
Chapter 4

Killing me softly with your rights

Queer death and the politics of rightful killing

Sima Shakhshari

On 8 July 2008 an Associated Press reporter asked the US Presidential candidate Senator John McCain why, despite the US sanctions against Iran, the US cigarette exports to Iran grew more than tenfold during President Bush's presidency. McCain responded, 'Maybe that's a way of killing them' (Bradley 2008). There is an uncanny relation of sorts between McCain's racist statement, disguised under the cloak of a light joke and the following sobering quote from Mahtab, an Iranian transgender refugee applicant in Turkey:

My life is not like a cigarette that you can smoke and then put away, as I will live and suffer in its ashes. We are (we live). The world has a forgettable mind, and I will be forgotten very quickly. I might get to Canada, or I might not. But I will never forget that all my rights were taken away from me and there are even no selected individuals who I can blame for this. From now on, I want to build my life.

(Mahtab, Interviewed by the Iranian Queer Organization)

Mahtab made this statement in Turkey, where she was waiting for several years to be recognized as a legitimate refugee by the United Nations High Commission on Refugees (UNHCR) and the Canadian embassy. In 2008, not too long after arriving in Canada, Mahtab quietly took her life in her apartment, which she was asked to vacate as the terms of her subsidized housing had come to an end. The cigarette as a metaphor for a desired yet easily disposable commodity, and as an object with which to kill slowly, links the above two statements, positioned very differently in the neoliberal militarized economy of sexed bodies. There is no one to blame for the suffering of that which becomes killable like an extinguished cigarette, except for the self-responsible willing individual. It is as though to kill slowly (through sanctions or poverty), without bearing the responsibility for murderous laws and policies, is not only contingent on the possible threat that the killable subject poses to the population whose life is worth protecting (Shakhshari 2010), but it also requires desire and willingness on the killable subject's part.

As a form of political 'branding', refugee incites the affective experience of freedom one has not had yet, but expects in future activation and repetition

(Clough and Willse 2011). A necessary component of the refugee discourse, the desire for freedom is eerily present in the branding of cigarettes.¹ It is no accident that the 'Don't be a Maybe' Marlboro advertising campaign in Germany claimed 'There is no freedom in maybe'. Neither is it surprising that an online design competition for Marlboro included a pack of cigarettes adorned with an American flag next to the phrase 'packed with freedom'. The promise of freedom is also present in the 2012 'Be Marlboro' campaign that targeted Indonesian youth whose ideal future is ensured against the uncertain present: 'No poems finished, no mountains climbed, oceans crossed, no freedom won, no city lights, no love letters, this world would be nothing if we just said maybe, so let it out, set it free. Don't be a maybe. Be Marlboro' (*Tobacco Tactics*). If Marlboro is 'packed with freedom', death may be the price to pay for the self-responsible subject who desires to experience the sweet taste of the 'Marlboro Country,' knowing its risks. If queer life is imbued with freedom in the 'West', death is the price to pay for the desiring queer refugee whose rights are taken away in the name of rights in the 'free country' (see Figure 4.1).

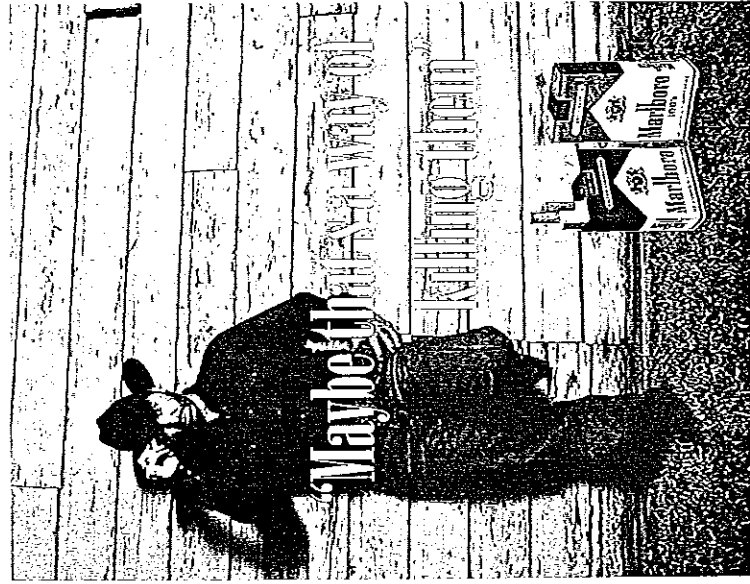


Figure 4.1 'Maybe that's a way of killing them'

