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Feeling queer, feeling real: affective economies of truth in queer asylum politics

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ABSTRACT
This article discusses the role of affect in the credibility assessment process in queer asylum claims. Through 27 semistructured interviews with caseworkers, it explores how sexual truth, in the Greek asylum apparatus, is effectively produced and analyses how access to asylum is intermediated by effective control of who is considered the "good" sexual citizen. According to the research material, the process focuses on applicants' emotions, while caseworkers tend to assess the "authenticity" of applicants' feelings through their senses and intuition. Additionally, apart from the exclusionary politics of emotions in homonationalist border regimes, it discusses affect's transformative possibilities in legal decision-making. Reflecting on queerness as an affect, through those failed, unspeakable queer performances that have been rendered non-credible by the affective rules of spoken sexual truth, it aims to challenge white-centred definitions of "genuine" queerness and the binaries of compliance and resistance in slow-death apparatuses.

The key to queering evidence, and by that I mean the ways in which we prove queerness and read queerness, is by suturing it to the concept of ephemera. Think of ephemera as trace, the remains, the things that are left, hanging in the air like a rumor. Ephemeral evidence is rarely obvious because it is needed to stand against the harsh lights of mainstream visibility and the potential tyranny of the fact. José Esteban Muñoz, *Cruising Utopia*

Introduction

According to the Refugee Convention, a refugee is someone who is outside of their country of origin facing a "well-founded" *fear* of persecution due to their ethnicity, nationality, religion, particular social group or political opinion. As it

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comes from the refugee definition, to be granted asylum, asylum seekers need to prove before national authorities the "well-foundedness" of their *fear* of persecution, related to one of the convention grounds. According to refugee law, a refugee body is a body in fear, a vulnerable body, a body which, according to Sara Ahmed ((2004) 2014a), does not take much space. A fearful, assimilable body, which desires the tolerant, diverse West as their "home" and deserves to be rescued from "suffering, pain, and oppression". Under this framework, asylum seekers' fear needs to be assessed by migration authorities in an objective, neutral and impartial manner. This assessment is necessary for national states, because there is the fear that there are bodies which do not fear. Those fearless bodies which will misuse the benevolent system and, hence, are threats; bodies-threats which, while they do not fear, are the containers of (our) fear (Ahmed (2004) 2014a). This way, as I argue in this article, a legal process designed to assess *fear*, is being directed by the *fear* for the dangerous, racialized other, in an apparatus through which Europe idealizes itself as a place of progress and rights. Under this narrative of equality and diversity, built on the backs of racialized, gendered and classed others (Puar 2015; Spivak 1988), queer asylum seekers' inclusion is not only conditional upon their "truthful" fear of persecution, but, as I will analyse in this paper, before and foremost, upon their sexual truth and the "genuine-ness" of their queerness.

In recent years, there is a growing body of literature in queer migration studies examining how objectivity, impartiality and credible queer identities are not immutable and ahistorical essences, but instead, they are discursively produced in asylum adjudications in the global North (Akin 2019; Berg and Millbank 2009; E. Fassin and Salcedo 2015; Ferreira 2023; Giametta 2017; Lewis 2013; Murray 2014a; Prearo 2021; Shakhsari 2014; Zisakou 2023). By drawing on this critical, burgeoning scholarship, through the analysis of 27 semi-structured interviews with decision-makers, my argument in this article is that truthful queerness, in the Greek asylum apparatus, is not only discursively, but simultaneously, affectively produced. Through affective control, national authorities alienate the "bogus, dangerous, and pervert" clai-mants, those threatening migrants who do not "really fear" from the genuine queer refugees, those who are going to be assimilated as the future "good and happy sexual citizens".

Feminist methods, queer methodologies, liminal positionalities

My aim in this research is to critique Greek authorities' affective expectations for a "credible" account in the process of refugee status determination (RSD) in queer asylum claims. Through this analysis, I seek to discuss both affect's exclusionary and transformative potential in migration politics in which queerness has turned into a racialization process (Puar (2007) 2017) and a

border-making mechanism of "exclusion through inclusion" (Raboin 2017; Saleh and Tschalaer 2023; Zisakou 2023).

For this reason, I conducted 27 semi-structured interviews with caseworkers working on behalf of the Greek Asylum Service (GAS). Interviews were held in person or remotely, depending on participants' availability, from September 2021 to November 2023. I approached my interlocutors mainly through my previous network in the asylum field and the snowball technique, trying to recruit caseworkers from various locations on the hotspot islands and the mainland. My interlocutors aged 25–46, were cisgender, middle-class, white Greek citizens from various educational backgrounds (law, social and political sciences, humanities, languages and exact sciences) with one to eight years of experience. Apart from a general training in case-working, not all had training in Sexual Orientation, Gender Identity, Gender Expression, and Sex Characteristics (SOGIESC) asylum claims. During our conversations four self-identified as queer. A few of my interlocutors commented on the political nature of the process, elaborating on their perspectives on migration and asylum where queer rights discourses are instrumentalized to justify strict, exclusionary policies. Conversely, others emphasized their objective, neutral role avoiding any political criticism. However, most of my interlocutors recognized their inability to remain unaffected by the current socio-political framework.

