princes" genre (*Andarz Nameh*), which is often by fathers for sons, each chapter containing distinct heading relating to the treatment of

both male companions and of wives. In addition to this prose, Iran's history boasts a rich collection of classical poetry—the prestige of which has continued into modern Iranian literary discourses. These poems address many topics, such as nature, wine and love.

The analysis in this chapter, however, explicates a different dimension of the historical canon of poetry: sexual feelings towards a boy[6]— a controversy that exists today as to whether the expressions were exclusively meant to describe boys. Many poets—including such famed ones as Sa'di and Hafiz—celebrated in their work the beauty, love and innocence of young men, while controversy of whether poems in this era addressed boys or females exists because of the absence of gender-specific pronouns in Persian and the fact that the metaphors attributed to the speaker's beloved are often a neutral stock image such as the moon. Sometimes, however, it is quite obviously one or the other, as when Sa'di describes the female "beloved's breast in the ringlet of hair"[7] or employs male-definite Persian terms (*pesar/*boy, *ghulam/*slave, *kudak/*child, *shahid*/beautiful youth) to describe his young-boy lover. Often, when the subject of the poem is specifically male, it is presented as a positive and loving message while betraying negative expressions towards women. We now turn to these abject feelings towards women in poetry.

Women: Nothing Beloved about Them

Often, masculinity or language belonging to 'men' are associated in positive ways, while disparaging remarks about women/wife [*zan*] throughout medieval Iranian literature especially in Sa'di's work is typical of the time and popular literary imagery.[8] His negative opinion of women is often conveyed in an informal way. In a poem encouraging his reader to go beyond this world and reality, Sa'di uses woman as a comparative framework for the mode of conduct that is frivolous and futile: "Verily the life of this world is a game/and games are for children as

adornments and ornaments are/the preoccupation of women".[9] In a poetic verse, Sufi poet Rumi (1207-1273) demonstrates the negative connotations associated with women: "Verily the snare of women is mighty; It brings down the soul from the sky".[10] More often than not, men show contempt for women, illustrating them as cunning, deceitful and not as intelligent as men. Similarly in Jami's fifteenth-century romance *Salaman va Absal*, desire for women is described as debasing for its object is "A thing deficient in reason and faith; /there is nothing so deficient in the whole world.[11]" On this, Firdowsi in his 11th century epic poem *Shahnameh* states that woman's heart is the seat of the devil [*div*] and describes her preoccupation with base and lowly things: "Women do not gain a high name/For they do nothing but eat and sleep".[12] While chastity is the virtue most honorable in a woman (See footnote 7), this chastity is not praised consistently by all the poets; Firdowsi dismisses the sanctity of a woman's virtue in his claim that "A dog is far better than a hundred chaste women."[13] This is to argue that while women were mentioned in the poetry of medieval Iran, they were not consistently praised as the beloved. Women fail to appear in positive positions in some of the poetry of medieval Iran, perhaps due to subordinate gender status in Iran at the time, but more likely because they were not the traditional objects of desire associated with pomp and court life.

Male Love as Muse

Consistent praise, was not lavished on a woman, but more often granted to a boy. The canonized written word of this era was riddled with sexual allusions and similes most often describing a boy as the beloved (Duran 1993). A variety of power dynamics occur between the poet and boy in medieval Iranian poetry. Boys are explicitly treated as the beloved, as when Farrokhi (d. 1038) exclaims "O boy, if you want to gladden my heart / You must give me kisses after serving me" (46) and goes on to state "I love silver-bodied, ruby-lipped children. /

Wherever you see one of them, call me there" (5). Hafiz (d. 1389), who is arguably the most famous of classical Iranian poets, asks, "What choices have I, if I should not fall in love with that child? / Mother Time does not possess a better son" (no. 396). In addition to the relationship between a slave and his master, there also existed the dynamic of the soldier and his superiors. Farrokhi (141) addresses the slave soldier serving in his army: "Put down your weapons boy! Bring me kisses! / All this trouble and strife serves no purpose at all!"[14] This poetry illustrates the homosocial, and in fact pedophiliac, environment of sexual norms in certain periods of Iranian history.

Sa'di opens another love poem by calling out to the beauty of a "heart-robbing boy" who has held him captive. His poetry exemplifies the varying dimensions and instances of man-boy love. Southgate (1984:429) notes that, throughout the canon of Sa'di's poetry, "the love of boys is crude and lustful in the pornographic works, passionate and romantic in the secular lyric poems, and Platonic in the mystical love lyrics". Sexual practices took different forms and the way people re/acted to those forms depended on that individual's social and financial position as well as age and mutual consent. Afary (2009:81) recognizes these behaviors as a 'status-defined homosexuality' in which male same-sex sexual relations were bound by rules of courtship.[15] She illuminates how courtship rituals of pederasty between men and young boys illustrate the role of class in same-sex relations. Persian Sufi poetry—while being consciously erotic and mystical, was also symptomatic of a greater social and economic status was suggested by Sa'di's observation in the "Bustan" that, "a certain class are wont to sit with pleasant boys." The bond between lover and beloved was based on a form of chivalry (*javanmardi*). In Sufism, expressing and acting on love for the beautiful youth (*shahid*) aids the Sufi to purge his love from all sensual elements and to achieve unity with God through annihilation of the self. Sufi men were

encouraged to use homoerotic relations as a pathway to spiritual love (Southgate 1984). Such notions lent legitimacy to pederasty.

Rigid conventionality of sexually appropriate behavior in the *zaher* had yet to manifest in Iranian society. These poems, and ultimately these relations, often entail an asymmetrical love that would be characterized as pedophiliac or pederastic (sex with a pre-teen, not necessarily a young child) by Western standards. Ethnocentric disapproval from Westerners resulted in a strict silence regarding homosexuality. The European scholar in Iran was often "puzzled by the disparity between the orthodox sentiments of religious writings or the refined passion of the mystical poems on the one hand, and the lustful pornographic pieces on sodomy and seduction of boys on the other" (Southgate 1984:415). It was only in the 19th century, when Western morality came to Iran, that elite Iranians under Western influence decided to eliminate traditional practices found distasteful by the West, such as pederasty, in order to provide proof of Iran's civility and modern cultural values. Shame stemming from European criticism of pederasty led to a trend among young elite Iranians to deny homoeroticism "in an effort to present a society that looked and acted more heteroerotic" (Floor 2008:348). Eventually, and as a consequence of these poems, the West connected homosexuality to Iran more than other countries, [16] efforts of the young elite notwithstanding (Skjaervo 2000). Iranians were re-learning discourses of sexuality based on European standards and models, which led to the heteronormative structures of sexuality rampant in the current version of modernity.

Dimensions of Queerness in the Qajar Era (1785-1925)

I begin this section by addressing state-society relations in 18th and 19th century Iran—a period in which, according to Arjomand (1988), the *ulama* (what he calls a hierocracy, or governing by priests/religious authorities) began to challenge the state's role in the political arena. Earlier, the clerical authorities had doctrinally and in practice remained subordinated to the state, though only in matters of political authority and power. In this era of urbanization and industrialization, Qajar regimes were anemic in the face of Western aggression, responding with "complacency and weakness" (Yeganeh 1993:3). Iran's proud people and rich history could not compete with the West's ascendance over the Islamic world during modernization efforts. As a consequence of Iran's contact with European colonialism at the beginning of the 19th century, by 1828 Iran had lost almost half of its land to Tsarist Russia.[17] Additionally, the British Empire's influence over the Iranian royal court—gained through bribery and coercion— grew exponentially during this time. As a consequence of this domination of foreign power and land loss, Iranian elites confronted a punishing situation as their confidence and spirits diminished. This was fueled by the many European-educated Iranian intellectuals who claimed that the values, practices and behaviors of traditional Iranian society failed to offer a viable way of not thriving, just surviving in the quickly modernizing and urbanizing world.[18]

Although many Middle Eastern societies are homosocial, male bonding and affection increases the fear of bringing down the entire system of the normative masculinity of modernity and the much older Islamically grounded tradition of compulsory heterosexual family structures.[19] The West brought new forms of masculinity that served to regulate what elite Iranian culture considered the norm. Colonial powers had the capability of robbing or restoring masculinity through stigmatization of non-heteronormativity. Western standards began to define

masculinazation, which relied on strict definitions of heteronormativity. A hetero/homosexual binary was consolidated in the hegemonic sexual regime of society (Chauncey 1995); the dominant/weak players were decided and the weak (queer) were stigmatized. Fuss (1991:2) explains that "heterosexuality secures its self-identity….by protecting itself from what it sees as the continual predatory encroachments of its contaminated other, 'homosexuality'". Regulated and stigmatized sexualities demonstrate how sexual politics develop between the individual and his/her social environment, as heteronormalization became a major component to achieving modernity (Najmabadi 2005). Power dynamics drove categories of sexuality and acted as a corrective force in identity construction.

Western observations and judgments emasculated and re-masculated men; the forces of neocolonial modernity and "the remasculinization permitted by nationalist and fundamentalist political movements streamed through this era" (Moallem 2005:24). Exposure to heteronormativity at the peak of Western power (and a corresponding sense of Iranian and Muslim weakness) helped delegitimize same-sex desire—linking queerness to national weakness.[20] Iran's sexual sensibilities regarding non-heteronormative practices became "recoded as unnatural" (Najmabadi 2008:283).

Queer intimacies emerged in the classical period and continued in the courts among elite men and women. Persia's ruler from 1848 to 1896, Naser al-Din Shah, in addition to his wives and harem, had a young-boy as a lover, Malijak. This young boy recalled proudly in his memoirs, "the king's love for me reached the point where it is impossible for me to write about it... [He] held me in his arms and kissed me as if he were kissing one of his great beloveds." Qajar Iran was a period in which "an age- and role-differentiated, 'pederastic' pattern of adult/active-adolescent/passive homoerotic relationships seems to have prevailed" (Rowson

2008:209). Afary (as quoted in Ireland 2009: n.p.) notes other dimensions of non-sexual relations between boys and men:

> homosexuality and homoerotic expressions were embraced in numerous other public spaces beyond the royal court, from monasteries and seminaries to taverns, military camps, gymnasiums, bathhouses, and coffeehouses... Until the mid-seventeenth century, male houses of prostitution (*amrad-khaneh*) [21] were recognized, tax-paying establishments…male homoerotic relations in Iran were bound by rules of courtship such as the bestowal of presents, the teaching of literary texts, bodybuilding and military training, mentorship, and the development of social contacts that would help the junior partner's career. Sometimes men exchanged vows, known as brotherhood *sigheh*s [a form of contractual temporary marriage, lasting from a few hours to 99 years, most common among heterosexuals] with homosocial or homosexual overtones.[22]

Thus, the binding part of the dynamic between boys and men was not always sexual; relations, intimacies and relationships went beyond the sexual dynamic and often involved placing certain responsibilities on the man with regard to the future of the boy (Ireland 2009). Camaraderie should not be dismissed in these dynamics.

In the greater scheme of court society, non-heterosexual practices were not stigmatized because the "recording of sexual inclination does not record some innate homo- or heterosexuality, as all men are assumed to be sexually inclined to both women and *amrad*s" (ephebes/young men of 18-20 undergoing military training) (Najmabadi 2005:276). According to memoirs and biographical histories of the era, a man's sexual inclinations may have been recorded in many ways: within a binary (sexual interest in either man/woman), with both (interest in men and women), or without one (interest in neither men nor women) (Najmabadi 2008). Vaginal intercourse with one's wife was intended to accomplish procreative obligations, while "other sexual acts were linked to power, gender, age, class and rank" (Najmabadi 2005). If men fulfilled their procreative duty, the rest of their sex life wasn't a concern to society.[23]

Court activities (including sexual ones) were observed and later transmitted through the eyes of Westerners; one British travelogue, *Under Persian Skies*, comes to the conclusion that "it is the beauty and daintiness of boys and not women that interests men a lot" (Norden 1928). Excerpts and notes in such texts documented what seemed different or strange to Europeans, which consequently functioned to affirm and even intensify the perceived dichotomy between the Iranian self and the other.[24] Thus, while same-sex sexual encounters from the medieval period continued into this era, binary and heteronormative categories of modern sexuality slowly began to appear in elite society, as Iranians began to contemplate their own sexual culture reflexively (Najmabadi 2005; Ze'evi 2006). The Iranian individual's cognizance of the obscenity or vulgarity of queer practices slowly took shape; eventually, the perceived shame surrounding these acts created an expectation of heteronormativity in public places and gave way to propriety in the *zaher*. Exposure to the West and the distaste for non-heteronormative/age appropriate sexual practices framed social conventions in the *zaher* of Qajar society, which unleashed the distaste for anything outside of newly-defined conventions in Iran. These behaviors continued into Pahlavi Iran.[25]

Pederasty was practiced consistently throughout the medieval and Qajar eras, as documented in the era's poetry, travelogues, and newspaper publications. The overtly anti-queer agenda, resulting from Western contacts, roused a political and national discourse of homophobia and an emphasis on heteronormativity. Through the newspaper's conflation of homosexuals with pederasty and by playing on society's nascent yet tacit contempt for homosexuals, heteronormative reality permeated through society and began the journey that would lead to the stigmatization, codification and legalization of same-sex sexual relations in Iran. Emerging from this and other interactions of a newly developing nationalism and sexuality,

homoerotic practices came to mark Iran as backward, leading to the consolidation of the hetero/homosexual binary. Different types of legally sanctioned hetero-intimate relationships emerged; the heterosexual companionate relationship between man and woman was championed by Iranian elites as 'normal'. Qajar legal developments, however, saw that "newly established citywide police were only marginally interested in sex crimes" and more concerned with abductions of women and children (Najmabadi 2008:283). While 'aberrant' sexuality was not yet criminalized, practices and behaviors regarding sexuality in this era led to what is now the marginalization and stigmatization of queer acts.

Negotiations of Queerness in the Pahlavi Era (1925-1979)

Reza Shah's overthrow of the Qajar monarchy and establishment of the Pahlavi dynasty ushered in a new wave of reforms and modernization. In this booming era of modernity, specific acts which seemed 'modern' by Western standards were changing in definition. Iran's slow development into a modernized state (no longer hindered by tradition, dogma or superstition) was achieved through Ataturk-style government policies of autocratic and enforced westernization that had proven successful in neighboring Turkey (Keddie 2002). From the expansion of radio, television, and print media emerged discussion betraying contempt for pederasty. As a result of the anti-queer sentiment and leading to the structures of heteronormative society, same-sex intimacy was erased from textbooks and, in some instances, new editions of classical poetry. Afary (2009) notes that classical poems were now illustrated by miniature paintings celebrating heterosexual, rather than homosexual, love and students were led to believe that the love-object was always a woman, even when the text directly contradicted that assumption.

The form of power regulating modern sexualities operates in positive rather than negative ways; it works by normalization (normal/abnormal) rather than through law or repression (licit/illicit).[26] The 'queer question' has been written out of discourses on sexuality in order to maintain the norm of heterosexuality. This norm valorizes the nuclear family, dismisses queer identity, and enforces nationalist values in the *zaher*. These values serve to marginalize anyone outside of *zaher* conventions of heteronormativity. Encouraging compulsory heterosexuality was a way of enforcing heteronormative societal structures. Efforts included those of politicians and intellectuals who insisted that "true patriotism required switching one's sexual orientation from boys to women" (Afary quoted from Ireland 2009). Famous historian and journalist, Ahmad Kasravi, preached that "homosexuality was a measure of cultural backwardness," that Sufi poets of homoeroticism led "parasitic" lives, and that their queer poetry "was dangerous and had to be eliminated" (quoted from Ireland 2009). This new heteronormative space was predicated on the total erasure of the homoerotic past. Modernization advocates were afforded an opportunity to achieve their goals that included attempts to outlaw homosexuality entirely and an assault on classical Persian poetry. Banning the literary word is a successful censorship tactic that has continued into the Islamic regime, which made obsolete the literary and cultural heritage in social memory of what Afary terms "the ethics of male love" in the classical Persian period. The authoritarian policies, reforms, and regulations of Reza Shah "advanced the hetero-sexualization of the public space as gender and sexuality came under the purview of government, rather than religious, regulation" (Korycki and Nasirzadeh 2012:8). The prevalence of homoeroticism and non-heteronormative practices diminished in public spaces, making way for its shameful space in the *baten* of the Iranian queer.[27]

Mohammad Reza Shah succeeded his father and assumed the throne in 1941; during his rule, he carried out his own reforms, hoping to further Westernize Iranian society. Gender relations throughout Iranian society were transformed by his 1961 White Revolution, as a result of which women were given suffrage, family planning, legal abortion, free contraceptives and universal education (Beck & Nashat 2004). The most prominent of Mohammad Shah's efforts occurred in 1975 with the amendment of the 1967 Family Protection Act; this series of reforms gave women right to divorce, a voice in the possibility of her husband's polygamous intentions, family courts authority over religious authorities in custody decisions, and, with exceptions in rural areas, raised the legal marrying age to 18 for women and 20 for men. Iranian society, based on a Western model of modernization, was successfully breaking the shackles of the traditions and dogmas of its past.[28] Ironically, the same Western influences creating shame in those who engaged in same-sex sexual acts, were now creating a space to indulge in them. New heterosexuality in public spaces pushes homosexuality into the underground, showing the dark side of a sexual emancipation going on in the heterosexual world in this period.[29]

Although *overt* homophobic sentiment is not found in these policies, when taken with the discourse streaming through modern society and the demarcations of propriety developing in the *zaher*, these reforms contributed to a re-conceptualized public and private sociability. Society took on the attitudes of a modern policed Pahlavi surveillance state, plus Islamic clerical pressures. While the sentiment towards queers during this era may appear tolerant (because homosexual acts were not criminalized), 1960s-70s Pahlavi Iran continued to shame queer acts in the *zaher* as well as in public spaces.[30] Discourses of sexuality in Pahlavi Iran—assumed to be 'Western' or 'modern'— are stigmatized with heterosexuality weaving into discourses of nationalist normalcy and heteronormative family structures.

Despite the Shah's policies aimed at creating a Western and modern heteronormative Iran, cleansed of its past of queer acts and poetry lauding the beauty of boys, open displays of homosexuality were increasing; people with same-sex sexual desires congregated in places such as cinemas, bars and discos in Tehran (Afary 2009:160). The interactions and resistances with the West which continued to develop Iran's own version of modernity were riddled with inconsistent policies. Continuation of old practices show how society emerged in what Talattof (2011:224) calls 'segments of modernity or westernization' and throughout these efforts, "the process of modernization began to deviate and indeed deteriorate in Iran even as it began, because, among other reasons, it did not belong to a historical exigency, economic stipulation, and grassroots movement". The next section elaborates on this point in relation to the Islamic Republic.

Queerness and Punishment in the Islamic Republic of Iran (1979-present)

While many of the accusations leveled against the [deposed shah of Iran, and his] Pahlavi family stemmed from political and economic grievances, the public's anger and dissatisfaction was frequently aimed at the 'immoral' and corrupt lifestyle symptomatic, so they thought, of influences of foreign imperialism.[31] Thus, after months of a violent revolution in Tehran between anti-Pahlavi citizens advocating an end to the monarchical regime of Mohammad Reza Shah and the shah's military, on February 11, 1979 Ayatollah Khomeini returned to Iran to exercise political power over the country. This Islamic Revolution was unique in that it tried to enact modernity and revamp society through Shi'i Islamic rituals, ideologies and practices, resulting, as I have argued, in its own Iranian version of modernity and a hierocratic system of governance.[32]

Mainstream and conservative discourses of Judaism, Christianity, and Islam—the world's major monotheistic religions—betray contempt for homosexuality,[33] Shi'ism (as a particular manifestation of Islam and the religious superstructure framing law in Iran) takes it further to codify and systematize social values and practices of heteronormativity. Through this process, the omission or subordination of a queer identity emerges as an unquestionable factor in Iranian state discourses of power. Clerics of the Islamic faith justify distaste for homosexual or non-heteronormative behavior through the Qur'anic scripture that condemns sodomy [*liwat*].[34] To this day, the Iranian clergy attempt to substantiate the sinfulness and unnaturalness of homosexuality through Qur'anic references, especially the Story of Lot (Jamal 2001:64).[35] In addition to the Iranian clerics' Qur'anic interpretations, many *hadith*s (sayings of the Prophet Mohammad) focus on punishing same-sex acts and have become "the obsession of jurists and set the denunciatory tone for the modern treatment of gays, lesbians, and transsexualed persons" (Cornell 2007:150). According to the understanding of most Shi'i jurists and exegetes, verses from the Story of Lot specifically refer to the act of anal intercourse between males; thus, if shari'a law condemns homosexuality, so does the IRI. Muslim morality weaves through the legal discourse of the policed state of Iran to ensure propriety. The next section discusses the power of discourse over the body in modern Iran and how legal and social opinions on these positions marginalize non-heteronormative sexualities.

It is not the existence of same-sex sexual relations that is new in Iran (otherwise they would not be criminalized), but the association of these acts with a queer identity. During an interview at Columbia University, Iran's fundamentalist Muslim ex-president Mahmoud Ahmadinejad demonstrated this when he proclaimed—in reference to homosexuality—that "in Iran we do not have this phenomenon. I don't know who has said that".[36] Aram, an Iranian

refugee in Turkey—in what became a very heated and passionate statement—explains the disconnect in former President Ahmadinejad's statement to IRI law:

> Thanks to Mr. Ahmadinejad…for all of this [waves arms around room and points out other refugees]. If there are no gays in Iran, like he says, then why is there a separate filing system for gay crimes? Why did he even feel the need to say that? I'll decide all of that on my own. He should stop speaking for people. So he says there are no gays. That's what he believes. Or what he says. But what he openly says is that there are people who commit sexual deviations, and that those individuals should be eliminated. That it's a disease and needs to be cured.

Indeed, explicit references and/or omissions of 'naming' sexuality or identities largely depend on whether queer sexuality is employed as an identifiable category of relationships. Without it, the categories and ultimately the identity remain obsolete in sexuality discourse. Kamano and Khor (1996:131) elaborate that,

> Naming, regardless of its evaluative content, denotes that same-sex sexual/intimate relationships exist, that they are "real" or potentially plausible. Not naming same-sex sexual/intimate relationships reduces the threat posed by such relationships by silencing them and denying their existence. The significance of silencing as a means of erasing from "reality" the existence of elements threatening to mainstream society cannot be overestimated.

Thus, while his denial of homosexual conduct or identity pervades Muslim societies, and although Ahmadinejad's highly contested statement has been put under scrutiny to the point where it offers comedic value,[37] the former president actually conveyed some truth that day. Iran does not have homosexuals in *the same way* that the West does. As Beeman (2007) explains, the construction of sexuality differs between cultures", and the categorization of 'gay' is "an artifact of American culture, which glories in binary categories for classifying people".

Massad (2009) presents a dominant academic view from outside the picture of Iranian studies (yet still relevant), impinging on the debate of categorizations of sexuality. The Middle

East and the developing world in general are not unique in this respect; modern constructs of sexual identity are changing cultures and cultural outlooks around the world. This exposure to different ideas is beginning to influence people's views; as Western conceptions of sexual identity have filtered in, the traditional Iranian view of sexual behavior, as distinct from sexual identity, has prompted reconsideration. Indeed, the absence of a discourse regarding sexuality "did not translate into a movement for modernity and enlightenment, and it spurred no national dialogue, no greater discourse about woman's overarching sexual and individual sexual freedom" (Talattof 2011:81). Massad maintains that Western Orientalists (or as he calls them "the Gay International") have incited discourse about homosexuals where none existed before in the Arab world. Consequently, some individuals in the Middle East now identify with a non-heteronormative sexuality (e.g. 'gay' 'lesbian'). This identification, he asserts, is not a sign of progress or natural development in human rights and queer discourse. Rather, it is the imposition of Western modes of modernization busy heterosexualizing a world "being forced to be fixed by a Western binary" (Massad 2007:188). Categorizations of sexuality, argues Massad, force individuals into culturally and politically approved compartments of identity which "produces homosexuals, as well as gays and lesbians, where they do not exist". Identifying as gay becomes invested with international political meaning.

The brief history of sexuality in Iran presented thus far has suggested how modernity is a gendered construct and different discourses of sexualities offer a wider range of attitudes and practices towards sexuality that can be integral to modernity. This section elaborates upon the Islamic regime's own version of sexual morality. Indeed, expectations of behavior in the *zaher* have historically regulated Iranian social practices. Modern Iranian sexualities are now policed in private spaces (e.g. the home), as enforced official convention and post-revolution interpretations

of morality have made even the home a place with rigid punishments. Homophobia runs rampant throughout spaces of *zaher* and collaborates with heterosexism[38] to ultimately create a heteronormative society. The classification of individuals engaging in same-sex sexual activity in Iran is a different phenomenon than in the West because of the pressures in the *zaher*, as well as a distinctly different cultural and historical trajectory. In Iran, sexuality has come to be seen as an object of management wherein Iranians face social and governmental retaliation for same-sex sexual acts. Governmental powers enforce normative behavior onto the Iranian collective social body, making it a political field—one which the government can territorialize and control.[39] Persecution of homosexual activity becomes an important place for power practices and provisions for homosexual acts by both men and women, as stated in the Islamic Punishment Act,[40] fully reveal the judiciary's repugnance and hostility to homosexuality.[41] These punishments serve to control deviations of heteronormative behavior expected by the state; most of these crimes result in either a lashing or execution for homosexual relations (UNHCR 2008: n.p.). The 'feminized' [sodomized] partner in homosexual acts receives harsher punishment; while being a 'bottom' has always been shameful, IRI state surveillance has grown much more severe for private acts in the private sphere with gradations of what are considered non-heteronormative sexual practices based on traditional, social and religious norms.

Criminalization of sexual acts reveals how the relationship between sexuality and the Islamic state changed compared to the eras before it.[42] While the rationale which assumes and enforces heterosexual behavior comes from fiqh-based literature (Islamic jurisprudence) (Moghissi 1997), sodomy is *not* among the crimes specified in the Qur'an; therefore, the penalties assigned for it are based on clerical deductions (Whitaker 2006), giving the *ulama* the power to decide the fate of individuals.[43] This further enforces the state's own subjective reality,

showing how "each form of government enacts the laws with a view to its own advantage" (Koch 102). The Islamic Republic's distaste for homosexuality and adultery created strong measures of punishment under social anti-corruption policies in order to protect the family.[44] Attempts to eliminate queers include temporary marriage [*sigheh*] as a "preventative measure against homosexuality, fornication and adultery" (S. Mahdavi 1983:22). The IRI's government metes out harsh penalties for acts of sexual deviation (e.g. adultery, rape and queer sexual activity) including exile, scalping the head, stoning, flogging and execution.

Non-heteronormative practices still exist; they are performed in private as there is no open queer culture in Iran. Beeman explained that, "there has been a recent phenomenon of Western-style 'gay culture' emerging in Iran – replete with gay bars, clubs and house parties – but this is very new, largely limited to the upper classes, and likely not known to President Ahmadinejad" (Beeman 2007). The International humanitarian organization, Human Rights Watch (2005), claims that Iran is merciless towards homosexuals: "With their persecution and harassment of gay men, the Iranian government corrupts the standards of international human rights". State discourse finds homosexuality a perverse deviation from sexual and gendered norms that is intolerable to the judicial and religious institutions of the Islamic Republic because it violates what the state claims to be divinely ordained nature. Kusha (2002:142) elaborates:

> Sex-related crimes are of special interest [in Iran] because the Islamic criminal justice system's arrest and punishment mechanisms are thoroughly geared toward controlling and suppressing sexuality, a process that has been proven criminogenic insofar as the social reaction to the suppression of sexuality is concerned.

Indeed, official expectations from state powers and the *ulama* of living in the rigid space of the *zaher* govern the nature of lives of Iranians in Iran. Queer Iranians in Iran live in a space of shame and are constantly harassed with no solution but to hide non-heteronormativity from

family and society. The IRI's alternative to the most severe punishments (lashings/execution) is through state-subsidized SRS—turning the country's queer men into transsexual women (discussed in Chapter Three) in an effort to argue that these queer men are in fact heterosexual women who were born into the wrong body.[45] This surgery [is meant to] creates an atmosphere that allows people movement throughout and within society and family structures in order to represent themselves in [heteronormative] altered bodies.[46]

Islamic frameworks helped hold Iranian culture together; in the midst of modernization efforts, *ulama* and state powers[47] redefined masculinity and gender norms in an increasingly heteronormative (heterosexuality as the norm) fashion, resulting in the marginalization/disregard of the IRI's queer population. Heteronormalized sexuality pervaded Iranian society while the peripheralization and stigmatization of Iranian queers was exacerbated in the Islamic era.[48]

Foucault, the Romantic Revolutionary[49]

Shi'ism helped maintain a degree of cultural continuity and the Islamists advantageously used this safe component of the religion to suggest its viability as a means of legislation and as a weapon to fight against western domination. Indeed, Islamists modernized the old religious narratives by connecting them to leftist themes, thus making them more palatable to students and intellectuals. In a Hegelian framework, the Islamic system becomes more successful once the new disciplinary power is enforced by the individual subject who has internalized it. This symbiotic relationship was idealized by Foucault once the revolution began (Afary & Anderson 2005). He, as well as other Western philosophers and intellectuals (Tajik 1999), saw the

transformative possibilities of the Islamist movement both as an irreducible form of resistance to western hegemony and a system of government.

While surprising that the post-structuralist philosopher and critic of modernity supported the Islamist radical movement, it is important to note that, he, like many who idealized the revolution, was unaware of the fundamentalist and totalitarian repercussions. Some people in the 1980s saw the 1979 Iranian Revolution as resistance by stigmatized, marginalized people and hoped that there would be a way to create new power structures and alternative ways of being. The romanticization and limited view of the revolution was a common tendency among advocates for political, governmental and ideological change. In a way, Pahlavi Iran was representative of the policed state Foucault fought against and the 1979 revolution was the first vehicle by which he could exert such efforts in eliminating it. He thought that post-revolutionary Iran had potential to be the total remake of society, free of western thought. Foucault characterized the Islamist movement as an exclusive form of resistance to western hegemony and European form of modernity. In the immediate aftermath of the revolution, he drew parallels between supporters of the Iranian Revolution and other stigmatized groups, making way for what he called a “regime of truth” (Afary 2009:265).

Forms of restrictive state power re-imagined the citizen’s "body" as subject both to power and knowledge through institutions of normalization. Ironically, this was even worse in the Islamic and hierocratic IRI, the formation of which Foucault supported. He often overlooked the modern elements of Islamic discourse in Iran, and simplified the complexity of the Islamic movement. Foucault was blinded by the initial multi-national and widespread discourse of the Islamic Revolution, seeing revolutionary practices of self-sacrifice and small-group agency as commendable methods of resisting the dead weight of modernity. Foucault's zeal for the

revolution's Islamist anti-modernism campaign coupled with a unilateral grasp of the cultures and traditions presumed to exist outside of modernity and led to his blind and naïve support of the revolution. Afary and Anderson (2005) note that major oversights by Foucault include misogynistic and elitist ramifications of male-male patronage, homosexual relations, and homosocial hierarchies…all the more surprising "given the political agenda of Khomeinism, with its intolerance toward minority religions and ethnicities, its hostility toward 'atheistic' leftists and secularists, and its dismissal of women's rights" (55). His perceptions of the workings and effects of power in resisting oppression were idealist and romanticized, yet he refused to condemn the Islamic revolution or retract his support of it even when things began to go awry in the early 80s, before Islamic discourse truly demonstrated its detrimental effects.

The Power of Positions

I have so far addressed the historiography of queer/non-heteronormative sexual intimacies throughout Iranian history, starting with the medieval pre-Islamic era. I have attempted to demonstrate that historically, queer sexual relations were power based. As consistently stated in this chapter, same-sex sexual acts were not an issue of two consenting male adults engaging in erotic acts, but a boy and a powerful grown man. The stigma of these acts was not defined by the gendered sexual objects of desire, but by positionality in the sexual relationship in particular. While sexual positioning demarcates the passive/active participant, on a more ideological level, it determines the weak/strong and the powerless/powerful. The body, and how it is used, become a performance of power—constituting one as a 'subject' in terms of sex (Foucault 1990).[50] In this sense, state apparatuses and societal opinion determine "the way in which the conduct of individuals or of groups might be 'directed'" (Foucault 1982:221).

The power dynamics in sexuality are based on the *baten/zaher* duality, namely, that "despite the commonly held view of Muslim societies as puritanical, they can be more tolerant of status defined homosexuality provided the relationship is not flaunted" (Afary and Anderson 160:2005). These relationships take different forms based on sexual positioning of the body—specifically, whether the man is being penetrated or penetrating. The different sexual positions have historically and socially been determined as *more* wrong or *less* wrong (the punishment for receiving penetration is far stricter, involving more lashings). Beeman (2007: n.p.) elaborates on sexual positioning of the body in queer sexual acts between men:

> The active vs. passive same-sex preference is well known in the Western world, but it is constructed quite differently in Iran and other Arab and Mediterranean cultures. Active partners in Iran do not consider themselves to be "homosexual." Indeed, it is a kind of macho boast in some circles that one has been an active partner with another male. Passive partners are denigrated because they have been deflowered, as it were, in the same way that women might lose their virginity, and they are considered to be "*xarob*" or "destroyed."

The repugnance for *being* sodomized has been stronger in Iranian society because it stigmatizes men by giving them a less manly role in the sexual experience.[51] This attitude existed long before establishment of the repressive Islamic Republic. Nineteenth century Shaykhi leader, Zayn al-'Abidin Khan Kirmani, specifies his renouncement of sodomy in saying that in addition to engaging in the act in the first place, "to be a *mukhannas* or a *mu'bun* [an adult male who desires/permits himself to be anally penetrated] is worse". This analysis of sexuality in Iranian historiography facilitates the explanation of disciplinary powers that have produced subjugated bodies amidst an environment saturated in regulation of behaviors and practices.

CONCLUSIONS

State, religious, or secular ideologies emerge from this chapter's discussion of Iranian history as entities that have taken on the task of creating modern notions of sexuality. The sharply contrasting background of spaces of sexuality in Iran, from the monarchical pre-revolutionary era to the present, illustrates that modernization in Iran is defined by traditional (Islamic, backwards) or modern (Western-secular, progressive) terms. This either/or and universalist classification is limiting and ineffective for explaining the various layers, processes, and phases of modernization and developments of sexuality (Mirsepassi 2000; Arjomand 2002). Iran has tolerated many different spaces of queerness throughout its history, demonstrated through sexual activities and lifestyles which did not fit into the hetero/homosexual binary. This undefined space of queerness continued throughout Iranian history. Modernity and Western sexual attitudes brought less tolerance for same-sex acts, causing turmoil in the inner space of *baten*. Today, socially understood non-heteronormative forms of sexuality have become criminalized. Iran went from tolerating dimensions of queerness to enforcing a strict black and white schema—hetero or criminal.[52]

The development or acknowledgment of a discourse of sexuality does more than provide a space in which to examine the effects and history of *baten/zaher* on Iranian society. Rather, or in addition to this insight, the development of heteronormative discourse has outlined the guidelines and boundaries of sexual morality and obviated asking the 'queer question'. Heteronormative morality has been historically maintained by the strict principles of *baten/zaher* in a nationalist rhetoric which was "not concerned solely with the visual markers of difference, but with the relationship between visible characteristics and invisible properties, outer form and inner essence" (Stoler 1995:8). Behavioral expectations of the proper Iranian citizen include self-

control, self-discipline and civility, which, for the purposes of this analysis, are all demonstrated through heteronormativity. The new sense of Islamic modernity redrew public-private boundaries and reinforced gender norms where "women remain women, men remain men" (Afary 2009:321). The socio-historical process of these efforts involved a new collective identity vis-à-vis the West in that Iran no longer aims to emulate it, but rather competes with the West in Iran and the Muslim world (Varzi 2006).

Recent constructions of LGBT sexuality differ from traditional same-sex sexual practices in Iran. Weaving their way through Iranian history, non-heteronormative sexualities are seen by instances of men writing erotic poetry to boys, bourgeois pretentions of the Qajar period, the supposedly modernizing developments of the Pahlavi period, to the even more restrictive superstructures of the Islamic Republic. Post-revolutionary Iranian government and its supporters did not see the advance of their nation as caused by a Western-defined modernity, but rather attributed it to modern Islamic forms of organization, sociality, economics, politics and sexual desires. Like other regimes of power, the IRI government enforces "individual disciplines and social regulation in new and strategic ways" (Stoler 1995: x). The 'new' self that emerged, and continues to emerge, in critical and reflexive contexts, is one that is situated and referenced in relation to others (Hoffman 1989:33). The 'queer question', which brings to light the invisibility of non-heteronormative identities, demonstrates state and *ulama*'s refusal to acknowledge this existence—which has a clear presence in Iranian history. How has the failure to figure queers into the discourse on modern sexuality affected LGBT individuals, society, the family unit or state practice? And what are the consequences of this omission in Iranian society? The next chapter begins at a place where Siamak, a gay research participant in Turkey, began his narrative: societal and family pressures in the overwhelmingly confined space of the *zaher*.

Using the English word ‘gay’ to reference a social identity (not translated from a Persian word), he explains,

> In Iran, you know, we faced three issues: the first was with family. Nobody was ready to support us and tell society “my son is gay”. They don’t know ‘gay’…this word or this life. The second is society. With their staring and mocking and they really pester us. The other is with authorities. That…well, that is a very complicated issue.

NOTES

[1] See Ahmadinejad quotation, endnote 31 of this chapter.
[2] Iran was known as ‘Persia’ until 1935, when the name was officially changed by Reza Shah, the first of the two Pahlavi monarchs. A term which originates from its root *Aryan*, ‘Iran,’ was preferred by the Shah as it stressed the country’s origins. I will predominantly be using ‘Iran’ even when discussing pre-1935 Persia, as is done by Keddie (1999).
[3] While no statutory definition of "persecution" exists, immigration courts have determined the term’s legal meaning: well-founded fear of persecution either by government or individuals whom the government is unable or unwilling to control and must be shown to have occurred *on account of* the applicant’s claim (race, religion, etc) (Freedman 2007). The fuzzy nature of the definition of persecution and membership in a particular group has meant a reliance on progressive reading into existing human rights provisions, typically the right to privacy and/or rights to physical integrity (freedom from torture and the right to life). The Ninth Circuit reiterated that either a victim's past persecution or a well-founded fear of future persecution may provide eligibility for a grant of asylum.
[4] Modern Iran sees a range of nuanced *homosocial* behavior.
[5] Throughout history homosexuals have been targeted, criminalized and punished. Goodman elaborates in the case of homosexuals as targets of Nazi brutality during WWII:

> The verbal denigration of homosexuals, their stigmatization, imprisonment, and finally, forced 'cures' for their alleged medical condition—in all these respects the Nazis merely continued and intensified what had long been general practice and what, in various forms, still continues in many societies, including our own.

[6] The practice of pederasty in literature or in the courts was not exclusive to the Iranian court culture. See O’Hanlon (1999). There seem to have been young as well as older men in Delhi and other north Indian courts who betrayed more characteristic and unique homoerotic styles.
[7] Kulliyyat, p. 620.
[8] Despite the low regard for women indicated in his poetry, Sa'di is compassionate towards widows, old women, and mothers:

> The well-beloved mother's lap and bosom
> Are paradise, her breasts a stream of milk therein;
> A lofty tree she is, life nourishing,
> The child a delicate fruit upon it;
> Are not the bosom's veins one with the heart's interior?
> Thus, if you consider well, milk is the heart's blood.
>
> "Bustan-Sa’adi” in Southgate (1984).

[9] ibid, 24.
[10] In Dihkhuda 1973:279
[11] In Arberry 1956:160-61.
[12] In Dihkhuda 1973:919
[13] ibid

[14] While perusal of these verses may lead the reader to conclude that these poets were homosexual, some critics maintain the heterosexuality of these poets. They claim that these poems overlooks the fact that "in medieval Iran poetry was often governed by convention rather than conviction, and by the demands of the patron rather than the sentiments of the poet" (Southgate 415: 1984). Either way, sentiments and romantic feelings of grown men for boys are reflected in this poetry, no matter who commissioned the work or how the individual poet felt.