Collaborative project by Lorian Espinel and Sima Shakhiani, 2012

In what follows, I compare the unspeakability of Mahtab's death to the representability of two other stories of death during the 'war on terror', in order to examine the representational economy of queer death in relation to biopolitics and necropolitics as they concern different populations. Although it is the individual who is subjected to the management of life and death through biopower, as Foucault has argued, it is the *population* that is the target of the art of governmentality through biopolitics, where the management of life of one is inevitably connected to death of another. As such, the management of life and death of the transgender refugee is inherently connected to the government of *the population*. However, there is a difference in the value of life and death of different populations, different multitudes, in the transnational context and beyond Foucault's analysis of the state. How does the government of the life of one population connect to the techniques of the killing of another population? When does the sovereign who has the right to kill, do so softly with sanctions (which are selective in allowing or disallowing the type of commodities; cigarettes are allowed, but medicine is not) and when does it kill in the manner of shock and awe? When does the sovereign kill in the name of rights and when does it let die, forgetting those rights?

Through examining representations of deaths of Mahtab, Mark Bingham and Ayaz Marhouni and Mahmood Asgari, I argue that during the 'war on terror', hegemonic representational politics not only produce universalized sexual identities that are mobilized according to the logic of US homonationalism (Puar 2007), but they also contribute to the management of life and death of different populations. The representational economy of queer death is implicated in an assemblage that includes state and non-state institutions, individuals, human rights regimes, civilizational discourses, diasporas and the international media. I suggest that the Iranian transgender refugee, as the paradigmatic figure of the *homo sacer* (Agamben 1998), is an important site of inquiry in the analysis of the politics of life and death of different populations during the 'war on terror'. The representability of some queer deaths and unspeakability of others complicate biopolitics and necropolitics, pointing to the killability of lives that are simultaneously imbued with and stripped of liberal universal rights; lives that are subjected to *the politics of rightful killing*.

The discursive production of the Iranian transgender refugee as one who is in need of rescue and protection by human rights regimes and Western democracies is inevitably connected to performances of citizenship in First World locations such as the United States.² Therefore, in the first part of this chapter, I discuss the way in which successful performances of American citizenship are tied to the visibility and concealment of queer life and death, disciplining of queer bodies according to conventions of gendered and raced citizenship in the US, production of queer difference vis-à-vis the demonized and dangerous Muslim other, and the protection of the victimized Third World queer. In the second part, I explore the connection between the representability of death to *the politics of rightful killing*.

Heroic death

In America, we are free. Free to choose, free to say, free to voice our opinions, free to be ourselves. In many places around the world, I could not be myself. Regardless of others' opinions, I can be who I am, and not have to fear my life. I am proud to be me, proud to be an American, and proud to be gay! Only in America can I be this FREE!!!

(Testimony on the *Tribute to American Spirit Online Photo Quilt*)³

As multicultural America hinders the exclusion of racialized and gendered sexualities through the myth of equality, it reifies the sovereignty of the figure of the coherent citizen subject vis-à-vis its refugee other. The queer refugee's instability and lack of freedom is juxtaposed to the freedom that First World queer citizens seemingly enjoy. The willing American queer subjects who have historically been excluded from the realms of the 'normal', often exercise belonging to the national culture through performances of normative citizenship, against the figure of the dangerous terrorist or the victimized refugee.⁴ Events of 11 September 2001 provided an opportunity for American queer citizens to insert themselves into the imaginations of the nation, in a moment of crisis when particular forms of queerness became tolerable and even encouraged in the American nationalist discourse.

As Puar and Rai (2002) have observed, celebrations of outness had an unprecedented prevalence in gay and lesbian cultural circuits in the US after 9/11.⁵ One of the most publicized stories in mainstream media was that of Mark Bingham, a successful gay white businessman with a bi-coastal firm who lost his life as he supposedly thwarted the plan of the hijackers to crash the plane into the White House. Even though the overarching discourse of male hero and patriotic wife occupied every media representation of American-ness, Mark Bingham was celebrated for his masculinity along with the other three athletic men who according to the *Life* magazine 'were the hijackers' worst nightmare'.⁶