Caseworkers' queerness and (a)political ideology undoubtedly impact how they define credibility. However, instead of constructing a coherent identitarian profile for each of my interlocutors based on which their decisions are made, my aim in this paper is quite the opposite. This undoing endeavour does not only stem from ethical constraints on anonymity or practicalities such as the high number of participants. Instead of focusing on the specific intersectional characteristics that shape caseworkers' subjectivity, this study, through a disidentifying analytical lens, approaches identity as a fragmented, (un)becoming process and focuses on the contradictions, multiplicities and contingencies of the self, and on what remains undefined and unclassified about the subject.

With very few exceptions, my interlocutors described feelings of frustration and high levels of pressure within an "administrative chaos", as they put it, in which their role as short-term employees is extremely precarious. This pressure is related not only to the speed of the process and "the focus on quantity and not quality", as they frame it, but also to the political dissatisfaction by GAS with the high number of positive decisions. As Foivos put it,

> When our opinions are negative, there is no problem, but when they are positive, they return them to us multiple times, asking for clarifications. Sometimes, I am convinced that the applicant is credible, but because I don't know how to justify it based on the guidelines, I just write a negative opinion.

This anti-migratory political atmosphere, which saturates their working environment, results in a daily struggle and a lingering between resistance and compliance.

Working as a legal representative of queer applicants in Greece since 2016 and experiencing daily these impasses motivated me to conduct further research on the topic. My positionality, both as former lawyer and current researcher, placed me simultaneously as an insider (familiar with the field and its challenges) and an outsider (currently distanced and with a previously different role). Although, prior to my conversations with caseworkers, I assumed that our interests, goals and approaches were in conflict, our interaction surprised me, and research conclusions subverted my presumptions. For this reason, I view this work as part of a situated unlearning process where queer theory and feminist practice meet. Despite the Greek asylum system functioning as a massively rejective mechanism of disbelief (Zisakou 2021; 2023), this article focuses on the ruptures within the process and challenges a monolithic understanding of decision-makers as mere state representatives complicit in the EU's (necro)politics at its borders. Instead, it discusses how their intuitive assessments sometimes disrupt the affective (homo)normativity of the process and resist a homonationalist state apparatus.

Regarding my method of analysis, I employed thematic analysis to process my data, adopting an emic, inductive and bottom-up approach. Drawing on situated feminist and queer methodologies, which seek to challenge exhaustive definitions and static dualisms, I did not approach thematic analysis as a rigid method aiming at classifying empirical material into predefined categories, but instead as a flexible and open process. This approach allowed me to unravel emergent and contradictory patterns in the process. Focusing on the ambivalences and uncertainties of communication during interviews, my aim was not to objectively describe the asylum process's challenges and bad practices. On the contrary, my endeavour, through this partial and imperfect analysis, was to pay attention to the contingencies and the paradoxes of a violently normative system and to focus on what remains transitory and unstable in decision-making.

Theoretical and analytical framework

To develop my critique on how sexual truth in the asylum process is intermediated by affective scrutinization, I draw on the intersection of queerness and affect which I approach as critical, political epistemologies through the lens of decolonial feminist theory. On the one hand, queerness, as a political perspective, an affective stance, and a horizon of worldmaking entails a call for openness to new potentialities, and makes room for what is messy, unexpected and unfamiliar (Ahmed 2006; Athanasiou 2020; Butler 2004a). As a

performative modality of critique, queerness seeks to disrupt the normative violence of whiteness and patriarchy and subvert exhaustive identitarian categorizations in neoliberal sexual politics. However, in European migration politics, the idea of "genuine" queerness, as appropriated by neoliberal border regimes, has constituted part of national states' assimilationist policies that seek to establish and self-justify a racial and sexual exclusionary mainstream (Raboin 2017; Saleh and Tschalaer 2023; Zisakou 2023). Given this epistemically violent appropriation which constitutes the foundational basis of exclusionary border apparatuses, this article seeks to reflect on, and reclaim queerness as an affective political modality for imagining and inhabiting the world differently.

On the other hand, affect, contrary to the neoliberal order of predictability and taxonomy, entails contingency and surprise, much like queerness (Berlant 2011; Cvetkovich 2003). Due to its relational character and its inability to be exhaustively defined, affect is not a fixed identity, as expected in the asylum process, but a space open to *sense* what does not make *sense* (Ahmed (2004) 2014a; Muñoz 2006; Stewart 2008). However, neoliberal policies, through the promotion of domesticity, security and (national) happiness, invest in affect as an apolitical turn to universal, ahistorical and predefined possessive feelings (Berlant 1997). Questioning this (a)politicization, I approach affect as a politicized, critical, decolonial epistemology and an interpretative lens that helps me delve deeper into the affective biopolitics of queer asylum by unravelling how caseworkers and applicants are attuned and alienated through the messiness and paradoxes in decision-making. For this reason, I am not so interested in affect as an autonomous object of study or in the distinction between affect and emotions/feelings, but more in how affect gains its meaning, in opposition to discourse/reason, in the asylum apparatus. As Ann Laura Stoler (2007) points out, while notions of rationality and reason are invoked to idealize the West, Western states' borders have always been policed through the scrutinization of affects. This endeavour of governing through affect, as historically deployed by states, has a long colonial genealogy (Stoler 2007).