[15] While Iranian medieval texts attest to the prevalence of pederasty between men and boys, they avoid mention of lesbianism. It remains unknown whether Iranians of the medieval period tolerated female-female sexual acts at the level at which they tolerated pederasty. To cite a travelogue in order to elucidate this, Sir John Chardin, a European traveler to Iran the seventeenth century, claims that the "lesbian vice" flourished in the harems of the East:

> The women of the East...have ever been said to be given to the Lesbian vice. I have heard it said so often, and by so many people, that this is so, and that they have means of mutually contending their passions, that I hold it for very certain. They are prevented, so far as may be, from these practices, for it is said that they diminish their charms and render them less receptive to the passion of men (Surieu, 135).

[16] References to leather dildos in Qajar literature contributed to this opinion. See Skjaervo (2000).

[17] Although not considered a European superpower, Russia played a pivotal role in colonialism during this era. In 1813, Russian armies annexed what are now known as Dagestan and Georgia under the Treaty of *Gulistan* and, under the 1928 Treaty of Torkmenchay, Iran relinquished control of what are modern day Armenia and Azerbaijan.

[18] See Najmabadi (2005).

[19] Beeman (2007) explains this homosocial relationship: "men and women both may become exceptionally attached to people of the same sex, to the point that Westerners would swear that they must have a sexual relationship". Through travelogues it is noted that European travelers to Iran interpreted Iranian homosocial relations only in terms of divergence and nonconformity to social norms, i.e. as homosexual.

[20] Kasravi (1990) demonstrates the criticisms of Shi'ism practiced in his day and offers a glimpse into the range of modern behaviors in pre-Pahlavi times. His work influenced Iranian Muslims who aimed to modernize their religion.

[21] Historical documents note that some athletes in the Iranian *zurkhane* (House of strength, traditional Iranian sports club) during the Qajar era engaged in pederasty as a practice that would help them compete in the long run. This is a technique intended to retain stamina; the practice of pederasty, it is assumed by some athletes, ensures the sexual 'abstinence' maintained to save semen (wrestler's vital energy) (Rochard 2002).

[22] Fath Ali Shah, the second monarch of the Qajar dynasty (1797-1834), particularly fond of the pomp and splendor of the old Iranian courts revived the tradition of the court poetry which had, to some extent, lost its importance during the reigns of the Safavids and their successors. The shah's entourage of poets, gathered in the new capital city of Tehran, included honored members of the new literary movement and were commissioned with the hope of returning Iranian poetry to the lyrical styles of the classic masters. While poetry of this movement emphasized form, the main guiding principle was in emulating the substance. This emulation of substance was the affinity with the historical poetic Iranian masters that produced negative results. Traditional themes, images, and similes were repeated and the balance between language and content suffered considerably.

[23] Procreative expectations demonstrate how family and society are governed by the *zaher*.

[24] For other examples of Westerners' accounts of queerness and pederasty in Iran, see Najmabadi (2005) or Ze'evi (2006).

[25] The tendency and inclination toward creating a modernized and Westernized Iran emerged during the Constitutional Revolution of 1906, which saw the emergence of the Persian monarchy's first parliament. The Constitutional Revolution was a liberal, Western-looking movement aimed at establishing a parliament/*majlis*, limiting the shah's powers, enacting constitutional laws, and ending foreign dominance. Laws granting freedom to organize political societies; freedom of the press was influential in constructing standards of heteronormative infrastructures throughout Iranian society. One example is *Molla Nasreddin*, an Azeri-language newspaper appearing from 1906 to 1931. This popular publication, circulated among intellectuals and ordinary people alike, influenced the Iranian Revolution and encouraged the new heteronormative discourse on gender and sexuality, as it was "the first paper in the Shi'i Muslim world to endorse normative heterosexuality" (Ireland 2009).

[26] The performance of power constitutes one as a subject in terms of sex, while regulating modern sexualities. Foucault's discourses of power produce four "objects of knowledge," arguing the focus on "abnormal" categories implicitly define normative sexuality. These categories include: the hysterical woman, the masturbating child, the Malthusian couple, and the perverse adult. This dissertation claims that the final item on the list refers to the homosexual who is "assigned a role of normalization or pathologization" (*History of Sexuality* 1990:105).

[27] Afary (2009:175) reports that removal of references to same-sex romantic love/sexual practices in school textbooks as the only glaringly obvious anti-queer act from the government.
[28] Iran's rapid course towards modernization is noted by one American, when referring to his sexual encounters with other men in late 1970s Tehran, calling it a "sexual paradise" (Zarit 1992:55).
[29] The shah himself was rumored to be bisexual—a conclusion drawn from the routine visits he was paid from his male friend who lived in Switzerland (Ireland 2009).
[30] In reference to 19th century France, Foucault notes that talk about sex was becoming more an effect of medical, psychiatric, and governmental institutions and forms of knowledge "rather than a massive censorship, beginning with the verbal proprieties imposed by the Age of Reason, what was involved was a regulated and polymorphous incitement to discourse" (1990:34). Hence, sex is discussed, but only in terms of creating a truth about sex.
[31] The overthrow of the Pahlavi dynasty occurred for various social, economic, religious, political, and personal reasons, but financial problems were at the forefront of the 1979 Islamic Revolution which led to the dynasty's downfall. The Iranian economy became one of the fastest growing in the late 1960s, and the lifestyles and values of many upper and middle class Iranians changed. Capitalism influenced Iranian reforms and led to social stratifications, from which emerged alienation from the masses. The poor were frustrated with the uneven process of urbanization and economic changes and the intellectuals were undergoing an identity crisis. For many the connections and community ties with religious institutions offered the only solace in this estrangement (Mirsepassi 2000; Ansari 2006). The modernization and Westernization projects were imitative, selective, and superficial, carried out very quickly and in a top-down manner which overlooked the internal dynamics and indigenous characteristics of their societies. This elitist and forced modernization created friction between the ordinary people and the ruling elite. The benefits of modernization did not spread evenly, which eventually created resentment and disillusionment with the government and its policies. Modernization processes in Iran didn't involve the structural changes in the distribution of power necessary for the development of mass gender-consciousness in the rural and working class populations which formed the silent majority. The Shah's fixation with westernization included elaborate projects and purchases that left him in debt to the United States. In addition to borrowing money, the Shah entered into business deals and partnerships with Western countries, particularly the United States. The rich were benefiting from preferential high tariffs, favored treatment of foreign capital, low rates for bank loans to large industries, and tax holidays designed for westerners. The Shah's reform policies primarily benefited rich foreign and Iranian industry owners; oil and other governmental money primarily subsidized the wealthy. Iranian oil was geared towards the Western consumer; oil economy grew independent from overall Iranian economic growth and sacrificed local economy. The more dependent on the world economy of the superpowers that Iran became, the more chance was lost for any sense of economic autonomy. Additionally, as a result of the migration of agricultural laborers to urban areas in search of employment after a period of rapid industrialization, agricultural productivity declined, which compelled Iran to import food. These types of government policies, whereby the poor and their capabilities were overridden by foreign powers, led to a greater disparity between the rich and the poor than existed before, especially as the high wages of those foreigners living in Iran added to rising prices and inflation. For a more comprehensive account of events leading up to the revolution, including those specifically addressing religious or gender-related justifications see: Cottam (1979), Keddie (1983), Parsa (1989), Moghissi (1994), Dabashi (1993), Leezenberg (1998), Osanloo (2009).
[32] In addition to political influence of ruling *mullahs*/clerics over Iran's bureaucratic infrastructure, clerics hold overwhelming control over Iran's economy; this includes sales, distribution, competition, transport, imports, exports, financing and labor issues. The "hierocracy" of clerics built and consolidated power through a revolutionary transformation of traditional Shi'ism as well as of the structure of the state. The custodianship bestowed on the *ulama* as suggested in *velayat-e-faqih,* or rule by the jurisprudent is a kind of divine right granted to the *ulama* which justifies action, behaviors and practices taken by the supreme religious leader and demonstrates how real power will remain with the clerics. *Velayet-e faqih* was especially contentious during the 2009 Green movement where reformist majority vote was overridden by the jurisprudential decision to put another Islamist in office and to officially ignore the voice of the people. This resulted in demonstrations, rallies etc. See Barber (2001).
[33] Tensions on homosexuality have risen since the 1980s, when same-sex activity became part of the larger Western discourse of health and human rights due to the AIDS epidemic.
[34] I use the term scripture as the sacred writing of any religion—not exclusive to Christianity. While 'sodomy' [*liwat*] finds no mention in the Qur'an, it is inferred from references to the conduct of the people of Lot. The Islamic Republic however uses the story as a form of exegetical justification to punish those engaging in homosexual acts. Briefly, the story of Lot involves an incident in which some angels, disguised as men, come to the Prophet Lot's city and face the threat of sexual assault by the city's male citizens. After a failed attempt at convincing his men to

desist, Lot flees the city. The Story of Lot is taken as a condemnation of same-sex intercourse because of verses such as the following:

> A. Lot said to his people: "Do you commit lewdness such as no people in creation (ever) committed before you? For you practice your lusts on men in preference to women: you are indeed a people transgressing beyond bounds (7:80-84).
> B. How can you lust for males, of all creatures of the world, and leave those whom God has created for you as your mates. You are really going beyond all limits. If you cease not, 0 Lot! Verily, you will be one of those who are driven out!" He [Lot] said: "I am, indeed, of those who disapprove with severe anger and fury your (this evil) action (of sodomy). My Lord! Save me and my family from what they do (26:165-169).
> C. Do you do what is shameful though you see (its iniquity)? Would you really approach men in your lusts rather than women? No, you are a people (grossly) ignorant! (27:56).
> D. Lot said to his people: "You do commit lewdness, such as no people in Creation (ever) committed before you. Do you indeed approach men, and cut off the highway—and practice wickedness (even) in your councils? (29:28).

In the instance of those who commit the act of the people of Lot, the great Sunni authority on hadith, Ibn Shihab al-Zuhri, said 'he is to be stoned, whether he is married or unmarried' (Ibn Anas 2000:41). In one report Imam 'Ali is credited with ordering a person sodomized to be stoned to death (Avery 1997:111). However, this may not refer to same-sex intercourse, as some scholars have noted that "any form of anal penetration is considered illicit, regardless of whether the object of desire is a man or a woman" (Zollner 2010:206). The Prophet Mohammad allegedly stated "doomed by God is he who did what Lot's people did [….]. No man should look at the private parts of another man, and no woman should look at the private parts of another woman, and no two men sleep under one cover, and no two women sleep under one cover" (Beckers 2010:61). Homosexuality is included in this discourse because it has been argued that, more directly than adultery, it prevents the production of offspring and leads to the destruction of humankind (Avery 1997).

[35] As an example of juridical prohibition, a 19th century Shaykhi leader, Zayn al-'Abidin Khan Kirmani, best demonstrates the way in which same-sex acts, namely sodomy, were treated when they became part of sexual discourse and out in public through his claim that the anus is prohibited more than non-marital sexual acts with a vagina.

[36] Columbia University Interview (New York, NY), September 24, 2007.

[37] See *Saturday Night Live, Digital Short* "Iran so Far" 29 September 2007 and *The New Yorker* cover, 8 October *2007*.

[38] Heterosexism is prejudice against homosexuals on the assumption that heterosexuality is the norm.

[39] Aversions to homosexual acts stream through Western discourses of sexuality as well. Until 1975, the *Diagnostic and Statistical Manual of Mental Disorders* (*DSM-II)* considered homosexuality a mental disorder in the United States.

[40] Art. 110: The prescribed punishment for homosexual relations in the case of intercourse is execution and the mode of the execution is at the discretion of the religious judge.
Art. 111: Homosexual intercourse leads to execution provided that both the active and the passive party are of age, sane and consenting.
Art. 112: Where a person of age commits homosexual intercourse with an adolescent, the active party shall be executed and the passive party, if he has not been reluctant, shall receive a flogging of up to 74 lashes.
Art. 113: Where an adolescent commits homosexual intercourse with another adolescent, they shall receive a flogging of up to 74 strokes of the whip unless one of them has been reluctant.
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Art. 127 -Lesbianism is [defined as] homosexuality of women with their sexual organs.
Art. 129 -The penance of lesbianism is one hundred lashes for each party.
Art. 131 -If lesbianism is repeated three times and after each time the penance is executed, the penance on the fourth time is execution.

[41] Homosexual acts are illegal in 76 countries and punishable by death in eight: Sudan, Somalia, Mauritania, Yemen, Saudi Arabia, Iran and UAE. Uganda is currently debating the death penalty as well. While sodomy is punishable by death in Iran, such executions have been rare in Iranian history.

[42] Punishments for same-sex acts tend to be heavier in Iran, on paper if not always in practice, and the only countries in the world where the death penalty for sodomy is justified on the basis of Islamic law (See Human Rights Watch 2010). Also of note in this article is a list of the five people named in Human Rights Watch's most recent homophobia "hall of shame" ranging from across the world: Pope Benedict XVI, President George Bush, Roman Giertych (the Polish minister of education), Bienvenido Abante (a parliamentarian in the Philippines) and former Iranian president, Mahmoud Ahmadinejad.

[43] Though it doesn't mention homosexuals specifically, the Qur'an explicitly states that sex is to be between [heterosexual] spouses and/or masters and slave girls (23: 5-6). [Most certainly true believers] . . . guard their private parts scrupulously, except with regard to their wives and those who are legally in their possession, for in that case they shall not be blameworthy.

[44] Establishment of the modern Iranian nation-state came to understand the concept of modernity as establishing nationally-binding legal and social positions for its citizens, deeming family the fundamental unit of society. Women were treated as a special category and, in their capacity as mothers, revered symbols of national and communal identity (Nashat 1980; Yeganeh 1993; Moallem 2005).

[45] Transsexual discourse first appeared [in the West] in late 1940s produced in dialogues between individuals suffering from gender dysphoria and their doctors. *Transsexual* was a term coined in 1949 to describe the condition of certain Anglo-American and European men (Wikan 1977; Hausman 1999; Valentine 2007) and was sensationalized between 1960s and 1970s in the realm of big science of transgender history (Stryker 2008). Although *transgender* as a collective category developed in the 1990s, it officially was recognized in the discourse of modern Western sexuality after Christine Jorgenson's MTF sex reassignment surgery, the first known person to undergo the procedure (Valentine 2007).

[46] Sunni and Shi'i Muslims disagree on the issue of sex-change operations, as the former are opposed to sex reassignment surgery because the Quran states that "change in God's creation" is prohibited (Holy Qur'an, 4:119).

[47] The term 'state' refers to the members of the Iranian *ulama* (religious officials) who operate and implement laws within the political apparatus of the Islamic Republic.

[48] Despite the social stigma of homosexuality, gay subcultures arise within the safe confines of cyberspace (Afary 2009:326) as well as print media (e.g. MAHA magazine). These mediums spread knowledge and awareness throughout the Middle East about gay communities in the West.

[49] Ghahraman, an Iranian lesbian activist living in Toronto, sets the historical context of queer sexuality in Iran, claiming that "the gay movement in Iran started right before the Revolution, and then picked up again around 1990, with gay men leading the fight….[yet,] all the harsh treatment, the stigma and horror around gay men and lesbians began right after the Revolution with the strong force of the regime encouraging parents and the public to harass homosexuals." Soon after coming to power in 1979, Ayatollah Khomeini established the death penalty for homosexuality.

[50] Ironically, Foucault disagreed with ideologies in the Pahlavi era—evident in his championing of the Iranian Revolution. See Afary & Anderson (2005). He was privileging a model that hearkened back to a time he romanticized, but never had a chance to investigate more fully, thinking that the changes were great—a leftist inclination that was wrong. He expected the revolution to result in a pre-modern world full of free sexual practice and identity.

[51] One report notes that many gay men in Iran are seeking military exemption and "Sometimes they ask you if you prefer 'top' or 'bottom,'" said Hossein Alizadeh, Middle East and North Africa coordinator at the International Gay & Lesbian Human Rights Commission. The insinuation, he said, is that "if you're on top in a sexual relationship, you're probably man enough to still serve in the military, but if you're on the bottom, we'll have to let you go."

[52] State coerced and sanctioned SRS demonstrates this point further, as noted in Chapter Three.

CHAPTER TWO

QUEER SEXUALITY IN IRAN: THE FAMILY & SOCIETY CHALLENGE

> You know, 99% of families throw their children out if they are like me. I mean, family is the first thing you give up. You have to decide between them and yourself. I tried. Go outside without makeup, dressed as a man. It was strange. It's hard….I mean, we'll never be actual women. It's something society realizes as well.
>
> -Mojdeh, age 34, male-to-female transsexual Iranian Refugee, Turkey

I focused in the last chapter on the history of same-sex intimacies and relations in the historiography of Iran. Throughout its history and into the present day, Iranian culture is saturated with rituals of courtesy and publicly sanctioned status.[1] Indeed, modesty and concealment ultimately govern Iranian social practice in everyday life and maintain standards of propriety, which hinge on "preservation of the duality of the esoteric/exoteric self (*baten/zaher*)" (Graham and Khosravi 2002:224). The correct way for an individual to act, speak and, in this analysis, engage in sexual relations, in Iranian society is enforced through the conventions and principles of *baten/zaher*. This research employs the parts of this duality, not as mutually exclusive components, but coterminous elements that serve as a tool to demonstrate how sexuality is constructed in a thoroughly public fashion for Iranians; it is "publicly defined, publicly negotiated, and publicly displayed" as if it belongs to the public domain (Dupret 2001:43). The spatial concepts of *baten/zaher* are instrumental in maintaining the social order of sexuality and staying out of danger; one must maintain conventional standards of behavior in the outside world of *zaher* by controlling unconventional urges in the internal space of *baten*. Hence, while an Iranian queer's external behavior may not reflect inner desire, the *baten/zaher* is not meant as hypocrisy, but "a double system of commitment and purity of intention….at which

practical constraints are observed" (Bateson 1977:270). My interviews with queer Iranians in Turkey demonstrate how strict regulations in the space of *zaher* have created a different kind of citizen: one who is a product of state practices and societal expectations but who constantly aggravates the divide caused by sensibilities and subjectivities in the *baten*.

The *baten/zaher* duality governs the psychological, mental, emotional and social pressure or motivations of behavior, while the private-public dichotomy only expresses physical space. As the Introduction to this dissertation explains, I employ an Iranian take on the *baten/zaher* relationships, to make an argument distinct from that which is produced by the private-public dichotomy—a duality I find helpful in explaining activity in the physical spaces of home and the public. In his writing on historical materialism of the West, Marx (1859) has distinguished societal modes of production, which, although describing a non-Middle East society, illuminates life in the Iranian *zaher*. Marx asserts: "the mode of production of material life conditions the general process of social, political and intellectual life. It is not the consciousness of men that determines their existence, but their social existence that determines their consciousness." Hence, these "relations of production" are the sum total of social relationships that people *must* enter into, in order to survive, produce and reproduce their means of life, a coterminous relationship paralleling that of *baten/zaher*.[2] The subject is formed in the reproduction of social relations, ritual actions and skills (Varzi 2006:133). Along the same vein, this chapter demonstrates that it is the Iranian public's increasing use of "self-reflexivity" that makes individuals highly selective appropriators of what is presented to them in the public arena. This is how choice is integrated into individual lives, and this is where constant negotiation occurs between private and public, as well as between individual and society. Iranian youth are to present a suitable persona according to the proper rules of the particular situation and context in the *zaher*. Technologies of self are

what Foucault (1988) terms the practices, and consequent effects, put upon the mind, body and soul of an individual to attain a certain quality of life. This chapter demonstrates how technologies of self in Iran are in a constant battle with society and family; personal development, construction of subjectivity and self-cognizance are all factors fighting a civil war within the fragmented identity of the Iranian in Iran.

In the complex social system of modern Iranian society, there is no space for queerness. Hence, being 'out', living with/being in a romantic relationship with a person of the same-sex, engaging in social and political issues surrounding sexual orientation, or identifying with a queer community are not easily navigable lifestyle choices in conservatively Islamic Iran. Iranians struggle with familial and societal pressures throughout their lives in Iran. Those who wish to assimilate to non-heteronormative sexuality within everyday life in the Muslim world are the most dissatisfied since "Islamic codes of conduct condemn homosexual acts framed by Shari'a law and maintain the order of things" (Murray 1997:22). Living in accordance with the *baten/zaher* has seeped so far into the Iranian psyche that, as my interviewees demonstrate, family members are turning each other in to authorities upon deviation from societal expectations. This submission to authority demonstrates the degree to which the heinousness of queer behavior has now been put in the minds of the population, while it also reaffirms Varzi's claim that in Iran "what is socially condoned and what is not are strictly separated" (2006:158). The social subjection carried out by behavioral expectations in the *zaher*, permanently positions the citizen, family and society as objects of intervention contributing to technologies of the self. Consequently, the Iranian's personhood becomes a project of the state.

Family Ties that Bind

Ultimately, as dictated by the space of *zaher*, the citizen is not his or her own, but belongs to mother, father, nation, and society. Hudson (2008) emphasizes the restraining nature of family in the Middle East by pointing out the sameness of the origin of the Arabic word for family, *usra*, and the word for captivity. Though in a specifically Syrian setting, the feeling of being a 'captor' in one's family relates to the entire Middle East, as it points out the family bonds one is obligated to live under—almost as a prisoner. Family becomes a greater force over the individual, controlling him/her. This connects back to the fact that the private sphere of Middle Eastern family is the closest set of tormentors to regulate *zaher* and "define the limits of freedom and embody the responsibilities that hold one in social place" (72). Individualism rooted in self-expression is shunned; deviation from the heteronormalized sphere of sexuality causes a schism, bringing forth changes in the subjective sense of "inner self". Consequently, the family unit perpetuates and polices these expectations, upholding the moral order.

Family is one component in Iranian society that promotes moral order. Raban (2003:n.p.) explains the relational and co-dependent formation of identity among individuals in Muslim societies, like Iran:

> Muslims put an overwhelming stress on the idea of the individual as a social being. The self exists as the sum of its interactions with others….The configurations of one's bonds of obligation define who a person is…the self is not an artifact of interior construction but an unavoidably public act. Broadly speaking, who you are is: who you know, who depends on you, and to whom you owe allegiance—a visible web of relationships that can be mapped and enumerated.

Iranian society's focus on family structures and relations between sexes directly influences individual subjectivity. Individual identities are an assemblage of the meanings and behaviors

that we construct from the world around us (Kimmel 2000). Thus, in contrast to Western societies, gender identity is constructed in the reproduction of social relations and skills (Varzi 2006). Following Raban's concept of dependence as a means of knowing oneself, Iranians, in Iran at least, need to know their relative status vis-à-vis one another. Through self-reflexivity employed in the public arena, citizens become appropriators of what they are offered. Individuals must accommodate social judgments and perceived prescriptions of behavior.

Constant surveillance, either by family, society or state powers, increases the frustrations of Iranian youth.[3] Maziar and Majid in Turkey explained their hardships living in the Iranian policed state, which criminalizes queer sexual activity:

> **Maziar**: I was at my friend's house. There were just a few of us. Four guys, all gay, and two girls. One of the neighbors called the police to tell them that there were a bunch of gay guys together in an apartment. They arrested all of us. None of us would admit anything. We just said it was a party. After twelve days in jail we went to court. The judge said that he can't rule in our favor without a lawyer. Or a witness. I was incarcerated for seven months. The charge was that we had kidnapped the girls who were at the party and raped them. We forced them there. I don't know what they said to the police.
> **Majid**: I was in jail too. Because I was caught with a man. I tried to kill myself in prison. Slit my wrists in the shower. Obviously it didn't work. I had to keep living. In the end we got out with a large fine and three beatings.
> **Farrah**: What did you do when you got out? Work? I mean, what was it like?
> **Majid**: It was hard to find a job. They take advantage of you if you have a past. I tried to kill myself three more times.
> **Farrah**: Could you go back and live with family?
> **Majid**: After a while my brother said that I was an embarrassment to the family and that I should go. He gave me some money and I got on a plane to Turkey. Unlike everyone else, I wasn't smuggled over. I had $300. That's all. I don't have any help now. I don't talk to anyone. Sometimes with my mom. I was the source of her shame. My dad is dead. He really bothered me. He knew I was gay…that I wasn't like my brother. Once I plucked my eyebrows and I received a terrible beating.

Social constraints (shame/honor) versus individual moral judgments (guilt) define and shape a citizen's identity, especially in a state society like Iran, where state definitions of morality have

raised questions about the relationship between social context and gender identity. Najmabadi (2005) notes that after the Islamic Revolution—notably, once companionate marriage emerged as a norm, the ideology of family was relocated to the national community rather than the village or tribe.[4] Abiding by societal expectations in the realms of behavior and performance is leading to instances of family members turning others in to authorities upon deviations from societal or legal standards.

Post-revolutionary Iranian society—with its extensive psychological and sexual pressures, rituals and practices—rejects non-normative sexuality while pushing a heteronormalized agenda. The shunning and marginalization of queers in Iranian society suggests the strength of the *baten/zaher* relationship; it also explains how strict binaries in sexual behavior are being enforced throughout modern Iranian society by keeping people quiet about non-normative sexuality.[5] While this dissertation treats the *baten*/*zaher* as a duality—essentially the pressures of exoteric and esoteric propriety interweaving one another—it recognizes that honor and shame propel the binary of public-private as these principles are translated into family behavior. During an interview in Turkey, refugees Mostafa and Siamak explain the whole range of techniques queer Iranians endure. Mostafa illustrates how family techniques address queer behavior, including banishment/exile, silence, concealment and fixing queer sexuality through marriage, while Siamak suggests the more modern IRI side of negotiations with ordinances or solutions provided by the state. Mostafa begins by explaining why he was not turned in to authorities when he was caught having sex by his boyfriend's parents:

> **Mostafa**: His [Mostafa's boyfriend's] dad was a government employee, an official in the police department. He didn't turn me in because it would embarrass his family.
> **Farrah**: Because eventually everyone would find out his son is gay?
> **Mostafa**: Yes, his dad was very religious and a community leader. It would have ruined his reputation. People wouldn't like him anymore.

> **Siamak**: Yes, but with me it was the opposite. Like if my brothers turned me in, then they would be *saving* the family. They found out from some kids in the neighborhood that I'm gay. They said they wouldn't tell my mom but they'd call me a faggot and threaten to tell the authorities. They would always say I wasn't a man—that I, excuse me, didn't have genitals or balls.

These families are emblematic in that they show the various ways by which honor is maintained in the *zaher*. Some families enforce silence concerning their sons' queerness as a tactic to maintain family honor, a form of social capital with real economic value, but one that is also subjective and highly dependent on positionality.

Staying silent preserves honor in the *zaher*, while it may shame the gay individual in private spaces. The fact that Mostafa's family would rather remain quiet than turn him in to the state is a traditional way of keeping sexuality and body in the private sphere of Iranian society. Conversely, Siamak references logic of the modern Islamic state (foreshadowing the thesis of the next chapter) in which the state promises salvation if they submit him to authorities. Mostafa exemplifies traditional Iran, while Siamak's family suggests modern state technologies of self, motivations and solutions. These responses are familial and societal rather than individual; beyond even the individual being bound by conventional social norms, the family unit—through turning someone in or covering it up –make sexuality a "public" conversation versus a "private" family conversation as one might have in the West.

The implementation of societal prescriptions of expected behaviors is articulated in regards to processes of the body, sexual desires, and virginity. Citizens feel that they must adjust to social circumstances, especially in relation to visibility in public spaces, where they are more susceptible to mutual judgment (Bauer 1985). Thus, it has become expedient to use conservative religious doctrine as a basis for defending or advancing social positions, both as individuals and as a family. A group interview in Kayseri illustrates how family pressures, tied to the fear of

losing social standing, marginalize the queer identity and enforce the basis of propriety in the *zaher*:

> **Ashkan:** They never say gay is internal. That it's part of you.
> **Siamak:** As if we're just sinners. Our lives are divided in so many parts. I've tried to fight it or hide it. I can't. It made everything worse.
> **Ashkan:** And it's not my fault. God made me this way. I didn't ask for this. Believe me, I would change it if I could. And now many people think there is a solution. That it can be fixed. Like a disease. They want to get rid of us or banish us.
> **Marjan (post-op transsexual):** Yes, they often try to 'fix' you with marriage. Like it's the cure to your disease. One of my trans friends was forced into marriage and her parents wouldn't let her get surgery. She killed herself the day of the wedding. They think that marriage is a solution. That it'll fix everything. One of my gay friends is married to a woman. They have two children. He is very depressed.
> **Farrah**: I can imagine. And it's all for your parents…I mean, are gay people forced into it?
> **Siamak:** Let me tell you something, we all have gone through this. The dream of our parents, whether you are gay or a lesbian, is to marry us off. They think it's a disease and marriage is the cure. That it'll fix us. But that isn't going to fix anything. That woman [I would potentially marry] would leave me. [Marriage] would require a sexual relationship right? I couldn't do it. Besides that, why should I have to do it? And give a dowry? That's what life is like in Iran. Why should I embark on something that will end in divorce? I know that it will. How much more could I handle? How many beatings? How many rapes? How much intolerance? There's society and that's one thing, but what about family? You have a mother, a brother. No one helped me.
> **Kamran**: My mom used to tell me that it would really help. And that it might help her save face as well. I love my family, but I told her I couldn't. When the subject would come up I got nightmares. I would just cry. I know it's embarrassing for them. I was embarrassed too. I mean, people saw me as a dirty person. My co-workers used to wink at me and blow me kisses; make fun of me. Everyone wants to insult you. I wish I could tell our people what it all means. What being a homosexual entails. But we're limited. You can't talk to anyone about these things, you know? Our culture is backwards.

Heteronormalization efforts in Iran have been crafted through social structures which shape gender roles (i.e. father/mother, man/woman). Enforcing marriage creates the ruse of heterosexuality, while maintaining Iranian society's structure on traditional religious beliefs.[6] Shahram, a gay Iranian man, was forced to marry and has a child. Under Islamic law, he received custody of his son after his divorce. He was the only participant whom I interviewed in a public space; we met in a park, so as to let his six year old son play.

> **Shahram**: It's strange for a gay man to have a child…I know. He's the best thing to come out of my marriage.
> **Farrah**: So who is the woman you married? Where is she now?
> **Shahram**: She's in Iran. We weren't compatible. Not just because I'm gay. I really didn't like her…what was inside of her was different than what's inside of me. We were so different.
> **Farrah**: Were you forced by your family? The marriage I mean.
> **Shahram**: Yes, I did it for them. Then I was supposed to have kids, but how? I slept with her once on the wedding night and never again. She would complain all the time that I'm not a man.
> **Farrah**: So where did [his son] Hadi come from? Sorry for asking.
> **Shahram**: Oh no, it's fine. Well, my wife complained so much and talked about it with my family, she really wanted kids you know, plus I think she really needed sex [laughs]. Anyway, they pumped me full of Viagra so I can…you know, excuse me, perform what needed to be done.
> **Farrah**: Oh, is that something they're doing?
> **Shahram**: Well, they did it to me. Anyway, that's the story with Hadi. My wife divorced me and I took him and we came here.

Forcing individuals into heteronormative family structures (i.e. man is husband and father) is a family solution to the 'disease' of queerness to avoid shaming the family or losing face in the *zaher*. Shahram is set apart from the other participants in that he is the only individual to have been in a heterosexual marriage, and also because he was not living in a satellite city.[7] He had asked local police authorities if he could leave, claiming that one Turkish guard took pity and allowed him to flee Kayseri. The request to move from Kayseri to Ankara was due to extreme brutality and threats by Kayseri locals of sodomizing his six year-old son. The animosity and violence directed at him for being queer was also violently directed to his child; thus, the stigma surrounding non-heteronormative sexuality extends from the individual to the rest of the family.

This kind of collective stigmatization of non-normative sexuality provides an example of the punitive incentives for silence, denial and enforced conformity within the family unit. Shahram's story offers insights into the dependent relationship between society and the state subject/queer. Queer sexuality is corrected to ensure that it is befitting Iranian society. The

'queer question' is not a consideration in this society, which scrambles to regulate citizens into their ideal image. Refusal to acknowledge this non-normative group prevents emergence of a discourse. On a more microcosmic but no less important level, the Iranian queer fails fully to recognize or embrace the non-normative components within the *baten*, resulting in a "constant oscillation between individual subjectivity and a collective notion of subjectivity, accompanied, on the socio-political level, by a constant positing and negating of the possibility of political citizenship" (Vahdat 2003:623). From this perspective, the binaries of powerless/powerful and weak/strong emerge and create 'winners' and 'losers' within the social hierarchy.

Society and the Sexed Body

The last subsection demonstrated that family honor hinges on morality and convention in the *zaher*. Indeed, family is only one demanding force in the Iranian's life, as societal expectations enforce 'normalcy' in every capacity. Space for deviating from propriety is not provided and, should the Iranian defy social convention, punishment will result. Siamak offers an example of what it means to be judged as 'deviant,' and therefore weak and un-deserving of selfhood or consent:

> **Siamak**: We all have a past. And it's usually shameful. And violent. At age six I started getting raped by my older brother. I have three older brothers. Then as soon as the other brothers found out, they joined in. They would tell everyone. Because they were the alpha. They fucked *me*. They bragged about it. Yes, I'm gay, but I would have liked to choose who I have sex with. Now I can't be in a relationship because I can't trust anyone. If I meet someone I like, I can't have sex with him. I just think of all those times with my brothers. They killed all my strength. All my confidence. Then I had to do my military service. I started a relationship with someone after two months. I really loved him. I still do. But we were caught and someone told our commanding officer. I was sent to his office immediately after. I was curious as to what would happen. He told me that I had to have sex with him or he would make my life hell. He ordered me for weeks and I kept avoiding it. I told him I wasn't like that.
> **Farrah**: Sorry, but did you end up doing it?

Siamak: Not willingly.

Time and again the LGBT community is the 'weak' variable in the sexual power binary between the individual and his/her social setting. Power, however—whether social, familial or from the state—is not just the power to subject but also to enable the conditions that make certain forms of human subjectivity or sociality possible. Those who dominate in a setting are constrained by the hidden transcripts of the subordinates, while the subordinates actively negotiate their position vis-à-vis the more powerful.[8]

Indeed, binaries are defined in relation to one another and mutually constructed; Foucault (1999:471) argues that this discourse cannot be reduced to oppressor/oppressed, for the latter "simultaneously plays both roles… [and] becomes the principle of his own subjection". He goes on to explain how the effects of domination are not attributed to appropriation, but

> to dispositions, maneuvers, tactics, techniques….this power is exercised rather than possessed; it is not the 'privilege,' acquired by the dominant class, but the overall effect of its strategic positions—an effect that is manifested and sometimes extended to the position of those who are dominated (ibid).

So, through their positionality and the fact that they exist at the same time, the dualities, such as *baten/zaher*, are interconnected; in this way, "masses do work to regenerate the conditions of their own oppression" (Koch 2005:18). The Iranian queer community does this by staying quiet about same-sex activity, which perpetuates the necessity of acting in the confines of these spaces. Non-heteronormative activities are not eliminated, as would be the societal and state expectation; rather they are done in secret, perpetuating the silence, the aberrance and taboo character of the acts (a point emphasized in the next subsection). This cycle of power has been thriving throughout sexuality discourse in Iranian society. In fact, silencing the issue of sexuality is a state and societal control mechanism aimed at keeping state subjects and sexed bodies out of the

political, religious and legal institutions of power. Enforced silence has been a successful way to obviate assessing the 'queer question' in Iran. If Iranian society were to address it, LGBT individuals might come to the forefront and an identity might be fostered, ultimately banishing the shame with which they have lived for so long.

The non-heteronormative dimension of one's *baten* cannot be openly announced for fear of punishment from the family, and lashings or execution from the state. A male research participant explained an incident during which he was caught having sex with his boyfriend, Pouya, and punished for entering a space outside of accepted societal practices:

> Pouya's father beat the mother first because she didn't seem surprised. He figured out what was going on, as if he'd been wondering about it and felt that she was in on it. And then I received the worst beating of my life. It was worse because I was naked. Everything was bruised. Then he went after Pouya. In that instance I put my pants on and the mom came to me and said—and she was always very nice to me—she said, "Mustafa go and never come back. I'm saying this for your own good." I didn't know where to go. My cell phone rang and it was Pouya's father. He cussed and yelled and I got scared and hung up. What was I supposed to say? He called back and threatened me. That he'd kill me, turn me in, beat me and, excuse me for saying this, he'll come and fuck me himself. I would keep hanging up. This went on for two hours. I went home and collected my things. My mother asked what was going on. I said nothing. That I was leaving and not coming back.

Indeed, Iranian society both regulates and punishes subjects by pushing a heteronormative agenda. Denying LGBT existence serves a political purpose: if they do not exist, there is no need for action to protect them and they do not pose a threat to social convention. In a comparative framework of sexuality between cultures and historical eras, Babayan and Najmabadi (2008:xiii) note "societies that regulate their subjects by typing them homo- and heterosexual have continued to punish acts in varying degrees, and societies that discipline dominantly through the punishment of acts simultaneously tend to categorize people according to types of desire". The socially accepted sexual discourse in Iran is one that does not

acknowledge anything outside the *zaher*/heteronormative parameters and establishes correct and incorrect sexual behavior.

One dimension of Iran's own exclusive kind of modernity is the way that discourses undermined the free tradition of sexuality, set up legalization, stigmatization and heteronormalization of queerness while legalizing a narrow form of marriage and heterosexuality. Aram explains the contentious relationship he tried to avoid having with his family by playing along with societal expectations, and reveals that he was willing to suffocate this part of his identity for the sake of his family and maintenance of societal order:

> **Aram**: I was engaged for a month. She tried to get close to me and I would cringe. She was very beautiful. And successful. And she came from a good family. But I realized that I couldn't live that way with her. It wasn't me. So, my mother, father, and brother told me to leave. I never did anything wrong in their eyes before. I went to college, I showed every kind of respect. I sent money home when I got a job, but they stopped talking to me. We have no relationship now.

Iranian queers feel a sense of shame trying to balance the contradictory values, ethics, actions and behaviors expected in the opposing worlds of what is within/*baten* and what is expected of them/*zaher*. An informant in Turkey, Ramin, describes the struggles he faced trying to fit into socially expected heteronormative behavior in Iran:

> The first time I had sex with a woman, I didn't like it. I mean, I can do it. But it's not what I wanted. I wanted to be with a man. I would get girlfriends because that was what you do. I would get any girl I wanted. I used to be really handsome. Don't look at me by what you see now. This life in Turkey, refugee life has broken me. I've aged very rapidly [shows a picture of himself]. See, that was me five years ago. See how handsome I was? Anyway, I could get any girl, but I could never fall in love with one, even though I tried. I really wanted to, but I just didn't like them…excuse me, I mean, I love women, just not having sex with them.

Ramin is a gay man observing historical public/social norms who has sex with a woman despite his distaste towards the act. One's public image must correlate with the expected mannerisms

and actions according to *zaher*, thus highlighting the relationship between state and social taboos. Sex with women outside of marriage in Iran is *also* illegal, but socially validating, at least in Ramin's peer group. When these behaviors are compromised, challenged or questioned by one whose outside or public actions (same-sex sexual relations) go against what is within the *baten* (inside), it creates a sense of shame.

Clothing

Societal and family expectations in the *zaher* actively perpetuate the heteronormative moral order by demanding conformity in the privacy of the home; but the politicized Islamic state of Iran demands an additional layer of ideological participation in public spaces and stands against the outsider (Kugle 2003). Perhaps these are gay men like Aram, whose frustrations with his own covert sexuality fatigue him to the point where he had to flee Iran:

> I worked in computers in Shiraz. My coworkers were very bright. They knew about the world and the things that happen. And because they knew what gay was, you know what I'm saying?...Oh how I had to perform. From my clothes to the way that I talked, my behavior…everything. I just had to make sure they wouldn't be suspicious of me. I was so scared authorities might be told. I was scared all the time. It was like hell.

In Aram's statement, that his coworkers 'knew what gay was,' it is as if 'gay' is an object with a set of rules, behaviors and disciplines. In truth, it is treated with stereotypic expectations of 'typical gay behavior,' a projection that follows these queer Iranians into Turkey, elaborated in Chapter Five.