While the hypervisibility of the post-9/11 American nationalism emphasized the heteronormativity of the nation through images, language, and nationalist practices, queer forms of American nationalism had an overarching presence in gay and lesbian websites.⁷ Emulating heteronormative media praise of Bingham's masculinity, many queer websites focused mainly on the way in which Bingham broke the stereotypes on gay masculinity by showing that gays are 'men' too. Attempting to counter homophobic stereotypes, queer celebrations of Bingham's death constructed his masculinity – which eerily approximated that of the heterosexual citizen soldier – as an ideal to be reached by the patriotic gay American on his path to fulfilling the American dream. While there were instances of dissent, what enabled the American gay subject to successfully join the imaginations of the nation and citizenship in the mainstream gay and lesbian media was to perform 'manhood' and patriotism.⁸ Bingham's hypermasculinity became an ideal to which every queer was expected to aspire: 'I didn't have a gay role

model or hero growing up; our future generations now have one. God Bless America!' (Mark Bingham Forum n.d.).

Like any performance, the drama of patriotism and masculine success requires an observer: becoming a citizen subject necessitates visibility and 'coming out' into the purview of the nation. The post-9/11 critical 'outing' was intertwined with the trope of protectorship, which served two purposes in the US nationalist discourse. On one level, the masculine gay man was tolerated as 'out' and proud when he performed hegemonic norms of masculinity and took on the role of the 'protector' of the nation. On another level, being 'out' became significant as a patriotic act when it designated a spatial division within a Manichean logic. Within this logic, the US signified freedom and democracy, the Muslim world stood for homophobia and gay oppression and the protection of queers against the homophobic enemy became the *raison d'être* of war.⁹ For example, on 21 September 2001, Andrew Sullivan wrote:

Of all wars, this is surely one in which gay America can take a proud and central part. The men who have launched a war on this country see freedom that gay people have here as one of the central reasons for their hatred . . . Gay Americans should not merely support this war as a matter of patriotism and pride; they should support it because the enemy sees us as one of their first targets for destruction.

(Sullivan 2001: n.p.)

Of course, the opposition between the 'civilized' West and the 'barbaric' Muslim world pre-dates the 'war on terror' and has a colonial history. The spatial binary division also involves a mapping of time into space, where the US is juxtaposed against a temporally backward Muslim world.¹⁰ These temporal and spatial contrasts, as Weston argues in discussing rural/urban divides, structure the 'very subjectivity that allows people to think of themselves or others as gay' (Weston 1998: 41). While Islam and Muslims become associated with an archaic past, gayness becomes foundationally American. In this dual field of signification, the American gay citizen subject identifies both as the *protector* and the one who is *protected* from the Muslim enemy. The American gay subject and the victimized Muslim gay are constructed through difference and commonality. As Minoo Moallem argues, 'the barbaric other is there to legitimize and give meaning to the masculine militarism of the "civilized" and his constant need to "protect"'. Protection enables an alliance between the protector and the protected against a common foe' (Moallem 2002: 300). This common foe to the heterosexually imagined American nation, the homogeneously imagined visible gay subject and the victimized queer refugee is the barbaric Muslim other.

Barbaric death: Iranian queer victims

An example of the way in which the binary opposition of the backward homophobic Muslim/civilized queer has been deployed repeatedly during the

'war on terror' is the widely publicized case of the hanging of two young men, Ayaz Marhouni and Mahmood Asgari, in Iran. Marhouni and Asgari were hanged on charges of raping a male minor (*zawat beh onf*) in the city of Mashad, on 19 July 2005. While it is unclear if the two young men were 'gay', the international media, the international gay and lesbian organizations and diasporic Iranian opposition groups publicized the case on the Internet, alleging that Marhouni and Asgari were hanged because of their sexual orientation (Kim 2005). Images of the Mashad hangings spread quickly on news websites, YouTube and weblogs, while email lists and weblogs were used to mobilize protests internationally in different cities.¹¹ The overwhelming circulation of images of the hanging on the Internet was to the extent that most (and the top) results produced in an image search for the keywords 'gay' and 'Iran' in the Google search engine are still those of Marhouni and Asgari's hanging.