However, migration and citizenship studies have only recently started to explore the affective biopolitics of borders. Lately, a burgeoning body of literature on affective citizenship studies critique how states, in order to define who will have access to citizenship and rights, through affective control, validate certain feelings and disapprove and alienate others (Fortier 2016; D. Di Gregorio and Merolli 2016; Fassin 2015; Turner and Espinoza 2021). Focusing on the role of affect in national states' exclusionary mechanisms, affective citizenship studies underscore how, in neoliberal policies, there are certain feelings that attach themselves to citizenship and rights (Ahmed 2007; Ahmed (2004) 2014a; Berlant 1997). Through this critique, which challenges citizenship as a purely rational form of governance, I seek to explore how the distribution of power in the asylum system operates through affective control of who is considered the "good" sexual citizen.

In parallel, in their critique of assimilative and exclusive border apparatuses, sexual citizenship studies underline how a neoliberalized form of sexual citizenship, claiming freedom through consumption, homonormativity and individuality has become the marker that idealizes the progressive modern West in opposition to the backward premodern East (Ahmed 2010; Duggan 2002; Sabsay 2012). On this topic, there is an already extensive scholarship in queer migration studies which, by drawing on the exclusionary effects of sexual citizenship, highlights how nation-states' policies of queer inclusivity are premised on exclusions of those considered the bogus queers (Akin 2019; Giametta 2017; Lewis 2013; McNeal and Brennan 2021; Murray 2014b; Saleh and Tschalaer 2023). By drawing on this interdisciplinary scholarship, this article discusses the interplay of affective and sexual citizenship as the measure of truthful queerness in the Greek asylum apparatus.

Research contribution

Despite the focus of queer migration literature on the key role of sexual citizenship (Akin 2019; Giametta 2017; Lewis 2019; McNeal and Brennan 2021; Murray 2014b; 2020) and on the discursive production of "genuine" queerness (Akin 2019; Berg and Millbank 2009; E. Fassin and Salcedo 2015; Ferreira 2023; Prearo 2021), there is very little previous research on the role of affect in this regime of sexual truth. Affect, not in the sense of a white-centred, apolitical, individualistic theory but as embodied circulations of racialized, gendered and classed emotions (Ahmed (2004) 2014a), holds a key role in the RSD process in queer asylum. By defining which are the legitimate queer subjects to be saved, affective politics shape and control in biopolitical, productive terms, how the future sexual citizens should feel, desire and behave. Although previous research on the affective aspects of migration is burgeoning (D. Fassin 2015; Fortier 2016; White 2014; 2013), previous study on the role of affect in the credibility assessment process in queer asylum claims is extremely rare and scattered (Lunau 2023) and when it is conducted, by suggesting applicants' feelings as a field of examination, it often reproduces the current normative dichotomies of the procedure (Raj 2017). Hence, this article seeks to critically fill in this gap in queer asylum literature, highlighting, simultaneously, affect's political potential in (homo)nationalist, assimilationist border apparatuses.

Affective expectations

A feeling-centric model of assessment

One of the main questions this study seeks to discuss is how—and why—in the legal, discursive apparatus of asylum, credibility is being assessed

affectively. This discussion cannot omit a brief reference to the current developments in laws and policies which, to a great extent, shape decision-makers' practices. As I have argued elsewhere (Zisakou 2021; 2023), the "affective turn" in queer asylum law and the formation of a feelings-centric model of assessment are closely interrelated with the *A, B and C* judgment of the CJEU and the DSSH model: On the one hand, the *A, B and C* judgment defined many of the previously applied practices—focused on applicants' sexual practices, on evidence such as photos and videos, and on medical/psychological exams—as forbidden. On the other hand, the DSSH model, as an alternative credibility-assessment model in line with the court's reasoning, endorsed both by UNHCR (2012) and EUAA (2023), progressively shifted the focus of the assessment from sexual practices to applicants' "inner emotional journey", through the inquiry of applicants' feelings of difference, stigma and shame.

Although the DSSH model is not strictly applied by decision-makers in Greece, it is highly recommended to them. The EUAA training module on SOGIESC asylum claims, which serves as the primary training for caseworkers, promotes the use of the model, while the GAS internal model questionnaire suggests applicants' feelings of difference, stigma and shame as topics for evaluation. Discussing with caseworkers about the utility of the model, many highlighted that its main contribution is helping them structure interviews on a subject they "barely know what to ask". However, some of my interlocutors were critical of the model, underscoring that it reproduces a monolithic approach and often pathologizes applicants' sexuality and gender in their purportedly backward countries of origin. For instance, Vaso noted,

> According to the DSSH model, the entire LGBTQI community needs to go through the same painful process. However, many applicants express feelings of contentment. Some may not have deep emotional connections with their partners but still enjoy same-sex relationships. For this reason, I've personally stopped rigidly applying it.

Respectively, legal scholars (Åberg 2023; Dawson and Gerber 2017) have critiqued the model for its limitations and its role in perpetuating intersectional discriminations within the asylum system. However, and without disregarding the contribution of the model in shaping current practices, the scope of the present article extends beyond a legal evaluation of the model and its inconsistencies with human rights and refugee law and aims to contribute to a broader decolonial feminist critique of the affective biopolitics of asylum at the EU's borders.