Reza elaborates on wanting to dress against conformity while grappling to do so in the outside sphere of Iranian society:

> **Reza**: I like wearing makeup, but that doesn't make me a woman. I always wanted to wear tight, colorful clothes, wear an earring, wear makeup. I was different than the others in school. But this was all in secret. I was very close with my parents and didn't want to worry them. Sometimes, during high school I would act on these impulses. To

look how I want. I've been arrested over thirty times because of it.

In addition to these queer men, transsexual women also battle the way that clothing relays significant cultural information; their struggle illustrates the way that individuals interact with the world:

> **Mojdeh**: When I was seven I remember, and I don't know what this feeling was, but I always wanted to wear my mom's clothes. Always take a cloth and use it as my hijab. I would dance like a belly dancer. Every time we played pretend I wanted to be the mom or the female. I've always had this feeling. I would put on my mom's makeup when she would leave the house. I got beat many times for this. My mom would say, you are a man, you should act like one. But I always doubted this part of my identity. I thought I'd grow out of it.

Indeed, the interconnections between the issues of family, rejection and identity can be seen in the issue of what individuals chose to wear; clothing in this sense becomes part of the highly regulated relationship with the larger social order (Suthrell 2004:14).

The LGBT inclination to go against social conventions of dress and behavior puts him or her distinctly outside of cultural norms (Meyerowitz 2002) and, unusual for Iranian culture, places emphasis on individual action over a more traditional, communal, governmentally accepted identity that shapes subjectivity and positions the non-heteronormative individual outside of historically normative binaries into the indistinct space between them. Mojdeh made this point about her childhood, illustrating the result of violating these strict social conventions:

> **Farrah**: So, and please excuse me but I have to ask this question, you don't have to answer of course, but, if it's so hard, this life, why live it? Why not continue on as a man? Especially in a society like Iran where a man's life would seem easier.
> **Mojdeh**: Because it's not fair. That's not who I am. I'm a woman, why should I have to wear men's clothes and act like a man? Why did I have to wear the boy's uniform in school when I wanted to wear the girl's? *That's* who I am. I always have been. That wasn't me. That wasn't Mojdeh. It was…the person I was before.
> **Farrah**: You don't say your former name?
> **Mojdeh**: That person is dead. I don't like to speak about the dead.

> **Farrah**: That life must have been difficult. Especially in Iran, because they want everything to be uniform. What was your family's reaction when you finally told them?
> **Mojdeh**: Well, you know Farrah, 99% of families throw their children out when they are like me. I was in my room a lot. When there were guests I wasn't allowed in the living room. Soon after all this, I tried to kill myself. My family disowned me after that. They said that they were tired of my theatrics. But I wonder, how long can one play a role? It's been like this my whole life. They just said "you are a man, act like one". I would ask why they only look at my exterior. Why won't they look into my interior to see that I am Mojdeh. I am a woman. Why can't they do that?

It is fitting that Mojdeh mentions life in the 'exterior' as it was exactly the negotiations she decided to stop making in public, outside spaces which changed her life. Mojdeh decided to stop battling internal feelings in the *baten* and live life as the woman she feels she is; while her self-awareness—to the point of invalidating her pre-op male-self and displaying to the outside, public world her genuine, non-heteronormative and 'aberrant' self—these developments came at the cost of losing her family. The conventional space of *zaher* is intolerant to behavior outside of prescribed norms.

Cohabitation

A queer discourse and acknowledgment of LGBT rights would bring the existence of queer identity to the forefront. However, as it is now in Iranian society, the absence of this discourse perpetuates the denial of non-normative sexuality while insisting upon a sole category of heterosexuality. One of the major condemnations surrounding homosexuality in Iranian society is in its inherent threat to the human race because it is regarded as going against the purpose of creation and, thus, an aberration and violation of nature. A contributing factor to the stigma of non-heteronormative practices is that they challenge historical social conventions, impeding possible marriage plans that parents may have for their child or obviating perpetuation of the family line. It compromises the pristine and traditional model of marriage.

Cohabitation of my participants with their same-sex partners, they explained, was one way to develop a synthesis or fusion out of the almost irreducible features of family, sexuality or self in Iranian society. Cohabitation is characterized as a partnership which is individualized, oriented towards self-fulfillment, which enables the feeling of independence and control which queer Iranians otherwise may not have been able to exercise, in other facets of their life and offers a sense of personal identity and intimacy. Of course, it is difficult to measure or evaluate the phenomenon of premarital cohabitation, let alone cohabitation among queers, because it is missing as a demographic.

One may infer that cohabitation among same-sex couples is easier in Iran—as the deeply-entrenched homosociality pervasive in the culture may obviate questioning cohabitation of two men as much as it would in the West. Aram, however, explains the difficulty of living with his boyfriend in the rigid space of the *zaher*:

> He moved in with me, but after two years the questions increased. People kept wondering why I wouldn't invite them to my house. It was convenient because my parents weren't in Shiraz, they were in Khoramabad, but they would still be curious about something. My sister came to visit and we had to scramble to make the house, you know, appropriate. We only had one big bed, and pictures everywhere. I never thought about leaving Iran until I started to get really uncomfortable with all of that. With the lying and showing some other life.

Maintaining honor and safeguarding against shame is a major practice in the *zaher* and unmarried cohabitation of opposite sexes is taboo in Iran. Thus, the lack of acceptance of premarital or non-marital cohabitation among couples—either in hetero or homosexual relations emerges from traditional Iranian values, it implies the value system of Iranians and how honor is maintained in the *zaher* and public spaces. Cohabitation implies sex, and sex is enforced under the umbrella of heteronormative marriage. Premarital cohabitation, while it can be found, is not

as common, comparatively, as it is in the West (See Seltzer 2000). An individualistic-based social system, such as living with one's romantic partner, does not coincide with Iranian society. This is one example of how a private space, such as the home is maintained and dictated by convention in the exoteric *zaher*.

Iranians are expected to fit into a black and white schema of behavior, and while this perpetuates obviation of the 'queer question' and adding non-heteronormative sexuality into the discourse of modernity and Iran, it poses a threat for those couples involved by the possibility of getting shunned by family.[9] Alternative life-styles and diversified forms of habitation outside of the heteronormative conventions in the *zaher* are considered lewd and inappropriate, bringing shame to the family no matter the sexual orientation; the traditional pattern of family formation still holds.

The Power of Language and Silence in Iranian Society

When non-heteronormativity is forbidden, shunned, mocked or criminalized in one's homeland, this part of identity can become a secret from the rest of society (Freedman 2007). As a result, Iranian queers do not have an acceptable language to talk about themselves in the *zaher*. The absence of a social discourse amongst friends, parents, teachers and/or siblings, resulting from the institutionalized effort to drown out these issues by state/religious authorities, has led to the absence or a distorted and offensive version of this language. In Turkey, Ardeshir and Afshin describe how the lack of non-heteronormative sexuality discourse leads to shame within the queer individual:

> **Afshin**: Our culture's foundation is flawed. People take advantage, run away and lie a lot. If you know someone is gay, if you've been with them and really know them and if you

> say 'you're gay' they'll deny it. In high school I was with someone for four years. I came to find that he wasn't gay and he preferred women. He told me that he was never gay. That I was the gay one and I should just stop. It's all about honor [*aberu*]. Not losing face. It's all about what you do wrong. That's what people focus on.
> **Ardeshir**: And you know, there are so many people who don't know what they are. Iran isn't like America. We didn't know we could even know this about ourselves. No one talks about it. I just knew I was different, the way I talked, acted, dressed. And I knew that difference was a problem.
> **Farrah**: Well then it must feel much better now. I mean, being more open. Now that you can know this about yourself and talk about it? It must be so different than when you were in Iran.
> **Afshin**: You know, Farrah. I'm only talking to you now because I'm not in Iran. I wouldn't even talk to my best friend of 25 years about the things I have told you in 10 minutes. You, who are essentially a stranger. People in Iran will never talk about this.

The presumption that the terms 'homosexual', 'heterosexual' and 'lesbian' are applicable to all experiences and identities (a presumption from which participants suffer in Turkey as asylum seekers, explained in Chapter Five), regardless of the sociocultural framework, is flawed and incorrect. The terminology is less developed in Iran because the subject is taboo and not as openly discussed as in the increasingly secular West, especially since the emergence of gay activism in the late 1960s.

Demonstrating reasons for the absence of a queer discourse and obviation of the 'queer question', the Persian language did not include a word for homosexuality before the 20th century. Sexual relations, homosexuality, and related concepts are literally brand-new expressions in the Persian language (Atlas-Koch 2011). Homosexual identities, as well as *terminologies* for homosexuality in Iran "do not distinguish sex, gender, and sexuality as carefully as Western elite discourses do" (Beeman 2001:32); as a result, the "diffused loanword" 'gay' is employed. However, as research participants will demonstrate, whatever you call it and however you say it, non-normative sexual acts and thoughts are taboo in the space of *zaher*, which, in turn, creates shame in the *baten*. Research participant Kamran shared his experience with accommodations of language and non-heteronormative sexuality in Iranian society:

> I didn't know what I was. I just knew they called me an '*eva-khahar'* [an effeminate man, equivalent to English derogatory terms 'twink' or 'poof']. That's what I figured I was. That word is very ugly though.

The controversial neologism often used (famously by ex-President Ahmadinejad, see endnote 36 in Chapter One) is *hamjensbaz* (literally, one who plays [*baz*] with the same sex [*hamjens*]). A group interview in Turkey suggested the power of this recently invented word and language in general. The intricate manifestations demonstrate the often arbitrary definition of what same-sex acts qualify as non-heteronormative in Iranian society coupled with the rejection of a homosexual or queer identity:

> **Siamak**: And once you say *hamjensgara* the first thing they think is '*kuni'* (one who is penetrated in the act of sodomy). But we have tops too, obviously someone has to be a top. It's just an act. They don't know about any of that. Tops, bottoms, passive (*majhul*), active (*fa'al*), they just hear either *hamjensbaz* or *kuni*. They think the same thing about transsexual. They're all fags who take it up the ass. This is our culture. All of these rules and opinions are from Islam. It says they have to be burned, executed. So, we have problems and strife both from a social perspective, school, people, family, the streets, society as well political problems. And religious. Everything is a crime.
> **Farrah**: I'm sorry but I don't know the difference. Could you please...[gets cut off].
> **Siamak**: Ah yes, yes. See, when you say *hamjensbaz* (one who plays with the same sex) it makes it sound like a hobby. It has nothing to do with who I really am. *Hamjensgara* is an identity. It means I am gay. Born this way.
> **Kamran**: But it's important to say this difference. I'm glad you asked. I wish more people would ask. You know I'm sensitive about this. I'm not a *hamjensbaz* /fag. I'm *hamjensgara*. It's part of me and not in my hands.
> **Farrah**: So it's connected to your identity. I see. And people say the *hamjensbaz* to aggravate you?
> **Siamak**: No, I don't think they are trying to aggravate me, but that's what aggravates me. You know? That's what I'm trying to tell you. They don't know the difference. They just conclude that oh, I sleep with men, well then I'm a fag. There must be something wrong with me. But, you know, Iran has both. The *hamjensbaz* man will just go be with a man because his wife is not sleeping with him or maybe he's curious. But it's not who they are. They're not like me…like us, I mean.

The Western concept and privilege of gays 'coming out' does not correspond with the way LGBT individuals from restrictive non-Western societies construct sexual identity. In the face of a minimal sense of identity and community amongst Iranian queers this group insists on the use

of *hamjensgara* instead of *hamjensbaz*. The suffix-switch from '*baz'* [gamer] to '*gara'*[one oriented towards] takes non-heteronormativity from a frivolous and trivial game [one who plays with the same sex] to claiming an identity [one oriented towards the same sex]. They ultimately say that what society regards as a sinful hobby, is *who they are*. By re-appropriating what they are labeled, Iranian queers insist that they are not just doers of a sexual act, but unified representatives of a community. Though an LGBT community does not exist in Iran, this lexicological reappropriation might be indicative that queer Iranians may want or idealize the existence of one. Slight changes in terminology might suggest a slow but significant emergence of the 'queer question' in Iranian spaces by the demand of many of interviewees to demarcate *hamjensbaz* from *hamjensgara*.

Regardless of queer-tolerant terminology, society continues to 'faggotize' or emasculate these individuals by employing the queer-intolerant *hamjensbaz*. Tolerant neologisms used in describing non-normative sexualities, however, do not eliminate the secrecy experienced at home with family and in society. These actions have deterred emergence of the 'queer question' and kept non-heteronormative sexualities in Iran in a space of shame, denial and criminalization. In Kayseri, Aram further elaborates on the terminologies:

> See, the *baz* is the part that is negative for us. In Iran we have *bacheh-baz* (one who plays with children/pedophile), *kaftarbaz/kabutarbaz* (plays with pigeons), *mashinbaz* (plays with cars), and *hamjensbaz*. So what we do becomes like a game and it's punished. Society doesn't see these as good roles. And all of the official statements and documents issued by the Islamic Republic—they always use that word *hamjensbaz*. They don't recognize homosexuals as an identity. And that's what really aggravates me. I could get the same punishment for being with Farhad [his boyfriend] as if I had murdered someone. Murder [*pauses*]…the crime of murder. Can you believe that? For being myself. For having human needs and wanting to love.

Lexicalization has perpetuated both a negative attitude toward and a trivialization of non-heteronormativity in Iranian society and made the very topic uncomfortable even as queer

Iranians or myself speak with other queer Iranians. Society has left this discourse open because of the silence, and this [lack of] language begins to matter more at the state level, which will be demonstrated in Chapter Four. Silences provide a space of negotiability and leave the normative structure of heterosexual identity unchallenged. Denying or staying silent about LGBT existence maintains gender binaries and historically championed social hierarchies. Silence deters discourse, which leads to Afshin's problem in coping with a queer partner of four years who refused to recognize his own queer identity. Iranians can no longer distinguish between gay and queer/bisexual/confused/ curious. Consequently, recognizing and living with a gay identity is shaming and totally out of sync with the heteronormative culture that has permeated into the modern Muslim world (Murray 1997; Whitaker 2006; Massad 2007). Queer behavior, then, is expressed among Iranian men in private because of the need to live in the very strict role of a 'public' individual.

To emphasize the effect of silence on non-heteronormative sexuality in Iran, I relay my experience while conducting this fieldwork. I—as an American researcher who isn't shy on topics of sex, nor am I easily embarrassed— found myself using euphemistic language in Persian throughout interviews during topics of sex and/or the body. The reader may notice that I am constantly excusing myself before broaching a topic related to sex and body. Although I was conducting doctoral fieldwork at a 'research site,' the fact remained that I was in somebody's home, talking about sex with a fellow Iranian, often a man, and feeling embarrassed and slightly restricted to communicate due to proprietal standards of language in the Iranian *zaher*. This type of negative negotiability—resulting in data for me and an opportunity to share a life history for the participant, manifested in awkward, tedious, and sometimes unbearable conversations wherein we were unable to comfortably acknowledge or address sex directly or organically (in

which becomes more apparent as the reader continues through the coming chapters). I emphasize this point in order to demonstrate how the lack of discourse on queer issues compounded with propriety and convention in the *zaher* impeded such things as even my research. They dictate everything! Even for people living this in the most painful ways, there is still discomfort and excuses made to discuss such things as body parts, sodomy, prostitution and sexual positioning. I finally found myself understanding the difficulty of non-heteronormative life in Iran, where rules and propriety govern all behavior and subjectivity in the *zaher*.

Notwithstanding the fact that I explicitly approached these participants to hear their stories as individuals who experienced non-heteronormative life in Iran, the difficulty of listening to their sexed lives and bodies—the very topics I came to hear—was making us uncomfortable. They hedged while I hedged. The secrecy surrounding sexuality, especially in relation to family, is really understood and the results of it are truly demonstrated. The 'coming-out' or lack thereof never happened, and at least not on their terms. It was a closet that they were pushed out of in order to save their own lives as refugees and build a case for themselves (Chapter Five discusses how the absence of a queer discourse affects the Iranian as an asylum seeker who explicitly identifies him/herself with this sexualized and 'taboo' aspect of identity).

Accommodating queerness within the conventions of *zaher* in Iran is a practice continued in Turkey. Despite a common homeland, non-heteronormative orientations, and shared history of adversity, this group of Iranian LGBT refugees fail to create a community or a diaspora. This is unusual in that diasporas come into being when members of an expatriate minority community share features and are "dispersed from foreign region, maintain collective memory, [and] don't believe to be fully accepted in host society" (Cohen 1997:140). In Turkey, these individuals could, should they choose to, build a community—not externally, but in the privacy of their

homes, but Iranian migrants not only fail to unite, they resist cohering into communities or materializing a diasporic consciousness. Glaringly obvious in refugee circles, constant secrecy streaming through non-normative sexuality has and continues to dominate the queer Iranian's subjectivity, to a point that when around one another, these individuals draw further into themselves:

> **Aram**: I'm so alone. At least in Iran there were friends. Here there is no one. No one to talk to. No one to sympathize with me.
> **Farrah**: What about everyone here today? [While in a room of six gay refugees and one transsexual]
> **Aram**: This is the first time I've seen any of these people in a house. Sometimes I see them outside in the shops or the street but we don't talk to each other.
> **Farrah**: Why?
> **Aram**: I think we're just too depressed to socialize. What do I have to say to anyone anyway? I'm gay and so are you?[10]
> **Kamran**: And it's hard to make friends. I'm a very sensitive person. Very sensitive. More than other men. This was always a very hard quality to live with.

Thus, the conventions of *zaher* do not disappear when they leave Iran; they are still Iranians and there is still an aftereffect from the conventions of the *zaher*. It has obviated even the ability to form fellowship, probably because in their subjectivity, this is not a way to approach or make friends. Non-heteronormative sexuality is not a guiding factor in social connections, in fact it is one erased from the conversation. There are no queer rights, communities and few identities, because the conversation on the nature and role of queers in Iran is either absent or muted.

CONCLUSIONS

Heteronormalization is forcefully bound up with identity in a sex-segregated society like Iran. This segregation, and hence, identity formation, was strengthened in the later 20th century by the Islamic Revolution, and ultimately created a new Iranian collective identity, as the political and religious transformation of the state affected many of the ways in which individuals

looked at themselves (Talattof 2000). Iranian state institutions and clergy would declare all same-sex sexual acts, regardless of position, as *haram* (against Islamic law). Social and familial prejudice, however, has its own dynamics independent of state apparatuses when addressing queers in Iran. Families, and even the general public, enforce heteronormative sexuality not to keep the IRI happy, but because of the socially crippling consequences of having produced a gay/queer son. This is in combination with a social hierarchy where sexual deviants (regardless of gender or sexual orientation) are at the bottom of the social hierarchy and, therefore, are seen to *want* and *deserve* abuse. This chapter has argued that counter-normative sexualities in modern Iran and Turkey contend with the societal, family and expectations of sexed bodies in the *zaher*. I have discussed the ways in which the category of 'heterosexual' has been used to strengthen systems of power and perpetuate state-embraced notions about the static nature of identity.

In the Middle East, restrictions on social behaviors govern and rule its citizens; same-sex activity does not automatically mean homosexual identity, partly because the boundaries of sexuality are less clearly defined than in the West. Queer individuals claim a place in society that is threatening to the social order in Iran. Queer discourse is an integral part of a societal analysis on sexuality; any viable attempt at an analysis of sexuality in Iran must make the 'queer question' an active part of its platform. By ignoring it, societal, state and religious expectations cause standards of sexual identities to appear universal—hence, the dominance of heteronormativity in Iranian society. Social pressures, in both Iran and Turkey, create relationships of power, inequality, and social exclusion. Iranian culture is based on a dialectical relation between the exoteric/*zaher* and esoteric/*baten* self. The major point is that the discourse about queerness in Iran, even at the social (non-state) level, has *no* input from those who are seen as non-normative because queerness and the obligation to total submission to abuse are seen as

tied to one another. There are no gay men, only gay acts and the only gay act is being the passive-penetrated partner.

The denial of homosexual identities in the *zaher* inevitably gives rise to the belief that the terms 'gay' and 'Muslim' are mutually exclusive. [11] Maintaining this order in the Muslim world has deterred, if not made impossible, the emergence of the 'queer question' in Iranian society. Mechanisms of societal power, namely the pressure to live amidst the world of *baten/zaher*, are "the basis for wide-ranging effects of cleavage that run through the social body as whole," and ensure that Iranians in Iran remain intact and in accordance with society's conception of normalcy (Foucault 1990:94). Identity categorizations involving sexuality do not exist in Iran, or at least not in the same way that they do in the West. Iranian society's rigid view of sexual and gender binarization expects individuals to fit into a particular category lest they be guilty of violating nature. This chapter has explored conceptualizations of sexuality as social constructs and performative processes (Butler 2006) on the queer in Iran. The next chapter introduces another contentious relationship: state and *ulama* authorities' interactions with the queer Iranian, and explains how these practices ultimately police, criminalize, and attempt to fix that which does not fit.

NOTES

[1] This is observed best by the concept of *ta'arof*, which Beeman (1986:56) defines as "the active, ritualized realization of differential perceptions of superiority and inferiority in interaction. It underscores and preserves the integrity of culturally defined roles as it is carried out in the life of every Iranian, every day, in thousands of different ways".

[2] Although in the context of economic development and revolution, the essays in Bourdieu's *Algeria* (1960) emphasize binaries in terms of the social negotiations which I believe complicate/problematize the *baten/zaher*. Bourdieu states that "the obverse of shame, is essentially defined by its social dimension, and so it must be won and defended in the face of everyone...so the dynamics of the exchanges of honour are essentially based on the pressure of opinion" (1960:122). This demonstrates how personhood is a social construction.

[3] Countless reasons explain the hopelessness of Iranian youth. The economy is a shambles with rapid inflation (Bozorgmehr 2011; Hanke 2013), which has given rise to prostitution and intravenous drug use. Consequently, this has increased the rate of HIV and AIDS (Afary 2009). Social mobility is very difficult as competition for resources, including employment, increases. Citizens are not satisfied with their jobs (if they have them), and are subject to life

in an oppressive Islamic regime. A mental escape from the rigid social conventions for many youth in Iran has been the internet. Iran has not been immune to global technological advances of the modern age. Exposure to online culture has opened new spaces of sexual practice, such as chat rooms.

[4] For an analysis on patriotism's interaction with family and nation which adds to this argument by pointing out how family and the symbol of 'woman' was used an expression for patriotism, see Noorani (2010).

[5] Foucault (1994) points out the relationship between development of a more discrete language of sex and incitement to talk about sex are closely related. When a word or language is created it has some sort of power. Demonstrating that, power is everywhere because it comes from everywhere, as it is exercised in different institutions and practices in society.

[6] Afary (2009:357) offers another angle of contractual marriages entered into for public reasons: marriage has become a modern convenience for some queer Iranians as it is entered into as a *method* of maintaining homosexual lifestyle while upholding the basis of propriety in the *zaher*. This occurs when cousins marry cousins who have no romantic interest in one another, or in the marital union of a gay man and a lesbian woman. These marriages become strategic arrangements aiding to quell the shame within the *baten* by negotiating within the heteronormative space of *zaher*. Also, many points in Silverstein (2011) offer relevant outlooks on the public/private binary of religion in explaining how individuals interact with the family and *zaher*. Especially poignant is Chapter Five, where he suggests that public space in Turkey has become a "place of moral discourse in public life."

[7] The Turkish government forces refugee populations to live in these small, non-metropolitan cities or towns in order to control their movement. Chapter Four explains this concept in more detail.

[8] The relational dynamic between oppressor and oppressed is best articulated by Najmabadi (2008) in her claim that rigid heteronormalization and gender binarization efforts—instead of eliminating same-sex desires and practices—have actually provided more room for relatively safer semi-public gay and lesbian social space, and for less conflicted self-perceptions among people with same-sex desires and practices. This might be more the case for the woman than for the man.

[9] In response to silence surrounding issues of homosexuality in Iran, *Homan*, a group established in Stockholm in 1991 to defend the rights of Iranian gays and lesbians, believes that the "most practical gay liberation strategy" is one of "raising awareness."

[10] The lack of community is overwhelming and these individuals only came together in order to assist in my fieldwork. All follow-up conversations suggested that they did not socialize with each other again after that day.

[11] Western constructs of subjectivity and society are more likely to see 'gay' identity and lifestyles as their own, while assuming that 'Muslim' both opposes and resists recognizing non-heteronormative sexuality. Modood and Ahmad (2007:199) elaborate upon assumptions on traditional Muslim opposition to an 'other' or something not fitting into the neatly packaged and socially accepted *baten/zaher*:

> The issue of sexuality, then, is in fact one of the pivotal points of contention between secular liberals and 'mainstream', practising Muslims within Western multicultural societies, and among Muslims themselves. It, together with the wider theme of sexual freedom, is central to the political hostility against Muslims in, for example, the Netherlands, where gay sociology professor Pim Fortuyn led a popular movement to restrict Muslim immigration because the attitudes of Muslims were alleged to be threatening traditional Dutch sexual liberalism.

CHAPTER THREE

QUEER SEXUALITY IN IRAN: THE GOVERNMENT AND CLERGY CHALLENGE

> **Aram**: In Iran, I had night terrors and developed psychological issues. Those things went away when I came to Turkey.
> **Farrah:** [Jokingly] I think that you're allergic to Iran.
> **Aram**: No, I really think it's something like that. Because in leaving Iran, I left the society, the family, the damned government and was able to live. Finally.
>
> -Aram, age 33, gay Iranian Refugee, Turkey

Historical accounts documenting Iranian sexuality, as discussed in Chapter One, illustrate that same-sex sexual practices in Iran have existed since pre-modern times; however, non-normative sexual *identities* in Muslim societies were not recognized before contact with the West (Murray 1997; Massad 2007). Chapter Two elaborated on this point, showing how queerness is treated as a foreign phenomenon in Iran. In continuing this analysis relaying the connection between same-sex sexual acts and identity, this chapter explores how the Islamic Republic of Iran (IRI) continues to deny homosexual identity, while punishing same-sex sexual practices. In doing so, Iranian institutions of power are creating a criminalized profile of the Iranian queer. Absent from queer discourse, denied an identity, but stigmatized as a criminal, the Iranian queer citizen falls victim to modern technologies of categorization. These structures of power regulating modern sexualities are framed in patriarchy and motivated by state embraced heteronormalization. Indeed, practices of normalizing are a way in which, according to Foucault (1990), human beings are "made subjects". This is achieved through discourses of knowledge, such as psychiatry, medicine and biology, which create oppositions between the normal/abnormal and permitted/punished forms of sex.[1]

Hence, one consideration in this chapter is whether modernity is an element that produces, modifies or informs the repressive attitude towards queer practices in Iran. Recent discourse of transsexuality in Iran suggests a modern version of population control; sex-reassignment surgery is performed coercively on Iranian homosexuals by a fundamentalist Islamic government (Eqbali 2004; Walkley 2010), under the auspices of two *fatwa*s issued by Khomeini permitting the surgery. I argue that Iranian *ulama* are manipulating Khomeini's *fatwa* by using it as a medicalization device to enforce sexually normative behavior among homosexuals.[2] The evolution of Khomeini's original 1967 and 1985 *fatwa*s permitting SRS will be examined through the lens of medical, religious and legal developments that have impacted Iran's queer community. I continue my analysis of the 'queer question' by arguing that a discourse on non-heterosexual behaviors and practices in Iran has only been addressed in the strictest forms of Islamic punishment. This chapter argues that the IRI and *ulama* are busily policing individuals with non-heteronormative sexuality in order to fit them into society and maintain propriety on the basis of *zaher*.

It is important to note that I transition between a discussion of gay and trans- sexuality throughout the chapter in that I treat them both as examples of the non-heteronormative structures which challenge the Iranian basis of *zaher*. I do this because it is how the state treats them; policing acts of sodomy—no matter the person, is uniform in Iran. Modernity uses the state, science, medicine and the law to alter subjects to fit in with society. This chapter is organized in three sections: the first explains the fatwas approving SRS in Iran, starting with the original issued by Khomeini and evolving into modern state medical devices to fix people and fit them into binaries. The following section deals with punishments and invasive legal and religious procedures which emerge from the modern state, while the third section demonstrates

ways in which Iranians are subject to the legal and medical criminalization and alteration based on sexuality.

Governmentality Rules over the Civic Body: Evolution of the Fatwas

Social and cultural developments of the 1979 Iranian Revolution put a remarkable spin on Iranian state, society, and identity construction: they delivered the traditionalization of a modernizing nation-state *along with* the modernization of Shi'i customs and institutions.[3] Both the *ulama* and IRI's efforts focused on shifting the Western form of modernization that was occurring in Iran, to what they deemed a form of morally appropriate modernization, which included moral purification and ideological reconstruction.[4] As explained in Chapter Two, sexuality is a major dimension of behavior policed by society and family in modern Iran. The next section discusses these activities as enforced by state expectations and how non-heteronormativity is criminalized in order to accommodate the *zaher*, while shaming sexual urges in the *baten.* Current discourse on modern Iran suggests that failure to create the ideal state subject (which would result in, for example, an individual with non-heteronormative sexuality) leads to more drastic solutions by creating an environment so uncomfortable that he is willing to become a woman through SRS. Many queer individuals considered indecent by Iranian society are coerced by the political or religious institution into getting this surgery. This leads to the conclusion that unconventional activity will not be tolerated and is replaced with what is befitting an ideal Iranian, Muslim citizen.[5]

Sex reassignment surgery (SRS) is not new to Iran, but, in the past, individuals who underwent the procedure may have at least experienced gender dysphoria (feeling of being born

in the wrongly-sexed body).[6] As early as 1967, the exiled Ayatollah Khomeini had published a *fatwa* recognizing hermaphrodites as individuals suffering from gender dysphoria and declaring that there is no religious restriction on sex reassignment surgery. In 1985, he issued an appendage to this *fatwa* to include transsexuals[7] suffering from gender dysphoria.[8] This reissuance, in Persian this time rather than Arabic, set in motion the process that culminated in new state-sanctioned medico-legal procedures regarding transsexuality.[9] Khomeini's *fatwa* has been reconfirmed by the current Supreme Leader of Iran, Ayatollah Ali Khamenei,[10] and is also supported by many other Iranian clerics. While some Iranian Shi'i Islamic clerics believe that transgenders are mentioned in the Qur'an,[11] Khomeini's opinion had more to do with what *isn't* in the Qur'an than what is; sex change isn't mentioned in the holy book, his thinking went, therefore, there were no grounds to consider it illegal or immoral (Ireland 2007). Ayatollah Khomeini's *fatwa*s in reference to SRS read as follows:

> "Sex reassignment has no religious restriction if prescribed by a trusted doctor"

and

> "Sex reassignment from man to woman or sex reassignment from woman to man and also sex reassignment of the neutral-sexed or hermaphrodites to man or woman is not forbidden" (Khomeini 1985).

The Iranian Shi'i *ulama* hold Khomeini's edict in the highest esteem.[12] Stated one cleric: "the view of Imam Khomeini has become the most important jurisprudential source amongst post-revolutionary legal position for the explanation of sex reassignment" (*Arya Virtual Library*). In addition to Khomeini's originals, a series of *fatwa*s have been issued by various members of the clergy concerning transsexuals since the original one in 1985.

Indeed, Khomeini brought the issue of transsexuality to the forefront of Iranian social identity construction.[13] This came about after Maryam Molkara, then a 33-year-old pre-operative

transsexual man named Fereydoon, forced his way into Khomeini's home and explained his suffering due to gender dysphoria.[14] Moved by Molkara's pleas, Khomeini recognized this community as suffering from an ailment and issued a *fatwa* recognizing transsexual people and declaring that there is no religious or legal restriction on SRS (McDowall & Khan 2004).[15] Molkara claims,

> Khomeini decided that it was a religious obligation for me to have the sex change because a person needs a clear sexual identity in order to carry out their religious duties. He said that because of my feelings, I should observe all the rites specific to women, including the way they dress (Bakhtiari 2012).

Khomeini's approval of the surgery affirms his understanding of gender is along the same vein as the current discourses of the IRI: there is no place in society for the ambiguously gendered in Iran.[16] Constructing a dual relationship—whether as wife-husband, brother-sister, Muslim-Allah—depends on fitting into the social construct of gender and a gendered world. The process by which ungendered or ambiguously gendered bodies are forced into socialization and gendering allows these bodies to carry out the tasks of everyday Muslim life: prayer, pilgrimage, burial, marriage, and inheritance (Sanders 1991).[17] Khomeini reasoned that if men or women wished so intensely to change their sex, to the point that they believed they were trapped inside the wrong body, then they should be permitted to relieve their misery by transforming that body. This was to maintain public morality and suggests how propriety in the *zaher* is used as a technique to achieve social control.

The following *fatwa*s issued in 2010 will suggest how the original medical and religious discourse surrounding Khomeini's *fatwa*s eventually took legal form; the state began enforcing it upon queers to create sexual normalization.[18] State jurists employ tactics justified by religious decrees of texts—namely *fatwa*s, the Qur'an, hadith and *fiqh*—to legitimize their stance on

transsexuals, and to ultimately enforce heteronormative behavior. A series of *fatwa*s have been issued by various members of clergy concerning transsexuals and maintain many of Khomeini's original points. These edicts, however, supplement the original to include definitions of gender dysphoria, recognition of a transsexual identity, surgical methods, and jurisprudentialized permission. Grand Ayatollah Hossein-Ali Montazeri permits gender reassignment procedures, even though Khomeini's *fatwa* already made it acceptable as a remedy to gender dysphoria. This demonstrates the growing discourse on transsexuals in Iranian society and the continuing clerical contributions to the discourse. This particular input suggests stipulations on what could be considered unrestricted/pan-permitted SRS:

> "Sex reassignment is allowed unless it involves a corrupt or sinful act" (Montazeri 2010).

Ayatollah Montazeri's stipulation on SRS adds a dimension of punishment to Khomeini's original *fatwa*. The "corrupt or sinful act" may refer to those individuals undergoing surgery who do not suffer from gender dysphoria, but prefer to possess the opposite sexed body for sexual intercourse purposes.

Ayatollah Shirazi (2010) provides further stipulations regarding the surgical procedure with this *fatwa*:

> Sex reassignment is not inherently against Islamic law and it is allowed. However, it should be done according to Islamic rules. For example, the forbidden parts should not be seen and touched unless—and to the extent—necessary.

This *fatwa* adds an element of shame and corporeal control over the sexed body. The assessment of "necessary," insofar as seeing or touching of the body is totally subjective. It may refer to the doctor-patient relationship, and/or to the complexities of a female doctor working on a female-to-male (FTM) patient or vice versa, but dismisses the possibility of sexual relationships in post-

operative transsexuals by denying touching the body for pleasure. Further, Ayatollah Shirazi (2010) specifies that new sexual organs must "work" for a sex change operation to be permissible:

> Sex change has two forms: sometimes it is merely exterior and ostensible—meaning that there is no trace of the opposite sexual organ upon the individual. It may be a mere formality that makes the opposite sexual organ appear, but the organ does not really work. This is not allowed. This is not permitted. But if the sex change is real and the real sex organ appears, this is allowed by Islamic law.

Because the subject of Khomeini's initial action upon this community referred to a hermaphrodite's body, a "trace of the opposite sexual organ" may refer to that body. This *fatwa* includes visual aspects of the body, and then proceeds to a discussion of performativity and the necessity that the organ "really work." This contribution to SRS discourse obfuscates Khomeini's original *fatwa* through its controlling restrictions on eligibility.

Another cleric, Ayatollah Saanei (2010), explains how SRS does not interfere with God's plan or work:

> In the jurisprudential verdict, whether in terms of personal issues or in terms of the perspective of others, it is important to keep in mind that this is manipulation of the creature, not the creator.

Khomeini failed to make this *fatwa*'s argument; it seems to speak to a religious skeptic of SRS by clarifying aspects of creation which may appear to be usurped by science. If God is the only creator who can make something out of nothing, SRS isn't interfering with the process, but merely amending the already created being.

These 2010 *fatwa*s suggest the growing discourse on the topic of SRS and transsexuality in Iran. Although practices applied to the surgical procedure have been specified, none of these

recent edicts overturn Khomeini's *fatwa*s; they simply add new dimensions and create a space of power for the *ulama*'s policing of sexuality and enforcement of heteronormativity. As more time passes, the stipulations on the surgery increase. Interpretations are not actually based in any solid Qur'anic law or Islamic tradition but are subject to individual clerics' personal interpretations.[19] Thus, the modern edicts surrounding SRS are politically manipulated rather than Islamically justified. Maryam Molkara, the woman whose pleas to Khomeini led to issuance of the 1985 *fatwa*, said that the state's current policy is not in harmony with Khomeini's stance. As quoted in Tait (2007), she claims "they are saying homosexuality doesn't exist, but they have never given me a chance to use my influence among transsexuals to prevent transsexuality from happening." Frustration from Iran's first recognized transsexual, who courageously confronted the Ayatollah Khomeini, is very telling. The regime has a goal to create law-abiding, appropriate governing bodies that make obedient Muslims.

The *ulama* use their approval of government subsidization of SRS in Iran as a platform to boast open-mindedness and progress, since the IRI is one of the few countries to 'accommodate' transsexuals as much as they do. However, in the midst of these proclamations that construct the Islamic nation-state as progressive, there are a growing number of queer individuals who disagree. As religio-legal powers are present in this sexual space, they demonstrate the clergy's agenda of eliminating non-heteronormative practices and behaviors. In Turkey, a male-to-female (MTF) research participant explains a detail during the 'transing' process that sheds light on the motivations of the Iranian governmental or religious authorities:

> **Farrah**: Can you tell me about the process? The one before surgery. You mentioned therapy. I know that there are also hormones you needed to take?
> **Mojdeh**: Yes. I went to a therapist who introduced me to the doctor who does the surgery. Then they introduce you to the prosecutor where they do all the administrative tasks. During this whole time we are taking hormones. That is the most important thing

for us.
Farrah: Why do you take them? I mean, what do they do?
Mojdeh: They help me into becoming a real woman.
Farrah: You mean that without the hormones you would never feel like you were a real woman?
Mojdeh: Of course not. That is where the breasts and the womanly feelings come from, you know? And the voice. But that is something we seek out ourselves. Nobody cares about the hormones but us.
Farrah: How do you get them, then?
Mojdeh: Oh, well, getting them is easy. I got them from my doctor.
Farrah: So, it isn't forbidden or illegal?
Mojdeh: No, not at all. Why should it have to be?
Farrah: No, sorry, I just thought since the hormones were not a governmental priority or obligation, that there was some kind of legal restriction.
Mojdeh: No, they just don't pay for them. I have to pay for them and they are very expensive.

Another post-op MTF, Marjan, explains her experiences with the procedure and gives a bit more information about the sexed body:

Marjan: First you go to a psychiatrist. This person gives their opinion in an official document. You take this to the doctor. This process is very long. You need many letters. Lots of exams and it's very expensive. The government gives you 600,000 Tomans towards the surgery. A lot of us don't have this kind of money. It all takes about a year until you get a final decision to get the surgery. Then you start your hormones, submit your ID in order for it to be changed to female status and then we're allowed to dress and act like women. Everything leading up to the surgery takes 6 months. The therapy, the hormones, the insurance.
Farrah: What about female to male surgeries? Are those ever successful in Iran?
Marjan: I don't know much about them, but I've never heard of a post-op female to male being a real man. You know…uh…with what men can do?
Farrah: Yes, I understand. What's more common?
Marjan: Male to female.

Gender dysphoria is not a concern for Iranian authorities. If the IRI and *ulama* are as concerned about the trans- community as they would like others to believe, why wouldn't they offer what Mojdeh calls 'the most important thing' in the form of hormones in the process of transitioning? Also, as Marjan indicates, MTF is more common as male queers in *zaher* are more visible in public spaces and must be normalized more than a woman experiencing queer feelings.

Eliminating those outside of the normative standards is the goal. The post-op community shows that progressive representations of the IRI as generous or the *ulama* as open-minded—concerning sexualities that deviate from the perceived norm—are neither helpful nor accurate.