Several groups, including the International Gay and Lesbian Human Rights Commission, Human Rights Watch and the Amnesty International issued statements and disclaimers about the lack of credible information about Marhouni and Asgari's sexuality or the reasons for their execution. Scott Long, a human rights activist with a history of working on Iranian cases argued that the investigations into this case (and similar 'gay' cases) are merely based on speculations and are not rooted in any evidence leading to the conclusion that Marhouni and Asgari were gay. The Human Rights Campaign, the Log Cabin Republicans and Britain's Outrage, however, insisted that Marhouni and Asgari were executed for their 'sexual orientation'. Representing the UK-based group, Outrage, Peter Tatchell announced: 'This is just the latest barbarity by the Islamofascists in Iran. . . . The entire country is a gigantic prison, with Islamic rule sustained by detention without trial, torture and state-sanctioned murder' (Kim 2005). Log Cabin Republicans denounced the execution of Marhouni and Asgari and reaffirmed the organization's commitment to the global 'war on terror'. Like Sullivan, who used this case to legitimize the 'war on terror', Patrick Guerrero, the president of the Log Cabin Republicans, issued a press release announcing that 'this barbarous slaughter clearly demonstrates the stakes in the global "war on terror"'. Freedom must prevail over radical Islamic extremism' (2005). The case has become the prime example of violence against queers in Iran, inciting the masculine protectorship of the First World and the need to rescue the victimized Iranian queer.

Unspeakable death: Iranian transgender refugees

Midoonam beh hastam, mikhaam zendege konam.

[I know that I am. I want to live.]

(Mahtab, excerpt from the film *I Know that I Am*)

The above statement, which inspired the title of a documentary film about transgender Iranians, is telling of Mahtab's desire for a better life. At the time that Mahtab made this statement, she was living under dire conditions as a refugee

applicant in a remote 'satellite town' in Turkey, waiting for her case to be handled by the United Nations High Commissioner for Refugees (UNHCR) in Ankara.

While most of the Iranian queer asylum seekers in Turkey are gay or lesbian, a small number of transgender people leave Iran in hopes of a better life abroad. Even though the numbers are not large, media representations of Iranian transgender individuals have made them the centre of a particular discourse on homosexuality. Within this discourse, transgender Iranians are represented as homosexual victims who are *forced* by the Iranian state to go through reassignment surgeries. Sex change, in this narrative, is seen as a state measure to prevent homosexuality – punishable under the Islamic Republic's sodomy law – while transgender Iranians' desires are deemed inauthentic and secondary to an inherent homosexual desire that is persecuted by the state.¹²

Arguably, the narrative of 'forced surgeries' is an inaccurate account of surgeries in Iran. Yet, the inaccuracy of this account does not contradict with the fact that the Iranian transsexual subject is produced as a normalized and 'correct' non-homosexual citizen, governed by modern medical, psychological, legal and religious discourses and practices (Najmabadi 2008). To be fair, the Iranian state's religious and biopolitical practices that enable sex change surgeries have provided relatively amicable opportunities for transgender Iranians, compared to many other states, including those in the so-called free world.¹³ Despite the official policies of the Iranian state, many transsexual and transgender Iranians face social harassment, job discrimination, and violence in Iran, where, as is the case with many locations such as North America and Europe, modern binaries of sex are naturalized and govern norms of cultural and political citizenship. The violence and the economic and social hardship that many transgender and transsexual Iranians endure, along with the much valorized vision of freedom and democracy in the West, have compelled some transsexual and transgender individuals to seek refugee status in Canada, Australia and the United States through the UNHCR offices in neighbouring Turkey.

While the transsexual Iranian as a 'corrected' body is disciplined into norms of heterosexuality in Iran, she is simultaneously produced as a subject of universal rights in need of protection by the international human rights regime. For transsexual Iranians who leave Iran to seek refugee status, the concomitant loss of citizenship rights and the geopolitically driven 'protection' of rights by 'liberating states' entail new forms of regulation according to norms of international refugee regimes and the transitory and destination 'host' state. Ironically, it is under the rhetoric of protection that the refugee has very little or no rights in transition.¹⁴ Iranian refugee applicants are required to register with the Turkish Ministry of the Interior, and with the UNHCR, while waiting to be interviewed several times in a span of several years. If approved as 'true refugees', they are allowed to apply for resettlement to a third country of asylum. Citizenship registration with the UNHCR, the applicants are assigned to small 'satellite towns', where they are registered by the Turkish police and are required to stay during the time they are interviewed and evaluated through medical and

sometimes psychological examination by the UNHCR and the embassy of the country of asylum.¹⁵

According to a June 2009 report by ORAM (Organization for Refugee, Asylum, and Migration), queer asylum seekers and refugees in Turkey often have limited or no access to financial support, face consistent harassment from local townspeople, and experience work and housing discrimination (*Unsafe Haven*). When filing complaints with the Turkish police, they are encouraged to 'dress like real men or women' in order to avoid being harassed. While the UNHCR has improved its guidelines and produced literature to educate its staff, many asylum seekers have reported being asked invasive questions by the Ministry of the Interior in Turkey and the UNHCR about their preferred sexual position or the number of sexual partners they have had. These questions are meant to verify that the applicants are 'true refugees', 'true gay and lesbians' or 'true transgender' individuals.