Feelings that can be expressed, feelings that can be possessed

My interlocutors accounts portray this "affective turn" in the RSD process. As Ioanna argued, "the exploration of applicants emotions is the most important

part of the assessment, as personal questions about sexual practices are pro-hibited". During our conversations, many of my interlocutors approached emotions as coherent, reasonable reactions and predictable dispositions, opposed to sexual, embodied enactments that could be cut off the space and time of the interview. Christos eloquently encapsulated this disembo-died, affective-through-discourse turn:

> In another case, when I asked an applicant from Gambia what he enjoys in his relationships with men, he replied that what he likes is to have anal sex with men. I was very confused and I asked my team leader, how I could assess that claim. What she answered me was that sexual contacts have nothing to do with homosexuality. SO is about feelings and love.

As Christos' account portrays, affect, as a "proof of genuine queerness", is expected to be disembodied and discursively narratable. Respectively, according to Natalia, emotions can only become legible through discourse:

> I remember the case of a trans girl from Lebanon that another colleague had handled, and rejected because there was no narrative of the emotional journey. According to the guidelines, we are supposed to focus on applicant's emotions, and whether the person has undergone gender transition shouldn't affect the assessment because it's an external stereotype. However, how can someone reject the case of a trans girl who has undergone gender transition?

As portrayed in Natalia's account, during the process of assessment, casewor-kers often bear the epistemological privilege of enforcing a violent separation between body and mind, by defining emotions as discursive (in the sense of narratability and reasonability) and as opposed and abstracted from their materiality and embodiment. Under this fetishist schema, emotions are pro-duced as a particular, "unaffected" affective ontology and a cornerstone for what scholars on queer migration have critically described as an expectation for a "fixed and immutable queer identity" in the asylum process (Akin 2019; Dustin and Ferreira 2021; E. Fassin and Salcedo 2015; Giametta 2017; Shakh-sari 2014; Tschalaer 2020; Zisakou 2021; 2023). According to this ahistorical, timeless affective ontology, the genuine queer refugee, as the future sexual citizen, should be the owner of certain predefined, individualistic emotions; a subject which does not only know and define who they are but also how they feel.

Queerness as a proximity to whiteness

In my effort to delve deeper into this affective ontology, what I sought to discuss with my interlocutors was which – if so – are these emotions that are "queerer" than others. As they explained to me, one of the central ques-tions asked in the interview is how and when the applicant realized their SOGIESC. This process of self-realisation is expected to be accompanied by self-reflective feelings of shame, and suffering through, as Thibaut Raboin

(2017) has emphasized, an overinvestment of the process in pain and trauma as necessary terms of recognizability. As Sonia put it, "If a person from Cameroon, where they are stoned, tells you, 'I'm very happy to be gay, and I was thrilled when I realized it', it doesn't seem very reasonable. You expect them to express something else, perhaps despair".

Cause of applicants' despair and unhappiness is, according to some of my interlocutors, their "queerphobic, oppressive and barbaric" cultural and religious background, particularly when the applicant is Muslim. Although my interlocutors did not reject the possibility for the applicant to self-identify as "queer and Muslim" as previous studies conclude (Giametta 2017; McNeal and Brennan 2021; Tschalaer 2020) faithful Muslim applicants are expected to be traumatized due to the incompatibility of their queerness and religion. As Sonia put it: "A religious Muslim can, of course, be gay, but this means that they have serious psychological issues and need therapy". In such cases, applicants are constituted as the suffering others who, being in the "wrong" place, lack the qualities required for a happier state of existence (Ahmed 2010). This way, their unhappiness, as a predetermined category of knowledge, becomes a condition of recognizability for their credible queerness.

Within this colonial archive of unhappiness of the asylum process, what could save the traumatized, depressed queers is directing themselves away from their source of unhappiness and being oriented towards the "inclusive, diverse, secular and queer-friendly" Europe (Ahmed 2007; 2010; Raboin 2017; Zisakou 2023). As Anna highlighted, being in contact with local communities renders an account non-credible: "When someone has strong relationships with their communities, it's an indication of non-credibility. For example, how could a gay Afghan be in constant communication with the wider Afghani community? Are they not ashamed? They don't feel pressure?" In my interlocutors' accounts, Europe is not only idealized as the "queer paradise" which can save racialized queer subjects from their oppressive cultures but is also what, as Ahmed argues (2010), promises their liberation and happiness. As Anna put it,

> Asylum seekers often compare their countries with Greece. I remember a trans woman from Algeria, who, as she told me, always knew that she needed to come to Europe. She wanted to be here, more than anywhere else. Because Europe protects human rights and freedom. This is something that also other applicants add in the end of their interviews; they thank me and the Greek state for hearing them and having the right to be here.

In this linear affective trajectory from "oppression to liberation" as David Murray (2020) put it, "real" queer refugees are not only expected to be grateful for receiving the gift of inclusion, but they must also articulate how they can be "attuned" with the white-centred, queer happiness to prove that they are assimilable enough to deserve it. As Victoria argued,

> In terms of their life in Greece it's not enough for the applicants to simply describe feeling liberated, they also need to describe why. Is it because they have the freedom to read more about the LGBTQI community, to participate in organizations, to go to a psychologist? They should tell me a couple of things to understand why their current situation is better

However, not all bodies can take on this "affective labour" (Ahmed (2004) 2014a; 2014b) and be oriented towards white-centred queerness. According to my interlocutors, queer asylum seekers' abjectified bodies are not always depicted as feminized, backward, sexually and emotionally repressed victims in need of liberation; instead, they are often represented as masculinized, perverted, monstrous and hypersexual. In some of my interlocutors' accounts, especially black bodies are described as more dangerous and thus less deserving, as there are certain emotions and dispositions "stuck" to them, displaying the idea that they will always be understood as others (Ahmed (2004) 2014a). As Dimitris put it,

> In sub-Saharan Africa, how to put it the right way, there is a widespread pansexuality. People have contacts with everyone, women, men, everyone; they don't have stable relationships, and I really can't understand which is their sexual identity, what they actually are. In countries like Nigeria, Ghana, Cameroon, DRC, West Africa, there is an unrestrained expression of sexuality in general.