The IRI has specific heteronormative ends in its social construction project and enacts specific practices to lead to those ends. Legally and religiously implemented SRS consolidates heteronormativity by managing the techniques which allow citizens to enjoy bodily pleasures (Foucault's technologies of self) in order to ensure that they fall within the schema of sanctioned acts. The state's encouragement of SRS for Iranian queers demonstrates how public and sexual moralities emerge in the legal and judicial arena. The governmental implementation and financial support of SRS is initially beneficial to the transsexual suffering from gender dysphoria, but situates the homosexual in a political battlefield of victimization and oppression. Ultimately, the state's goal—and the murkier side to this "liberal" medico-legal development—is the assimilation of queer men and women within a binary gender paradigm.

You're a Transsexual because We Said So: Sexuality under Surveillance

The dominant voices condemning groups who deviate from the Islamic Republic's idealized norm (heterosexual, Muslim, Iranian) are projected from the state, family and society; socially and economically thriving in Iranian society while maintaining a gay identity is impossible. The state declares homosexuality a completely and rigidly unsuitable practice in the *zaher* while the queer citizen struggles in the *baten*. Although state powers do not acknowledge the legitimacy of a homosexual identity, they maintain that SRS is a remedy for the "disease" that they consider homosexuality. Ireland (2007: n.p.) states that:

> Sex change surgeries are explicitly framed as the cure for a diseased abnormality, and on occasion they are proposed as a religio-legally sanctioned option for heteronormalizing people with same-sex desires or practices. Even though this possible option has not become state policy (because official discourse is also invested in making an essential distinction between transsexuals and homosexuals), recent international media coverage of transsexuality in Iran increasingly emphasizes the possibility that sex-reassignment surgery is being performed coercively on Iranian homosexuals by a fundamentalist Islamic government.

State discourse surrounding the homosexual and transsexual (inadvertently) emphasizes the interconnection of the two in society's standards. The Iranian government's implementation of SRS articulates how institutions of power and the mechanisms for generating truth are spiraled. The government has aimed to universalize the following truth: any individual who wants to perform non-heteronormative acts is in a mistaken body. Thus, in order to create a sexed body appropriate to social convention in the *zaher*, the IRI subsidizes corrective surgery, while the *ulama* deem it Islamically justifiable. These created truths advantageously "classify phenomena into definite categories….the will to truth is here merely the desire for a world of the constant" (Nietzsche 1999:364). Scientific, political, and religious disciplines impose order on society by constructing heteronormative social identities.

A major contention in claiming that the Iranian state is enforcing sex reassignment surgery on its queer population is quite simply: how?[20] The process involves a manipulation tactic enacted by the government to take advantage of 'queer' people. Power to create (transsexuals), or ignore/abolish (homosexual) categories of identity and personhood has been a key prerogative of the state and society. A sex-reassignment surgeon in Iran, Dr. Mir-Jalal, notes the high rate of these procedures in Iran as compared to Europe, ultimately revealing that Iran's authoritative distaste towards homosexuality explains the vast statistical difference:

> In Iran, homosexuality is treated as a crime carrying the death penalty. In Europe and North America, it is accepted. Transsexuals aren't homosexuals. Unlike homosexuals, they suffer from a separation of body and soul where they believe their own body doesn't belong to them. But in Europe they can have a free life. They aren't under the same pressure to change their sex. In Iran, transsexuals suffer from a lack of awareness, within their own family and in wider society. That increases the psychological pressure and contributes to the higher number of operations here (Tait 2005).

In politically and religiously charged Iran, devoid of sexual education in schools, individuals do not know what non-heteronormative practices, thoughts, or feelings mean. Are they intersex? Or asexual? What if they are attracted to both sexes but are unfamiliar with the term 'bisexual'? What if a man wants to dress in women's clothing, yet, judging by his attraction to women, still practices heteronormative behavior? Perhaps this man is unfamiliar with the terms 'cross-dresser' or 'transvestite' and grows more confused in his *baten*. Resulting from the lack of awareness of these terms, queer individuals in Iran grow up in a world of shame, keeping secrets about their true identity from family, friends, society and self. The effort to live according to *zaher* standards of decency governs this shameful and silent life. A post-operative trans woman exemplifies the lack of awareness surrounding her queer sexuality and body, in that she believes additional surgical procedures will enable her [born male-sexed] body to get pregnant:

> **Marjan**: But there's a doctor in Thailand. He charges up to 15 million Tomans, and you get it all. You know, the feeling women can get during sex? That can happen after three months. And it all looks aesthetically pleasing. Very real. I've heard that you can even get pregnant.
> **Farrah**: Oh, so you would like to get pregnant?
> **Marjan**: Yes, and when I get to America, God willing, I will save my money for this surgery. Being a mother is one of the reasons I wanted to have the surgery and be a woman on the outside. I think I would make a very good mother.
> **Farrah**: So…you're saying that this doctor in Thailand can do something to make you, in your stomach…that he'll help you have a baby?
> **Marjan**: Yes, a few of the kids [other MTF post-ops] have gone to him and say he's great.
> **Farrah**: Did they get pregnant?
> **Marjan**: Not yet, but God willing, it will happen.

Marjan's misapprehensions of having a child though she was born a man result from the silence and lack of discourse on matters of sexuality in the Islamically conservative environment of modern Iran. Self-help programs, such as those that exist in the West, or LGBT communities/clubs, are limited or unavailable to Iranians in Iran. SRS clinics, however, are available for the confused queers living in the strict confines of an Islamic and heteronormative country.

Apparatuses of power in Iran link the institutions of law, religion and medicine to ultimately abet the diagnosis of gender dysphoria and the state's role to 'cure' the members of society that suffer from the "ailment" (Tibi 2009). Iran currently has the second highest reported number of MTF surgeries in the world, the first being Thailand. Exact numbers are difficult to attain, but it has been reported that the rates of surgery have increased under the Ahmadinejad administration (Tait 2007). Thailand has reported 20,000 transsexuals, while other numbers are being reported as high as 150,000 (See Amjad 2000 or Tait 2007). This can be used as a starting point to make a quantitative guess as to the number of procedures in Iran. Is this high number to say that the high percentage of post-op transsexual Iranians are experiencing gender dysphoria? Stigmatization associated with non-normative sexuality positions the Iranian queer in a frightening and unpleasant environment. Due to the fear and frustration of not conforming to the *zaher*, many of these individuals

> …eagerly embrace the transsexual diagnosis because it removes the stigma from which they suffer by attributing their behavior to a legitimate medical condition unamenable to psychotherapy. Thus impressionable and susceptible people flock to gender identity clinics where they 'play the game' in order to obtain the surgery….which may be an answer to their problems (Ekins1996:76).

Although feelings of gender dysphoria legitimately exist, there are instances of MTF surgeries occurring on individuals who are *not* experiencing feelings of discomfort in the bodies in which they were born. Gay men are enduring SRS because of a state-sanctioned project to 'fix' them. The state does not admit this, but Ayatollah Kariminia (2010: n.p.), Iran's foremost scholar of transsexual discourse and SRS, acknowledges the existence of homosexuals and claims that SRS is an open path for them. He boasts that the procedure is a medicalization tool to treat not only gender dysphoria but same-sex desires:

> The discussion is fundamentally separate from a discussion regarding homosexuals. Absolutely not related. Homosexuals are doing something unnatural and against religion. It is clearly stated in our Islamic law that such behavior is not allowed because it disrupts the social order…..We have to differentiate between sex changes and homosexuality. If we say patients can change their sex, it should not be understood that we are authorizing homosexuality. Approval of gender changes doesn't mean approval of homosexuality. We're against homosexuality. But we have said that if homosexuals want to change their gender, this way is open to them.

While homosexual acts are considered a sin, transsexual inclination is categorized as an illness subject to cure. So, if one can't change the sinning ways of homosexuals, then it is far easier and more accommodating to lump them into a category that can be fixed in order to maintain order and encourage appropriate behavior both in the *zaher* and public space (as mentioned in the Introduction, *zaher* is distinct from public in that the former, as opposed to the latter, is not a physical space but an exoteric performance of one's consciousness and personhood).

Confusion and secrecy stewing in the *baten* of the queer Iranian begin to overwhelm; SRS enters as a way to fix 'perverted' non-normative feelings. Many of my participants added to the explanation as to how mistaken and enforced feelings of gender dysphoria pervade the queer community and lead to surgery. Aram, a gay man, identifies the problem as resulting from lack

of awareness in the *baten* and uniformity in both the conventional space of the *zaher* and public space in Iran:

> **Farrah**: Have you heard about this phenomenon in Iran where gay men are becoming women, through surgery, in order to avoid execution or punishment?
> **Aram**: Yes, I've seen it. There are people who are just bisexual and so confused. Because of all the pressures they get the surgery but they're not really trans.
> **Farrah**: What pressures?
> **Aram**: To be either this or that. This is probably the worst thing. It's worse than death. You don't know what you are. If they didn't feel this way, they wouldn't do it, but they don't know any other way. And they're never happy after [the surgical procedure].
> **Farrah**: Why do you think that is?
> **Aram**: Because they're not really women. They're just men without…excuse me, you know. They are still discriminated against. They probably thought that the surgery would fix that.

However, the answers given by other research participants, both gay men and post-op MTF trans women, when asked about the legitimacy of coerced SRS, streamed through many different areas of doubt, assuredness, ignorance and shock. I begin with Roya, a business savvy and confident post-op transsexual who explains the commodification of the trans body:

> **Farrah**: Have you heard about the Iranian government making gay men into women? I saw it on the news once and thought it was interesting.
> **Roya**: Yes, there is such a thing, but that was not the case with me. I have always been a woman on the inside.
> **Farrah**: Oh, yes, of course. But, I mean, what about the others? I mean, have you known anyone who did this?
> **Roya**: Yes, there were many of them when I was working…eh…excuse me, but I was working on the streets.
> **Farrah**: So people gave you money and you gave them…yourself?
> **Roya**: Yes, I worked on the streets. I mean…well…I had to pay for this surgery somehow. They [the government] only pay half and that's with luck—you know if you have all of your papers organized and ready.
> **Farrah**: May I ask you about your work and these women?
> **Roya**: Yes, yes. Go ahead. I have no reason to lie to anyone. This is who I am.
> **Farrah**: Yes. Thank you. So, what would these…sorry were they women when you worked with them?
> **Roya**: Some had the surgery and some were about to get it. You know, if you have the surgery you make a lot more money. But not the bottom. Just the top.

> **Farrah**: Oh, so breasts but you still have the…sorry…
> **Roya**: Yes, most of them still have it. I don't but that's because it was not me. I was just born with it.
> **Farrah**: I understand. In English we have a term [gender dysphoria] to describe the feeling of being born in the wrong body. Is there a term for this in Persian?
> **Roya**: We just say that our soul is one thing but our body is another. Our bodies and souls are not one. They are not in harmony.
> **Farrah**: In your opinion then, or from what you've seen in Iran or here in Turkey, are there people who have SRS who don't have this feeling? This disharmony?
> **Roya**: Some don't feel it and I really don't understand how they can endure it all. Us trans people, we go through so much therapy and pre-screening. Why would someone do the surgery unless they really felt it was necessary?
> **Farrah**: Well, why do you think?
> **Roya**: They are told that they are different. You know in Iran it's very difficult if you're different from everyone else. Especially if you're gay in Iran. And these men, and not just the ones on the street, think that this will help. They are convinced that they are ill and that the operation will cure them. But you know, these surgeries are just a way for the government to control society. You must be either man or woman. You can't be anything in the middle. See, when I was in Iran I liked putting on a pretty veil, makeup and being with my boyfriend outside. But people said that this was against Islam and said you must undergo surgery.

One may notice the verbal hedging between Roya and myself while discussing matters of sex, the body and prostitution. See Chapter Two for a discussion on how silence and absence of queer discourse detrimentally influenced communication when discussing non-heteronormativity in Iran. Another MTF transsexual clearly stated that SRS was coercively performed on queers not fitting into the uniformity of the *zaher*:

> **Marjan**: You know, they're doing it now. Not when I did it. Back then it was a new thing. No one had any idea. But, unfortunately it seems that they are doing this now.
> **Farrah**: Why do you think they are doing this?
> **Marjan**: Well, I think that they say people in society must be uniform—either man or woman. So they perform these surgeries. On these gay men who don't have any information about the situation.

Mojdeh, the third MTF with whom I spoke, adamantly denied the criminalized aspect of the surgery. She felt it as an insult which ultimately dismissed her gender dysphoria and discounted her legitimate feelings of womanhood.

> **Farrah**: So, are gays having this surgery?
> **Mojdeh**: No way. Gay is gay. Trans is trans. It's a totally different thing. I've never heard of such a thing. I know they take gays and kill them. But I don't think the government is paying for such a thing.
> **Farrah**: Yes, but if this isn't the case why are there so many surgeries? Surely not every person who has the surgery feels that they were born in the wrong body, or do they?
> **Mojdeh**: The conditions in Iran are terrible. That's why people are having the surgery. You have to determine what you are. A man is a man and a woman a woman. There's no in between. It's not like in America where a person can have whatever body they want. But, you know, this isn't what I am interested in talking about. It's not interesting to me, please excuse me.
> **Farrah**: Oh, yes. Sorry. Please continue. What were we talking about?
> **Mojdeh**: My childhood.

Mojdeh's reluctance to discuss the surgery or the procedure as a whole had little to do with anything other than the enjoyment she took from telling her life story. Interestingly, only one of my seventeen gay male participants claimed to have been under state pressures to undergo SRS, and refused to discuss the matter any further than that. So, we see that it is not wholly unanimous, but we can say that it is happening. As my participants said, what informs the impetus of state-sanctioned and religiously approved SRS is an obsession to maintain heteronormativity and the distinction between man/woman.

While information on state-coerced SRS on Iranian queers is closely guarded, there is increasing evidence that such a state program/policy exists. One gay Iranian man recounts an experience with a doctor:

> I went to a psychiatrist on my own who helped me. At first she said you are a trans person and you can easily change. I told her I am a man and I will not change. I like men but I want to be with men as a man not as a woman. I have no problems with my manhood. I knew I would never do this. Despite this, she never used the word "gay." She just called me a "weak trans" (*Human Rights Watch* 2010).

State, scientific and legal Iranian authorities categorize individuals so as to control them and maintain *baten*/*zaher* in a binary fashion. The term 'weak trans' blurs boundaries between gay

and trans individuals in Iranian society. Pathologization of queers lumps them all in one. Participants in SRS help attain the state's goal of reducing sex/gender ambiguity. This is meant to quell the tension a queer Iranian feels between their inner feelings in the *baten*, and the way they will exhibit this outwardly (Beeman 2001). Iranians must choose conventional gender behavior or it is chosen for them: the state's rationale works something like, a man is not to have sex with other men, but if we make him into a woman he would not be violating the natural order of things *were* he to have sex with a man. When gay men were asked to elaborate on state-coerced SRS, their reactions were contentious as well. Some claimed that the surgery was a state heteronormalization mechanism, while others became irritated and answered the opposite:

> **Kayvan**: A gay man? Having the surgery? No. Never. We're different than trans people. I like my manhood. I enjoy being a man. I would never have that surgery. Never for whatever reason of avoiding execution or anything. There's always another way. I would never make myself into a woman.

Reactions to this question are hardly universal and one cannot conclude much from them except for the fact that being gay in Iran is dangerous and the state wishes to do something about it, whether that means state-coerced SRS or other forms of enforced heteronormativity (lashings, beatings, execution).

The IRI government's practices of policing sexuality, especially sodomy, might result in many different types of corporal punishment: lashings, beatings or execution as established by the Islamic Punishment Act (see endnote 40 in Chapter One) which establishes methods of correcting or punishing non-heteronormative practices. These sexual acts are not punished equally as different acts in Iran carry different punishments; the more severe a violation of gender performativity the act is seen to be, the more severe the punishment. Current state actions, however, reveal a much more complicated and expensive form of punishment enacted upon the

Iranian queer. Normalization efforts can be as extreme as, for example, taking a man who is socially perceived to be behaving like a woman and forcibly *making* him into a woman. Punishments such as these are justified in interpretations of the Qur'an and Khomeini's fatwas; they suggest how post-revolutionary discourses about sexuality in Iran have been produced by a science that 'normalizes' the pathologized queer body.

The failure to normalize leads to the concern of the remainder of this chapter: criminalization of same-sex acts. These legal restraints demonstrate how struggles within the *baten* and propriety in the *zaher* enforce heteronormative sexualities. My analysis of state punishment applies Foucault's techniques of biopower to explain the assemblages of fear, control and bureaucracy exercised by the IRI and *ulama* over any challenge to heteronormative practices. Bio-power emerges as the development of numerous techniques over the subjugation of bodies and the regulation of populations.[21] It is not simply about subordination, but a way to enable the conditions that make certain forms of human subjectivity and sociality possible—a true exercise in power.[22] A gay participant in Turkey explains governmental power over the citizen:

> **Farrah**: Ok, well can I ask you about something…about trans? I mean, Iran is famous for human rights violations against homosexuals. But when the subject of SRS comes up, the rates at which they are occurring, and that the government is paying for half of the surgery, Iran looks open-minded and liberal. What's your opinion on this?
> **Aram**: The Iranian government, and governments similar to Iran's, knows everything that's going on. Our dear president Ahmadinejad knows that there are gays even though he said there weren't. In New York, you know this, right? Well, they just prefer all of it to be in secret. They prefer it hidden, not seen. All of this returns to a human rights issue.

The state finds homosexuality a perverse deviation from sexual and gendered norms expected in the *zaher*; this deviation of heteronormativity is intolerable to the judicial and religious institutions of the Islamic Republic. These aversions are not new however; sexuality and sexual

practices have been the objects and subjects of disciplinary institutions of power and knowledge throughout Iranian history. State powers exercise legal mechanizations of power upon the individual in order to "invest it, mark it, train it, torture it, force it to carry out tasks, to perform ceremonies, to emit signs" (Foucault 1975:464). Attempts by the *ulama* to bring order back into the disorder (of queerness) illustrate the "set of techniques and institutions for measuring, supervising and correcting the abnormal" (ibid, 469). For the IRI and *ulama*, the homosexual community is an indication of divinely ordained nature running amuck.[23] Consequently, institutional techniques invade the *baten* through state penetrative acts in order to control the *zaher*.

Confusion with the Sexed Body: Post-Operative Trans Bodies in Iran

Although the prefix 'trans-' inherently suggests movement (in this study: from one sex to another), this movement is very limited in terms of gender identity. Three MTF post-operative transsexual informants explained attempts to endow themselves with gendered behavior, which, according to Butler (1999:179), is the "tacit collective agreement to perform, produce, and sustain discrete and polar genders" in order to achieve a true sense of female subjectivity. They were each adamant about being born in the wrongly sexed body, and that gender performativity as a former male was more difficult in their newly crafted female bodies. As identity is forged by appearance, SRS is meant to accommodate individual difference and to establish a more fluid identity that can account for individual mobility and movement (Muggleton 2000). However, as one of my more candid transsexual participants explained, the difficulty of gender performativity and disappointment with post-operative appearances can impede the social mobility they were hoping to enact with their newly-sexed bodies:

> **Marjan**: You know, when you're a man, they just remove it, make a slit, and welcome to womanhood. Go along your merry way. We're finished here. If I can speak comfortably with you, the surgeries are never successful. I would say 99% of post-ops are unhappy. It's not the thing which we wanted.
> **Farrah**: Meaning…what? Sorry, the way it looks or something else?
> **Marjan**: We can't have sexual intercourse. Not completely.
> **Farrah**: Oh, well if you say it's the way it is then I can imagine it not being very enjoyable. You know, I've heard that there are a large number of post-ops who commit suicide. Is this one of the reasons?
> **Marjan**: Precisely. They feel disappointed. They can't have an orgasm or even engage in the act the way they were hoping to. This is why there are so many suicides.

Pre-op longings for social assimilation are just within reach; the common narrative is "I felt strange all my life, and now I'm going to be normal". Foucault's concept of "technologies of the self" explains where this desire originates in the state subject; he claims that "through some political technology of individuals, we have been led to recognize ourselves as a society, as part of a social entity, as part of a nation or a state" (1988:146). But, in the strict environment of Islamic Iran, post-op transsexuals do not experience assimilation; the conventional space of *zaher* lacks a position or role to be played by a post-op transsexual. Imperfect performance, in public and the *zaher* is unacceptable, not normal and out of harmony with the external forces of society.

Another statement from Marjan illustrated that while SRS may help achieve harmony with oneself, the post-operative body is hardly in sync with society:

> **Farrah**: Can you tell me about life after the surgery. Did you have a feeling of freedom finally?
> **Marjan**: After the surgery I took to the streets. I had to pay my medical bills and there was no other way. A lot of post-ops in Iran become drug addicts. That's what they do with their money that they get on the streets. I don't know how they can waste it this way. There are a lot of people who actually change sexes for business reasons. You can make a lot of money as a post-op on the street.

There are areas of struggle wherein the citizen is denied the power to shape the circumstances of daily life, where, as Cruikshank (1999) attests, autonomy, interests and wills of citizens are shaped as well as enlisted by state powers. SRS produces the subject as one who is rewarded for their self-awareness of gender dysphoria and sets the terms of retelling the truth of that subject. In Kayseri, Marjan discusses her feelings of gender dysphoria and the harmony she feels now living in the body she's always thought was best suited for her:

> **Farrah**: Have you always felt that you were a woman or a girl?
> **Marjan**: Yes. Before and after the surgery.
> **Farrah**: But after surgery, did you need to act more ladylike?
> **Marjan**: No, I've always been and felt like a woman. It was probably a stranger sight when I looked like a man. But no, I act natural. It's a feeling. It's me.
> **Farrah**: So your feelings are identical to that of a woman…but everyone's different. I mean, I don't act like every other woman in the world…you know what I mean? I don't really think there is a thing called '*this* is a woman' or '*this* is woman behavior'.
> **Marjan**: Yes, but all male to female trans have things in common. Maybe because we know we'll never be able to bear children, we are more sensitive than someone born a woman, like yourself. We are more complete than women. Different. We have the strengths of men and the positive traits of women. Please don't think I'm being selfish…
> **Farrah**: No not at all, please continue. What you're saying is really interesting.
> **Marjan**: That's just how it is. It's been proven. We are a more complete person than other, non-trans women.
> **Farrah**: Why do you think it's like that?
> **Marjan**: Because we chose this. You know what I'm telling you? It was always inside of us, but we decide to bring it out to be who we really are. We know ourselves better than a biologically born woman.

Marjan's gender dysphoria and confusion evolved from a source of shame to fuelling her confidence and self-worth. There are many different reactions to the surgery, and although Marjan feels confident in that she can comfortably wear women's clothes and apply makeup without feeling that she is pushing her actions from *baten* to *zaher*, she still noted being harassed and taunted in Iran and later in Turkey. Despite the feeling that she is 'more complete' than other biologically-born women, she will not be treated in Iran as a woman.

Remorse or shame, due to her family or society's reactions of her transformation, will not replace her assurance. Before SRS, Marjan was a man who willingly feminized himself and attempted to eliminate dimensions of masculinity in the *baten*. However, as a post-op transsexual woman Marjan is not accepted in Iranian society despite her genetically correct body. In what is still a male-dominated Middle East, female subjectivity and identity in which post-operative transsexuals wish to live are not acknowledged or received well in society; thus, they flee to Turkey in hopes of resettlement in an ideally progressive and cruelty-free West. SRS creates bodies to govern in a way that makes citizens "'subject to'" *ulama*'s goals "for themselves and their vision of the good society" (Cruikshank 1999:90). The three post-op transsexuals I interviewed in Turkey elucidated the struggle in being a member of this society and operating in the *zaher*; all three entered the process hopeful, but are devastated by the ostracism and rejection that they hoped to eliminate after undergoing surgery. Physically they did not meet that ideal of the woman they assumed—often claiming a botched penis removal/implementation of a 'vagina'. Mojdeh in Kayseri begins:

> **Farrah:** I've heard that trans people don't like talking about their past.
> **Mojdeh**: No, we don't. Because it forces us to remember that other life. When all of our actions and words were lies.
> **Farrah**: When your body was different? Can you tell me a little about it, if you're comfortable, of course. What's the hope before surgery?
> **Mojdeh**: To be a woman in all of her forms. A housewife with a husband. But the problem isn't just the surgery. Because of Iranian culture, a straight man will never marry one of us. Not unless he has problems or pathologies. Someone who has a fetish for trans people. We have a lot of problems.
> **Farrah**: So, in general, how are you with all of this? Hopeful? Satisfied?
> **Mojdeh**: Not at all. I'm regretful.
> **Farrah**: Of what?
> **Mojdeh**: That I did the surgery in Iran. The first thing I want to do is fix this surgery. If it was a successful surgery I'd be happy.

Iran treats many components within society and self as binaries. Because of this, SRS gives pre-op transsexuals in Iran the mistaken hope, that the feelings in the esoteric, internal *baten* of being a woman will finally be in tune with the external world of the *zaher*; she hopes to emerge as a new, perfectly feminized woman, which she is convinced will reconcile her own internal struggles and those with society. State practices have led Iran's transgenders to believe that SRS is the only way to do so, and subsidizes the cost of the procedure. Framed in Foucauldian terms, the state's generosity is addressed to corporatized bodies whose very existence derived from a need to identify and control a freshly categorized body and, in the case of Iran, to maintain propriety in the *zaher*. Cruikshank introduces conventions expected of the social body. Though she does not specifically use the term *zaher*, the author demonstrates how this is a space of domination. She goes on to explain that

> everybody has a scheme, a social program, an organizing strategy, or an issue campaign for turning political subjects into democratic citizens….[through] programs and strategies devised by social reformers, feminists, neighborhood activists, policy makers and legislators (1999:25).

Governance includes any program, discourse, or strategy that attempts to alter or shape the actions of others. State coerced SRS, as far as its effect on the individual, demonstrates how state subjects are to become "experts of themselves"—to adopt an educated and knowledgeable relation of self-care in respect of their bodies, their minds, their forms of conduct and that of the members of their own families. One cleric explains the *ulama*'s stance on SRS:

> From the perspective of Shi'i religious scholars we don't have any restrictions on sex reassignment as far as Qur'anic interpretation or Islamic traditions. In this manner, those who want to undergo sex reassignment are suffering from a severe physical and spiritual illness and sex reassignment is a way to treat and cure this disease. Thus, sex reassignment is not considered a mutation in the creation of God (Kariminia 2010).

Religio-legal powers in this sexual space demonstrate the clergy's agenda. A clergy member, whose name remained uncited, claims that "in reality, Shi'ism emphasizes harmony between body and mind and in terms of science any one of these individuals who reach this level of illness will not get better". A doctor on a website for Iranian medical practitioners, *Pezeshkan*, claims that "without substitute, sex reassignment surgery is the only cure" (2006) for gender dysphoria. SRS ensures a cure for this disharmony, approved through various *fatwa*s, starting with Khomeini's; the surgery, on the surface, appears progressive for the *ulama*, and accommodating for the Iranian who suffers from gender dysphoria. However, state-subsidized SRS coercing the Iranian queer population shows how the fundamental power structures between state and subject have not changed.

State-subsidized SRS operations as well as clerical approval may, on the surface, suggest a liberal and sagacious side of the IRI and *ulama*, explicitly making room for alternative sexualities and for those of a non-normative sexual persuasion. Without recognizing criticism of their mistreatment of homosexuals, some clergy, such as Mohammed Mahdi Kariminia (2010: n.p.), a cleric in the holy city of Qom and one of Iran's foremost proponents of using hormones and surgery to change sex, also boastfully present their self-proclaimed policies on SRS and transsexuals as a beacon by which human rights can be measured: *"*One could say that a transsexual's right to sex reassignment is an instance of human rights". Media, clergy, and scholars alike focus on the state's financial support of SRS and valorize the state's 'generous' issuance of new identification forms that match the post-operative sex and gender.[24] This is meant to allow individuals suffering from gender dysphoria to exist more comfortably in public spaces. However, the official documentation from the UN and its representatives attest that the Islamic regime advanced religious rationalization to justify human rights abuses (Afshari 2001).

These accommodations on SRS irresponsibly misrepresent the IRI by some media sources, as liberal and progressive:

> Considering Iran's horrifying treatment of its homosexual citizens, the fact that transgender people (or, at least, the transgender people who choose to undergo sex-reassignment surgery) are legally recognized and respected in Iran is a good step in the right direction. Social progress — particularly where issues of gender and sexuality are concerned — can be slow, but this is an indication that such change is definitely possible for Iran (Nelson 2009: n.p.).

Reintegration strategies such as legal recognition in the post-op sex, may seem accommodating, but my interviews demonstrate that even with an identification card indicating a 'female' bearing a feminine name, the life of a post-op woman in Iran is not the female life they had expected. The flaunted ID card does little to help post-ops integrate in society by getting jobs, being accepted by family, or exhibiting what are now, heteronormative interests in the *zaher*.

While Nelson recognizes mistreatment of homosexuals in Iran, he is blinded by the perquisites and apparent ease of SRS in Iran. As far as his claim that these individuals are 'respected', we turn to a conversation with Marjan in Nevsehir:

> **Farrah**: So, after the surgery, what was it like? Are you able to get a job? I mean, do people see you as a woman after all that?
> **Marjan**: Some. Maybe 5% get a job. You're more likely to get along with family than to have any success in the work arena. If you own your own shop, maybe, but otherwise no way. It's not possible. Especially in government work. That's why the suicide rate is so high for post-ops. They have no money, they turn to the streets and then realize that this isn't a life for them. So they kill themselves.

The discrimination that post-op transsexuals face in the rigid conventions of this space—under the same government that funded their surgery—reaches such harshness and cruelty that they must flee. Mojdeh explains her post-op employment search that led to her escape from Iran:

> I tried getting a job. The man asked if I was trans. When I said yes he said that we would go upstairs. Into the living quarters. He started pushing me through the doorway. I said, "No, I've come for a job not for sex. If this is the only way I can work then I won't

> work". That's when I took to the streets. I had to pay back the surgery. The hormones alone cost 20,000 Tomans a month. I ran away from home. They begged me to come back. When I did, my brothers gave me a proper beating. They said that I was causing shame to the family. My boyfriend told me about Turkey. That he would sell everything he owns and we can start a new life together. That's what we did.

So, despite its sexually 'liberal' stance on SRS, a birth certificate indicating the new sex, legality of the surgery, and governmental-subsidy towards half the cost—the procedure is hardly indicative of a forward-thinking government or medical society. The failure of asking the 'queer question' from social and sexual discourse has deterred any kind of identity, rights, and in the case of post-ops, reintegration process. If these individuals were to be considered as a valid (not vulgar) part of society would their assimilation be as difficult? Though evidence shows that queer practices have existed throughout Iranian history, why does modern Iranian discourse never acknowledge queer bodies as a method of articulating sexuality?

CONCLUSIONS

The 1979 Iranian Revolution resulted in a revamping of modernity, ultimately articulating a local version of its own; specifically, Islamic revivalism was used as a blueprint for revolutionary change as it championed a return to 'authentic' Islamic culture (Vahdat 2003). Part of this power is demonstrated through population regulation. When it comes to the objectives of managing a public power and regulating behavior of subjects, Foucault was astute in claiming that there are no limits (Foucault 2004:7). Hegemony and power is tied to space and society in very distinct manners as evidenced in Chapter Five's discussion of the IRI, *ulama* and society attempting to manipulate space and the civic bodies through enforcing heteronormalization in the *zaher*. In that discussion, I will also show how institutions of power contribute to stifled esoteric *baten*, creating the increasing flight from Iran. Indeed, the Iranian

state is suffocating its citizens with its strict rules of decent behavior in the *zaher* as well as in public spaces; it risks "governing too much" and never knowing "too well how to govern just enough" (ibid 17). While Iranian discourse on sexuality remains heteronormative, where do queer sexualities go? State and *ulama* powers have obviated the need to ask the 'queer question' by fixing the queer population. The nexus between the workings of state sovereignty and the regulation and control of target populations is demonstrated through coerced SRS of homosexuals in Iran (Ketola 2011).

Saturated in a culture of homophobia, the *ulama*'s punitive measures such as legally-coerced sex-change as "cure" or as alternative punishment (to execution) of homosexuals, suggest how sex is framed by social, religious, medical and political factors in the Islamic Republic. These factors enable institutional powers to classify and control sexuality; thus, while transsexuality is legitimate, homosexuality is insistently reiterated as abnormal. SRS enters the scene to change the transgender body into a site of institutionalized power. The social whole is subject to religious governmental powers governing over it, while distributing authority and order as they see fit. The now medicalized, psychologized, shari'atized and politicized discourse has created categories ensuring heteronormative behavior. In a country where the lines between the public and private sphere are harshly delineated, the state has forcefully compounded transsexuality and homosexuality and created their own politicized definition and outline of gender and sexuality. The immutable difference between man and woman is not only considered natural but also socially necessary, legally normative, and divinely mandated. Since the Iranian clergy's stance on sexual matters is rigidly traditional, state-subsidized support of SRS falsely suggests a more progressive and sympathetic Iranian clergy and state. Official religious authorities in the Islamic Republic acknowledge gender dysphoria only as a medical ailment;

these actions and the growing discourse surrounding SRS stem from homophobic and anti-gay sentiments that strive to eradicate deviations from normative sexual behavior. Such decisions are not necessarily progressive if they simply reinforce gender apartheid and mask a punishing approach to homosexuals (Kugle 2003).

This chapter has offered insights into methods of governmental power initiatives which construct, deconstruct and reconstruct the state subject. It employs Foucauldian insights to suggest how state power weaves through state subjectivity in its practice of Islamic revivalism as a means of modernization to understand the way "the domain of the practice of government, with its different objects, general rules, and overall objectives, was established" (Foucault 2004:2). My discussion thus far has contributed to the overall discourse of the *baten/zaher* duality in Iran, and how this duality interacts with the state subject in public spaces. While in this chapter and the previous one, I have critically examined how the self and sexuality interact in the *zaher* and create turmoil in the *baten*, which has caused queers to flee Iran; the next chapter documents research participants' experiences with queerness in Turkey. These narratives illustrate queer Iranian migrants' interactions with locals, state, and the UNHCR. Specifically, this chapter will illustrate how dislocation and rearranged patterns of home contribute to the construction of collective identities in the Iranian migrant population in Turkey.[25]

NOTES

[1] Foucault argues that such categories conceal the complexity of human sexuality and are recent historical products; one example he gives is the homosexual. He claims that self-identified homosexuals who first appeared in Europe were products of medical discourse (1990:43).

[2] The term 'medicalization" refers to any condition that becomes the subject of medical study and is driven by 'reparation' or being fixed by the medical industry (here, SRS). The concept was devised by sociologists to explain how medical knowledge is applied to behaviors which are not self-evidently medical/biological.

[3] The type of modernization Iran underwent represented its own kind of morality, which reinforced patriarchal injustices and concerned itself with building an Islamic nation, and creating the modern Muslim citizen. These efforts were influenced by Ali Shariati and Jalal Al-e Ahmad—two twentieth century thinkers whose critique of *gharbzadegi/* 'westoxification'—the disease of the dominating West—shaped modern Iranian subjectivities. The skeletal structure of post-revolutionary Iran's modernity is informed by Shariati's discussion of "revivalism" which

drew on both Western and Islamic ideologies. An Islamic Marxist, Shariati is best known for his idea of a "return to self," emphasizing the importance of self-knowledge through national identity. He characterized the West and its influence on the social order of Iran as a "theatre of the absurd…begotten by a hollow order; to exist in order to consume and to consume in order to exist" (quoted in Kohn & McBride 2011:48). Shariati addressed people's modern needs in a traditional way that idealized Islam. The burgeoning Islamic revival set out to discredit Westernization as a means of progress; it shaped the ideology of the revolution itself. At their inception, state projects—rooted in national identity, modernization and nation building—have shaped identity construction in Iran. See Shariati (1980).

The civic body became the location of national and transnational forms of culture and nationalist projects demonstrating that "ideology and ideological state apparatuses form the subject in the reproduction of social relations and skills" (Varzi 2006). The campaign was a conscious political resistance to the West. Its particular opposition to Westernization delineates this Iranian-Shi'a version of Islamic revivalism as opposed to that of other countries. Islamic revivals spread through Arab countries in the Middle East as well as South Asia; all began roughly at the beginning of the 1970s. These include Iraq, Egypt, Turkey, Pakistan, and Libya. See Rahnema (1994).

Social critic Al-e Ahmed (who coined the term *gharbzadegi* in his influential 200 page essay of the same name), along with other Islamic revolutionaries, wished to take nothing from Western philosophy or influence. He illustrates the duality of East and West:

> One pole belongs to the well-fed, the rich, the powerful, the producers and exporters of manufactured products; whereas the other pole is that of the hungry, the poor, the weak, and the consumers and importers. The pulse of progress beats on that side of the world of ascendance and the throb of decline on this side of a world petering out. The difference does not merely arise out of temporal or spatial dimensions, nor is it measurable in terms of quantity—it is a qualitative difference. The two poles are estranged from one another. They are inclined towards mutual remoteness. On that side is a world which is frightened of its own dynamism and on this side is our world which has not yet been able to find a way to channel its undirected and therefore wasted energies. Both of these worlds are in motion, each in a different direction (See Jalal Al-e Ahmad, *Plagued by the West (Gharbzadegi)*, trans. Paul Sprachman.

Abetting the rise of Muslim sentiment at this time in Iran was the fact that Islam "was the only force within the civil society that the Shah had not managed to crush…it was thus able to provide the organization and ideology that all revolutions need" (Ayubi 1991:148). Molding modernization efforts in an Islamic framework was effective in rousing a revolution and changing society from within. For many disheartened Iranians, Islam not only provided a solution to the identity crisis which developed after years under Mohammad Reza Shah, it also reestablished the dignity of their society after battling the cultural and economic domination of the West (Keddie 1983). Islam has more to do with people and culture than just faith; any other view is reductionist and limits the scope of the multi-functionality of Islam in Iranian society. Post-revolutionary Iranian practices used Islam as a "socializing agent," a framework for identity construction, a way to connect to society and understand state practices; the main motivation behind mass Islamic revivalism was not *only* religious. As Keddie (2003:2-3) points out:

> In Iran and elsewhere, the so-called Islamic revival doesn't mean that most people are more religious than they used to be: for the majority the degree of religiosity shows no sign of significant change. Rather, it means that Islam is reentering politics and government or upper income classes, many of whom have a higher social status.

Iranians took refuge in Islam and its political ideology to confront the social, economic and political challenges brought on by Westernization. Ideology of the revolution emerges less as a clash between modernity and tradition, and more as an attempt to actualize modernity accommodated to national, cultural, and religious experiences (Mirsepassi 2000).

The IRI re-appropriated female societal roles from that of modern Western woman to that of dutiful and veiled Islamic mother and wife (Afary 2009). Indeed, Islamic revivalism which began immediately following the Islamic Revolution incorporated all of these elements; the state was 'purifying' Westoxified Iran and refashioning it in a historical and religious framework. Post-revolutionary Iranian society became more gender segregated which led to the crafting of different spaces. Modernization efforts were not introduced or implemented effectively and

reveal that "a long ubiquitous manipulation of gender and the gendering processes has led to the construction of symbols, images, and rules for actually reinforcing gender division" (Talattof 2011:214). Islamic revivalism and/or fundamentalism halted societal progress, limited the rights of women, and sexualized/politicized their bodies. Due to the IRI's reinforcement of citizens living within the proper *baten*/*zaher* confines, the Islamic Republic is more cruel and oppressive towards queers in this era than any other government in the country's long history.

[4] Iranian *ulama* wanted to reject the influence of the West upon their citizens and create the Islamic subject. Despite its presentation as a 'new Iran', this Islamic modernization appears more as a form of state-sanctioned Islamic ideology applied to the world of modern Iran. An excerpt from Khomeini's a speech delivered to a mass audience in Qom in 1964 addresses what he saw as the leading causes of public resistance and dissatisfaction to the Shah's policies:

> They have sold us, they have sold our independence; but still they light up the city and dance ... Our dignity has been trampled underfoot; the dignity of Iran has been destroyed. The dignity of the Iranian army has been trampled underfoot! ... American cooks, mechanics, technical and administrative officials, together with their families, are to enjoy legal immunity, but the '*ulama* of Islam, the preachers and servants of Islam, are to live banished or imprisoned.... If the religious leaders have influence, they will not permit this nation to be the slaves of Britain one day, and of America the next. If the religious leaders have influence, they will not permit Israel to take over the Iranian economy; they will not permit Israeli goods to be sold in Iran. ... All of our troubles today are caused by America and Israel. Israel itself derives from America; these deputies and ministers that have been imposed upon us derive from America. They are all agents of America (Khomeini 1981: 181-187).