The assumptions of refugees' 'immutability' in the essentialist juridical discourses of asylum produce the refugee as one with a fixed, timeless and universally homogeneous identity.¹⁶ It is inevitable that queer refugee applicants repeat essentialist notions of identity in order to fit the 'immutability of character', the criterion that qualifies gays, lesbians and transgender individuals as refugees. Applicants' narratives, their material conditions and their multiple and complex subjectivities are reduced to rational and linear definitions in order to match the acceptable 'immutable' identity, defined and sanctioned by the refugee law and reified by some diasporic queer organizations that coach queer refugees in 'homonormativity' (Duggan 2002).¹⁷ Through performative acts, universalized and iconic gay, lesbian and transgender identities are reified and reproduced. However, the regulatory practices of the nation-state and human rights discourses conceal the process of the construction of refugee subjects, by portraying them as prior to discourse.¹⁸

Normative notions of authentic gender and sexuality are not the only conventions that the queer refugee applicant has to repeat convincingly and without contradictions in multiple interviews. Given that the credibility of an asylum case is decided according to the 1951 Geneva Convention's notions of human rights violation, human rights groups are heavily involved in gathering and providing information on global human rights abuses. Reports by organizations such as the International Gay and Lesbian Human Rights Commission (IGLHRC), International Gay and Lesbian Association (ILGA), Lesbian and Gay Immigration Rights Task Force and Amnesty International, together with media reports on the violations of human rights, US State Department country reports, samples of UNHCR assessment of asylum and refugee claims, the applicant's personal testimony, and letters of support from friends and relatives and several other organizations constitute the materials that document 'human rights abuses' of queers worldwide. Advocates and UNHCR officers often measure the credibility of an applicant's claim for a 'well-founded fear of persecution' against these documents. In order to present a successful and legitimate claim to asylum officers, the

refugee/asylum seeker often has to repeat a story that inevitably demonizes 'home country' (Anker 2005; Luibhéid 1998; Miller 2005), thus reproducing Third World barbarism vs. First World freedom narratives (Razack 1998).¹⁹

While refugee applicants often have no choice but to repeat the 'story' expected from them, diasporic Iranian entrepreneurs, including LGBT organizations, may find these stories lucrative in a market where information about human rights abuses in Iran may translate into funding by think tanks, democratic states and individual funders.²⁰ The 'war on terror' has provided entrepreneurial opportunities for some opposition groups (queer or not) that compete envisioning the most democratic future for Iran by providing expertise and 'information to the liberating states and think tanks'.²¹ The exaggerated, and in cases, fabricated stories of gay persecutions in Iran provide fame and fundraising opportunities for some organizations that bank on these stories.

Mahtab's story exemplifies the opportunistic appropriations of queer life death during the 'war on terror'. Mahtab was the subject of several documentary films about transsexual Iranians. Screened at international film festivals, distributed through YouTube, or broadcast on television outside Iran, most of these films juxtapose a repressed life in Iran to a free life in the West. The suffering working-class Iranian transsexual women, who are ostracized by their families and subjected to social discrimination, is showcased, rendering it visible to often non-Iranian audiences. Mahtab's statement 'I know that I am' became the title of an award-winning Canadian documentary film that represents transsexual Iranians as victims of a fundamentalist state, in need of rescue by the 'free world'. The film repeats a narrative that Anne-Marie Fortier has aptly called 'coming home', the familiar story of queer flight from the home of oppression to seek refuge in the home of freedom in the West. Through testimonial documentary style and juxtaposition of words and images, the film creates a stark opposition between freedom in the West and oppression in Iran. This narrative style is prominent in the promotional video of the film. While transsexual Iranian women are constructed as powerless victims, the white Canadian immigration attorney is depicted as a saint-like figure in a slow-motion caption, where her image is juxtaposed to subtitled lyrics that interpolate her as 'a saviour angel': 'surprisingly, the image of a cleric is accompanied with lyrics that construct him as the unsympathetic enemy. Ironically, Hojatoleslam Karimnia, the cleric depicted in this promotional video, is a transsexual rights advocate and has played a role in removing the stigma around sex change by arguing that sex change surgeries are religiously sanctioned.'²³