According to Dimitris, black bodies, as the unconstrained, hypersexual bogus others, are bodies without boundaries, unable to conform with the homonormative, identitarian order of predictability and taxonomy, and constitute a moral threat. As Phoebus similarly said, "Fake queer claims are mainly from sub-Saharan Africa because people there are not ashamed of anything. I don't want to generalize, but indeed it happens". In Dimitris and Phoebus's accounts, black bodies are represented as deviant, untamed and wild bodies, the "eternal affect aliens" (Ahmed 2017) and the "imaginary others" (Ahmed (2004) 2014a), who, due to the unpredictable forms they may take, should be kept away. Under this epistemically violent distribution of the sensible, which defines who has the right to feel, black queer bodies, as simultaneously the space of racial and sexual difference (J.C. Nash 2014), are rendered unthinkable, not because they lack feelings or even the ability to express them, but because they bear the wrong feelings and they do not feel as supposed to feel (Ahmed 2017).

Affective assessments

How to assess feelings: experientiality, intuition and common "sense"

Having tried to analyse asylum process's affective ontology (which feelings are "queerer" than others), in this section I will try to delve deeper into the affective epistemology and its methodology (how feelings are assessed).

Although according to the feelings-centric DSSH model there are certain feeling-rules which render an account credible, many of my interlocutors highlighted their inability to "objectively" evaluate the "veracity of a feeling". Considering this impasse, they highlighted *experientiality* as one of the most helpful credibility indicators. In my effort to understand how case-workers employ experientiality, I realized that, in most cases, experientiality is a hard-to-define, highly affective notion, that helps caseworkers to "feel the veracity of a claim". According to Petros,

> Experientiality has to do with small specific details. For instance, I can memorize a text and recite it, but it will lack the experientiality of emotions. When describing a lived experience, specific feelings come to mind. I felt cold, I felt hungry, I remember that red jacket, some small detail.

As I understood through my conversations with caseworkers, experientiality, a term included also in the reasoning of their decisions, refers to affective assessments of "truth" trying to maintain simultaneously law's facade of objectivity and impartiality.

However, some of my interlocutors, among them the most experienced, directly referred to their "intuition, instinct, and the atmosphere of the interview" as a "method" of assessment. According to Pepi, for instance,

> Through years of experience, I think that I can understand if the applicant is lying to me or not. It is not always something you can describe, it is something untouchable, like an instinct, that we gain through our experience.

Respectively as Matina put it, "These very few cases that I rejected were due to my instinct. For sure there were discrepancies in their narrative, but inconsistencies always exist. I really cannot answer you why, in legal and factual terms I rejected these cases". As Matina and Pepi described, "genuine" queerness is not only accompanied by certain emotions but, it is mainly perceived affectively, through sentiment.

In this affective evaluation process, what is central is whether the caseworker can identify with applicants' emotions. Caseworkers, in their assessments, look for a certain kind of "affective sameness", what could be called as "affective queer ordinary" or "affective common sense": An affective order that is predictable sounds familiar, fells familial and complies with the (homo)normal; an aesthetic tendency of how queerness should be universally felt and experienced, based on the recognition of ahistorical, decontextualized principles of "feeling queer". Dina eloquently described this expectation, "It's like what we feel ourselves; because applicants live in a hostile environment, when they fall in love, they fall in love deeply. When I see that love and feel that passion, I cannot refuse it".

During this evaluation of affective proximity, being moved and affected by applicants' accounts is crucial. According to Athena, "It's not just about

describing how bad things were in their countries and how Greece has saved them. Being emotional, crying, getting moved when talking is important". This way, through caseworkers' affective responses to applicants' experiences and expressions, the familiar becomes a criterion of which life, to evoke Judith Butler (2004b), is sensed as grievable and can be recognized as liveable. Lives that count and bodies that matter, are those which can be attuned and resonate with an imaginary common experience that assign recognizability to what is known and desirable and denies the awkward and the unknown, that is fearsome and threatening.

However, this attunement with what feels credible does not take place in an interpretative and historical vacuum. This hierarchical and asymmetrical affective encounter between caseworkers and applicants, as Ahmed (2000) argues, is not a face-to-face encounter, an apolitical and ahistorical confrontation, but it presupposes other spaces, other times and other encounters. It is a space where the past meets the future and where the common queer imaginary is constructed through the past. This performative encounter is never fully determined, though, and, through its unpredictable outcomes, can shift the boundaries of what is assumed to be known and what can be counted as credible and trustworthy. Sometimes, as I will argue below, in this embodied, performative orientation process, the credibility compass ruptures, breaks and points, paradoxically, in unexpected directions.