Khomeini was very concerned with raising the Islamic consciousness of the Iranian people, certain that learning principles of their religion would offer a sense of ownership and control, making the religion their own:

> You must teach the people matters relating to worship, but more important are the political, economic, legal aspects of Islam. It is our duty to begin exerting ourselves now in order to establish a truly Islamic government. We must propagate our cause to the people, instruct them in it, and convince them of its validity. We must generate a wave of intellectual awakening to emerge as a current throughout society and gradually to take shape as an organized Islamic movement made up of the awakened, committed (ibid 126, 129-130).

Ultimately, this revivalism involved a "special response to the new conditions of the contemporary world, reflected in the efforts to reorient concepts central to the Islamic faith" (Voll 1991:29). Statehood and nationhood is actually qualified by a larger dismissal of any universal moral order that transcends Islam as defined by the clergy:

> rejection of the larger context of the modern world in which human and citizenship rights, based on a notion of universal human subjectivity, are grounded Seems to be very much in the agenda of an influential faction among the conservative political forces in Iran's post-revolutionary power politics (Vahdat 2002).

Compromises in public-private spaces were made, where the individual learns to negotiate with society. Converting subjects into national citizens in terms of public conduct and loyalty to the state seeks a return for privileges and recognition *from* the state (Hansen & Stepputat 2005).

[5] The UNHCR recognizes that the Islamic regime advanced religious rationalization to justify human rights abuses. Instead of complying with human rights procedures, (namely the right to freedom from torture or cruel and degrading treatment and the right to liberty and security of person and to freedom from arbitrary arrest or detention) the regime questioned the validity of universal human rights. Iranian *ulama* offered their own version of human rights for which they claimed validity.

[6] Surgeries to alter congenital intersex conditions were reported in the Iranian press as early as 1930; by the early 1970s, at least one hospital in Tehran and one in Shiraz were carrying out SRS (Najmabadi 2008).

[7] Transgender identity should not be confused with homosexual desire. Factors such as the sexed body one was born into or the one into which they were reassigned is not to be considered a basis for sexual orientation or the development of cross-gendered behavior. This is evident in the gradations of heterosexual/bisexual/homosexual that exist in the transgender community.

[8] Gender dysphoria is a medical condition recognized by the World Health Organization referring to a feeling in which people have a compelling sense that their gender identity is not in conformity with the physiological or biological sex with which they are born. In other words, persons who feel that they are born in the 'wrong body.' These persons are generally referred to as being transsexual.
[9] Initially this *fatwa* was issued in Arabic in order to address a general Muslim audience. The language shift to Persian is of particular importance as it indicates that Khomeini wanted this message to reach a specific Iranian audience/society. This could also be attributed to where Khomeini was living at the time of issuance: the 1967 *fatwa* was issued while exiled in Iraq (a predominantly Arabic speaking country) while the 1985 *fatwa* was issued during Khomeini's time in Iran, a predominantly Persian speaking country.
[10] *Taghir-e Jensiat*/Sex Reassignment Surgery. http://persiannurses.blogfa.com/post-465.aspx.
"Ayatollah Khamenei has announced that sex reassignment is permissible for those suffering from physical or mental illness."
[11] Surah 42: 49-50, explained further in Chapter Four of this dissertation. It is important to note that Sunni and Shi'i Muslims disagree on this issue, as the former are opposed to sex reassignment surgery because the Qur'an states that "change in God's creation" is prohibited (Holy Qur'an, 4:119).
[12] While Khomeini's *fatwa* is recognized and respected, rulings on sex change are hardly universal and differ among the Shi'i clergy. Madani's *Problems (Masa'el)* cite an interview with a Shi'i jurist discussing the unnaturalness of sex change by arguing that it is an interference in God's creation as it is wrong to deform bodily organs.
[13] Khomeini recognized the difference between homosexuals and transsexuals. While he issued a *fatwa* recognizing transsexuals, his views on homosexuals were condemning. He lumped this group with other 'criminals' and advocated flogging and sometimes execution of homosexuals, prostitutes, and adulterers (Khomeini 1970).
[14] Fereydoon tried approaching Khomeini previous to this, in 1983 and was beaten badly by his bodyguards. See Zagria (2011).
[15] On the encounter with Khomeini, Molkara describes: "It was *behesht* [paradise]. The atmosphere, the moment and the person were paradise for me. I had the feeling that from then on there would be a sort of light." See Tait (2007).
[16] In her working paper, Najmabadi (2006: n.p.) elaborates on the *ulama*'s simplification of sexed bodies and orientations, noting that in terms of a discourse on sexuality, some members of the Iranian *ulama* "firmly coded any bodies outside what could be clearly defined as male or female as sexual mal-function and any person whose behavior did not correspond to gender role definitions as suffering from the disease of gender identity disorder".
[17] These are all acts that would be carried out differently contingent on the sex of the Muslim enacting them.
[18] These are issued in response to users of the website www.*fatwa*.com who have asked for Shi'i explanations of SRS.
[19] Shi'i Islamic clerics interpret Surah 42: 49-50 as a reference to transsexuals:

> To Allah belongs the dominion over the heavens and the earth. He creates what he wills. He prepares for whom he wills females, and He prepares for whom He wills males. Or He joins together the males and the females, and He makes those *whom He wills* to be Aqim (in a normal heterosexual way ineffectual; also barren). Indeed He is the Knowing, the Powerful.

The italicized part of this verse is the reference jurists use to justify the presence of fusion in sex and gender. Unlike their stance on alternative sexual lifestyles that challenge the norm, Shi'i jurists embrace the notion that God has created some people outside of sex binaries.
[20] Female to male SRS is very rare and undocumented both in the literature on Iranian transgender as well as my interviews with queer Iranians in Turkey. My research participants did not know anyone who had undergone the procedure. This suggests that lesbians are not only invisible in society but less subject to state interventions.
[21] In his explanation of biopower, Foucault (1980:125) argues that sex is "located at the point of intersection of the discipline of the body and the control of the population."
[22] Biopower has two forms: the first, an *anatomo-politics* of the body, involves the development of various techniques of power exercised in disciplinary institutions, such as mental hospitals, health clinics, schools, workshops and factories, military institutions, as well as day to day practices. The second form of bio-power discussed by Foucault, *bio-politics*, consists of medical interventions and regulatory controls over populations, particularly regarding conditions of birth, health, longevity, and mortality.
[23] The next section of the chapter elaborates on this point with fieldwork data. Another source conforming to this theory is the film *The Birthday* (2006).

[24] In addition to the medico-legal discourse surrounding the issue of transsexuals in Iran, economic factors also contribute as the Iranian state pays for half the surgical costs. My participants claimed that both genital reconstruction surgeries (top: breast augmentation and bottom removal of penis and labiaplasty if available), cost the equivalent of approximately $6,000 at the time of their surgery in 2010. To put price in perspective in relation to quality of the procedure in Iran, the average cost of SRS (top and bottom) in the US or Canada is $20,000 and in Thailand is upwards of $11,000. See tsroadmap.com (2012).

[25] International law requires that aid to refugees be carried out in a non-political and civilian manner. However, the UN is an inter-governmental organization which is limited by member consensus, not a supra-national organization that can set the agenda on its own. As such, the agency's actions assist immigrants, but this helpfulness is not consistent due to the UN's dependence on donor funding from state powers. See Vayrnen (2001), Freedman (2007), Loescher (2003). The UN attitude is explained in the Vienna Declaration, claiming that while "the promotion and protection of all human rights is a legitimate concern of the international community" the responsibility for implementing them is "primarily" left to states (supra note 7, at 5th pream. Clause §§ 4, 38).

CHAPTER FOUR

FORCING SEXUALITY OUT OF THE CLOSET: UNHCR's ASYLUM PROCESS & THE REFUGEE

> All I've tried to do my whole life is to hide that I am gay and now, the only stress in my life, can you believe it—is proving that I am.
>
> -Siamak, age 29, gay Iranian refugee, Turkey

The history and development of refugee discourse would be incomplete without mention of NGOs and IGOs—non-governmental/intergovernmental (respectively) organizations that advocate for social change while monitoring both local and national governments.[1] Humanitarian NGOs and IGOs are "some of the most powerful pacific weapons in the new world order—the charitable campaigns and the mendicant orders of the Empire" (Hardt and Negri 2000:36). Although the 1951 United Nations Convention Relating to the Status of Refugees[2] (hereinafter: the Convention) imposes obligations on UN member states with respect to the treatment and legal status of refugees, donor states can have a large degree of control over the allocation of funding. The UN's official refugee agency, the United Nations High Commissioner for Refugees' (UNHCR) agenda receives 98% of funding directly from national governments (Vayrynen 2001).[3] Freedman (2007:596) explains the dynamics of this relationship further:

> In some cases the agency might be seen to prioritize the state interests over those of asylum seekers and refugees….pressures from states have led to what some have argued is a change of direction from the UNHCR, moving from a function of protecting refugees to one of controlling them in the interest of donor states.

Patterns of interaction between governments and agencies reveal how policies towards refugees are implemented (Gibney 2004). Strict observance to the higher standards of proof of persecution, insufficient funding or state control over refugees may limit the UNHCR's ability to reduce refugee suffering (Unger 2003).[4]

Thus, while the next chapter of this dissertation offers more detail into the intertwined relationship between NGOs and Turkish state powers, the current chapter examines the direct interactions between the migrant and the UNHCR adjudicator.[5] A brief excerpt from my interview with UNHCR representative Metin Corabatir demonstrates this complex relationship and the different power dynamics involved with the institutions:

> **Farrah:** Do the UNHCR and the government have a good relationship in Turkey?
> **Metin**: Yes. Very much. At the technical level they trust us to do everything with the refugees.
> **Farrah**: Do they ever intervene…get involved or say anything about what your organization does with the refugees?
> **Metin**: Not really. No.

This is not to claim that Turkish state power is absent, even in this two-way relationship. While Turkish governmental authorities have little to do with specific persecution claims and/or asylum claim determination, they manipulate UNHCR actions to address state interests.

Chapters Two and Three explored events that transpired throughout the lives of 19 gay/trans Iranians who were making sexual orientation-based asylum claims in Turkey. The goal of these chapters was not as much to collect a life history, but to learn about the pertinent past experiences that collectively contributed to identity patterns relating to non-heteronormative sexuality. Difficult events throughout each participant's childhood, adolescence and adult life explained the impetus to leave Iran and seek asylum in Turkey. I discussed extensively the importance of abiding by conventions in the Iranian *zaher* by quelling any non-heteronormative activities, attitudes or practices which might outwardly manifest from the *baten*. I demonstrated the punitive attitudes of the modern Islamic state (lashings, surgery), family (the psychologically damaging punishments of silence and primitive language), society (shunning, stripping family honor) meant to fix the non-heteronormativity of the Iranian queer in Iran. This chapter offers a twist in that these individuals were able to leave Iran and the particularly Iranian *zaher* expectations of heteronormativity in public and private spaces, only to arrive in a country where

they are positioned as the subject in a situation where they engage with *zaher* in a *different*, but just as stifling way. Based on identification as a LGBT[6] asylum seeker, this individual is further marginalized while now being cut off from family and homeland.

Statistics and Movement

As of July 2012, there were an estimated 28.8 million displaced persons of the world (steadily increased from around 17 million in 1997); 15.5 million are under the protection of the UNHCR, of whom 10.4 million were considered refugees.[7] This chapter deals with one group of displaced persons: Iranians in Turkey. As of August 2012, the UNHCR reported 2,300 new asylum applications from Iranians in Turkey, with 2,653 already in their system from previous years.[8] The exact number of sexual orientation-based asylum claims is unknown (rough estimate: 40% of current Iranian asylum cases), but this research has shown that it has replaced political asylum as the most commonly based claim.[9] No matter the claim of asylum, Iranian asylees in Turkey streamed north-west (Tehran to Ankara is approximately 1,050 miles), often legally with valid Iranian passports by train or bus, to gain relatively secure protection in Turkey as well as the prospect of resettlement abroad.[10] The Iranian asylee's flight from Iran to Turkey consists of four major actions: arrival; making the claim to UNHCR; finding housing/accommodation and waiting.

The overall focus of this research examines migration along the axis of gender or sexual orientation, with the aim of addressing its particular interaction with queer sexuality.[11] The 20th century migration of people has historically been prompted by poverty and the search for employment (Behera 2006). The reason or motivation to leave a place is commonly known as the

'push' factor in migration theory. Push factors are generally conceived of as negative influences which encourage people to emigrate from a country (e.g. political instability, a low standard of living, civil war). Pull factors, on the other hand, are positive influences drawing the emigrant to a particular country (e.g. high standard of living democratic political institutions, excess demand for labor). Generally, the primary push factor for Iranians who left their homeland was the Iran-Iraq war (Akcapar 88), and years later due to choices based on personal views, anti-Islamic Republic political dissidents and religious minorities fled Iran to seek asylum in Turkey. Generally, migrants tend to move in groups and not individually, articulating a group need and common push factor. However, Iranian migrants in this research moved individually. Most participants voluntarily left Iran out of fear of state or family punishment after being caught engaging in homosexual activity. Most came directly from Iran, one informant came via Cyprus.

While in Turkey, these individuals need to assimilate into the 'gay Iranian' whom they have never been, as an alternate way of coming out to the UNHCR to propel resettlement to the West. This takes *zaher* elements, expectations and conventions out of the home and emphasizes them in public, while, still, continuing to ignore the *baten*. They are forced to 'come out' in a globally mediated process that, now in Turkey as asylum seekers dealing with the UNHCR, has nothing to do with family or society, but is wholly concerned with proving gayness to the institution of UNHCR. This chapter, then, continues the refugee narrative, here with a focus on asylee/refugee interactions in Turkey. The contentions of state, society and self in relation to queer sexuality maintained power across borders. Instead of facing the repressive IRI's government or *ulama*/clergy, however, Iranians face Turkish authoritative powers. In lieu of battling homophobia in the homeland, they face heterosexism in foreign public spaces. Carrying the most impact, past energies spent 'closeting' queerness from friends and family in Iran has

become mainly spent *proving* gayness to the UNHCR in Turkey. The UNHCR provisions and regulations which direct this process will be discussed in the following section.

UNHCR & the Asylum System

The asylum process involves a strategy that permits some refugees to remain in the countries of first asylum (in this case, Turkey), enable some to be resettled in third countries (the West), and arranges for others to be repatriated to their countries of origin (Iran)**.** UNHCR adjudicators are the official representatives who determine success or failure of asylum claims (as opposed to government powers); these officials undertake the task of determining refugee status and facilitating the resettlement of those recognized as refugees in third countries (UNHCR 1997).[12] Despite UNHCR's authority over refugee *resettlement*, the Turkish nation-state—specifically the Ministry of the Interior (MOI)—enacts power over the refugee *while they reside in the host country* through various tactics (e.g. prohibiting employment in Turkey, further discussed in Chapter Five).[13] This chapter compares sexual orientation-based asylum claims to other grounds of persecution (i.e. religious), to flesh out different dimensions of the asylum process. Contrasting claims on different grounds of persecution (e.g. religious or political), suggests the specific hardships queer asylees face, such as burden of proof. For the asylum seeker who makes a claim on the ground of sexual orientation, sexuality is expressed through a behavioral model, and one that a UNHCR adjudicator has an expectation of, formed from Western stereotypes of homosexuality. A queer Iranian, who has had to cover non-heteronormative sexuality, may face difficulty expressing this element of his/her identity, as it is associated with shame and vulgarity in Iranian society and the heteronormative space of *zaher*. Failure to perform a Western stereotypic model of homosexuality may result in a failed asylum

claim. The fear of failed claims on the basis of not performing 'suitable' gayness has increased manipulations in the system by applicants to ensure a successful claim.

Beginning with the asylum process, this section discusses the interaction between UNHCR and the Iranian refugee in Turkey and the difficulty in graduating from asylum seeker to refugee. Evolution of terms produced the often confused 'asylum seeker' and 'refugee': an asylum seeker is someone who says he or she is a refugee, but whose claim has not yet been definitively evaluated, while a refugee's claim has been accepted by the United Nations and they are awaiting placement in a third country.[14] Despite the semantic difference, both refugees and asylum seekers make exactly the same moral claim: please permit my entrance into your country, otherwise I will be persecuted or placed in life-threatening danger in my homeland.[15] In 1951, in response to large migrations of refugees following World War II, the United Nations and some European nations drafted the Convention. The convention was developed in an attempt to forge a document to which all countries would agree regarding the treatment of the surge of Eastern European refugees entering Europe, as well as a mechanism to ensure the awareness of member states' obligations to protect refugees seeking asylum (Barbou des Places 2001). The convention specifically determines that a refugee is one who

> owing to well founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.[16]

The UNHCR encouraged countries to sign this, thereby acknowledging future refugees and considering their asylum status based on one (or more) of the provisions which defines a refugee (Loescher 2001). Current policy standards are based on the Geneva Convention, which demand

that any refugee falls into one of five provisions of persecution. The definition of ‘refugee’ is the same today as it was at the draft of the statute and has been adopted by many countries to determine eligibility.[17]

Human rights discourse involving gender identity and sexual orientation is a newer issue for the UNHCR as opposed to other grounds of persecution under the Convention. Since 1981, LGBT migrants make asylum claims based on persecution under the ‘social group’ category. Sexual orientation as a group remains a highly contested area of policy analysis, as it has not been officially recognized as such by all UN member states. In 2008, the UNHCR officially positioned LGBT issues under the protective umbrella of the 1951 Convention, when it recognized that claims made by “individuals being persecuted due to sexual orientation and gender identity should be considered within the 'fleeing due to membership of a particular social group" category.[18] The common characteristic of a social group is “a group of persons all of whom share a common, immutable characteristic”. UN member states recognize groups such as women,[19] families, tribes and occupations as constituting a ‘social group.’ The unity defining the group cannot and should not be changed because it is fundamental to the core of the individual identity. Depending on the government, LGBT claimants are recognized under this category as well.

The effects of categorization are a means of control and the omission of creating categories is the same. In fact, the omission of sexual orientation as a category within human rights policy or international political discourse is systematic (Megret 2003; Saiz 2004). It has been continuously bracketed and written out of any instruments adopted by state as well as human rights organizational powers (Saiz 2004; Hatton 2009). The initial problem with the relationship of LGBT status and the ‘social group’ provision has historically been with the

definition; courts struggle to interpret what refugee law means by a "social group." The courts must first decide how individuals even come together to become members of a particular persecuted social group and not just people who have a similar characteristic that—should it lead to persecution—can be changed. The highly influential 1985 *Matter of Acosta* case in the United States defined the meaning of "social group" as "a group of persons all of whom share a common, immutable characteristic." That characteristic might be an "innate one such as sex, color or kinship ties" or "a shared past experience such as former military leadership or land ownership." Significant to this research, the common characteristic must be one that the members of the group either cannot change, or should not be required to change because it is fundamental to their individual identities and consciences. This is the point at which the LGBT debate becomes controversial, as discussed later in the chapter.

OK, We're a Social Group…Now What?

Being considered as part of a social group under the provisions of persecution was important, and the *Acosta* case set a foundation for defining 'social group' where LGBT asylees fit in to the category. But it only began the debate. The constant redefinition and reinterpretation of LGBT individuals in the Convention as a valid 'social group,' however, has been streaming through refugee discourse, and further demonstrates the disciplining power of bureaucratic systematization and categorization.[20] The part of this asylum process coming under UNHCR asylum law proving gay persecution remains contentious. The fuzziness of this ground for persecution has caused increasing reliance on redefining how to form a social group in order to justify claims, as it is not defined by the Convention itself.

The debate began following the 1993 World Conference on Human Rights in Vienna. The UNHCR recognized that gays and lesbians qualify as members of a "particular social group" and that "they *may be* eligible for refugee status" on the basis of persecution because of their membership. The 'may be eligible' part of this recognition embeds the claimant in an unguarded and insecure position. In the fall of 1994 the International Gay and Lesbian Human Rights Commission, a U.S. based group, organized a petition to "put sexuality on the agenda" of the Beijing Conference, i.e. the Fourth World Conference on Women, 1995. As a result of such activism, the LGBT migrant community is partially visible in the UNHCR discourse and migration rights. In the landmark decision of *Toonen v Australia* in 1994, the Committee came to the conclusion that references to "sex" in the Convention must be taken to include sexual orientation.[21] The focus on membership" within the "particular social group" reveals the core of the contestation; it makes membership in this particular group seem voluntary (Magardie 2003).

Although UNHCR repeatedly recognized, at the 1993 World Conference on Human Rights in Vienna, that gays and lesbians qualify as members of a "particular social group" and that "they *may* be eligible for refugee status," no definitive statements calling on state actions or recognition were made.[22] This call to action was finally made in the Brazilian Resolution (2003), which expresses "deep concern at the occurrence of violations of human rights in the world against persons on the grounds of their sexual orientation and calls on all states to "promote and protect the human rights of all persons regardless of their sexual orientation" and requested that the UNHCR "pay due attention to the violation of human rights on the grounds of sexual orientation".[23] Despite the UN conference's acknowledgment of 'LGBT' as a group, asylum policy differs from practice in the actual immigration court system, where these cases are settled.[24]

Indeed, recognition and inclusion of gender-related persecution or sexual orientation as constituting members of a social group is a disputed area of policy analysis. The Organization of Islamic Cooperation (OIC)—the biggest international group after the UN consisting of 57 countries—in a letter to the UN Human Rights Council stated the following:

> The OIC States are deeply concerned by the introduction in the Human Rights Council of controversial notion like "sexual orientation and gender identity". The OIC countries have been consistent in their opposition to the consideration of these controversial notions in the context of human rights in the international fora.[25]

This statement reveals the potentially contentious and disputable interaction between international institutions regarding the rights and recognition of LGBT claimants in asylum policy. As a later part of this paper will discuss further, lack of recognition as a category or group seriously hinders the asylum claimant. The process of gaining refugee status, however, can be exceptionally long and time-consuming, taking years in some cases. One participant in Turkey explains the hardships of refugee life (elaborated in Chapter Five):

> One of the greatest difficulties out here is being an asylum seeker. Marjan and I are refugees but these guys are still seeking asylum. When you don't get accepted [to graduate from asylum seeker to refugee by the UNHCR], you can't work. There are no opportunities. They don't give us money.

Though queer asylees are recognized under the 'social group' provision in the Convention, any asylum applicant's challenge is proving that the persecution he/she suffered was *due to* this provision. This first prong of refugee law determination (proving persecution), based on the five grounds stated in the Convention (race, religion, nationality, membership in a particular social group, political opinion), has become known as the "nexus test" and the most significant weighing factor on gaining asylum. Successfully passing the test is based on three words in the Convention: "well founded fear." Graduating from asylum seeker to refugee is the asylum seeker's goal; a successful claim authorizes resettlement to the West. Non-European

asylees in Turkey seeking UNHCR protection are required to secure the right to remain in the country by applying for "temporary asylum" with the Ministry of Interior (MOI).[26] Generally, however, the UNHCR is handed all responsibilities in the asylum process, which begins with a one hour-long screening interview in which the asylee presents the nature of the claim to the UNHCR.[27] Ashkan, a 'closeted' gay man throughout his life in Iran, explains the difficulties with this form of confession in the interview:

> Well, they ask about your life, when you started being gay, acted on it, realized it. They ask about your job, friends, work, family, what you'd do in free time. They just ask and ask until you say something to prove that you aren't gay. They ask how you know that you're gay. I would answer "by my thoughts," and they would ask me "what kind of thoughts". Then I would say "from my clothes" and they would ask "what kind of clothes". It's different for everyone. Not all gays are the same. The UN wouldn't believe me….I mean, I know that I'm really gay. But how do I say this to the UN? How would they believe me? I wasn't supposed to talk about these things [in Iran].

Being a 'closeted' queer man his whole life, the fear and shame surrounding Ashkan's non-heteronormative identity made this dimension of his identity difficult to discuss. During interviews with immigration adjudicators, which take place in either UNHCR Headquarters or the asylee's home, Iranian queer asylum seekers are forced out of the 'closet' and expected to perform in private spaces. Also, as the applicants soon find, this first interview is just the beginning in a series of confessions. One to five months later, asylum seekers undergo an extensive eight-hour interview to provide proof of persecution experienced in their home country. As opposed to other persecution claims (explained further in this chapter), narrative is the only form of proof the LGBT migrant can offer to prove validity of persecution and guarantee success of the asylum claim. While the UNHCR lawyer ultimately makes the decision to graduate an individual from asylum seeker to refugee, the burden of proof, and hence a successful claim, is in the hands of the claimant. A downtrodden Iranian queer in Turkey, with a

thrice-failed claim, suggested the power and weight of successfully proving persecution holds. He remained unaware as to which part of his interview went awry, but admitted that the shame of his non-heteronormative actions in Iran deterred him from fully revealing the truth behind his past persecution.[28]

> **Ashkan**: The problem for all of us homosexuals in this situation—and we always talk about it—is that nobody believes us. I say that I'm gay and they think I'm lying. I've been rejected three times from being resettled in America or Canada because they didn't believe me. There have been so many things I didn't say in my interview that when I think back now I realize could have really helped my case.
> **Farrah**: And now…I mean for your next interview, when it comes, God willing. If there's ever a time to tell your story and bare it all it's that moment.
> **Ashkan**: Exactly. That's what I say. I'm not holding back at all. I mean, I've never talked about that stuff before. I was embarrassed. But, I'm releasing everything from the bottom of my heart next time because I know that's what they want. I know how to do this now. I have a lot of hope now. If I said the moon is white she wouldn't believe me. I was always afraid they would say I have a girlfriend.
> **Farrah**: Why would they say you have a girlfriend?
> **Ashkan**: Well, that's how they find out about most of the fake claims here. The ones who aren't really gay. See, they have something to hide and I am always questioned as if I do too. I was always afraid that they would find some hole in my story. But why? I have nothing to worry about. As you said the truth is stronger than any lie I could ever make up.

Ashkan's inability to explicitly and sufficiently discuss the queer sexuality he had been hiding throughout his life led to three failed asylum claims during three years of refugee life in Turkey. The depression, ennui and loneliness of life in Turkey have fueled his decision to reveal all—despite the discomfort, fear or shame he may experience from the confession. The next chapter explores how the hardships of living in Turkey have fueled the desire to escape once again.

From Getting Recognition to Proving Persecution: Different Experiences for Varying Members of a 'Social Group'

As previously mentioned, sexual orientation-based asylum claims fall under the persecution ground of 'membership of a social group'. While asylum law recognizes sexual orientation as a valid ground of persecution, it does not guarantee a successful asylum claim. Applicants run the risk of having their applications rejected on the basis of an inability to *prove* that they are queer, and that persecution suffered from membership of that social group was a push factor, propelling their flight from Iran. Unfortunately, the decision-makers are not provided with any tools to facilitate the credibility assessment in sexual orientation claims other than the following reference from the UNHCR Handbook:

> "if the applicant's account appears credible, he [or she] should, unless there are good reasons to the contrary, be given the benefit of the doubt."

As a result, the hazy and ambiguous eligibility standards are dependent on the claimant's *ability* to prove gayness.

Persecution on the basis of sexual orientation may be proven based on, what are ultimately, Western expectations of homosexual behavior: participation in sexuality-based groups, meeting places, subscriptions to gay magazines, papers confirming membership in a gay and lesbian association, or similar documentation of gay activism. Some [non-Iranian] claimants making sexual orientation-based asylum cases provide proof of their LGBT status/ persecution through witness statements, photographs or other documentary evidence. These forms of proof are not available to the Iranian who grew up in the silenced and sexually repressed atmosphere of heteronormative Iran. The psychological stress involved with covert homosexuality throughout one's life in the *zaher* and the sudden expectation to expose that dimension of identity is intense, frightening, and can shape attitudes during the interview.

Frequently, the form of proof required is physical evidence of violence or torture in the form of a medical certificate certifying the source of such violence. The contention with this form of proof however is simple: how would an Iranian official write a letter certifying the source of violence inflicted on a gay man in Iran, when that official was the one enacting the violence?

Indeed, the Western concept of gays 'coming out' doesn't correspond with the way many gay and lesbian immigrants from restrictive non-Western societies construct their sexual identity; this part of one's identity (if even acknowledged as such) cannot be openly announced for fear of punishment. Iranians leave Iran, not to live a 'normal' life 'out of the closet' but for fear of corporal punishment due to being caught in illegal sexual acts. Kamran and Ashkan (in two separate interviews) elaborate on this after I ask what brought them to Turkey:

> **Kamran**: Well, I had someone. Do you know what I mean? He was married and had two children, but we were in love. We met at work when I worked at a hotel in Shiraz. We had sex at work at night. For weeks at a time. Anyway we went on like this until I got a call on my cell phone from a co-worker. He said that they had a video and they saw me having sex. He said wherever you are leave, don't come back. I went to the park and spent the whole day. It was a big park. I waited until it was late and snuck into my house at 2:30 in the morning to get my passport. I left for Tehran that morning and got to Turkey. This is where I introduced myself as a refugee. I heard that that man—the one I was with—was jailed for six months.

And in a one-on-one interview, Ashkan tells me the circumstances which led to his presence in Turkey

> I went over to [partner's house] and we were having a nice time. We ate and drank something and within twenty minutes starting having sex. It was at that point [his] parents came home. We heard the doors unlock. I don't know what it was. If their vacation was cancelled or what. Anyway, it was right then, in our naked state. The look in the father's face was frightening. I knew I was going to get a beating. I guess the father came to my house 20 minutes after I left. He yelled, embarrassed me, told my mother and father everything. My mother had talked to a neighbor who had a son in Turkey and told me I should leave. By any means possible. I got smuggled in.

Near impossible-to-attain documents, such as certification of violence letters would make the asylum process much easier; as it was, not one research participant in this study was able to provide documentation to support his/her sexual orientation claim. Instead, they provide proof on a case by case basis through narrative and psychological reports.[29] When discussing methods of proof, a group conversation in Kayseri recounts:

> **Marjan**: If you come with a partner your claim is taken much more seriously. I came with mine and was recognized as a refugee within a month. They've been waiting years.
> **Siamak**: It's because if you come with a partner it proves you are gay. They have no reason to doubt it. But those of us who come alone have to prove it. They say that for you, being gay was a onetime thing. Just don't repeat it.
> **Ashkan**: I remember in the interview they asked me how I knew I was gay…no, they actually asked the exact moment I realized it.
> **Farrah**: How do you prove something like being gay?
> **Ashkan**: They ask you really personal questions. Relationships with women, if you ever had any. A lot about your romantic past. I answered the questions truthfully but it never seemed to be what they were looking for. I told them my experiences, but they didn't believe me. First of all it was hard to talk about and it seemed like they would keep asking the same questions but changing them. Like they wanted to trick us into saying something that shows we're not gay.
> **Marjan**: They asked me if I was fully penetrated…excuse me…in my anus. My first time. It was physical and psychological questioning. It was a very strange experience. Was I supposed to put on a show?

Issues of credibility get mixed up with the issue of performativity and the asylum applicant is expected to live up to the expectations of what an LGBT person *should* do (Magardie 2003; Saiz 2004). Success of sexual orientation-based asylum claims is often entirely founded on the applicant's own testimony—which is then weighed against available country of origin evidence. The adjudicator's power in the asylee's life and outcome of asylum is as much at play as is the asylee's testimony, as it is based on whether or not the adjudicator believes the story. The issue is that this basis of evidence is culturally determined and relative to particular ethnic and cultural backgrounds of 'typical heterosexual behavior'. This is the point when the biases of heterosexual

projections, and indeed heterosexist behavior are most unfavorable for the Iranian who has been covering queerness his whole life, or better yet just adjusting themselves to assimilate into heteronormative Iranian society. This may hinder the Iranian who may not seem 'effeminate' enough due to years of stifling the inner *baten* and abiding by the *zaher*. Suddenly, the new *zaher* in Turkey dictated by expectations of the adjudicator expects the stifled demeanor to change and frankness surrounding the claimant's queerness to come spontaneously out.

In the literature on credibility assessments in refugee status determination, there are key areas that usually guide the adjudicators' decisions, including consistency and candor.[30] Macklin (1998: n.p.) calls it "dangerous at best and misleading at worst to rely on a uniform set of cues as demonstrative of credibility," but applicants' sexual orientation-based claims are hindered by the stereotypes and preconceived notions of gay identity that guide UNHCR adjudicators' decisions (Birdsong 2007). Short-term tactics like overtly-performing the gay Western conception are often employed to win asylum cases, which stereotypes the experiences of a few, at the cost of compromising the claims of other LGBT asylum seekers who present their identity differently.[31] Thus, sexuality has become a "socially achieved, dramatically performed set of culturally produced practices…a process not a product" (Plummer 1996:xiv). The outcome of the claim depends on the decision-maker as much as on the claimant and the facts –the adjudicator decides whether or not to believe this tale of self-identity. Earl Russell (cited in Millbank 2009:23), an English parliamentarian, succinctly concludes the assessment process: "credibility is a way by which the interviewer is able to express his ignorance of the world. What he finds incredible is what surprises him" This is the point at which heterosexist biases, including pre-conceived conceptions or stereotypes held by decision-makers, play a very important, and mostly unfavorable, role for the claimants, as credibility determination is "necessarily

and inexorably subjective" (ibid).

An unsuccessful sexual orientation-based persecution claim results from failure to present credible demeanor or sufficient corroborative evidence in the asylum interview (Magardie 2003; Mertus 2007). Corroborating evidence or proof of persecution for sexual orientation-based claims may be more difficult than, for example, religious claims, because the Convention clearly states religious persecution as a valid claim.[32] I will discuss patterns of emigration through the cases of Iranian LGBT migrants, and as previously mentioned, those of immigrants making religious persecution claims through a comparative analysis of Iranian Baha'i asylum seekers and refugees in Canada and Turkey with Iranian anti-Islamic Republic activists as demonstrative of political asylum seekers. I will provide a brief discussion of the difficulty for those making asylum claims on account of persecution based on nationality. These cases do not represent each persecuted category as a whole, but rather offer insight into that community's experience of the dynamics of the asylum-seeking process. For example, discussing religious persecution through the experiences of Iranian Baha'is is not meant to represent *all* religious persecutory claims.[33] In fact, among the various types of refugee cases examined here, claims of persecution emerge in two distinct patterns: Baha'is/religious persecution vs. everything else, and demonstrate how the Baha'i asylum seeker enters a second country smoothly due to the welcoming Baha'i community. The second half of this chapter explains the evolution of categories of eligibility for UN protection as a refugee and applies the international adjudication process to Iranian LGBT migrants to illuminate how traditional notions of state sovereignty exercise power over the migrant community.

The IRI regards Baha'is as a dissident political (not religious) group and an illegitimate challenge to Islam. In addition to the civil injustices to which members of the Baha'i community

in Iran are subject, such as denial of employment, government benefits, and access to higher education members, governmental persecutions also include unwarranted arrests, imprisonment, beatings, torture, executions, confiscation and destruction of property (International Federation for Human Rights 2003). These persecutions have resulted in emigration of Iranian Baha'is to the West, some of whom have been assisted by a program cooperatively designed by the Government of Canada and the national Baha'i community of Canada (Van den Hoonaard et al 2007:1).[34] This camaraderie and fellowship is indeed a major contrast with LGBT migrants who lack a community. Although all asylum seekers are required to furnish proof of persecution to the UNHCR and immigration authorities, the Baha'i community in the migrant's host country can attest to the refugee's identity. The Baha'i approach ensures not only a sense of community but practical support in the form of money, housing, possible employment and assistance with the asylum process. Unlike a Baha'i, an LGBT asylum seeker lacks a sense of community, not only making the asylum process emotionally and financially solitary, but leaving the individual largely at the mercy of the adjudicator.

In addition to assistance from their community, the well known history of persecution in the religiously-saturated Islamic Republic makes Baha'is a far more visible and recognized group. Other contested social groups who lack community, and who fled due to oppression from the Islamic regime, are not guaranteed this; as a result, their asylum process is much more difficult. The Baha'is case is made easier because the Convention clearly states religious persecution as a valid claim. In contrast, LGBT asylum seekers base their claim on the membership of a group—a contestable and controversial status since many feel that sexual orientation or sexuality is a choice and/or merely a behavior rather than an identity.

The UN can recognize LGBTs as a valid persecutory group, but it is not a unanimous decision nor does it give the agency blanketed approval to grant asylum based on this provision, as it does on other grounds of persecution. A political asylum seeker, for example, may have newspaper clippings or blog articles as proof. In the case of Christians, they will be asked questions such as "Who is Jesus Christ?", "What is your favorite story in the Bible?" or "What is your favorite prayer?".[35] Other forms of corroborating evidence proving persecution in a religion-based asylum claim are letters from family members or news articles, neither of which is given the same deference and attention as official documentation (McIlmail 1998). A woman (who also falls under the umbrella of 'social group') might seek asylum based on having undergone (or future fear of undergoing) practices such as female genital cutting, forced marriage, domestic violence, or sexual abuse (Freedman 2007).[36] If asylum law considers women a 'social group' (thus, a valid ground of persecution), then a woman's claim runs that much more smoothly because, of course, proving you are a woman is not an issue. The *only* remaining burden on the female claimant is proving persecution.[37] Also, gendered patterns of displacement and resettlement of women differ vastly when compared to that of sexual minorities—demonstrated through reform movements and policies to protect women.[38]

As opposed to women, queer migrants, demonstrate that when the group on which an asylum seeker bases a claim is not recognized, the burden of proof doubles.[39] Siamak in Kayseri shares the differences he thinks exist between different persecution claims:

> **Siamak**: Primary social rights in Iran are not observed. Gays are the main ones who hurt. Those political or religious opponents, they can change or not express it. They weren't born with it. I was born gay. This is me. It's one of the main components of my life or identity. In these 32 years, I can't separate myself from this reality. I can change my religion very quickly, but this, being gay is in me. It's terrifying to change or hide this part of my identity as opposed to hiding my political opinions.
> **Farrah**: Do you know anyone who is here under other persecution claims. Iranians, I mean?

> **Siamak**: Yes, this is where my frustration comes from. There are Iranians here, other refugees who are here on other claims, they aren't gay and they ask me about my claim. They think it will be religious or political. Like, if I'm Baha'i. But I tell them I'm gay and they ask what that is. So I say *hamjensgara* [homosexual in Persian] and they just look at me. Then I must explain that "I don't like women sexually" and they coo and say, "Aaah, God willing you'll get better soon. It's nothing." I'll get better soon?! As if I'm sick or have a disease? This is what Iranians think. It's their perspective. They should have just stayed in Iran. That's where they belong.

Insurmountable obstacles arise for an adjudicator in determining credible sexual orientation-based claims. Asylum law simply states that when making this determination

> "[s]elf-identification as LGBT should be taken as an indication of the individual's sexual orientation. … Where the applicant is unable to provide evidence as to his or her sexual orientation and/or there is lack of sufficiently specific country of origin information the decision-maker will have to rely on that person's testimony alone."[40]

Without documents to prove persecution, an adjudicator subjectively determines the success or failure of a claim based on a claimant's narrative. Part of the problem of translating and narrativizing the persecutions of homosexuals in the Middle East is that many may not self-identify, or may feel ashamed in regards to their non-heteronormative sexuality. The adjudicator, as a result, has a problem knowing what to believe if it doesn't fit into the adjudicator's own created template of 'gay' narrative or behavior. This, Ashkan demonstrates, leads to frustrated asylum seekers and failed asylum claims:

> **Ashkan**: It happens all the time. Those that really are gay get rejected while those who | aren't get accepted. Look at me. I've been rejected twice. It's a hard thing to prove. But I want to say something, why would I go through all of this—spending money, abuse, energy—why wouldn't I just return to Iran? It's easier isn't it? If it was a lie then I'd go back by now. The fact that we suffer through all of this shows that we don't have any other option. Doesn't this show that we are gay? That we are suffering and can't return?