While Mahtab's life in Iran was represented as an example of the homophobia of transsexual people in Iran, her story in Canada was never publicized in queer or mainstream media, neither did her story in Canada make it to documentary films.²⁴ On 31 July 2008, almost two weeks after Mahtab's departure, the co-director of the film wrote in his weblog, 'I would like to take this opportunity to share with all my good friends the good news of a first prize Audi Award for the documentary, *I Know that I Am*.²⁵ Ironically, the director dic-

acknowledge that the transgender woman whose life was the subject of the film and whose utterance of 'I know that I am' inspired the title of the film, no longer is.²⁶ In Mahtab's case, suicide and failure of promises of freedom in cosmopolitan gay destinations disrupt the usual narrative of refugee flight and rescue, thus rendering her death unspeakable. In a reversal of the liberal celebrations of outness that equate silence to death, Mahtab's death becomes unspeakable: death equals silence.

Politics of rightful killing

In *Bodies that Matter*, Judith Butler argues that bodies that fail to materialize constitute the 'necessary outside' of the heterosexual hegemony (Butler 1993:16). This abjected realm of bodies do not matter, are not worth protecting, saving, or grieving. The three queer death stories I have narrated, however, highlight the fact that while some queer deaths are mourned within the nationalist discourses of 'war on terror', and while some queer deaths become highly representable as evidence of homophobia in the Muslim world, other queer deaths remain ineffable. While Mark Bingham's death on United flight 93 made him into a masculine American hero (albeit a gay one), and Mahmood Asgari and Ayaz Marhouni's deaths made them into 'gay victims' of the homophobic and savage Iranian state, Mahtab's death in Canada remains unworthy of news coverage. Her death highlights that while some abjected bodies are transformed into intelligible valued ones, not all queer bodies 'matter' the same way. Not all queer bodies are the necessary outside of the heterosexual hegemony, but may, in fact, be integral to maintaining forms of nationalism that reify hetero and homonormative hegemonies. As such, any analysis of heterosexual hegemony in a transnational context needs to be articulated in relation to other scattered hegemonies (Grewal and Kaplan 1994) such as neoliberal ideals of freedom and liberation and geopolitical deployments of queer life and death. But what does this inconsistency in representations of queer death tell us about the production and management of democratic life and its entanglement with death in a transnational context?

We may turn to Foucault and Mbembe to understand this aporia where the production of desire for free and democratic life is intertwined with death. According to Foucault, desire is the 'mainspring of action' of the population, meaning that the regulated play of individual desire will allow the production of collective interests, thus pointing to both the naturalness of population and the artificiality of its management (Foucault 2007: 73). Foucault defines populations as 'not a collection of juridical subjects in an individual or collective relationship with a sovereign will', but rather as 'a set of elements in which we can note constants and regularities even in accidents, in which we can identify the universal of desire regularly producing the benefit of all, and with regard to which we can identify a number of modifiable variables on which it depends' (Foucault 2007: 74). One can expand Foucault's notion of the management of population beyond

the turf of the state and ask, what constitutes 'all' and how does one define universal desire? For whom are those desires considered to be natural and for whom are they seen as ill fitting? What would happen to the excesses of the art of governmentality; those who are seen as risks to the manufactured desires (for liberal democracy) and thus become the threat and the danger? Is biopolitics sufficient to analyse the 'global' division of populations into those whose lives are produced and managed – sometimes under the rhetoric of 'our way of life' – and those whose lives are deemed disposable, not necessarily by the juridical sovereign power of the state, but by international entities and transnational market-driven actors who have close ties to state actors?

Mbembe's notion of necropolitics (2003), which focuses more on the place given to death in relation to human bodies and their inscription in the order of power, is helpful in approaching these questions. Using examples of slaves in plantations and the colonized in the colonies, where the absolute lawlessness stems from the denial of humanity to the 'native' and where the violence of the state of exception is exercised in the name of civilization, Mbembe argues that the state of exception and the state of siege become the normative basis of the right to kill. Mbembe points out that the modern colonial occupation combines the disciplinary, the biopolitical and the necropolitical.

Mbembe's analysis is an important intervention in the scope and the relevance of the biopolitical in the colonial context. However, neither Foucault's biopolitics nor Mbembe's necropolitics may be sufficient in the analysis of populations that are not reduced to bare life, but whose death is sanctioned in the name of rights. I draw on biopolitics and necropolitics to suggest a form of power over the liminal state between death and a life, which is not bare, but is imbued with rights. As a trope, the 'people of Iran' constitute a population which is produced through the discourse of rights and for which death through sanctions and/or bombs is legitimized within the rhetoric of the 'war on terror'. I call the politics of the unstable life, which is simultaneously imbued with and stripped of liberal universal rights, *the politics of rightful killing*. Standing between biopolitics and necropolitics, *the politics of rightful killing* explains the contemporary political situation in the 'war on terror' where those whose rights and protection are presented as the *raison d'être* of war, are sanctioned to death and therefore live a pending death exactly because of those rights.