Queerness as a surprise

Even though common sense is being sensed as something stable and unmodifiable by my interlocutors, it is not always coherent, but it can also be fragmented and contradictory. Caseworkers' affective habits, as this research argues, do not only reproduce norms but, through their ruptures, they can also constitute new forms of inhabiting structures. Affect, as what is always at stake, as relational, shared and collective, states a transformative possibility to reclaim spaces and structures (Berlant 2016). This performative political potential of affect, which lies in its moment of disorientation and dissonance (Ahmed (2004) 2014a), is what, in my interlocutors' accounts, trouble and disrupt the affective (homo)normativity of the process. As Athena highlights,

> Emotion is something that continuously evolves, even during the interview. It can change at any moment. In the asylum system, feelings are approached as solid entities. Everything must be very well-structured and expressed specifically. The person's liminal state is never taken into account in the asylum process. Neither sexuality nor emotions remain unchanged.

According to Athena, queerness and affect, or to put it better, queerness as affect (Puar 2015), not in the sense that queerness is accompanied by certain feelings and constitutes a particular emotional site (Ahmed (2004) 2014a), but as what is open to surprises, contradictions and paradoxes, is

what could make room for buried, discontinuous and fragmented "subjugated queernesses" -to paraphrase Foucault (1980). Queerness as affect could be a space for all these feelings and desires that have been disqualified and rendered nonsensical by the coherent, well-ordered feeling-rules of the process. Even though affective norms, which govern intelligibility in the asylum process, allow only certain kinds of embodiments and desires to become legible and applicants can be recognized as "real" only when they fit into predetermined affective rules, queerness as affect challenges and disturbs this neoliberal order of predictability and taxonomy of queer bodies and can be a modality of detaching from the epistemology of binary categorisation through an embodied endeavour to exist in the space of possibility and uncertainty (Ahmed (2004) 2014a; Muñoz 2006; Puar 2015). During our conversation, Iliana unravelled this queer liminality as something which opposes certainties and the well-ordered taxonomy of feelings and identities:

> When I was working as a lawyer, I handled a case of an Iranian man with whom we built, we constructed if you want, his claim for asylum based on homosexuality. At the beginning, the applicant did not self-identify as gay, but while we were preparing the application, during our meetings, he said, "Do you think I'm gay?" I didn't know what to answer. Similarly, when the asylum interview finished, I asked him, "How do you feel?" and he said, "Everything is fine, but I'm starting feeling that I am actually gay".

According to Iliana's account, queerness, not as an identity, but as an affective embodiment can constitute a space of disorientation and disidentification and is what can cause a rupture, a crack and a fissure of the norm. As Ahmed ((2004) 2014a) points out, affect, against the neoliberal order of predictability, is neither a property, something that someone has, nor a fixed and stable identity. On the contrary, affect, as portrayed in Iliana's account, at odds with the strict classification of identities, could be a space open to unsure and messy queernesses where ambiguities, contingencies, multiplicities and unfamiliarities could be experienced, embodied and performed.

This possibility of unfolding controversial narratives and challenging normative, identificatory and evidentiary definitions of queerness and truth is entailed in caseworkers' affective responses. As this research argues, caseworkers' intuitive decision-making do not only encapsulate the moment when what is sensed encounters what is known but also when the former disturb and disrupts the latter. Intuition, within the affective biopolitics of the asylum, constitutes a dynamic process, through which queerness is not only normalized and mainstreamed but is also renegotiated and reshaped. This way, ambiguous, liminal affective assessments can be a modality of making room for what is incoherent, ephemeral and enigmatic in queerness. As Antonis put it,

> "Sometimes applicants" answers are surprising. When I asked a lesbian woman from Senegal about her self-realization and feelings, she answered me: How

should I feel, I was feeling perfect, and I was doing what I wanted to do: a lot of sex. If she was afraid? Of course, she was afraid, but this doesn't mean that she couldn't enjoy her sexuality. Humans are complex beings; we are not predictable and we don't follow models

According to Antonis, interview as an affective encounter, does not only involve a conflict between the decision-maker and the applicant, but as a shared atmosphere it also entails a surprise. Interview, as Antonis described, is a space where the affective *ordinary* meets the affective *extraordinary,* and becomes a space opened to unpredictable and unfamiliar queer experiences. This way asylum system's reproduction resembles to what Berlant (2016) defines as an affective infrastructure, in the sense that it is not a coherent, linear, foreseeable process but it is defined by movement, structural transformation and transition. During this performative reproduction, which always implies a contingency, an ambivalence and a surprise, there is the possibility of an infrastructural failure, what Berlant (2016) terms as a "glitch". This is how legal decision-making, as this research argues, constitutes an affective site of law's incoherent application and interpretation which does not only reproduce but also undermines its normative exclusions.

Failing queer, feeling real: an archive of unspeakable queernesses

Having described the asylum process as an (un)becoming structure and an affective infrastructure with emphasis on the affective liminality, in this part I will specifically focus on silences in the process; silences not merely as pauses of discourse, but as performative, embodied, shared, spatialized moments. Even though, according to my interlocutors, there is a certain economy of silence that dominates the process -silence when not expected, is what always causes discomfort and is read as non-credible - my effort is to delve deeper into this economy. For this reason, I deploy the notion of the archive as an analytical tool, aiming to unravel the unsaid. I approach the concept of the archive not as a formed logocentric register which traces what have been recorded as "being there", but instead, as an always transitory and unstable affective (hi)story of the ephemeral (Cvetkovich 2003; Muñoz (2009) 2019) which tries to imagine what is missing, seeking to reconstruct it (Ahmed (2004) 2014a; 2014b; Hartman 2018; Spivak 1988). And so, my endeavour, through this analysis, is to focus on those disqualified and unexpected silences, which according to my interlocutors' accounts, fail the neoliberal demand for speed, (re)productivity, development, outness and taxonomy.