Honest and revealing narratives are difficult to make for a queer Iranian asylum seeker, because universalist gay practices, such as living with/being in a romantic relationship with a person of the same sex, being socially and politically active in issues surrounding sexual orientation,

and/or identifying with a queer community are Western privileges often absent from queers in the Middle East. The following excerpt from an interview with UNHCR Executive Director, Metin Corabatir, depicts the asylum setting in Turkey from the adjudicator's perspective.

> **Farrah**: What are the most common claims Iranians are making when they come to Turkey? Is it political, or…
> **Metin**: It's religious.
> **Farrah**: So, Baha'is and Jews.[41]
> **Metin**: Yes, Baha'is. Many Baha'is. But, you know, we don't keep the numbers on this. We don't know how many and for what persecution, do you understand?
> **Farrah**: Oh, yes. I mean. I didn't mean for you to give me exact numbers or anything. Just a general overview is all….So, you had a lot of people after the green movement? When all the Iranians protested in 2009. Do you still get those people as political asylum seekers?
> **Metin**: The first two years after that happened in Iran there was a big increase for political asylum seekers, yes. The ones who are known as protesters mostly.
> **Farrah**: Are there any other claims? Because I've read some articles that said more and more Iranians are coming to Turkey based on their sexual orientation.
> **Metin**: Yes, gender and sexual orientation. That is very big.
> **Farrah**: Oh, so by gender, do you mean women?
> **Metin**: No, I mean the gay people.
> **Farrah**: Are the numbers on that claim getting higher?
> **Metin**: It is disproportionately higher, yes. Lately it is. There are many people who say this and are here in Turkey.
> **Farrah**: From Iran mostly or from other countries too?
> **Metin**: No, it is mostly from Iran. It has become one of the traditional things for them. But this categorization is membership of a social group and it is their authority to say it.
> **Farrah**: I mean, people always say 'gender and sexual orientation' and I always understood women as, you know, leaving because of a possible, sorry, clitoridectomy, or a ritual rape and that is definitely persecution. You know? Sorry, what I mean is that proving you're being persecuted because you're a woman is easy because proving you're a woman is easy. But how do you prove that you're gay?
> **Metin**: We have standards for that.
> **Farrah**: What would those be?
> **Metin**: Well, I can't tell you this. But they are extensive.

Though Mr. Corabatir, as a UNHCR representative, would not reveal credibility standards in sexual orientation-based persecution claims, the participants in this research were very talkative on the matter. They recount that successful asylum claims are dependent on the ability to conform to the stereotypic representations of gay behavior. Gender-specific behavior becomes a

performance to contribute to a successful asylum claim. This comports with Professor Muneer Ahmad's (2002:122) assertion that asylum seekers (not just queer ones) who are successful in their claims are likely those who are rewarded by employing a narrative that "resonate[s] with the values, beliefs, and assumptions" of the adjudicator by "drawing upon prevailing norms and beliefs, no matter how problematic that may be," including that of "the helpless woman victim, the crack whore, the lascivious fag". Behavior models position LGBT asylum seekers in a place where they must model their experience to meet Western expectations of queer identities. Those claimants least able to meet the evidentiary requirements to prove their homosexuality most likely face a failed claim (Morgan 2006:156). The next section describes these particular hurdles undergone by both adjudicator and asylum applicant in relation to persecution credibility assessment.

The Trouble with Sexual Orientation-based Asylum Claims

'Covering' is a process by which queers alter behavior by acting in, what is according to society, stereotypic and gender-typical traits, in order to mask their non-heteronormative sexual orientation.[42] A lifetime of covering queer sexuality, in the homophobic environment of Iran, makes the sudden necessity to discuss this dimension of life difficult for these participants. Afshin and Siamak (in two separate interviews) describe the necessity of covering in Iran, and how detrimental that lifelong pattern is now. Afshin, in Nevsehir, begins by elaborating upon the pressures of masculine stereotypes:

> **Afshin**: Since I was little, they took my clothes off. I was eight, a man would touch me. Everyone I know here has been raped. All of us. But how do you prove something like that happened? The UN needs proof of everything. I don't want to lie, though. I want to be honest and only tell the truth.
> **Farrah**: You have no reason to lie.
> **Afshin**: But a lot of people here feel that the truth isn't enough so they make things up. I

> mean, how can I prove that? How? Can you tell me? I don't know how to do that. It's very difficult. You know, they think I should not be…do you think I'm manly?
> **Farrah**: Like a *jahel* [classically macho Iranian man]?
> **Afshin**: No (laughs)…you're saucy Farrah. No, I mean just like a normal man. Do you think I act the way men act?
> **Farrah**: (Confusedly) Yes.
> **Afshin**: See, that's not what they [UNHCR] want to see. And I don't know how to stop. How to turn it off. I thought that a gay man like myself doesn't need to devise plans, I'm simple and plain. My conscience is clear, and for this reason, this was my mistake. I mistakenly thought since it's the truth I could just tell my story and everything would work out.
>
> ___
>
> **Siamak**: I mean, our lives in Iran are so exhausting. I would spend 90% of my energy making sure this part of me was hidden. And if so-and-so found out, then what would I say? I was always prepared to answer questions. Now I feel as though I must be…another way.
> **Farrah**: If you don't want to talk about it, it's OK.
> **Siamak**: No, no. Thank you. No, I just don't know how to say it. It's like being in another world. It's as if what I am isn't enough.
> **Farrah**: What do you mean?
> **Siamak**: (Appears to be getting frustrated) I mean, they want more than this. From me.
> **Farrah**: Do you mean that you're not gay enough for the UN?
> **Siamak**: God knows. I don't know.

Besides issues of identity, which are inhibited by a lifetime of living in conventional heteronormative expectations of the *zaher*, the impact of shame and depression on the memory of sexual assault inhibit the production of a narrative. In Nevsehir, Mehran suggested the dichotomy between the 'out-of-the-closet gay man in Turkey expected to discuss the most secret part of his life' vs. 'the queer Iranian living silently and privately in turmoil within non-heteronormative *baten*':

> **Farrah**: Wouldn't it be hard to know all of these things in Iran, where you wouldn't even know about your gayness?
> **Mehran**: There are people who were gay. I could tell. My friend kept asking what was wrong with him and I finally just told him that he was gay. He didn't know what that meant and then got upset.

Well-founded fear of persecution is the central inquiry in any asylum claim. Denying asylum to

gays who cover overlooks the possibility that this hidden sexual identity results from the fear of the persecution that would result if it was not hidden. For many homosexuals, gay visibility is inversely related to fear; when fear increases, visibility decreases (Hanna 2005:917). A queer claimant's ability to be frank and open in answering questions about sexuality is restrained by stress, shame, depression, trauma, embarrassment and the inability to discuss this very private dimension of their lives.

Claims fail under these circumstances, and ultimately, claimants are punished for the inability to suddenly perform in a manner which was illegal and distasteful in Iran. As a sort of twist to the debate on Iranian men who remain 'in the closet' due to repercussions regulated by Iranian *zaher*, a UNHCR adjudicator has gone on record to say, in regards to gay men who 'cover' sexuality:

> I am not saying that homosexuals cannot make themselves known, but I do not accept that they must of necessity do so in all cases merely by virtue of being homosexual. (McGhee 2001: special adjudicator, *Golchin* 1991:9).

This statement appears to be advocating that queer Iranians remain 'in the closet' so as to make society run more smoothly, for being true to one's identity 'merely by virtue' of his sexuality is not a right. This is not to say that 'covering' non-heteronormative sexuality is encouraged, but, that uncovering and being true to one's homosexual identity is *discouraged*; instead, according to this UNHCR adjudicator, maintaining one's queer *baten* 'in the closet' is a viable option.

When a queer identity is criminalized in one's homeland, this part of their identity is kept a secret from the rest of society (Freedman 2007:246) and continues to be so, despite the requirements of confession in the asylum process. But, what happens if you successfully take the cover off? This research's most educated participant, Aram, ensured the success of both he and

his boyfriend Farhad's first claim by doing internet research; having learned a lesson from failed claims, he decided to go the other route and 'uncover':

> **Aram**: Farhad and I got our acceptance within a month. We got our medical exams a month later and we're going to Canada in three weeks.
> **Farrah**: Wow, that's so quick. I've never heard of it happening that fast.
> **Aram**: Well I've been through a lot. I knew my file had to be full of 'heavy' stuff. I told them everything. I had no reason to lie. I went through a lot in Iran. I'd never talked about it to anyone but Farhad before, but I knew now was the time to say everything.

Aram realized how to make a successful claim by recognizing the causes of failure in other claims. He had to suddenly be out, open about living with and being in a romantic relationship with Farhad, and identifying as gay.

Persecutions are often of a private rather than public character; hence, Iranians seeking asylum on the grounds of sexual orientation face a cultural and political restriction along gender lines by the sudden expectation to publically live/discuss non-normative sexual lives (Saiz 2004; Berger 2009). LGBT Iranians coming out of a restrictive and heteronormative society have taken great pains to hide this [as seen by society and state] 'aberrant' part of their identity in the conservative *zaher* of Iran. According to my participants, "coming out" story inconsistencies are the most widely cited reason for rejecting refugee applicants' credibility of being victim to past persecution. Foucauldian theory relating to the centrality of confession facilitates this explanation on the intersections of modern sexuality and the forced confession, where sexuality is made a subject meant to be performed. Foucault claims that "one confesses or is forced to confess. When it is not spontaneous or dictated by some internal imperative, the confession is wrung from a person by violence or threat" (59). This reference to violence as a supplement to an internal imperative of power is in line with Foucault's overall distinction between violence (which acts upon a body) and power (actions which act upon actions). Here, law acts through

UNHCR technologies of identity to force the 'suitable' confession/coming out story which would grant the asylee the refugee status he/she desires.

An element contributing to the failure in performing the appropriate gay person in the *zaher* is that most LGBT Iranians don't have a 'coming out' story because many never had a 'coming out'. Iranian queers are products of a system that has socialized them into heteronormative structures. Consequently, they have 'learned' to become heterosexual by maintaining appropriate behavior in the *zaher*. As asylum seekers in Turkey, they are meant to reveal a very internal and, often, shameful aspect of self, which proves difficult. So, they perform what they are supposed to do. The escalating performance of gayness has emerged because asylum seekers are attempting to 'outdo' or 'out-gay' each other. This performance is vital to credibility claims; thus, the claimant's narrative is very valuable. Viable and believable stories detailing the asylum seekers' persecution based on sexual orientation are guarded. Claimant's keep their stories to themselves, so as to deter their story be 'stolen' and told by another claimant. This has created a circulation of suspicion, which is further discussed in Chapter Five).

Accounts may be less likely to be believed if claimants fail to give details of sexual violence contributing to their persecution claim—though there are understandable psychological or social reasons not to do so (Freedman 2007). Claimants are frequently forced into a reaffirmation of their victim status.[43] A participant elucidated this point in Nevsehir:

> **Siamak**: It's hard because we have to say it in Persian…and I've never talked about this before. They want to know about my sexual experiences. This is very embarrassing for me. And then they want you to explain, how it happened, what you did, how you felt. These experiences are difficult to talk about. You know, another reason I think I wasn't given refugee status, that caused my rejection, is because I didn't know a lot of the language, the English sayings like 'bisexual, homosexual'. I didn't know any of it. I just knew that they call homosexuals 'gay'. So when I went to the interview they said I was bisexual. But I'm not. I'm a homosexual. My lawyer didn't say anything. They say, "you are this," so that is what you are. "Be this." They confused me.

> **Farrah**: So why not tell them now?
> **Siamak**: I'm telling you. I was embarrassed to mention any of it. To elaborate on it was humiliating. And I can't just tell them whenever my heart desires it. Now I'm waiting for the next interview. I'm not sure when that will be.

Many claimants complained of how gay essentialism (globalized gay stereotypes) has been treated in the asylum claimant's task of providing proof of persecution. These notions are used as a means of deciding the success of an asylum claim, and stem from the great difficulties confronting the organization in the task of identifying legitimate persecution (Butalia 2006).[44] The UNHCR lawyer's notion of 'being gay' becomes the yardstick to determine a successful claim. Thus, the claimant bears the pressure of being 'gay enough,' so they alter behavior to fit the stereotype. I call this 'gay performativity', and attest that it has created an environment of mistrust amongst queer asylum seekers in Turkey. A group interview in Nevsehir elaborates the climate of mistrust amongst UNHCR and these asylum seekers:

> **Farrah**: You don't receive any help from the UNHCR?
> **Siamak**: No, and the lawyers are so mean. I was shaking when I met with mine.
> **Ashkan**: It's because we're making a claim based on being gay. They'll give a house to a husband and wife. But not us. Because we're gay.
> **Kamran**: Your lawyer should calm you. You don't even know what you want to say. When this person, who is supposed to help me is looking at me as if I'm lying, it's very difficult.
> **Ashkan**: They do that to catch you in lies. It's a trap. My new lawyer told me that my previous lawyer really didn't understand me. It shouldn't have been like that.
> **Siamak**: They make it complicated with the translators. They use them as a trap as well.
> **Kamran**: The UNHCR which is supposed to help refugees does the opposite.
> **Ashkan**: I think I failed my test because I was so nervous.
> **Marjan**: You know what it's like, Farrah? It's always a test. The interview, your behavior, what you say. They're always trying to trap you. They'll use your own words against you. It's hard. In Iran your family and society are against you. In Turkey it's everything else.

Descriptions of the misery, ennui or depression of these participants are not meant to create a dichotomous relationship of good-bad between the asylum seeker and the UNHCR. This dissertation does not intend to villainize adjudicators and vilify asylum seekers. While conditions

in Turkey and failed asylum claims aggravate or depress the asylum seeker, adjudicators are also frustrated during the process. The inconsistencies and contradictions in the following interview with Sohrab explain an adjudicator's legitimate cynicism when approaching a claimant:

> **Farrah**: Can you tell me about your childhood? Have you always felt like you were different than everyone else?
> **Sohrab**: In terms of being gay? Oh…well. You know, the UN asks about this too and it's very difficult to say. I mean, you can't really understand it unless you lived or grew up with it. There's no morning I woke up and said 'I am gay'. You can't know this about yourself in Iran. They ask you these things in a strange way. They ask are you political? I say no. Religious? I say no. "Then what," they ask, and I say I'm homosexual. I can tell that I'm being judged. That they immediately have doubt. It's really upsetting.
> **Farrah**: Do you think making other claims is more accepted?
> **Sohrab**: I mean, I am Christian but they didn't care.
> **Farrah:** Sorry, I thought you were a Baha'i. Did you convert?
> **Sohrab**: Yes, oh…I…no, I mean, I thought I told you. I only said that I was Baha'i because I didn't want to tell anyone that I was gay.
> **Farrah:** Because you were embarrassed about being gay?
> **Sohrab**: Yes, but they didn't believe me. About being Baha'i. So I left and went to Cyprus. I discovered a real God in Christ and the Bible. But the UN still said that my religion had nothing to do with my flight from Iran.
> **Farrah**: That's interesting because I would think that being a Christian would matter. I mean, I thought that the Iranian government wasn't accepting of any religion except for Islam, so it seems like a Christian in Iran would be in harm.[45] Why wouldn't the UN care about that?
> **Sohrab**: Well, it wasn't an issue in Iran. I converted to Christianity when I went abroad.
> **Farrah**: Oh. So, and sorry, but why would the UN have considered this as part of your claim then?
> **Sohrab**: Because it means I can't go back. They should know that if I go back, as a Christian, I will be killed. It's difficult though, for the UN, because so many people lie. Some claim political and religious persecution. They figure that if they don't get refugee status from one that they'll get it from the other. I see a lot of that here. People become who they *need* to be. I'd never seen a Baha'i in my life in Iran. Here I know over twenty. I doubt that any of them are telling the truth.
> **Farrah**: How would you even know a Baha'i in Iran? I mean, sorry, but I thought that the Baha'i community in Iran lives in secret?
> **Sohrab**: Yes, but I really don't think that they're…I don't know. Maybe they converted. God only knows.

This researcher's detective work failed to unearth a consistent narrative from Sohrab; in the end, his person and persecution remained a mystery for me, as much as it did (one can assume) for the adjudicator; he was the participant awaiting asylum for the longest duration: four years.

Climates of doubt, such as this one with Sohrab, compound with increasing fraudulence to make LGBT migrants a shady community. Various levels of mistrust weave in and out of this group of asylum seekers and refugees. In order to deter a purloined story, they avoid one another.

> **Saman**: There are a lot of people who are straight who come here and say they're gay. They have family abroad and use it as an excuse to leave Iran. And it makes sense. They have the right to leave.
> **Farrah**: How can you prove that you're gay? This seems very difficult.
> **Risam**: Yes they have this right, but they ruined everything for us. It's them who have made this whole process so difficult. Yes, Saman is right. Iran is terrible. I know it…(snickers) as if I don't know it? But it's from the perspective that if these liars didn't exist, my case wouldn't have taken this long. I've been here 18 months. Because groups of ten or twenty are coming from Iran and claiming that they are gay. So, the UN is forced to inspect and investigate every file minutely, because it's a hard thing to prove.
> **Farrah**: You don't like them because they take your spot to go abroad?
> **Risam** : It makes me upset but not because they're taking my spot. No, it's because they make getting refugee status very difficult. I have to prove myself so much more.

Contestability in relation to LGBT asylum seekers exists for two reasons: first, there is no agreed upon list of persecuted social groups—the vague state of eligibility standards makes it the ground with the least clarity; and second, adjudicators and policy-makers feel that sexual orientation or sexuality is a choice and/or merely a behavior rather than an identity. It is no wonder that the environment among asylum seekers has evolved to one of distrust, not only amid Iranian LGBT asylum seekers, but the latter's practice of fraudulence in claims has made them notorious in the refugee community. The following commentary from an Afghan refugee who fled into Greece from Taliban Afghanistan helps illuminate the discourse (and distaste) of the refugee community concerning Iranians:

> We left to save our lives; western people know it very well. There are a lot of people here from Iran, claiming to be gay refugee because they cannot claim to have been persecuted in their own country. It is safe there, and there is no trouble. They are here just to drink alcohol and have sex with prostitutes. They are not here to save their lives. Some of these stupid Iranians are even claiming to be Afghan refugees to get their papers faster. Some of them have been caught because they do not have enough information about

Afghanistan (Akbari 2011:231).

I asked each of the 17 queer Iranians participating in this research the following question: "If there are 10 'gay' Iranian men seeking asylum in Turkey, how many of them are actually gay?" The average answer was 4. This is not to say that the majority of queer asylum seekers are lying about persecution in Iran, but fraudulence and suspicion of fraudulence is on the rise. The next section explores the development and reasoning behind bogus sexual orientation-based asylum claims.

Manipulations & Rewards: Bogus Asylum

While queer acts and behaviors are punished in Iran, conforming to and adopting Western gay stereotypes are rewarded by a far more rapid resettlement into a third country via Turkey. Strategies to appear flamboyantly homosexual have created a performance-as-identity model. Either firsthand, through their own failed asylum claim (very common in sexual orientation based persecution claims),[46] or secondhand in a story, claimants know about failed claims and over-exaggerate western stereotypes of gay behavior to insure a successful claim. This section addresses how negative repercussions from the inability to offer sufficient narrative have led to 'reverse covering': a set of artificial and inorganic standards that align with the lawyers' conception of 'queer.'[47] Risam recounts an interview with the UNHCR:

> **Risam**: The mistake I made was thinking that all I had to do was say that I'm gay—that it would be enough. I assumed that my lawyer was a psychologist and could just see it in me. Little did I know that the UN is this—a place where they are just looking for loopholes, problems with your case to prove you're not gay.
> **Farrah**: And how difficult it must be to prove that you're gay?
> **Risam**: Very, very difficult. There are so many gay men—ones who say they are gay—who get accepted and then get resettled and bring their girlfriends over. The UN finds out about this. It ruins our cases.
> **Farrah**: So the UN follows up on them once they are in the US? I thought they didn't

> contact you guys once you're resettled.
> **Ashkan**: No, I don't think they do. But it reaches their ears. I would say 80% of the Iranians saying that they are gay are lying. What's interesting is that we don't say anything about them, rat them out, but they rat us out. They rat out other gays. Because they are so determined to move forward and get their way. They know all the tricks.
> **Farrah**: It's a role that they are playing.
> **Ashkan**: Yes, and they do it well. They impersonate gay men, like any cliché that exists, they do.
> **Farrah**: Sorry, but do you mean they act 'faggy' (*evakhahar*)?
> **Ashkan**: Exactly, sorry I didn't know if you knew that word. Yes, well done (*afarin*)! They act like that and get refugee status and are then resettled and me, who is really gay, I get rejected. I've been waiting 3 months just for an interview date.
> **Farrah**: And once that date is determined, you still have to wait, right?
> **Ashkan**: Yes, I can get the date and it could be for four or five months from now. It's very uncertain and confusing, this process, you know? I'm grown so tired of it.

The pre-formed expectation of gay identity may even favor false narratives as they are equally likely to rely on stereotypes. The refugee conceptualization of performance-as-identity develops through a thought process such as "because I'm claiming persecution due to my gayness, I should do *this* and act like *this.*" The UNHCR adjudicator's assumption that sexual orientation-based asylum applicants should be 'out' once they arrive in Turkey has disparate effects, because the Iranian queer man is from a country where visibly gay behavior is avoided under penalty of severe criminal sanction.

Prevalent stereotypes of homosexual identity weave throughout my participant's narratives, to suggest that they are based on white Western males; a gay asylum seeker must bear a visible gay identity which conforms to these norms. Consequently, according to research participants, the UNHCR has adopted this overtly performative, Western model of homosexual identity in its adjudication of sexual orientation asylum cases. Instead of weighing merits of a claim, they analyze whether the applicant conforms to an expected construction of homosexuality. As a result of claimants who are better able to 'prove' homosexuality, the level

of proof needed to substantiate a claim has risen continually (Noiriel 1991:237). A participant in Turkey describes the consequences of bogus asylum:

> **Farrah**: Are there people who lie about being gay or something?
> **Siamak**: A lot of people. Iranians in Turkey. A lot of people come and pretend. They say that they are gay and work illegally for a couple of years make some money and go back to Iran. There are so many liars. But they have a right to work to make money to even say that they're gay and resettle to another country. I don't mind the lies. It's their right.
> **Farrah**: You seem frustrated though. Is it because you're afraid they'll take your spot?
> **Siamak**: No, there are enough spots. I've been waiting a long time and it's not for lack of space in America. It's because these people who make false claims slow down the process and make any story lack credibility.

Intersections of varying persecution grounds stream through the issue of bogus asylum. Siamak notes specific cases he feels competitive towards above. Metin Corabatir, from the UNHCR, offers a similar perspective by setting bogus sexual orientation-based asylum claims against the greater context with claimants in varying grounds of asylum. When I asked if the increase in bogus asylum cases was a problem for the UNHCR authorities he replied "We just do our jobs. But it is an issue for those people who come for other claims. Especially their religion. Like the Baha'is."

Indeed, the issue of asylum is always addressed in relation or comparison to other claimants. An MTF explains that this is not only a problem with gays. Her motivations in leaving Iran were also questioned:

> **Marjan**: While explaining my situation to the UNHCR lawyer she asked if this was all because I wanted to go to America. I told her that if I wasn't trans—if I was a complete man or a complete woman, I would never leave my country. I would have stayed. But the conditions in Iran are very different. I can get arrested at any time in Iran. They say I'm prostituting myself, I'm selling drugs. Who do you talk to? I get verbally abused. I couldn't even walk down the street. People wouldn't let me in certain shops or restaurants. They said you can't enter. You're neither man nor woman. It's unclear. I said, "shopping is the right of anyone—female *or* male".
> **Farrah**: Isn't it easier for a trans person to go through this process in Turkey? I mean, I know everything is like hell out here, but don't you have less to prove?

> **Marjan**: It's easier for me because I've had the operation, you know? But the UN still has doubt with a lot of people. [The bogus claimants] say *we're* trans. They have papers. I don't know how they got them, but they have papers that say they are pre-op trans. All of these lies have made our situation much worse and harder to deal with.

The behavioral stereotypes possibly held by a UNHCR decision-maker, in order to determine an applicant's queerness, open the process to manipulation by those willing to 'play gay' or tell a story of victimization. It is easy for an adjudicator to discredit Marjan's motivations; frequent accounts of non-genuine (bogus) asylum-seekers have done much to elicit cynicism and disbelief towards asylum claims.

In addition to bogus asylum, manipulation of the system occurs in many ways, including changing claims. Proof of persecution, as Sohrab will demonstrate, is not an arduous task if the claimant can be flexible in changing the ground of persecution to better suit his/her claim. This interview with Sohrab depicts the unraveling of a nebulous and amorphous asylum claim.

> **Farrah**: What made you leave Iran?
> **Sohrab**: It was because, well, it wasn't all the things I'm sure you've been hearing (slightly snickers).
> **Farrah**: What do you mean?
> **Sohrab**: Well, I didn't leave because I didn't feel safe or because the government hates us [homosexuals]. I left because I knew it was the only way I could be myself. The only way I could express myself and my true thoughts and feelings. Everything is so restricted there. I didn't want to live a lie. That's not a life.
> **Farrah**: Yes, I see. You know, a number of people I've talked to have told me that they had no idea what the process was, as far as introducing yourself to the UN and what not. What was your experience like? Did you know to go to the UN?
> **Sohrab**: Not at all. When I got here I didn't know about the UN. A friend told me. First, I was going to go to Greece because I hated the feeling of being illegally somewhere and I hear that they are very accepting in Greece. I had the money to get smuggled in. But then this friend told me about the UNHCR and that I can be comfortable here [Turkey] once I introduce myself to them. I had my pre-interview. I lied…I mean I couldn't tell them that I was gay,[48] so I told them that I come from a Baha'i family. They rejected my case. So I went to Cyprus, close to Greece, you know it right? Well, I lived there over two years and I met my partner. We left and came back to Turkey because we never felt safe. There was a constant fear of being illegal and getting arrested. I was always afraid of something out there.
> **Farrah:** Oh, and you re-filed your case as gay rather than Baha'i?
> **Sohrab:** Yes, you know, I had my partner and felt that I can tell the UN what I couldn't

tell them before.

It may be revealing—for understanding the structural foundation of the asylum system—to explore the fact that Sohrab's initial claim was based on religious persecution, but he changed it to sexual orientation-based persecution.[49] This might be an example of manipulating the system. Indeed, Sohrab's gay partner and narrative are an advantage in sexual orientation-based claims. After tying various parts of this interview together, I wondered whether Sohrab was aware that successful claims are more frequent with partners who file together. Was he able to tell the decision-maker what he "couldn't tell them before" because of a newly found familiarity with the system (from the two years in Cyprus that he had to prepare for the interviews)?[50] Adjudicators deal with suspicious cases like these often. Confusing and frustrating and hard to believe, this demonstrates that adjudicators are not villains, but have become jaded or cynical from situations such as this one.

Also, well-read in the Convention, Sohrab knows that under the rule of *refoulement*, the possibility that his Christianity may lead to future persecution and deter his forced re-entry into Iran, is accurate. According to the principle of *nonrefoulement* (nonreturn of refugees to the country they fled), forbids states to repatriate an asylum seeker once an application for asylum has been lodged (Sen 2003) and asserts that a person cannot be forcibly returned to a territory where he or she may be at risk of future persecution for any of the provisions mentioned in the Convention.[51] Thus, in addition to past persecution, two refugees in Turkey explain how showing a well-founded fear of *future* persecution is one means of proving the need for asylum:

> **Marjan**: I think the most ridiculous question they [UNHCR] ask is "what would happen if you returned to Iran"? For me this is a joke.
> **Siamak**: It's the stupidest question. We'd be executed. Buried alive, lashed.

Under the principle of *nonrefoulement*, Iranian queers are not sent back to Iran due to the threat

of future persecution. In theory, the principle of *nonrefoulement* is a starting point for the nation-states' legal obligations to provide protection to refugees; in practice, however, governments skirt around the protection issue (e.g. limiting refugee rights, tightening border controls).[52] State autonomy in the decision to grant/refuse asylum claims has led to accepted new forms of protection in order to avoid Geneva Convention obligations.[53]

CONCLUSIONS

Asylum seekers leave their homeland for a number of different reasons: religious persecution, war, political upheaval, and natural disaster, to name a few. While life under the current Iranian Islamic regime is stifling and oppressive in many ways, the only road available for a young Muslim Iranian asylum seeker who does not belong to an ethnic minority and who is not politically active (namely—one who does not fit into the four specific recognized persecution claims) is to claim persecution based on sexual orientation—falling under the persecutory ground 'membership of a social group'.[54] This chapter has assessed the experiences of queer Iranian refugees making sexual orientation-based persecution claims.

Although the refugee does not 'belong' to the state, the site of the refugee, conceived in a variety of activities, becomes a site of modern statecraft. The refugee negotiates a particular position vis-à-vis the nation-state. Similar to Castles & Miller's (2003) discussion of ethnicity, the designation of categories of persons eligible for refugee status and asylum under the auspices of the United Nations emerges as a political strategy that is pursued for state interests and is constructed in specific historical and social contexts. These categories are a strategic response invoked by the negotiation of boundaries when different groups come into contact with each other. One of the key historical ways that the state has constituted its powers over society has

been to categorize ‘movements’ as ‘migrations’, a process that went hand in hand with the invention of territorial nation-states (Favell 271:2008). Immigration law and its mechanisms of social control actively participate in producing sexual, racial, class, gender and cultural categories and link them to broader processes of nation-making and citizenship (Luibheid 2005). The effects of categorization are a means of control and the omission of creating categories is the same. In fact, the omission of sexual orientation within human rights policy or international political discourse is systematic (Megret 2003; Saiz 2004). It has been continuously written out of any instruments adopted by state as well as human rights organizational powers (Hatton 2009). Power is a dynamic force which translates particular opinions, discourses or viewpoints into practices, policies and institutions. Such forces act on and through the agency and subjectivity of individuals, which, as a result, leads to people governing themselves. International agencies, like the UNHCR, and state powers create the object (per se by defining it as a problem, legalizing it, creating a discourse) and consequently determine most effective way of controlling it or putting it into a policy discourse. In this [Foucauldian] way, the conflict and its solution conflate into a single entity—or part of the same discourse—and render integral parts of the same power relations, as they are controlled and managed in similar ways (Goodwin-Gill 1989).[55]

LGBT Iranian asylum seekers left homophobic Iran, to ultimately resettle in the ‘prejudice-free’ and ‘liberal’ West. While in Turkey, proving persecution based on sexual orientation becomes a major blockade for queer Iranian migrants because a queer identity was never manufactured in Iran. It is also difficult because sexual orientation or inclination is rarely a visible characteristic, but rather one that has to be revealed. Consequently, sexual orientation claims depend upon the presentation of a very internal form of self identity. The foundations of

gender and sexuality alter, in the asylum process, from substantive foundational aspects of one's person to performing the appearance of interiority (Hood-Williams and Harrison 1998:76). Generalized short-term tactics, such as overly performing Western-model gay stereotype, may win some cases, but at the at the cost of compromising the claims of other LGBT asylum seekers. Through the act of 'bogus' asylum, powerlessness and victim status has become a form of agency on the part of refugees who adapt strategies for survival and successful claims. Thus, sexual orientation in these asylum claims, has become something you *do* or *say* rather than something you are.[56] Iranian queer asylum seekers are pushed out of the 'closet' and expected to perform for the UN in a private space (e.g. UNHCR office, migrant home). Expectations in the *zaher* have changed with their geography; assimilation into the heteronormative environs of Iranian society has been replaced by the requirements to perform a stereotypic, Western clichéd identity. The battle of *baten* rages on and next, in Chapter Five, these participants will explain the adversity that followed them in any of the dualities in this research: exoteric/esoteric, *baten/zaher*, public/private. Participants will explain how the transformation of identity—having gone from shameful Iranians held captive by Iranian traditions in the *zaher* to suddenly becoming gay foreigners in a homophobic and sometimes anti-Iranian land.

NOTES

[1] Varying factors that constitute the modern NGO include size, geographical scope, organizational pattern, focus, function (Mencher 1999; Sahin & Yildiz 2010). NGOs are held accountable for these functions largely in international conferences. The six major international conferences of the past 10 years[1] have assessed the efficacy of NGOs around the world. The Rio Conference on the Environment, the Population Conference in Cairo, the Social Summit in Copenhagen, the Women's Conference in Beijing, the Habitat Conference in Turkey and the World Food Summit in Rome.

[2] The 1951 Convention Relating to the Status of Refugees, 189 UNTS 150 (April 22, 1954).

[3] UNHCR, GA Res. 428 (V) Annex 1, 1951

[4] The UNHCR (1997:199) emphasizes the increase in human trafficking that has resulted from these procedures. It indicates that restrictive asylum regulations have converted what was a relatively visible and quantifiable flow of asylum seekers into a covert movement of clandestine migrants that is even more difficult for states to count and control.

[5] UNHCR's main counterparts in Turkey include the Ministries of the Interior and Foreign Affairs as well as a number of NGOs. Operational partners with the Turkish government include government agencies (Coast Guard Command, Gendarmerie General Command, Human Rights Presidency, Ministry of Foreign Affairs, Ministry of Interior, General Directorate for Security Under Secretariat of the Ministry of Interior, Bureau for Development and Implementation of ,Asylum and Migration Legislation and Administrative Capacity, Presidency of Religious Affairs, Secretariat General for EU Affairs, Social Services and Child Protection Agency, Social Solidarity and Assistance Foundation, Turkish International Cooperation and Development Agency) and various partner NGO's (Amnesty International, Association for Solidarity with Refugees/*Multeci-Der*, Bar Associations, Cansuyu, Caritas, Foundation for Human Rights and Freedoms and Humanitarian Relief, Helsinki Citizens Assembly, Human Rights Association, Human Rights Foundation of Turkey, International Blue Crescent, International Catholic Migration Commission, KAOS Gay and Lesbian Cultural Research and Solidarity Association, *Kimse Yok Mu*, Refugee Support Group – Ankara, The Association of Human Rights and Solidarity for Oppressed People/*Mazlumder*, Turkish Red Crescent Society). http://www.unhcr.org/cgi-bin/texis/vtx/home. In Turkey, the 'Human Rights Common Platform' (Insan Hiklari Ortak Platformu (IHOP) brings together domestic and international NGOs.

[6] The Iranian LGBT has become part of global discourse and recognized as a legitimate identity and minority; homosexual identity is now recognized by state powers and the UNHCR. Thus, it is no longer necessary to use the term 'queer' to describe LGBT individuals.

[7] Latest figures released by the Geneva-based Internal Displacement Monitoring Centre (IDMC).

[8] Chapter Five of this dissertation will discuss other partner NGOs active in refugee and LGBT discourse in Turkey. For an in-depth statistical analysis of Iranian refugees and asylum seekers in Turkey evaluated on a yearly basis since 2002 to 2012 see http://www.irainc.org/iranref/statistics.php. Note that these reports do not specify asylum claims or grounds of persecution.

[9] See interview with Metin Corabatir, Director of External Relations for the UNHCR. UNHCR Headquarters, Ankara, Turkey, September 10, 2012 in Chapter Three of this manuscript for further explanation on asylum claims.

[10] Interview with Metin Corabatir, UNHCR Headquarters.

[11] Another popular modern strategy Iranians use is converting to Christianity from Islam. This is more difficult to prove if the asylum seeker has recently converted, which is often the case, they frequently claim that they hadn't discovered Jesus Christ as their savior until they fled the Islamically saturated Iranian society. Often this is done to have two claims of persecution instead of one, and hence, they assume, doubling their chances of gaining refugee status and resettlement. It, however, rarely works in the favor of the claimant as it creates suspicion and lack of genuine persecution.

[12] The 1951 Convention includes language requiring that "the work of the High Commissioner shall be of an entirely non-political character, it shall be humanitarian and social and shall relate, as a rule to groups and categories of refugees" UNHCR Statute, Ch. 1 §2.

[13]This law also sets standards for the treatment of refugees, including their legal status, employment, and welfare. The principle explains that:

> "No Contracting State shall expel or return (refouler) a refugee in any manner whatsoever to the frontiers or territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion." (The 1951 Convention, Art 33, para. 1)

[14] http://www.unhcr.org/pages/49c3646c137.html. As the migrant population throughout global societies increases yearly, their deployment by state powers and institutional agencies, such as the UN, and positioning multiplies as well, wherein we see terms surrounding migrant group-movement, exile status, individual migrant status, and temporal demarcations. While the impetuses of migration are varied, the shifts in movement-terminology surrounding the migrant community offer insights into state means of regulating, categorizing and demarcating this community: forced evictions, population transfers, mass exoduses and internal displacement (Brettell 2008; Castles 2009; Favell 2009). Within and throughout this spectrum we can find any number of categorized individuals: asylum seekers, refugees, Internally Displaced Persons (IDPs), forced removals, and labor migrants (Girard 2007; Brettell 2008; Castles & Miller 2009). In addition, temporal delineations of migration/ movement include "seasonal," "temporary," "nonseasonal," "recurrent," "continuous," "permanent," and "conflict migration" (Rothschild 2004; Girard 2007). One reason for the varying categorizations is that states have different concerns regarding different kinds of migrant communities. Different governments approach this debate in specific ways. For example, China asserts that sympathy should be given to the exodus caused by natural disasters, while Cyprus notes the need to pay attention to IDPs. Canada, on the other hand, believes that the most pressing issue within this discourse is that of methods to deter massive migrations and find the causes at the root of this phenomenon. The Belgian government

believes that the greatest attention should be given to economic factors that cause migratory flow. One sees the different concerns by the state, and hence the different types of attention each group gets in each location.

[15] The Refugee Act of 1980 is known as the landmark legislation conferring upon all aliens physically present within the United States the right to petition for asylum. The asylum provision of the Refugee Act, 8 U.S.C. §1 158(a)(l) provides: Any alien who is physically present in the United States or who arrives in the United States (whether or not at a designated port of arrival and including an alien who is brought to the United States after having been interdicted in international or United States waters), irrespective of such alien's status, may apply for asylum in accordance with this section, or where applicable, section 1225(b) of this title.

[16] The functional competencies of the High Commissioner were expanded through the 1967 Protocol, which accounted for the status of future refugees (originally this agreement only applied to refugees entering the country of asylum as of January 1, 1951) and supplemented the definition with the phrase "well-founded fear of persecution." The UNHCR encouraged countries to sign this, thereby acknowledging future refugees and considering their asylum status based on the provisions. The statute and conventions create a universally accepted definition of a refugee; grant responsibility and authority to UNHCR authorities, and impose obligations on UN member states with respect to the treatment and legal status of refugees. The statute (Ch. 1 §1.—General Provisions) provides that UNHCR assume:

> the function of providing *international protection,* under the auspices of the United Nations, to refugees who fall within the scope of the present Statute and of seeking permanent solutions for the problem of refugees by assisting Governments and, subject to the approval of the Governments concerned, private organizations to facilitate the voluntary repatriations of such refugees, or their assimilation within new national communities.

[17] Article 14 of the Universal Declaration of Human Rights provides: (1) Everyone has the right to seek and to enjoy in other countries asylum from persecution. (2) This right may not be invoked in the case of prosecutions arising from non-political crimes or other acts contrary to the purposes and principles of the United Nations.

[18] UN High Commissioner for Refugees, *UNHCR Guidance Note on Refugee Claims Relating to Sexual Orientation and Gender Identity*, 21 November 2008, available at: http://www.unhcr.org/refworld/docid/48abd5660.html. Article 8. Gender identity refers to those who suffer from gender dysphoria and identify with the transsexual community.

[19] The first case was in the Netherlands. Judgment of Aug 13, 1981. Afelding-Rechtspraak (Judicial Commission of the Council of State) No A-2.1113. Female migrants are not specifically mentioned in the Convention and, like LGBT migrants, make asylum claims based on persecution under the 'social group' category. According to the UNHCR (2007), women make up roughly half the total populations of concern to them.

[20] Fragmenting identity into categories reflects Foucauldian theory in that categories stress how subjects are formed through discourses of knowledge, such as psychiatry, medicine and biology, which create oppositions between the normal and the abnormal, permitted and punished forms of sex, and how sex becomes seen by the individual as the basic truth about him/herself. Foucault argues that such categories, one of them 'the homosexual,' conceal the complexity of human sexuality and are recent historical products.