Following Foucault's notion that one's life at the expense of the other's death is compatible with the exercise of biopower (Foucault 1997: 255), I argue that the management of the life of one population relies on the discipline, control, and ultimately, death and diminishment of the other who stands outside and threatens the interests of the population whose life is worth saving and which may or may not have a territorial boundedness ('international community').

The politics of rightful killing is not to replace necropolitics or biopolitics, but exists in the same political terrain in which bodies are disciplined, normalized, and where bare life is subjected to death. It addresses an impending death, but not the bare

life, not the life of the shadow slave, or the life of the absolute enemy (as discussed by Agamben in camps and by Mbembe in the colonies, plantations and in Palestine). Neither is it limited to the state of emergency in the camps, state of exception or unique state of lawlessness – although it is legitimized under those states. It extends itself to the state of normalcy in which the living dead can be killed *rightfully with rights*, insofar as it contains the danger to the population whose life is worth saving, protecting and managing (even as the living population is eliminating its internal dangers through technologies of government and calculations – Foucault's example of racism). Unlike the *homo sacer*, the rightful living dead (who is imbued with rights) cannot be killed by anyone (certainly not by the illiberal states), but only – righteously – by the liberating states, in the name of rights, freedom, democracy, free market and global security.

If the Iranian population at large is subjected to the politics of rightful killing, how does the Iranian transgender refugee figure in the state of normalcy that characterizes the 'war on terror'? Here, Agamben's (1998) argument, that declarations of rights presuppose man as the natural bearer of rights and a citizen, thus bringing together the biological and the political and making the bare life central to politics in modernity, is instructive. If, as Agamben argues, camp is the *nomos* of modernity where the state of exception becomes the rule of law, I suggest that the transgender refugee as a paradigmatic figure of *homo sacer* can further complicate the naturalness of rights and the link between the biological and the political.

Camp as the state of exception signifies both the body-in-excess and the location one occupies as a refugee and as such can highlight the limitation of rights associated with the converged notions of natural and political. Shutting between life and death, the transgender refugee is caught between biopolitics and necropolitics, where her body is produced and managed through religious, medical, psychological, and geopolitical discourses, and her death is sanctioned in the state of exception as a refugee (outside the nation-state) and transgender (outside the naturalized binaries of sex). Just as the insistence on revealing the truth of her gender/sex is necessary to the maintenance of norms of gender and sexuality – because the transgender body's ambiguity translates into deception and concealment of the truth of one's sex and gender (Beauchamp 2009) – the insistence on visibility and testimonies of oppression become necessary to the civilizational narratives of queer oppression in Iran and liberation in North America and Europe. It is in this context that the Iranian transgender refugee is at once politicized and produced through discourses and practices that authorize war and imperialism in the Middle East, and depoliticized as *homo sacer* – one whose life is disposable once it loses value in neoliberal economics and geopolitical discourses. To kill the desiring transgender subject softly with rights does not violate the law of desire, insofar as desire for individual freedom reproduces 'freedom for all', where 'freedom' and 'all' remain unfulfilled promises.