According to the affective biopolitics of suffering in the asylum process, certain feelings, those which are more reasonable and desirable, do not always need to be discursively narratable but can be sensed in silence.

According to some of my interlocutors, when the applicant inhabits the position of the vulnerable, suffering subject who waits quietly to be saved by benevolent Europe, then silence and lack of linearity can be justified and accepted. As Ioanna put it,

> One of the cases I accepted with all my heart was a child who didn't know why he was being persecuted. He was a silent, feminine boy who told me that he left his country because he was not "Pakistani enough". This broke my heart because I had an innocent, speechless being in front of me.

In such cases, applicants' silence touches caseworkers, who, as just, white saviours, render the applicant the "object of western humanitarian efforts" (Saleh 2020) and grant them asylum with "all their heart". As Anna similarly mentioned, "I remember the case of a lesbian woman from Afghanistan. She was very sweet, non-talkative and shy. She was suffering a lot. She didn't say much, but I could feel her pain". In both Ioanna's and Anna's accounts, youth and womanhood—even queer—identify with passivity, vulnerability and victimhood, a representation that fits well within the white saviourism discourse. During this saving process, caseworkers not only intermediate as power holders and objective judges but also enjoy this "limitless exercise of power on applicants' bodies", as Athena put it. This affective alignment with the state, according to Dimitris, is what could "make them happy". As he said,

> I don't agree that we should not ask difficult questions to the applicants. We should. When I write a positive decision, I feel happy because I saved a person who will live safely and won't be afraid of being killed. On the other hand, I am glad that the person who consciously lied didn't deceive me and won't be granted asylum.

In this colonial regime of truth, where vulnerability, trauma and shame are what could exempt applicants from the expectation of a coherent and consistent narrative and let the decision-maker "feel" the truth, not all applicants have the right to remain silent. According to my interlocutors, there are certain bodies, those fearsome, racialized bodies, whose silence is unauthorized and translated as "lack of – their legal duty for – cooperation". As Dina put it, "Cases that I rejected were cases where applicants were in general negative and they didn't want to share their experiences with me. Cases where I met unwillingness and reluctance for cooperation". According to the asylum politics of silence, applicants, as autonomous, self-centred and productive future sexual citizens, should know when and how to speak and perform it in the appropriate space and time, in the appropriate way. On the contrary, unexpected, unreasonable silence, silence by surprise, when visible, remains unintelligible. When silence is not found where it is expected to be found, being inhabited by the wrong bodies, in the wrong places, when unmapped, in the colonial cartography of affect, is what, before and

foremost, renders a claim non-credible. To paraphrase Spivak (1988) and Muñoz (2006), in the asylum apparatus, the subaltern can neither speak, nor feel, but neither can they remain silent.

However, my aim here is not to idealize applicants' silence as a pure act of resistance, opposition and non-compliance in an epistemically violent regime of discursive, spoken truth but rather, to reflect on the liminality of the embodied positionality of silence and non-cooperation as (failed) queerness (Halberstam 2011). Although not only neoliberal structures of power but also responses to their systemic violence are often strategically founded on the idea of the self-willed, volitional subject, as requirements of agency and as a necessary condition of justice, what I seek here is to distort the idea of the sovereign subject and draw attention on what is vague and liminal about the subject. As Berlant (2011) highlights, introducing the notion of lateral or interruptive agency, agency cannot always be defined in normative, predictable terms, neither comply with the rules of progress, success and effectiveness that the autonomous, individualist subject is supposed to follow.

Drawing on this critique, I want to ponder how non-cooperation and silence in the asylum apparatus challenges the binary of compliance and resistance, negation and affirmation, possibility and impossibility and indicates the unpredictable forms queer agency can take. According to my interlocutors' accounts, inhabiting the positionality of non-cooperation and silence by those who are not deemed as vulnerable, suffering victims, and are considered capable enough to provide a linear and detailed narrative, touches upon the limits of irrationality, absurdity and self-destruction. In any case, since a credible account is "a performance and a lesson to be learnt", as Athena put it, why, as my interlocutors wonder, are there applicants who do not even try to comply with this system's rules? Why they do not even make an effort to save themselves? According to Anna,

> In such cases [that I rejected] the problem was that there was no willingness and the applicant refused to cooperate. Despite working with open-ended questions, I didn't get any answers. I had the feeling that for them, it was just a process to go through. Sometimes they even laughed or mocked the process. Many times, there was even dissatisfaction and discontent on behalf of the applicant.

Although in such cases applicants' silence and lack of cooperation cannot be considered a heroic act of resistance, in the sense that their damaging, harming, destructive practice will have as a result the rejection of their application, could be considered, though, an affective form of inhabiting agency differently. As applicants cannot be constituted as subjects under the normative affective violence of the process, their resistance, as portrayed in my interlocutors' accounts, is through dispossession and the de-institution of themselves. (Butler and Athanasiou 2013). According to Dina, "There are

some cases where applicants, *surprisingly*, refuse to cooperate. In such case, the applicant was from Egypt and was in general very negative. He was laughing and telling me, 'I don't want to tell you'". In such cases, applicants' agency – which is more towards disposability and debility and less strategically oriented, stricto sensu, against power and oppression – inhabits the liminal positionality of resistance (by refusing to resist) and compliance (by refusing to comply).