[21]Thirty countries, including 15 from the EU, agreed upon mention of sexual orientation in Paragraph 96 of the Beijing Declaration and "Platform for Action" drafts (Aniekwu 2006). *Toonen v. Australia*, CCPR/C/50/D/488/1992, UN Human Rights Committee (HRC), 4 April 1994, *available at*: http://www.unhcr.org/refworld/docid/48298b8d2.html [accessed 14 September 2012]

[22] Canada and the EU introduced sexual orientation in four paragraphs of the draft Platform for Action, two of them declarative (preamble of the Strategic Objectives section and chapter on Human Rights), and two action-oriented (chapters on Human Rights and Economy). However, what would become paragraph 96 was already heteronormalized, stating that sexual freedom should be observed in "equal relationships between men and women in matters of sexual relations and reproduction." Paragraph 96 was eventually resolved and centered on the right of women to have control over matters related to their sexuality but without the term 'sexual rights'. Eventually, sexuality weaved its way into UNHCR discourse during the 1994 Women's Caucus at PrepCom III, an international conference where authorities clarified their [heteronormative] definition of "family" or "union" as that between a man and a woman. All these movements and the social interactions that follow them are more or less arbitrary and defined, recognized, classified and reshaped by conventions imposed by the nation–states or international institutions which have power over the subject (Stavropoulou 1998).

[23] The UN Commission on Human Rights draft resolution doc E/CN 4/2003/L. 92.

[24] As a result of LGBT asylum law emerging in migration discourse , in 1990 the US Board of Immigration Appeals (BIA)—the highest administrative agency determining immigration applications—recognized gays and lesbians for the first time as members of a particular social group. The evolution of this interpretation of the Convention was demonstrated in the *Matter of Toboso-Alfonso* in which a Cuban homosexual male demonstrated that his freedom was threatened on account of his membership in a group. This laid the foundation for the official recognition of gays and lesbians as members of a particular social group by all U.S. immigration courts.[24] Asylum law gradually evolved following this case, as evident in the 1993 *Matter of Tenorio*.[24] Indeed, while the *Toboso-Alfonso* case interpreted LGBT individuals as members of a group, the *Tenorio* case marked the first time an applicant was actually granted asylum based on sexual orientation (Bennett 2010). Evolving even further, the 2000 *Matter of Hernandez-Montiel* case was the first in which it was acknowledged that a male pre-operative transsexual was targeted and persecuted based on membership of a social group (Pfitsch 2006:59). These American advances in protecting lesbians, gays, bisexuals and transgendered immigrants have been due to recognition of sexual orientation as constituting membership in a social group. The UN and the discourses surrounding the LGBT community have led to the progress made in this area and the fruition of those efforts is occasionally seen in the courtroom.

[25]Issued February 14, 2012. No. Policy/SO/2012. Ambassador and Permanent Representative Coordinator of the OIC Group on Human Rights and Humanitarian Issues.

[26] Though one of the original signatories of the 1951 Convention, Turkey maintains a "geographical limitation" to the applicability of the 1951 Geneva Convention; it is not obligated to apply the convention and grant refugee status to asylum seekers coming from outside of Europe. This restriction emerged in 1980 as a reaction to the large number of Iranians seeking refuge in Turkey after the Islamic Revolution. This gives Turkish authorities the power to skirt asylum regulations with non-Europeans without reprimand from the UN and abide by the Responsibility to Protect (R2P) requirement. See Kirisci (2007).

[27]See Regulation No. 1994/6169 on the "Procedures and Principles Related to Population Movements and Aliens Arriving in Turkey Either as Individuals or in Groups Wishing to Seek Asylum Either from Turkey or Requesting Residence Permission in order to Seek Asylum from another Country".

[28] Notions of truth get muddled in narrative as many claimants pull from various moments of life or just tell a singular linear story as proof of persecution. The principles of social memory theory, which include construction of history and its connection to personhood, facilitate my research. In order to develop a notion of personhood, popular memory is not homogenous; there are different perspectives and memories of the same thing within the same person. Bakhtin's notion of heterogeneity suggests that there are different discourses about the past, and when recollecting or receiving narrative, it is more effective to get away from simple binaries like dominant/subordinate and focus on varying distinctions in subjectivation that construct memory. More in Chapter Five.

[29] Although international law requires that assistance to refugees be carried out in a humanitarian manner, in some countries, asylees undergo medical examinations to rely on "the corporeal site where medical practices of truth could bring to light the signs of an authentic or inauthentic homosexual identity" (Mullins 2003).Attaining medical proof is often undergone by way of an anal examination by a medical doctor to prove the claimant's sexual orientation. Long (2004:116) explains the process in Egyptian state practice: "the naked, humiliated subject is made to bend, while multiple doctors pursuing 'marks' of 'sodomy' dilate, peer into, and in some cases insert objects into his anal cavity". While proving homosexuality by means of medical examination of the anus may still be practiced by some states in sexual orientation-based asylum cases, according to my informants, this is not the practice in Turkey. Instead, testimony is the only source accepted, making the claimant's story the most important part of the claim.

[30] The REAL ID Act of 2005 for asylum applications states the following factors may be considered in the assessment of an applicant's credibility: demeanor, candor, responsiveness, inherent plausibility of the claim, the consistency between oral and written statements, the internal consistency of such statements, the consistency of such statements with evidence of record, and any inaccuracy or falsehood in such statements, whether or not such inaccuracy or falsehood goes to the heart of the applicant's claim. INA § 208(b)(1)(B)(iii); In re J-Y-C-, 24 I&N Dec. 260 (2007); In re S-B-, 24 I&N Dec. 42 (BIA 2006). See interviews with asylum officers in Shari Robertson's documentary film *Well Founded Fear* (2000) which explores the asylum process of the federal U.S. Immigration and Naturalization Service (INS) and takes a look at credibility claims of asylum seekers in the U.S. These cases do not focus on sexual orientation-based asylum only, and suggest the array of corroborative evidence possible to legitimize an asylum case.

[31] One man failed his asylum claim with the lawyer explaining that his "homosexuality could not be authenticated from scrutinizing his appearance" or 'outward activity', nor could it be authenticated from something as nebulous and undefined as "*the appellant's unauthorized* self-knowledge." It seems superficially reasonable to

conclude that, for a gay individual who appears and acts heterosexual, sexuality will never trigger persecution. See McGhee (2003).

[32] Gender and sexuality are pivotal—although elusive—categories that immigration law and refugee policy have upheld. Many U.S. immigration laws have sought to regulate gender and sexuality beginning with the Page Act of 1875 (chap. 141, 18 Stat., March 3, 1875), which banned the immigration of Asian women for "lewd and immoral purposes" (sec. 1). The Immigration Act of 1903 (32 Stnt. 1213) followed, rejecting pregnant women if they could become public charges. Other laws mandated monogamous relations. For example, the 1917 migration Act (39 Stat. 874) excluded polygamists or anyone who "believe[d] in or advocate[d] the practice of polygamy," and Japanese picture brides in the early twentieth century were required to wed on the docks as they disembarked at U.S. ports (Luibheid 2002:61). Gay men and women were excluded first under the 1917 act as "mental defectives." Starting in 1952 (Public Law 82-414), they were banned as being afflicted with psychopathic personalities and were finally labeled "sexual deviants" by the Immigration Act of 1965 (Public Law 89-236).

[33]Another popular strategy that Iranians use in religion-based asylum claims is converting to Christianity from Islam. This is more difficult to prove if the asylum seeker has recently converted, which many have. Hence, members of this group would be clustered with members of political, national and social groups as facing obstacles due to burden of proof.

[34] Baha'i asylum seekers and refugees demonstrate that religious networks can provide a comprehensive migration strategy with a global reach, linking migrants with a ready-made community in destination countries. The Baha'i community in the destination country equips Baha'is with information about the transit country, living conditions, and most importantly the asylum process (Akcapar 2007:95).

[35] One would assume that people who made a conscious choice to convert to a particular religion would learn a little bit about that religion's teachings and theology. Apparently, a surprising number of individuals cannot answer these questions, or their answers are extremely superficial, and they cannot go into any detail when pressed, indicating that they were coached. In addition to Christians, religious persecution claims are often presented in Turkey by members of the Baha'i community, who don't suffer long detentions in Turkey.

[36] Despite identical asylum provision as members of a social group, gendered patterns of displacement and especially resettlement for women differ vastly when compared to that of sexual minorities. This is demonstrated through UNHCR reform movements and policies to protect women.

[37] Connection to the family may keep female asylum seekers at home in the sphere of domesticity instead of employed. This deters her possible need to secure the livelihood of the family, or to learn a new language and culture (Nikolić-Ristanović 1999). Also, should she flee to the home of a host family with her own family, the extra people with her could be a burden. Jolly & Reeves (2005, 11) explain this international gendered migration process:

> Even where women migrate alone this is likely to be with reference to, or even determined by, the household livelihood strategy and expectations of contributions through remittances. Thus, even when they have an asylum claim of their own, they are often linked to a greater domestic project.

[38] UN High Commissioner for Refugees, *UNHCR Handbook for the Protection of Women and Girls*, January 2008, available at: http://www.unhcr.org/refworld/docid/47cfc2962.html [accessed 12 April 2012]. The human rights of women and girls are an inalienable, integral, and indivisible part of

> universal human rights. The full and equal participation of women in political, civil, economic, social, and cultural life, at the national, regional, and international levels, and the eradication of all forms of discrimination on the grounds of sex, are priority objectives for the international community. Vienna Declaration and Programme of Action, July 1993.

[39] Foucault places the body at the center of discourse as a site of power—emerging as an effective approach to see the way in which state powers and the UNHCR demarcate migrant communities as a means of control. Currently buzzing in migration discourse, the authoritative placement of terms lumps migrants into further controlled spaces: those referring to movement: forced evictions, population transfers, mass exoduses and internal displacement; and terms referring to the actual individual: asylum seekers, refugees, Internally Displaced Persons (IDPs), forced removals, and labor migrants; and finally the temporal delineations of migration/ movement: seasonal, temporary, nonseasonal, recurrent, continuous, permanent, and conflict migration. See Rothschild (2004), Girard (2007) or Castles (2009).

[40] The UN Commission on Human Rights draft resolution doc E/CN 4/2003/L. 92.

[41] Iranians isolate themselves from each other, deterring development of a community; conversely, Baha'is not only have a community, but also offer practical support in the form of money, housing, possible employment and assistance with the asylum process.
[42] This may also be referred to as being a 'closeted' homosexual.
[43] Ratner (2005) attests that refugees often feel the need to tell stories about their own powerlessness in order to gain certain advantages from UNHCR officials.
[44] This is not to argue that every Iranian making a sexual orientation-based claim is doing so fraudulently. Nor is it to say that Iranian queers in Turkey 'cover' and act straight in public only to flamboyantly express behavior in a gay essentialist way to win an asylum claim. I contend that the act of fraudulent asylum is occurring at a more frequent rate and has yielded some LGBT claimants' western-modeled queer behavior.
[45] I was mistaken in this claim. The IRI is actually accepting of other religions—noted, for example, by the pre-existing Armenian or native Christian populations—but the act of apostasy, or conversion, from Islam to another religion is a punishable offense. Hence, Sohrab is correct in claiming that he would be punished if he were to return to Iran as a Christian.
[46] 16 of 19 participants were awaiting a second or third interview, 12 had been waiting more than one year.
[47] This demonstrates Foucault's notion that power is suspended by various poles. Plausibility of a claim privileges decision-makers' expectations of gay essentialist stereotypes that are fed by the refugees themselves.
[48] I have hopefully been able to demonstrate that when various pieces of this interview are tied together, they explain Sohrab's reluctance to file a claim based on sexual orientation: simply put, it would take too long. He acted on the rumor that seeking asylum under religious persecution was a faster means of resettlement.
[49] Note that while Sohrab's initial inclination to resettle to the West was to live a more 'honest' life, he spent the bulk of our interview recounting his deceptions.
[50]Sohrab and his partner have viable stories of persecution and an even better chance because they are together. According to my interviewees, although Iranians making asylum claim of persecution due to sexual orientation must prove persecution individually, and their applications are considered on a case-by-case basis (unlike groups, for example, who arrive in a host country with refugee status already granted during their stay in refugee camps), coming as a couple greatly increases chances of a successful claim and eventual resettlement.
[51] Origins of non-refoulement: the European Court of Human Rights applied some general human rights to asylum seekers and refugees stemming from the cases of Cruz v. Sweden and Vilvarajah v. United Kingdom ruling that asylum seekers could not be forcibly returned to a country where they risked facing torture or ill-treatment (Juss 2006).
[52] In terms of emigration into the United States, governmental powers have regulated immigration and refugee flows since September 11, 2001, while host countries have made it more difficult for asylum seekers to qualify as refugees (Nafziger 2009). Since the attacks were, as a federal appeals court found "facilitated by the lax enforcement of immigration laws," the denial of visas, harsher border enforcement and streamlined or accelerated procedures, which tend to be less thorough, or apply limited access to legal assistance or rights of appeal have increased (Rajah v. Mukasey, 544 F.3d 427, 438 2d Cir. 2008). Also, as suggested by the Norwegian government's deportation of many refugees, some states fail to uphold international principles, as it is illegal under international law to deport a person who has a legitimate fear of persecution in their home country where they are at high risk of being detained, tortured, or executed (http://missionfreeiran.org/2011/09/30/norway-deports-to-iran). In response to this, one Iranian noted that very often a European host government:

> is not concerned that people in Iran are stoned to death, executed, imprisoned, tortured and faced with sexual apartheid. All it wants is to stop asylum seekers from coming here at any cost (http://www.hambastegi.org/ifiruk/articles/defence-of-the-Iranian-mn.htm).

[53] Australia, for example, prevents engaging directly with the large numbers of displaced people in the region, by redirecting immigrants on boats in international waters to Indonesia, which is used as a holding pen. http://www.crikey.com.au/2009/06/30/refugees-asylum-seekers-and-australia-some-cold-hard-facts/ Contentions between the asylum seeker and host country are further seen in asylum claims based on ethnicity. Some cases show migrants held in detention over a year due to the fact that their nationalities had not yet been determined by authorities. UNHCR believes that the crux of the problem lies in the absence of a procedure that would identify these individuals' nationalities. Sen (2003) instances a case of Eritrean and Sudanese migrants in Israel in which *refoulement* is violated, documents are seized and refugees are beaten. Restrictive provisions adopted by the state in order to repel asylum seekers from the host country have ranged from measures such as the erection of barriers to stringent visa policies (Barbou des Places 2004; Loescher 2001). Yet, paradoxically, all of these coercive measures

have been operated in a context in which states continue publicly to acknowledge legal responsibilities to refugees and others in need of protection and that remain under the responsibility to protect (R2P) initiative. The United Nations established this in 2005 with a set of principles, based on the claim that being a member of the international community is not a right, but a responsibility of the state.

[54] Developed in 1922, this category led to provisions specifically for Russians fleeing the revolution and the civil war. Later in the 1920s, provisions were extended to Armenians, Assyrians and others fleeing the break-up of the Ottoman Empire. See http://www.asylumlaw.org/docs/sexualminorities/handbookpart1.pdf

[55] In calling attention to the presence of the state in our understanding of migration I demonstrate how these understanding construct the nation–state. The very process by which state powers manage migrants by naming, cataloguing and counting them, is foundational to the construction of state power. Thus, by recognizing, classifying, and then reshaping the social interactions that follow from movement as "incorporation" or "integration," the receiving society itself is constituted.

[56] These claimants play the socially constructed parts expected of them, since their narrative and their behavior become the only form of proof they have of persecution. Hence, this analysis piggybacks on Simone de Beauvoir's (1949) statement that "one is not born a woman, one becomes a woman" by asking the reader to replace *woman* with *queer*. Although it is not this author's belief that that is the case, it is nonetheless what has happened in these asylum cases in Turkey, where performativity has become the key to achieving asylum-seeking goals.

CHAPTER FIVE

NON-EUROPEAN ASYLUM SEEKERS IN TURKEY: OUR 'REFUGE' IS NO HAVEN

> We're not treated like people. We don't criticize others, why do they criticize us? So many alcoholics and drug addicts in Iran and in Turkey. All over. So many lewd people and we never criticize them. And you know? They can change it, but we can't. We were born this way.
>
> -Farhad, age 28, gay Iranian refugee, Turkey

Chapter Four of this dissertation discussed how Iranian queer migrants in Turkey are forced out of the 'closet' to perform for the UN in private spaces (e.g. UNHCR office, refugee residence during home interview) if their asylum claims are to succeed. This chapter relays the turmoil experienced in what they mistakenly assumed a possible haven: anywhere outside of Iran. In Turkish public spaces, the queer Iranian continues to suffocate in non-heteronormative desires and identities in the *baten* in an effort of self-preservation. Migration is largely undertaken with the positive hope of a better life in an unseen world, sometimes prompted by economic determinism, salvation from conflicts of national/natural disaster, and/or to escape human rights violations (Behera 2006). Subjective and psychological factors as well as a range of objective considerations influence refugees' decision to uproot themselves.

In Iran the *zaher* dealt those with non-heteronormative identities a series of significant problems, and queer Iranians continue to battle with society in Turkey, only now the geography is different. For them, life in Turkey is more a temporary place of safety than a protective environment. Throughout their lives, the confines of Iranian *baten/zaher* have dictated behavior and shaped subjectivity. Also, pressure from governmental superpowers (living under the

constant fear of being turned in to authorities, possible enforced sex reassignment surgery-SRS), family (tarnishing honor), society and self (negative experiences of a post-op) are damaging agents that queer Iranians had suffered and/or hoped to escape by leaving Iran. Later in Turkish society as asylees, however, rather than the silence and insults which plagued them, LGBT Iranians suffer from the medicalized technical terms and political categories assigned to them by the UN-mediated process of transition. Suddenly, they are in a world where they feel alienated without the unpleasant intimacy of family and neighborhood who bullied them. The alienation manifests to the point that Iranian LGBT asylum seekers and refugees are unable even to befriend one another. This is indicative of the intimacy of *baten* (which remains stifled and silent) and the silence of refugee life. Turkish society and expectations of public behavior perpetuate the *zaher* conventions the queer Iranian endured in Iran, in the sense that there are still societal rules which shape subjectivity.

Migrant experiences in this chapter demonstrate discrimination related to the familiar biases regarding sexual orientation, but compounded by anti-Iranian sentiments from local Turks. These sentiments, this chapter will demonstrate, are at the micro (street level) and macro (governmental) level as well, as Turkish authorities betray contempt for Iranian migrants affecting asylee daily life. An analysis of Turkey's two-tiered asylum procedures (mentioned in Ch. 4)—which are coated in bias against non-European asylees—demonstrates that anti-Iranian sentiments at the local level are symptomatic of a general state discourse on Iranian migrants. While these individuals are in flux, transition and constant change, they experience a sense of everyday monotonous refugee life. When putting the necessity of asylum in perspective, gay rights activist Scott Long (2013) says in his blog that

> asylum can keep your physical existence going at a distance from those who want to kill you, but it can't give you back that connectedness and system of meaning, that way of living. To the contrary. Almost any asylee will tell you that exile is a social death, and there is no easy way to rebuild a lost vocabulary of values or syntax of belonging in a new country.

Asylum ceases to equate 'protection' ~~and~~ to the process, instead, it becomes synonymous with 'escape'. This chapter demonstrates how asylum in Turkey is merely a way station, often entailing a disconnect from culture and community. While asylum saves biological life, it destroys the spiritual one.

This chapter explores the ways in which queer Iranian asylum seekers and refugees transit through society while attempting to make life in the host country more livable. There is not only fluidity in the experience and construction of identity, but also in the various ways in which there is a connection with the past and homeland/country of origin, (in terms of traditions, behaviors and values), relationships and family ties, or even in the idea of the country that is carried to the new lands. At the same time, however, the LGBT asylee is constrained by heteronormative structures of the host country, regulatory state practices which manifest in various limits imposed on him/her (limitations on housing, employment, movement etc). We begin with an explanation of this asylum policy.

Manifestations of Turkey's Two-Tier Asylum Policy

Through the mid 1980s, policies and practices involving non-European asylees were put in the hands of UNHCR officials (Kaya 2009). However, Turkey's current immigration policy and asylum process unfolds in two tiers with state powers in charge (due to increasing arrivals in the mid 1980s, explained below). The first tier is focused on European asylees—being a claimant

who falls under this tier (no matter the ground of persecution) is easy as long as the asylee is European. This privileging of Europeans is connected to Turkey's cherished role as Western ally (Kirisci). The second tier, however, addressing non-European asylees, is charged with complications and the potential to violate Turkish asylum policies. Notwithstanding grounds of persecution noted in the asylum application, this tier enforces rapid deportation procedures, leaving no room for appeal. The general spirit of this second tier of immigration policy appears to emerge from state's wishes to discourage applications for asylum for non-European migrants.

With the 1979 Iranian Revolution[1], political instability in the Middle East, Africa and Southeast Asia in the 1980s, increasing numbers of illegal non-European arrivals in Turkey saw the emergence of the second tier of Turkey's asylum policy. The increasing number of rejected asylum seekers and illegal entries into Turkey caused state authorities to seize power from UNHCR in matters of non-European asylees. The 1988 and 1991 mass refugee influx of Kurds in the aftermath of the Gulf Wars, followed by the 1992-1993 influx of 20,000 Bosnian Muslims, aggravated the Turkish asylum system and state powers (Edsbacker 2011). In light of these developments and worried about national security (as opposed to following human rights procedures), the Turkish government introduced the Asylum Regulation in November 1994 which achieved two goals: it took control of refugee status determination from the UNHCR and put it under government control and it introduced strict policies in access to and implementation of asylum procedures. The article stated:

> "It is essential that population movements be stopped at the border, and that asylum seekers be prevented from crossing over into Turkey…provided that Turkey's obligation under international law are maintained" (Kaya 2009: 5, 1994 asylum regulation article 8).

By implementing this regulation, the Turkish state granted the right to determine asylum seeker status; this is the two-tiered system of asylum currently in practice in Turkey (Edsbacker 2011). Based on the screening process of article 8, the claimant would be permitted to approach the UNHCR or be deported. Turkey maintains its right to control entry into its territories, but, in light of Turkey's legal obligation to abide by international law, many new programs have been developed and organized by UNHCR or the EU aiming to raise awareness of migration discourse.[2] Also, two landmark cases, both involving Iranian asylum seekers, helped ease the stringent controls on emigration populations. *Jabari v. Turkey* documents the case of an Iranian woman who sought asylum in Turkey because of the potential punishment of being stoned to death due to her extra-marital affair. Because she failed to lodge an asylum application within five days of arrival to Turkey (required at the time), Turkish authorities rejected her asylum claim. One result of the uproar concerning this case was that the Turkish government introduced an amendment (1999) increasing the five-day limit for filing an asylum application to ten days.

As a UN member state, Turkey is required to abide by the principle of *nonrefoulement* (nonreturn of refugees to the country they fled)—a law which forbids states to repatriate an asylum seeker once an application for asylum has been lodged (Barbou des Places 2004). Despite this principle, the Turkish Ministry of Interior (MOI) continues to exercise power over the asylum seeker or refugee—without violating the Convention—by placing restrictions which limit the migrant's freedom and quality of life.[3] A group interview in Nevsehir reveals a bit of this refugee life, refugee hope, and the asylum process to which they are subject by state and institutional powers.

> **Siamak:** I leave in the morning for work. Come home at 8 pm. It's been 28 months. My life hasn't progressed at all. I just want to live. I haven't lived yet. I want to study. I want to be at ease. I've been waiting a long time, but the UN finally accepted me. I'll be

leaving soon.
Farrah: Congratulations. That's really good news. You'll be going to America or Canada, right?
Siamak: Yes, Las Vegas in America. It's in Nevada. I've heard that it's a very fun city.
Farrah: Yes, it is a very fun city.
Siamak: Oh, you've been there?
Farrah: Yes, most Americans go on their 21st birthday because you can legally drink alcohol. You'll see all of that when you get there.[Short pause while he grins about the hedonistic potentials of Las Vegas] OK, sorry, I wanted to ask you guys—I've heard that it's always Canada or America that they send refugees. How do they decide?
Aram: [interrupts] Well, after your main interview you sign something saying that you are willing to go to the country that the UNHCR determines. And it's usually America or Canada because it's easier. I think it's cheaper. Living in say, Europe, is difficult. They don't send single people. But I've heard some people go to Norway if they are in a couple.
Farrah: What's the whole process? I know that after the pre-interview you have to wait three months or something. But does it depend on the case?
Siamak: Yes, it depends. I got my main interview five months after my pre-interview. I got my acceptance to refugee status 11 days later and then you have your medical exam and just wait for them to determine your country and give you a flight. That usually takes about eight months. My lawyer gave me a card to go to the psychiatrist. I will receive my medical very soon.
Farrah: What's the medical all about?
Aram: It's a blood test. To see if you're sick, you know, AIDS and things like that.
Farrah: They won't send you abroad if you're sick?
Siamak: No, they'll still send you. They just want to know.

Prevented from studying, working legally, travelling, moving around freely for fear of police checks, arrests, and/or deportation, Iranian migrants and asylum seekers in Turkey find themselves confronted with a range of policies, legislation and administrative practices which impose highly restrictive conditions on their living situations.[4] Another group interview explained the process and the mental and psychological strain involved in waiting for progress of an asylum claim (either success into refugee status and/or resettlement to the West):

Farrah: So, after that big interview, you just wait?
Kamran: Yes, we wait months to hear a decision. And if we fail, then we have to wait nine months before reapplying our claim.
Farrah: Why nine months? What's meant to happen in that time?
Kamran: Nothing, they just say that they are very busy and can't deal with us until then. This is better than before though. They put pressure on the UNHCR to deal with us better. That our refugee lives were terrible. We used to have to wait two or three years

> before re-filing our claims. It's hard either way. Being gay in this country, not knowing the language, no family, no money, no familiarity, in this religious and depressing city. Can't trust anyone or anything.
> **Farrah**: Can you put in a request to change your city?
> **Kamran**: Only to another satellite city. And that's its own headache. Besides, what's the difference? All these cities are the same. The other ones are actually a bit more expensive. There's no point in moving. The only positive part of living in Nevsehir is that it's cheap.
> You know, about the interview Farrah, see, I think for me the not knowing is worse than knowing. Being in limbo your mind goes different places and you worry about the worst case scenario. What will happen tomorrow, you don't know. When I go to sleep at night I ask god one thing: kill me in my sleep. I don't leave the house for two months. I eat once a day and never want to get out of bed. I don't like leaving the house. It's this not knowing. Death is better than all this. What's the point? There's no money. I don't know how to sell drugs.
> **Ashkan**: Look, you know what it's like here, Farrah? You get to a point though where you feel like it's never going to happen. You worry that they've forgotten you or that you just won't get an interview. You wonder what's in my file?

State powers operate as a form of government at a distance which delegate responsibility for individuals to other seemingly autonomous entities, such as corporations, community bodies, non-profit organizations, professional bodies (Cruikshank 1999). This is where the UNHCR emerges. States need categories in order to regulate populations: it is in the nature of the practice of classification that boundaries are created—an issue that demonstrates the nexus between the workings of the interstate system, state sovereignty and the regulation and control of target populations (Ketola 2011). Contemporary globalization and increasing migration patterns have redefined territorial identities. The Turkish MOI has initiated a systematic method of cooperation contingent on two things: first, asylum seekers must register with the Turkish authorities; second, once refugee status is granted, the resettlement must occur outside of Turkey.[5]

The asylum process is especially arduous for these migrants, as asylum seekers often face severe restrictions in gaining access to health care,[6] adequate housing and employment. Earning a living through illicit means is stipulated in Turkish law as a reason for deportation (Shadow

Report 2012). Thus, lack of legal access to the labor market often means that asylum-seekers are forced to work illegally, receiving no protection from employers and sometimes not getting paid. Aram and I discuss work conditions for Iranians in Kayseri:

> **Farrah**: What kinds of jobs are available to Iranians…and are they all under the table?
> **Aram**: Yes, we're not allowed to work, but we still do. We'll take anything we can get. Cleaning bathrooms, fixing refrigerators, painting a house, moving furniture. And what's interesting is that out of every five of us, four are working. The Turks say that there are no jobs, but we find them. The Iranians are working more in this country than the Turks. The longest hours, with the lowest wages.
> **Farrah**: And how do you get paid? Hourly or at the end of the day?
> **Aram**: It depends on the job. But what they would give a Turk, say 300 Lira at the end of a week, they would give us 50. They know that we can't say anything. You know, Farrah, I've been waiting three years here. I tried going to work, but out of every ten words they would say to me, in this restaurant, three of them were profane or violent. I cried so much at that job. I'm thinking to myself, why did I come to Turkey? All of this work. It's as if it's the first day. It may as well be the first day with the progress I've made, which is nothing.

Participants describe various hardships connected to lack of money; they often turn to commodification of the body in exchange for money to maintain survival:

> **Siamak**: I was eating food out of the garbage when I first came here. I didn't know about the UN. I was living in a park. I was just looking for someone who spoke Persian.
> **Kamran**: Not having money was always the most difficult. From the beginning. I mean, I have to get to these interviews, right? It's very difficult. I sold my watch to get to Ankara from Kayseri. No sleep, hungry. After the interview I didn't have the money to get home. In this condition there isn't any help from anyone. I borrowed some from an Iranian I saw and then I went to a park and a man picked me up. We went somewhere and I let him have sex with me and he gave me the money I needed to get home.
> Marjan: Asylum seekers have nothing to eat. They have to do strange things that I don't want to say in order to get money.

One migrant compares his work experience in Turkey to his work in Cyprus and Iran, with his narrative romanticizing the homeland he once detested:

> **Sohrab**: You know, in Iran my family has a shop and people worked for me. In Cyprus—where I was before I came to Turkey—I worked and it was fine. I was satisfied with the money that I made. This place is terrible though. There are jobs. It's not that you can't find work. It's just that our days are long and very difficult. I work from 7 am till 11

> pm. And don't even make as much as the Turks. There's only enough to live and barely. Food, not really clothes. In Cyprus we ate kabob, and we really lived. We drank alcohol. And I mean good alcohol. But not here. I don't drink here and we only eat chicken.

Migrants suffer from the psychological effects that materialize, both from restrictions on employment and from no form of economic or social protection.[7]

First Stop: [Homophobic] Turkey

Iranian asylum seekers did not necessarily emigrate from a homophobic country to settle in one that embraces alternative sexualities; they went from one homophobic society to another.[8] An official report by various Turkish IGOs reported: "In the Republic of Turkey, LGBT people do not enjoy legal protection from discrimination and abuse."[9] Although Turkey's current Constitution states that all individuals are "equal without any discrimination before the law,"[10] the LGBT community—refugee or local—remains unprotected from harassment and violence. This is partly due, according to Turkish NGOs, because of the failure to add LGBTs to the discourse, further proving how absence of the 'queer question' affects not just Iranian society. To acknowledge a *failure*, however, of LGBTs' human rights development in Turkey would be inaccurate, as the term 'failure' implies an unsuccessful attempt, assuming that there was an attempt. I propose that the endeavor to develop this human rights discourse was never embarked upon. Thus, I refer to it as an absence and spend the rest of the chapter explaining the detrimental effect an absence can have on a society.

The gay or trans Iranian in Turkey is conscious (and often hopeful) about the temporality of Turkey as a home, claiming, therefore, no need for adaptation, assimilation or compromise in culture or identity. They are not part of the social landscape nor do they wish to assimilate into the plurality of culture. Kamran explains that the anti-queer sentiment and practices he had hoped to escape in Iran followed him to Turkey:

> **Farrah**: Can you please compare life as a gay man here and in Iran? Are there the same restrictions?
> **Kamran:** Absolutely. This is a religious city. They look at you; beat you because of how you look. They [other queer Iranians] pluck their eyebrows, do their hair. I don't though, because it's dangerous. I'd like to. I want to do my eyebrows, wear shorts, but it's not a good idea. No one will accept you. I could never say "I'm gay," like at work with a bunch of Turks. They say such bad things about gay people that I couldn't bring myself to tell them. They are so closed-minded. It's like Iran. Even worse actually. Even worse. Iran had its own set of problems and this place has its own special ones. Depression. Severe depression. Doubled from the one in Iran. The UN should take care of these things. You have to be in secret here too. In a different way than in Iran, but I still live in secret.

Not only does the Turkish state fail to promote the rights of LGBT persons, but there have been a number of high-profile state figures speaking out directly against the LGBT community in recent years in their official capacity.[11] Kamran's claim reflects the depth of disappointment with supposedly modern 'secular' Turkey. Similarly, Mojdeh a post-op transsexual, describes how the repressive society of Kayseri has affected her since her arrival:

> I have no security here. Every night there's a group of men who buzz from outside the building wanting to be let in. I just don't go outside at night. I've developed psychological problems.

Receiving little help from Turkish police, in Nevsehir, I spoke with a gay and an MTF asylum seeker about life in Turkey:

> **Risam**: This place is hell. If the UN could switch places with us they wouldn't take so long to approve our cases. The poverty, the behavior of the Turks towards us, no friends, no family, electricity and water bills are expensive, but there's no work. When you find work it's either construction or in a restaurant. They yell racial slurs to the 'imbecilic Iranian' and pay you 3 Lira to every 10 Lira a Turk would get for the same job. The police are cruel to us, I've been beaten and reported it, but what are the Turks going to do? Defend an Iranian against a Turk? They hate us here.
> **Farrah**: Because you're Iranian?
> **Risam**: They hate Iranians but they are cruel to us, like us (pointing to the five other people in room) who are sitting here, because we're gay.
> **Roya**: It's no easier for us trans. I've been waiting here for a year and a half and believe me when I tell you that it's hell. Really it's hell. Just last week a group of men followed me down the street and pushed me to the ground, and I lay there while they all kicked me.

> This is the trans- life here. They hit us and rape us. They take our freedom. It's everywhere but we have nobody to report this to.
> **Farrah**: What about the authorities?
> **Roya**: We are not a priority for them.

Violence inflicted on Iranian queers, at the hands of homophobic local Turks, keeps their sexuality closeted in public.[12] Turkey has made legality of LGBT association conditional on not "encouraging lesbian, gay, bisexual, transvestite and transsexual behavior" with the aim of spreading such sexual orientations (iglhrc.com).[13] The problems LGBT asylum seekers and refugees face are ever increasing due to the heterosexist structure of society.[14] Queer Iranians confront homophobia by means of physical or verbal aggression.

The Satellite City

Indeed, state powers control migrant life throughout the asylum process. In coordination with the MOI, UNHCR assigns Iranian asylum seekers (no matter the claim) to live in four of approximately 30 satellite cities.[15] These are remote, non-metropolitan, conservatively religious parts of the country, where asylum seekers and refugees are forced to live—employed as a tactic by the (MOI) to control refugee movement. Upon arrival to this city, asylum seekers must register with the local 'foreigners' police, after which they receive an "Asylum Seeker Identification Card." This process officially recognizes the applicant as a resident of that city during the asylum process. The migrant must then sign in with the foreigners' police, as often as once each day, to prove continued residence in the satellite city. Kamran noted:

> This city causes depression. I don't leave my house because I get more depressed outside. Nevsehir is ugly. If I was in Istanbul, since it's busy it would be better. I was there for a couple of days, I couldn't stay long because I had to sign in at the station, and I felt so much better. It's a city that is alive.

Claimants may apply for permission to temporarily leave their satellite cities for a maximum of 15 days. The MOI has imposed a control mechanism through its development of satellite cities, making free and legal movement within the country increasingly difficult for Iranian migrants. I broached the subject during a much-anticipated meeting at the UNHCR Headquarters in Ankara with Metin Corabatir, Executive Director:

> **Farrah**: I've heard that both asylum seekers and refugees have to live in satellite cities? Why is that?
> **Metin**: Well, it is a situation that is for us and for them. It is easy for us if we know where they are. We started this in the 90s with the Iranians. Before this, when many Iranians came after the Revolution, we didn't have this and it was very difficult.
> **Farrah**: How was it difficult?
> **Metin**: Because we didn't know where all of them were. It is easier now. Kayseri, Nevsehir, Isparta. With these places it is much easier. In terms of security and protection as well.
> **Farrah**: Which is why they are required to sign into police stations?
> **Metin**: Yes, of course.

The hardships migrants face as queer and/or Iranian may be reinforced by heterosexism in Turkish satellite cities. Enforced habitation in these conservative cities exacerbates the migrants' misery. Aram and Farhad described one of these hardships: the Turkish MOI's requirement that refugees frequently sign in to a police station. They recount:

> **Farrah**: Can you tell me about these small cities that they're placing you guys…Is it just, I mean, why do you think they're not sending you to Ankara, Istanbul or Izmir?
> **Aram**: You know, Farrah, we thought we would get help from the UN but it doesn't feel like it. I know that they are just enforcing the laws in Turkey. But, they sent us to the most religious town—this is a terrible place to be if you're gay. I can't walk outside at night. I was beat right outside my front door two weeks ago.
> **Farrah**: And in these small cities, some of the other people I talked to were telling me, you have to sign in to a police station every morning?
> **Farhad**: Yes, well, it depends where you are. Some places are twice a week, Monday and Thursday. That's us. Ours in Kayseri is from 8:30-11:30 am. When you get to the police station, you find your personal number in the folder at the front and sign your name. Others are every day. If we want to go somewhere overnight we have to tell the police department.
> **Farrah**: All Iranians or is it just gays?

> **Aram**: No, all of us. It's for control. The police don't like us but they have to cooperate.
> **Farrah**: Why do they have to cooperate?
> **Aram**: It's the law here. They can't mistreat refugees. But it's still very difficult, you know. We can't work. We have no money. Being here is very hard. We get no support. Especially for those of us who have been cast away by our families.
> **Farhad**: When I first came here I didn't know about these refugee cities…it's better now, but I hated it at first. Kayseri, Nevsehir, all of these places they put us. These religious cities. We're showcased. We live here just to show what gay culture looks like.

Upon entering Turkey, asylum seekers often face a difficult and uncertain path before them. Finding housing is difficult, as these individuals often do not know where or how to look for housing, and when they find somewhere in the satellite city, conditions tends to be substandard—crowded with other refugees and dirty. Kamran and Afshin's statements below fully encapsulate the experiences and thoughts of an Iranian queer living in a Turkish satellite city.

> **Farrah**:…Do you live alone?
> **Afshin**: No, I have 2 roommates. We all have to live with other people. And figure out a way to pay for it. It's not cheap. Rent, gas, water. And with all those problems at work. And then waiting for the UNHCR. All day waiting. Writing letters. That's our lives.
> **Farrah**: Well, at least you have hope…writing letters and everything. That's the most important thing, I always think.
> **Kamran**: I don't have any other choice. It's just this every day. The same thing. You know. But since being in Turkey nobody gives me any attention. And then wait 7-8 months for someone to call you and tell you where your life is headed. I keep telling myself that it's better here. That it's the first step to a better life. That one day I'll go to work, school. I'll meet someone. Like normal people.
> **Afshin**: You know, it's gotten to the point that when my lawyer calls me, it's as if they've handed me the world. And it's just a call. I wait for her to tell me something about my future. about the possible interview. And then nothing happens and she takes the world away. Actually I wish it was the first day, I wish I could start over, I would have another chance at my first interview. Now it's three years. I have no hope. I wish I could smuggle out of here, but wherever I go it will be difficult to live.

Although most Iranians in Turkey are resettled (after waiting an average of 1-3 years, depending on individual circumstance), they suffer trauma of indefinite and prolonged detention due to the

asylum process. The next section explains one of the factors contributing to this depression: lack of community.

Diaspora: the Invented [non-]Community

Iranian migrants arrive in Turkey knowing little or no Turkish,[16] and ignorant of the detailed process they must navigate in order to claim asylum. The move from Iran to Turkey creates a particular relationship with Turkish society. The Iranian migrant is defined by the racial and heteronormative discourse streaming through Turkish public and private spaces—an outside, foreign body who not only rejects the receiving Turkish society (and the receiving society agrees), and is further divorced from fellow Iranians, thus obviating formation of a community. Individuals continue to ignore the 'queer question' even when they can begin scraping the surface to ask it. They are faced with verbal or physical harassment from locals. The loneliness and lack of social support they endure while awaiting a successful asylum claim is often described as traumatizing, depression-inducing and sometimes leading to thoughts of suicide. The following exchange with Sohrab explained the absence of social service and camaraderie:

> **Farrah**: Is there a gay community here in Kayseri?
> **Sohrab**: I have some gay friends but they're not Persian. My partner and I have no tolerance for the gay Persians here. All they think about, excuse me, is sex. The trans are worse. One day Ali is with Hossein and maybe Mahtab who used to be Hassan is now with Ali. It's too much for us. It aggravates me and I don't like being around it. That's not us.

After a lifetime of subordinating personal needs, one might assume that the new Turkish landscape outside of the stifling confines of Iranian *zaher* would provide a space for self-fulfillment or at least for expressing aspects of the self which were suppressed in Iran for these individuals. Kamran explains why dating and romance is not at the forefront of asylee priorities:

> **Kamran**: It's hard. Refugees have so many problems, first of all, financial. They structure it in such a way that they don't allow you to even be in that mindset to want to date. I mean, meeting someone, liking them, it's not even something I would think about.

While some diasporic communities have a sense of collective values, and practices, Iranian queers in Turkey—or at least those making claims of persecution based on sexual orientation—remain isolated from each other. Ashkan explains the possible manipulations and negative repercussions from same-sex dating in Turkey:

> **Ashkan**: I dated a guy here, Marjan knows him, Babak. We went out for a month. Everything was a fight. He had such a bad attitude. We couldn't even go get something to eat or take a walk for ten minutes without fighting. But he loved me. He was closer to leaving than I was. I hadn't even given my interview. So, he said he was going to take me with him. And we got into one of our fights and our relationship ended. Then he said he was going to tell everyone that I wasn't really gay. Just to spite me. He left a little bit after that.
> **Farrah**: Do you think what he said had any effect on your case?
> **Ashkan**: Well, I'm still here after three years.
> **Farrah**: Right.

Any rhetoric of Iranian nationalism has been silenced; these individuals fail to communicate with fellow Iranians in a way that celebrates traditions and culture. For the majority of these refugees, life in [self-imposed] exile is more traumatic than the conditions experienced in Iran; there is no social support from other members of the Iranian migrant community. The story of Ashkan and Babak is indicative of the general sneakiness, mistrust, and lack of a queer migrant community in Turkey.

Although all of my participants claim to have left the restrictive IRI due to sexual orientation-based persecution, most rarely took advantage of the relatively permissive sexual atmosphere (e.g. through dating, embarking on romance) while living in Turkey. The high level of mistrust among Iranian asylum seekers comes from the fact that a majority of LGBT asylum seekers regard most other LGBT asylum seekers as 'bogus,' or making a fraudulent asylum case.

Indeed, as explained in Chapter Four, the desire to leave and resettle in the West is one determinant in seeking bogus asylum.[17] The sense of abjection and apathy towards fellow Iranian queers emerged as a theme throughout my interviews for this very reason. Indeed, weaving throughout refugee discourse in Turkey is that sexual orientation-based asylum claims are simply made as strategies (because of the difficulty in proving it) in a greater scheme to leave restricted life under the IRI. If the migrant receives a hostile or cold reception from the host country and society (whether Turks or other Iranians), it may develop into a "sense of insecurity and instability and a sharpening awareness of cultural marginality" (Moghissi 2006), which exacerbates depression and obviates the desire to create bonds with other Iranians. Thus, while major players in migration theory (Malkki 1995) claim that the formation of an identity or diasporic consciousness is a *response* to an inhospitable climate in the host society (vs. an expression of true cultural nostalgia), Iranian refugees in Turkey do not form a community, perhaps as a reaction to the stamp of 'Iranian,' 'Shi'i' or gay with which such individuals are branded by locals. Two participants in Turkey explain how this leads to detrimental feelings of hopelessness, agoraphobia and suicide:

> **Marjan**: …And I see this with a lot of the gay men in Turkey—that they lose hope. They tell me they came here very hopeful, but have come to feel like it's impossible. To have any other life.
> **Ashkan**: Yes, because it's really hard in Turkey. The people are worse than Iranians. I can't even leave the house. Even though it's a terrible place, in a basement, I won't leave. There's no sunlight. But I can't leave it. I hate being outside in society.

Ahskan's final statement suggests the constant fight between non-normative sexualities and society in the modernizing Muslim world, as that world expects propriety and decency in public spaces. In this way, Turkey has its own version of *zaher* in which these individuals must live and, similar to Iran, public spaces in Turkey are regulated by very distinct conventions.

Themes of *baten/zaher* are transplanted in Turkey, where, ironically Iran becomes homeland. But this home—in their memory—is, as Malkki (1995) puts it 'invented,' and in lieu of nation and territory, comfort and hominess, the Iranian refugee has only memories. The memories that haunted these individuals keep them motivated to continue on in the process, while those of homeland and family keep them tied to Iran, perpetuating the frustration with the cold reception in the host country. Iran may have been stifling in the *baten* and expecting conventional behavior, but it was endured with familiarity and the knowledge of how to move through society…until it was too late and they had to escape for getting caught in non-heteronormative practices. Iran and their former life—despite a stifled sense of *baten* and the pressures of *zaher* conventionality—are romanticized. Two refugees recounted:

> **Mustafa**: It takes a lot of tolerance/forbearance [*hoseleh*] to be here. A lot of patience. A person has to be very strong to tolerate this life. I'm not bragging though. As if I've gone through it. I'm not dealing with it well. I don't want to make this bigger than it is. But I wish I was in Iran. I wish I could live there easily. I know the language, the people. My friends are there. I don't love anywhere as much as I love Iran. And to me [the UNHCR] says that I have '*eshq-e kharej'* love for abroad, America-love, Canada-love. I mean, clearly life in Canada is better than life in Iran, and it's natural to want to improve your life isn't it? But that's not it. I would return to Iran right now if there were no problems.[18]
> **Sohrab**: Yes, it's like this for me too. If I didn't want to leave I wouldn't have left. Obviously I would have stayed. Why would I want this life in Turkey? But I was forced to go. I couldn't walk by the windows in my house. They would throw rocks and call me a fag.

Interestingly, and in a patriotic manner, it is in the same homeland where they experienced intolerances and persecutions that is romanticized in memory. Many of the participants in this dissertation recall Iran in a patriotic manner and as a place or object of desire. About romanticization of homeland, social memory theory states that the re-appropriation of stories of powerlessness and victim status can be seen as a form of agency on the part of migrants; these asylum seekers might be adapting strategies for survival from the representations and narratives of their former lives in Iran (Freedman 2007). Hence, romanticization of the past and

remembering an endearing Iran—the same one that was fled— could be a survival strategy on the part of these individuals who remember Iran as homeland.

Ties to the homeland are part of these imagined communities. Some participants displayed idealization and romanticization of homeland, while others—though complaining about conditions—admitted that exile and the [absence of] diasporic community was an improvement from Iran. A few LGBT refugees in Nevsehir elaborated on the circumstances which pushed them out of Iran and compared it to life in Turkey during a group interview:

> **Kamran**: I can't really even talk about the differences or even talk about Iran. I want to sit in a corner alone. I have no family, no country. All the things that happened to us in Iran because we're gay. It was horrifying. I'm different now. It's difficult here as well. I just want to be alone. I can't talk to people. We need security. We had none in Iran, and here. This place is like a prison without bars.
> **Siamak**: It's better than Iran though. I'm depressed here but I'm glad I'm not there. We would be harassed, beaten, raped and there was no one to turn to. We had no support. Being gay in Iran is not good. I mean, don't I deserve rights?[19]
> **Marjan**: Even as a trans woman I understand the hardships of gays in Iran. With the beatings…and such beatings! It's truly merciless. But I would say I'd rather be beat than raped, which is what happens to us trans people. I cry and struggle and tell them I don't want it, but they yell, and tell me that I like it. That I wouldn't be this way if I didn't enjoy it.[20] They insult my family. Call us all dogs. Am I not a person? I ask them. They say you are a person but you are not normal. I say that I am normal and that God made me this way.
> **Kamran**: There's no way I could live life as myself in Iran. We have no rights. We can be convicted of crimes at any time. Drugs, prostitution...

Despite the desire to escape the stifling confines of Iranian *zaher* convention and heteronormative spaces, a majority of research participants noted the difficulty of being separated from family, exposed to the danger of street violence/hate crime, subject to forces of exploitation and degradation, and homesickness (Loescher 1989). Societal and governmental pressures and expectations cause many queer Iranians to leave Iran. But these issues follow them into their resettlement. Two participants discuss how the pressures of conveying a befitting public image have followed them to Turkey:

Farrah: Is it better here, though? Do you feel comfortable wearing what you want in Turkey?
Saman: I mean, it's funny. I always wanted to be somewhere where I could grow my hair long, wear makeup. I tried it once in Turkey and was followed home from a park and beaten. They called me a fag.
Reza: Yes, I had an earring in my ear and I was mocked and a group of guys beat me and ripped it out. I shaved my head because they kept pulling my hair.
Saman: It wasn't this bad in Iran. I don't know what to tell you, but it wasn't this bad. Not like this.
Farrah: In regards to being gay?
Saman: No, just life. Life was better there. Of course, just look around. This isn't how I lived in Iran.

Saman's final statement illustrates a point made by Misztal (2003) that, "in recollection, we do not retrieve images of the past as they were originally perceived but rather as they fit into our present conceptions, which in turn are shaped by the social forces that act on us." The pressure of gay life in Turkey, where the individual is out of the Iranian *zaher* but has suddenly been 'outed' can be a social force affecting reality and shaping subjectivity. It may even lead the 'victim' to miss what was once tormenting.

CONCLUSIONS

Immigration law and its mechanisms of social control actively participate in producing sexual, racial, class, gender and cultural categories and link them to broader processes of nation-making and citizenship (Luibheid 2005). Iranian migrants in Turkey face many societal hardships, such as a lack of community, verbal/physical harassment at the hands of locals, homesickness, and a long and nebulous asylum path before them. The state and MOI's capacity to control various dimensions of the migrant's life compounds these struggles. The rise in irregular migration, and nefarious forms of migrant smuggling and trafficking, have exacerbated fears about the loss of state control over the entry and stay of asylum seekers and immigrants

(Boswell 2005**).** Although the refugee does not 'belong' to the state, the site of the refugee, conceived in a variety of activities, becomes a site of modern statecraft, where, in turn he/she negotiates a particular position vis-à-vis the nation-state.

This chapter has focused on asylee/refugee life in Turkey, and illustrates the climate of unsociability amid Iranian queer migrants. In August 2012, I wrote the following in my field notes: "Even though it's a transitory space, and they all expect to be leaving (some hopeful, most not) NONE of them want to be friends with each other. Why? They're all so lonely." Though my ethnography was grounded in the Iranian queer population in the specific space of Turkey, this is a report of a people without a space of their own. They have not—neither in Iran nor Turkey—felt a sense of home. Sexual rights, which include the right to express sexual orientation without fear of persecution, denial of liberty, or social interference are, needless to say, not among the rights of the citizens of Iran while they are in Iran. Unfortunately, this remains the case in Turkey. Migrants who fled and temporarily settled in Turkey abandoned 'home' for the hope of a new home….without knowing the cost. Some of these individuals would rather endure the restrictive conventions in the *zaher* and live the deceptive life they once considered (and probably would continue considering) hell. The reason that they would go back, and what they did not count on, is that the restrictive and repressive environment of their homeland is that same place where they saw familiar faces, and shared language and culture. Yet, the idea of going back was not unanimously accepted. Conditions in Iran were stifling on a level of sexual openness, but what about all the other facets of life they sacrificed in order to have this openness, and then not to have it? They have what is considered 'aberrant' sexualities in both of these Muslim and heteronormative countries. These refugees have set out, not to enact change, but to create a reassuring future—to be able to define themselves and cease denying the

identity they know to be 'wrong' in Iranian society because of sexuality. Instead, whether in homeland or host country, queer Iranians fall victim to the IRI or Turkey's established hierarchies of gender and sexuality and trudge along with the hope of resettlement to the West.

NOTES

[1] Between 1980 and 1991 more than 1.5 million Iranians sought temporary refuge in Turkey (Edsbacker 2011).
[2] Modernization as it is used in the context of Turkey is defined as a project which recognizes the course of interactions between the Turkish government, the European Union and United Nations. With the EU's 2004 decision to start accession negotiations with Turkey in October 2005, implementation of human rights of asylum seekers were closely linked to the ongoing reform process of the Turkish political and legal system to meet the criteria for membership (Kirisci 2007). The EU has helped in establishing reception centers for asylum seekers and the development of a national standard for status determination. These are positive contributions resulting from Turkey's engagement with the EU.
[3]The 'Shadow Summary' is a joint submission by various Turkish NGOs (Social Policies Gender Identity and Sexual Orientation Studies Association, Kaos GL Association, International Gay and Lesbian Human Rights Commission) to the United Nations Human Rights Committee set out to showcase the systematic violations in the arena of human rights experienced by LGBT claimants in Turkey. It calls on Turkish state powers to ameliorate current policies which ignore LGBT human rights violations and suggests various means of legal protection against discrimination. Recommendations involve adding specific hate crime legislation, such as laws punishing sexual orientation based discrimination, in the country's constitution, prosecuting police officers who have harassed LGBT individuals, and advocating education and training on homophobia and gender identity for these officials.
[4] Turkey only has these restrictions for non-European migrants.
[5] With the EU's 2004 decision to start accession negotiations with Turkey in October 2005, there has been increasing pressure for at least the appearance of thorough improvement in the implementation of human rights and asylum seekers, as well as in the reform process of the Turkish political and legal system to meet the criteria for membership. See Kirisci (2007).
[6] Currently (2013), asylum seekers and refugees in Turkey are responsible for their own treatment expenditures and have limited access to health care. The state may supply partial assistance, should they not be able to afford medical costs. This [possible] government assistance to asylum seekers and refugees in Turkey is provided by one of two programs: Social Assistance and Solidarity Foundations. To benefit from these, asylum seekers and refugees in Turkey must pay a residence permit and ID fee, further integrating them into the governmental system. Should one be unable to pay these fees, he/she may not benefit from this very limited health service. *Turkey: Shadow Report* (2012).
[7] LGBT rights organization Kaos GL, centered in Ankara, aims to ameliorate the poor conditions of refugees. Founded in 1994, the group tackles issues of queer rights in general but focuses on those of refugees in Turkey. Human Rights Lawyer for the organization, Hayriye Kara, shared that the group's ultimate goal is "identities living in peace and harmony". (Private Interview, September 2, 2012)
[8] This is not to say that all of Turkey is homophobic. The conservative cities in which my informants are forced to live are more prejudiced against queers as compared to metropolitan cities in Turkey, such as Istanbul, Ankara or Izmir.
[9] Submitted to the 106th session of the Human Rights Committee in 2012. One instance of the intolerance towards homosexuals is seen in July 2009, when the Prime Minister's Council of Protection of Children from Harmful Publications decided that the book named "Üçüncü Sınıf Kadın" (Third Class Woman), by, Anıl Alacaoğlu be henceforth distributed in a sealed envelope marked with a warning against sale to minors (Case Number B.02.0.MNK-572-02/01242). The Court's decision was based on the reasoning that the book contained "gay relationships which are not normal according to Turkish customs" and "could harm the sexual health of children".
[10] Constitution of Turkey at Art. 10 (1981).

[11] In March 2010, the State Minister responsible for Woman and Family issues, Selma Aliye Kavaf, asserted that homosexuality is a "biological disorder" and a "sickness." Despite international criticism, she refused to retract her comments. In December of 2011, Interior Minister Idris Naim Sahin described homosexuality as a contributing factor to "an environment in which there are all kinds of dishonor, immorality, and inhuman situations" *Turkey: Shadow Report* (2012).

[12]While abuse from local Turks may affirm that being on foreign soil does not always keep Iranian refugees safe, there are instances of extended abuse from the IRI into Turkey: "Iranian authorities have recently signalized that Iranians who have sought asylum abroad should be charged for 'dissemination of false propaganda against the Islamic Republic of Iran' and punished for that. This means that seeking asylum by itself could be a reason for the Iranian authorities to subject the asylum seekers who are extradited to Iran, to persecution, imprisonment and ill-treatment." OMID Advocates for Human Rights reports and presents documentation of cases in which Iranian refugees who have been forcibly returned to Iran have been arrested, detained, tortured, or executed. Reported by Turkish newspaper *Hurriyet*, OMID claimed that security forces from Iran have often entered Turkey to pursue and terrorize asylum-seekers.http://madikazemi.blogspot.com/2011/05/iranian-activists-evidence-needed-on.html

[13] During the recent drafting of Turkey's new Constitution, the Justice and Development Party (AKP), which currently controls the government and is a member of the Constitutional Committee, defied calls by other political parties and NGOs and refused to make any references to sexual orientation and gender identity in the Constitution (www.ohcrh.org). To further demonstrate the Turkish state's distaste for LGBT individuals—not only migrants, but all including fellow Turks—in March 2006, the gay rights group Lambda Istanbul published the results of a 2005 survey based upon interviews with 393 gay men, lesbians and bisexuals in Istanbul. Some 83 percent of respondents said they hid their sexual orientation from all or some members of their nuclear family and 88 percent of workers hid their sexual orientation from all or some of their colleagues (Lambda, Istanbul 15 Mar. 2006).

[14] Article 41 of the Constitution employed by the Turkish government has prejudicial capabilities as it stresses the moral agenda of protection of the family and ethics throughout Turkish society. This article attests that "the family is the foundation of the Turkish society," which provided the basis for banning the organization and legal existence of at least 6 LGBT organizations in Turkey for deterrence of "encouraging lesbian, gay, bisexual, transvestite and transsexual behaviour with the aim of spreading such sexual orientations". The appeal was rejected by the public prosecutor's office (organizations include: Kaos GL, Ankara, 10 October 2005; Rainbow LGBTT Association, Bursa, 6 October 2006; Pink Life LGBTT Association, 1st November 2006; Black Pink Triangle LGBTT, Izmir, 30 April 2010) or by the Supreme Court.Turkey 2009 Progress Report – European Commission, p. 19, *ec.europa.eu/enlargement/pdf/key.../tr_rapport_2011_en.pdf. Turkey: Shadow Report, 2011.*

[15] Research participants stated that generally, sexual orientation-based asylum claimants are sent to Isparta, Kayseri, Nevsehir or Nigde.

[16] All Iranian research participants, when asked about their ability to speak Turkish, responded [with great disinterest] that it was simple to operate and function in Turkish public spaces with the limited amount of Turkish that they knew, often noting similar words/cognates between this language and Persian.

[17] The IRI restricts departure of single citizenship holding Iranians to the West. Certain circumstances, such as education or work visas may be an exception.

[18] Some people may feel stifled and repressed living in the IRI; Wright (2000:286) supplements an Iranian woman's claim that "for Iranians it is easier being sad than being happy" (Shahideh 2004:92), and adds "The hope in the future is gone. And with no future here, they try and try and try to get out of the country. You don't know how many thousands of youth want to get out of Iran because there isn't much for them here. But most of them are stuck." This unhappiness may be a push factor.

[19] Principles in the framework of Iranian society based on human rights have led to expectations and different views of the world. Thus, participants' frustrations about lack of rights as an LGBT comes as no surprise because it is seen as a greater issue of human rights. For a thorough analysis on current issues of human rights and gender in Iran, see Osanloo's *The Politics of Women's Rights in Iran* (2009). The author aims to highlight the underlying transnational infrastructure of human rights as it has been embodied and articulated in local practices.

[20] In the hierarchy of honor, those at the bottom *enjoy* the powerlessness of being a bottom, which is why they occupy that position. This is what makes their abuse so well deserved according to authorities who inflict punishment. The salacious woman, the homosexual and the transsexual are treated as those who have willfully traded consent, humanity and respect for their way of being. The logic goes that if they didn't want to receive this ill-treatment, they would exert more effort to keep their *baten* from leaking out into their *zaher*.

CHAPTER SIX

CONCLUSION

> You know the saying that Iranians say about America, 'death to America [*marg bar Amrika*]? We [LGBT Iranians in Turkey] say that about the UN here. We changed our slogan!
>
> Marjan, age 33, transsexual Iranian refugee, Turkey

The last four chapters of this dissertation have provided an overview of varied dimensions in the lives of queer Iranian asylum seekers; these have included dangers, compromises, performances/negotiations of sexuality, immigration to Turkey as a result of the confines of a non-heteronormative society, and the process of achieving resettlement to the West. Foucauldian theories and approaches have played no small or insignificant part in this project. I find that there is no more effective, poignant and relevant analytical framework than that of Foucault. What I hope to have demonstrated through this approach is that, among many other things, *zaher* is a space manipulated by outside forces of family, society and state to create an environment regulated by heteronormalization. The expectations in the *baten/zaher* duality not only regulate behavior in public, but private spaces as well; they also transform social norms, relations, values, and institutions. Suffocating such principles as liberty, equality, and sexual freedom, the theocratic and social constraints involved with this duality deter Iranians from expressing themselves. Resulting from a socio-political omission of the 'queer question' in Iranian modern discourses of sexuality, these findings indicate that the dominant discourses of family, society, and state all partner in the *zaher* to produce the appropriate Iranian citizen.

Participants' narratives represent a special case that will greatly benefit an understanding of migration, Islam, gender, queer and Middle East studies which, up until recently, has been

predominantly framed by the experiences of Iranians making religious or political asylum claims. Chapter One began by providing a backdrop of queer sexualities throughout Iranian history, to suggest that same-sex sexual acts were not incompatible or criminalized as they are currently in the Islamic Republic. Beginning in the medieval period, my historiography of queer sexuality proceeded through the bustling age of modernizing Qajar Iran, weaved through the Pahlavi era and its obsessions with Westernization, to ultimately end up in post-revolutionary Islamic Iran. The varied non-heteronormative sexual behaviors and lifestyles in the historiography of queer sexuality illustrate a more tolerant Iran. Western sexual attitudes, however, began to problematize non-heteronormative practices. Modern sexual norms forced Iranians to view their own sexual culture and lifestyle reflexively. One result of this was less tolerance for same-sex sexual acts, causing shame, perhaps for the first time, in the inner space of *baten*. Modern constructs of sexual identity began affecting Iranian culture and cultural outlooks when Western standards began to define masculinization, which relied on strict definitions of heteronormativity. Sexuality in Iranian history changes from 'ambiguous' to an expectation of culturally mediated masculine and feminine behaviors that must fit with bodies that are sexed as male and female. Homosexuality in the Middle East—the official word from Iran claims—is not a natural development, but something that is being imposed on people to their detriment. Strangely, Iranian society regulated heteronormative sexuality—a manifestation of contact with the West—only to later claim that non-heteronormativity was a manifestation of Western decadence (Saiz 2004). Chapter One also examined the construction of Iranian subjectivity in direct relation to sexuality and sexed bodies. A focus on the cultural and political values, practices, and institutions which shape gender roles utilized important approaches from feminist, modernist and queer theory by which to explore these processes.

Through personal narratives and social memory theory, Chapters Two, Three, Four and Five showcased the 20 participants who would become an indispensable part of this research (19 queer Iranian migrants and one UNHCR official). Participant interviews contribute to an understanding as to these individuals' social and family origins, and how ideological orientations shape one's worldviews. This dissertation has engaged the experiences of queer Iranians to explore what commonalities might exist vis-à-vis interactions with society, family and state apparatuses—with attention to power relations based on heteronormativity. Chapter Two demonstrated how the role of family and society in this analysis is fundamental to subjectivity and behavior in Iran. The actions of the monogamous nuclear family thrive in the space of *baten/zaher*, and when unable to play the part required in their heteronormative-Islamic family units, participants expressed accounts of shame and struggle in the esoteric *baten*. I incorporated ethnographic data to show the complexity and vastness of subjectivity construction. One's sense of self in relation to family, community, or nation consists of countless interwoven threads. These threads are individually specific, yet connected through shared experience, culture, geographic location, and language.

The *baten/zaher* duality is a key ideological framework for queer Iranians, whose behavior, identity and subjectivity are framed by their regulation in social spaces. Chapter Three explored the presence of state apparatuses in public spaces, claiming that a public identity is regulated in order to maintain convention. My analysis of the subjectification of Iranian transgendered persons has stressed that sexual practices deemed by society, family, and state discourse as 'perverted' become an object of power/knowledge because sexual science works by normalization. These elements of power make up the sub-section on transsexuals, which heavily draws from a Foucauldian analysis of binaries, articulating how the transgender community in

Iran demonstrates state enforced normative behaviors of sexuality. Although Foucault's conclusions are primarily based on Western discourse, this chapter applies them to the Middle East to demonstrate how Iranian medical, political, and religious discourses focus on sexual deviations and enable institutional powers to classify and control sexuality. Given the heavily trafficked intersection of religion and law in the Islamic Republic, it is no wonder that the politico-legal establishment's distaste towards homosexuality is manifested in legal repercussions.

Chapter Three has suggested how transsexual transformation of the body in Iran is linked to the role of technology and state powers in producing 'suitable' bodies in relation to societal expectation—suggesting that gender, transsexuality and identity are an entire social and historical construction project (Halberstam 1994) wherein social woman is equated with genital woman (Bolin 1993). The often misrepresented 'liberal' accommodations to SRS place the body squarely as a site of power— and thus the discourse of biopolitics emerges as an effective approach to the ways in which Iranian queers are demarcated by the state as a means of control and population regulation. State and religious apparatuses are unsuccessfully attempting to bolt into place a dichotomous understanding of male/female to enforce rigid gender binarization. The failure to do so (demonstrated by queer sexuality in Iran) is because the issue of gender/sexuality is much more complicated and layered than the dichotomous heterosexual-other situation that streams through the *zaher*. The Islamic Republic's medical discourse on anything sexual focuses on the polarities of normal/abnormal and strives at whatever cost to fit its citizens into the former while punishing or fixing the latter.

Modern Iranian state and society's efforts to maintain gender binaries have linked sexuality to the spaces of *baten/zaher* by enforcing heteronormativity. They do this by

emphasizing the deviance of homosexual activities, denying queer identities, and championing the naturalness of a heteronormative nuclear family. Once we see the power play in state and *ulama* practices, we can conceptualize power dominating other institutional forms through which social relations are lived forms such as the family, civil society and the economy (Sharma & Gupta 2006). The IRI and *ulama*'s insistence to create a hetero-sexualized society depends on its enforcing propriety in the *zaher* normalization scheme, uniting "the diverse interests of individuals with the uniform interest of society as a whole" (Cruikshank 1999:53). The relations between institutions such as schools, mosques and families, which are typically categorized on the 'society' side of the state-society dichotomy, actually become intertwined with the project of domination and governance (Sharma & Gupta 2006:46). Indeed, the IRI's approach to its citizens and the communities to which they belong focuses on controlling the population; state subjects concomitantly become the objects of family and social practice—all expected to maintain appearances in the *zaher*. A Foucauldian framework of opposing/paralleling variants suggests how dualities, such as *baten/zaher*, are defined in relation to one another and are mutually constructed. Power is not just the power to subject but also to enable the conditions that make certain forms of human subjectivity and sociality possible. Thus, state power is not the only force dictating behaviors in the Muslim world, but is accompanied by family and society. The source and efficacy of each of these dimensions regulating *zaher* in Iran demonstrates that power does not emanate from one single center of sovereignty such as the state, but from multiple points.

Chapter Four employs refugee narratives in Turkey to explain the asylum process for sexual-orientation based claims. I compare these to other grounds of persecution (e.g. political) to suggest the specific difficulties in queer asylum claims. The claimant interacts with two main

institutions of power during the asylum process: the Turkish Ministry of Interior and the UNHCR. One hardship for the queer asylum seeker is the burden of proof, as it is often based on the performance of representing oneself as 'gay enough'. A successful performance on these grounds is difficult because, due to the fact that the queer Iranian asylum seeker has associated non-heteronormativity with lewdness in Iranian society and the space of *zaher*, a queer identity was never manufactured. Thus, to battle this major blockade to a successful claim, applicants making sexual-orientation based claims have produced a Western 'faggotized' performance of homosexuality to ensure success. Manifestations of this performance-as-identity model include competition, manipulations that prolong asylum claims, and distrust among the Iranian queer migrant population in Turkey.

Chapter Five explained the hardships asylum seekers and refugees face with the double-threat mark of 'gay Iranian' following them and preventing their assimilation into Turkish society and into the Iranian diaspora of their migrant 'communities'. In Turkey as asylees, Iranian LGBTs' suffering from shame and bringing dishonor on the family, ultimately violating propriety in the regulated space of *zaher*, must now battle the medicalized, stigmatized and pathologized terms and categories by which they are labeled and defined in the asylum system. Monitored public behavior continues and a particular form of propriety perpetuates regulated and fixed conventions in the duality of *baten/zaher* even after escaping these agents in Iran. There is no fixed connection between themselves and society—neither in Turkey nor Iran. Specific markers of community did not exist, or were minimal.

Throughout this dissertation I have relied heavily on the duality of the concepts of *baten/zaher*, occasionally employing, when appropriate, the physical spaces of private-public. The voices of my 19 Iranian informants illuminated how sexual orientation weaved through

these dualities to ultimately shape subjectivity. Daily complexity present in interactions with society, family, government, clergy and public space created a sense of social detachment. One focus of Chapter Four is the [lack of] community or diasporic consciousness in Turkey. The remainder of this concluding chapter will address limitations of this research, some theoretical implications for this study—focusing primarily upon questions of biopower and activism as it relates to Iranian queers, and the effect of the 'queer question' on the perception of non-heteronormative sexuality in the Iranian *zaher*.

Limitations of the Research

As mentioned in the Introduction, I had initially hoped that the findings of this research would trigger a series of processes that would lead to changes in the perception and conception of sexual orientation-based asylum claims. I wished to improve credibility assessment through pointing out shortcomings of the asylum process and advocate an action program that spells out the needs of Iranian queers. But, once I read through my transcribed interviews and began writing, I realized that I am more of a scholar than an advocate. One lesson I learned, and can contribute to the discourse, however, is a new way to look at migration. Thus far, academe's approach to migration in the Middle East has been dominated by a focus on religious and/or political persecution. My research represents an important supplement in that it provides an in-depth examination of the concept of sexual orientation-based asylum. In this dissertation, I have charted representational patterns of non-heteronormative sexuality in Iran and analyzed how particular spaces (both in the ideological *zaher* and physical public space) propel non-normative queers to flee Iran. I have been especially interested in how propriety in the *zaher* has created

structures and discourses which affect the behavior and subjectivity of the Iranian. Although this research was carefully collected, analyzed and written out, I remain aware of its limitations. These shortcomings include the relative availability of resources, recruitment strategies, manipulation or influence by participants' self-victimization, absence of resettlement data and various aspects of quantitative data (e.g. participants' education level).

A qualitative limitation involves recruitment strategies and availability of resources—illustrated by my lack of success in obtaining a more diverse sample of queers—namely, lesbians. The samples used in this study are from 16 men who identify as homosexual and three post-operative MTF transsexuals. It may be that too few sources of recruitment were used. In hindsight, through more aggressive recruitment strategies—like contacting more social networking sites or Iranian LGBT organizations,[1] I may have found a lesbian migrant population so as to address the 'L' in LGBT. Due to the limited Iranian lesbian population in Turkey, however, it was difficult to find such participants with whom to speak. Far less is known about lesbians in the refugee population as they tend to remain invisible in both Iranian and Turkish society; thus, this research does not assume that the populations studied are representative of all Iranian queer refugees. As mentioned, my participants were found through a snowball effect—one person directing me to another, and so forth. Unfortunately, my participants did not know of any lesbian migrants in Turkey at the time I was conducting interviews, though a few claimed that some Iranian lesbians had recently been resettled to the West. Indeed, female homosexuality deserves recognition in a scholarly discourse of Middle East sexualities—a recognition which goes beyond the reach of this dissertation.

A further limitation is that I do not offer data on the resettlement process of my participants, only on life in Iran and temporary settlement in Turkey. While [ideally] the

refugee's arduous journey ends with resettlement to the West, the scope of this research ends its data collection in Turkey.[2] Time limitations are at play in this regard; many participants, I can assume according to the data they gave, are still awaiting resettlement at the time of writing this dissertation (Summer 2013). Future studies may address these issues and establish the discrepancies as well as commonalities between resettlement countries, analyze the circumstances that led to these similarities, determine the overall sentiment and structure of immigrant life in terms of employment/housing situation, and note social networking and overall strategies for creating a future in the resettlement country.

The final qualitative research limitation is accountability in narratives; it is important to remember that the majority of participants are suffering from multiple forms of deprivation, social exclusion and depression. These factors should not be underestimated in their net effect on recall and constructing a personal narrative. History, in this research, becomes a particular type of social memory project. An astounding feature of an individual's memory and ability to recall is the structure in which this recall takes place—our ability to shape and process amorphous events into coherent *historical narratives.* Experiential methods of recall are evident in my interviewees' narratives and how they retold their stories, in that they didn't recall chronologically but based on an upside-down pyramid-like structure of the worst events first and trickled down eventually ending at childhood. Why? Because each narrative was structured in victimhood. In the absence of a group or community, the social memory of the Iranian queer refugee in Turkey is generated, maintained and reproduced through the framework of being a victim. Narratives are constructed through exclusion, inclusion, partial truth, partial lies, invented and imaginary truth. Stories may be more saturated in victimhood than the experiences in fact were. It is not possible for this researcher to accurately measure the degree of violence

experienced in Iran/Turkey, the mental struggle to maintain decorum in public spaces, truth in their interactions with Iranian authorities, or the impact of family biases and homophobia. In some cases, participants may overestimate their problems and in other cases they may choose not to share them. I can only collect and report the data that participants offered.

Quantitative research limitations include the small sample size of 21 participants; thus, all quantitative analyses should be viewed with prudence. I understand that data concerning a small sample size in a research project minimizes the statistical power of the study design to extrapolate conclusions of group differences, similarities and worldviews in the larger queer population from which the samples were taken. While it may never be possible to obtain a truly representative sample of Iranian queer migrants, studies could be bigger and sample a broader spectrum of lesbians, gay men and transsexuals. Because the questionnaire designed to collect quantitative data was only shown to participants as a template as to offer a general idea of the tone of our conversation, and participants were not asked to complete it, quantitative data is limited. This results in, for example, limited data as to the exact city *each* participant is from and the occupation they had in Iran before coming to Turkey.

A further quantitative limitation is that many participants were interviewed only once, within a short time frame. As a way to maximize the short amounts of time I had with participants, some were interviewed individually *and* as part of a focus group. This is research conducted during the summer of 2012 in Turkey and provides a brief and ephemeral snapshot of Iranian refugee conditions during that time. My findings in this dissertation represent temporal dimensions that may dissipate over a longer time span (e.g. Iranian asylum seekers in Turkey) may be allowed to live in major cities, thus alleviating depression, or the UNHCR may develop clearer credibility assessment for sexual orientation-based claims, leading to less hardships for

these claimants, etc). With all of the above limitations in mind, there is a great deal of consistency in the results of research on aspects of family relations, interactions with Iranian society, propriety in the *zaher* managing behaviors, migration, and social detachment in Turkey.

Can We Finally Ask the 'Queer Question'?

Like women who are written out of history before emergence of the 'Woman Question', Iranian queers are at odds with a dominant discourse that constructs the norm. The IRI organizes its social world and the realities within that world on a rigid scale—the impact of gender and sexuality is one component within that social order that is organized to assume this heteronormative reality. It is important to analyze and explicate that world along the axis of modernization in Iran. The 'Woman Question', as it manifested in Iran, demonstrates the ways in which the civic body has become the location of national and transnational forms of culture and nationalist projects. In effect, both pre- and post revolutionary Iran acknowledged the absence of women's roles in their historical narrative and remedied this oversight by using women as an instrument in modernization efforts. My analysis of the 'queer question' has been posed as a spinoff from the 'Woman Question' if only to say that the discussion of women in this capacity encompasses both theoretical issues of identity and the sociological status of queers. This discussion demonstrates the impact of sexuality, not only on how the Iranian social world is organized, but on how citizens are expected to operate in that world. The absence of a queer discourse belongs to the ongoing story of how groups outside of the patriarchal, heterosexist norm are presented.

At this juncture in contemporary Iran, like many parts of the world, rapid social, economic, and political changes are taking place. Increases in gender awareness, youth culture, religious revivalism, ethnic consciousness of minority populations, regionalism, 'coming out' of lesbians and gay men, and self-assertion of indigenous peoples have occurred across the continents (Scholte 1996). Historically one can mark a civilized society by noting the evolution of justice in relation to its former objects of cruelty. Civilizations have exercised justice through emancipation of its slaves or minorities, suffrage to women, animal rights and, now, another object of violence and subjugation: queers. Part of this involves reordering the nature of public spaces where individuals can display themselves, their biographies, and receive some of the affirmation denied them in parts of the diaspora. While conceptions of sexual identity that are not confined to heterosexuality have filtered into the Middle East and begun to aggravate and problematize the unflinchingly rigid distinction between sexual activities and sexual identity, modern discourse on sexuality in Iran has done little to prompt a change in gender binaries or heteronormative social hierarchies, let alone to dispel the myth that Iran has no gay people.

While absent in greater revolutionary or national discourse, sexuality is far more central than has been acknowledged or explored, thereby substantiating Foucault's observation that it has not been silenced. Although referring to western Europe, Foucault's (1990:30-31) elaboration on the buzzing dialogues of sexuality in private spaces pertain to Iran when he notes that from the eighteenth century on—from the confessional to the court of law, to the medical clinic, to the asylum, and to modern science—sex and sexuality have been endlessly discussed. Spaces of negotiability are created in the silence of queer sexualities and leave the normative structure of heterosexual identity unchallenged. As illustrated by their flight to Turkey, Iranian queer asylum seekers and refugees took action over the oppression of their lives. Though the majority of the

Iranian population in Iran does not share this concern, these queer migrants, by coming out of silence, can problematize the heteronormative gender practices of the day and help implement what may one day lead to permanent changes in queers lives and rights.

The objective of this dissertation is not to move a discussion of Iranian queers from the margin to the center, but merely to address the absence of a discourse. Silence deters any type of challenge to the heteronormative establishment and patriarchal values governing Iranian society, with the goal of achieving [at least a minuscule] presence in the discourse of sexuality. As gendered subjects (and later, racial subjects in Turkey), Iranian queer asylum seekers and refugees speak in multiple voices—not all with equal weight, but with changing degrees of intensity, candor and victimhood. Participants relayed a kind of internal dialogue which privileged identity and expressed engagement with the social dimension of self. It is this sense of self that has, finally, allowed the Iranian queer to become an expressive site for a discourse of non-heteronormative sexuality in Iran. The absence of a queer discourse is structurally and dynamically linked to the question of *baten/zaher*. In fact, this is the governing structure of the omission of the 'queer question'.

This research has encoded the silence, or intentional dismissal, of queer Iranians as a discursive dilemma. It is not that queer Iranians themselves have nothing to say, but rather that they have had no say. I hope to have incited a development of discourse from voicelessness to voice. The participants in this research, when speaking out on the specific effects that their queerness has had on social and familial relations, are able to contribute to an understanding of the behavioral conventionalities expected in the *zaher*. This dissertation, in theorizing heteronormativity, means to re-direct the spotlight of migration, gender and sexuality in Iran in order to highlight different modes of self-understanding and identification. This approach, I

believe, can effectively begin to articulate the necessity of a discursive space for queer identities in Iran. While the duality of *baten/zaher* seems to provide explanations of the 'queer question' for now, there is no reason to think that it is the only, or even a satisfactory, one. It may, however, be a viable framework through which to incite a discourse and identify different forms of power shaping and enforcing a public culture of sex.

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[1] In addition to the IRQR, mentioned earlier in this dissertation, Homan is a group that was established in Stockholm in 1991 to defend the rights of LGBT Iranians. According to its website: "For the first time in the history of Iranian people a number of Iranian gays and lesbians sat together to form an organization."

[2] Participants informed me of events preceding resettlement: once refugee status is established, refugees undergo a medical exam, after which, usually within a month—a departure date to the United States or Canada is determined.

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