However, lack of cooperation, silence and refusal can constitute sites of potentiality because, as Cvetkovich (2012), Halberstam (2011) and Muñoz (2006; (2009) 2019) argue, there is something reparative in failure, devastation, and despair and a kind of hope. In such cases, applicants' non-compliance to asylum systems' rules, is what disrupts the idea of the autonomous, volitional subject, which is oriented towards consciousness, intentionality and effective will. Nevertheless, as pointed out by Berlant (2011), interruption and intentionality, attrition and persistence are not opposites, but the one meets the other in slow death apparatuses. Non-cooperative applicants' queer act of failure, although not a pure resistance, is a moment of laughter, carelessness and pleasure against the idea of progress, success, evolution and effectiveness; a moment of fissure of the systems' colonial ontology of articulated, rationalized, private emotions; a silent moment of "killjoy joy" (Ahmed 2017) found in what is presumed to be negative and disastrous; a moment of "queer negativity" and a political embracement of "negative affect" which is not dismissed as debilitation liability and hopelessness; a moment of reparation beyond the legal recognition of asylum, inhabited in queerness' messiness in which both feelings of despair and repair persist (Athanasiou 2020; Cvetkovich 2003; Muñoz 2006). Applicants' lazy, (s)low, failed, silent queerness, momentarily stands against the "limitless power of the authorities over their bodies" to scrutinize their authenticity and approve them as the good sexual citizens. Their inexplicable and irrational silence and lack of cooperation is an infrastructural failure of the asylum systems' reproductivity; a glitch; an act of long-term damage and destruction, but simultaneous a short moment of (dis)comfort, (un)ease, repair and relief from the violence of the process; a sentiment of happiness which for a moment is not directed towards white, reproductive, accumulative happiness. A moment of situated (s)low, weak queer theory.

Conclusions

Aim of this article was to explore the role of affect in queer asylum claims adjudication, through decision-makers accounts. Drawing on queer, feminist and affect theory, as critical, low, political theories of the uncertain, this study did not claim an objective, descriptive representation of the process. On the contrary, it rather sought to contribute to a situated, performative and

embodied critique of what remains fugitive, transitory and fleeting in decision-making, as a modality of engaging with (im)possibilities that go beyond the negation or affirmation of a normative structure.

As I endeavoured to analyse in the first part of the article, applicants are expected to move linearly from shame, suffering and oppression to liberation, happiness and pride, within a racialized, dichotomous, essentialized ontology of feelings that, according to my interlocutors' accounts, governs intelligibility in the RSD process. This way, as also previous research has highlighted (Akin 2019; Giametta 2017; Murray 2014a, 2020; Raboin 2017; Saleh and Tschalaer 2023; Shakhsari 2014; Zisakou 2023), the asylum process works as an exclusionary apparatus of reproduction of genuine, white-centred queerness and (homo)national happiness. Through distributing affective power, the Greek national state defines whose desire is desirable and shapes the conditions of possibility of who is considered the deserving sexual citizen that can be assimilated in the European queer imaginary. However, as highlighted in the second part of this article, this racialized affective ontology is sometimes surprisingly interrupted. Instead of an objective and impartial, reasoned process of decision-making, some of my interlocutors described a fragmented, embodied queer encounter with asylum seekers during which they find themselves struggling and failing to *make sense* of what they *sense*.

While my aim in this research was not to romanticize affect and queerness as emancipatory tools of resistance in an epistemically violent and structurally unjust system, which produces racialized queer bodies either as agentless, suffering victims or as pervert, monstrous, bogus, sexual others, my focus was on queer affect's political performativity and the transformative potential of the unclassified. Within a normative system that seeks coherent identities, to be coherently assessed, this article endeavoured to unfold the affective incoherency of queer disidentification in intuitive, fragmented and messy decision-making. Through this situated, from below and within critique, disrupting the reliability and stability of a legal system, this article drew attention not only to caseworkers' normative affective habits but also to how they inhabit contradictory and paradoxical positionalities by simultaneously conforming and disrupting, complying and undoing, reproducing and resisting a homonationalist state apparatus.

During caseworkers' encounters with asylum seekers, the interview often becomes a paradoxical and messy space where queerness meets affect, emerging as a political site to imagine and share a different world (dis)order beyond the epistemology of binary certainties of the procedure. Queer affect, as a political modality of untidy assemblages, as this research argues, interrupts the neoliberal, hegemonic logic of privatized, possessional, identificatory and discursively narratable emotions reproduced in the asylum process. Queerness, as a collective and shared atmosphere and a circulation of affects among bodies unavoidably affected, is not only fugitive, undefined

and open to transformation but, as portrayed in my interlocutors' accounts, is also transformative and leaves them surprised and unsure of "how to assess what queer is". This (im)possibility of contesting the norm through its reproduction, enacted within an apparatus of certainty and coherence, constitutes, as this article concludes, the performative political, queer promise of the uncertain in antimigratory, homonationalist, assimilationist and exclusionary border regimes.

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Ethics statement

This research was conducted upon approval from the Swedish ethical review authority for research ethics. Participants provided their informed consent to participate in this study and their names have been pseudonymized. Informed consent was obtained from the individuals for the publication of this research.

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