Bibliography

- Agamben, G. (1998) *Homo Sacer: Sovereign Power and Bare Life*, Stanford: Stanford University Press.
- Anker, D. (2005) 'Refugee Law, Gender, and the Human Rights Paradigm', in B. E. K. Valens and B. Johnson Gonzalez (eds) *Passing Lines: Sexuality and Immigration*, Cambridge: Harvard University Press, pp. 105–136.
- Beauchamp, T. (2009) 'Artful Concealment and Strategic Visibility: Transgender Becomes and U.S. State Surveillance After 9/11', *Surveillance & Society*, 6(4): 356–366.
- Berlant, L. (1997) *The Queen of America Goes to Washington City: Essays on Sex and Citizenship*, Durham, NC: Duke University Press.
- Bradley, T. (2008) 'McCain: Maybe Cigarettes Will Kill the Iranians', *ABC News*. On <http://abcnews.go.com/blogs/politics/2008/07/mccain-may-be-ci/> (accessed on 11/2013).
- Brown, W. (2003) 'Neoliberalism and the End of Liberal Democracy', *Theory and Event*.
- Burchell, G., Gordon, C. and Müller, P. (eds) (1991) *The Foucault Effect: Studies in Governmentality*, Chicago: University of Chicago Press.
- Butler, J. (1992) 'Contingent Foundations: Feminism and the Question of Postmodernity', in J. Butler and J. Scott (eds) *Feminists Theorize the Political*, New York: Routledge, pp. 127–143.
- Butler, J. (1993) *Bodies that Matter: On the Discursive Limits of Sex*, New York: Routledge.
- Cohler, D. (2006) 'Keeping the Home Front Burning: Renegotiating Gender and Sex in U.S. Mass Media after September 11', *Feminist Media Studies*, 6(3): 245–261.
- Cox, J.B. (n.d.) *Marlboro.com Presents Packed with Freedom Promotion*. Online: www.illujits.com/images/Print/Print_12.jpg (accessed on 26 April 2013).
- Duggan, L. (2002) 'The New Homonormativity: The Sexual Politics of Neoliberalism', in R. Castronovo and D. Nelson (eds) *Materializing Democracy: Toward a Remilitarized Culture*, Durham, NC: Duke University Press, pp. 175–194.
- Escottier, J. (1998) *American Homo: Community and Persecution*, Berkeley: University of California Press.
- Fathi, N. (2004) 'As Repression Eases, More Iranians Change their Sex', *New York Times* (2 August). Online: www.nytimes.com/2004/08/02/international/middleeast/02.html?pagewanted=1&ei=5090&en=97bb9ba99064d599&ex=1249099200&par=rsuserland (accessed on 26 April 2013).
- Foucault, M. (1997) *Society Must Be Defended: Lectures at the Collège de France 1975–1976*, M. Bertani and A. Fontana, New York: Picador.
- Foucault, M. (2007) *Security, Territory, Population: Lectures at the Collège de France 1977–1978*, ed. M. Senellart, New York: Palgrave Macmillan.
- Foucault, M. (2008) *The Birth of Biopolitics: Lectures at the Collège de France 1978–1979*, ed. M. Senellart, New York: Palgrave Macmillan.
- Grewal, I. and Kaplan, C. (1994) 'Transnational Feminist Practices and Questioning Postmodernity', in I. Grewal and C. Kaplan (eds) *Scattered Hegemonies, Minorities of Women*, University of Minnesota Press, pp. 1–33.
- Guerrero, P. (2005) 'Log Cabin Republicans Denounce Execution of Gay Youths in Iran', *Log Cabin Republicans, Georgia*. Online: www.georgialogcabin.org/news/Iran-Log-Cabin-Republicans-Georgia.
- Hafez, N. and Ling, P.M. (2005) 'How Philip Morris Built Marlboro into a Global Brand for Young Adults: Implications for International Tobacco Control', *Tobacco Control*.

- 262–271. Online: <http://tobaccocontrol.bmj.com/content/14/4/262.full>. %20Last%20accesses%20July%2017 (accessed on 26 April 2013).
- Helsinki Citizens' Assembly, Turkey Refugee Advocacy and Support Program, and ORAM (2009) *Unsafe Haven: The Security Challenges Facing Lesbian, Gay, Bisexual and Transgender Asylum Seekers and Refugees in Turkey* (updated & revised June 2011). Online: www.oraminternational.org/en/publications/66-unsafe-haven (accessed on 26 April 2013).
- ILGA (2005) 'Iran Executes Gay Teenagers', *ILGA Asia* (19 July). Online: <http://ilga.org/ilga/en/article/675> (accessed on 26 April 2013).
- ILGA (2010) 'Iranian Transgendered People: Harassed, Coerced to Undergo what Turns Out to Be Botched Sex Reassignment Procedure', *ILGA Asia* (22 February). Online: <http://ilga.org/ilga/en/article/muNFHPm1NI> (accessed on 15 September 2011).
- Iranian Queer Organization (IRQO) (2007) *Interview with Mahtab (also known as Afrian or Sayeh) in Turkey* (5 April).
- Ireland, D. (2007) 'CHANGE SEX OR DIE: An Exclusive Interview with an Iranian Transgendered Activist on Iran's Surgical "Cure" for Homosexuality', *Gay City News* (10 May). Online: http://dirland.typepad.com/dirland/2007/05/change_sex_or_die.html (accessed on 8 May 2013).
- Khosravi P. and Yousefi, B. (2006) *I Know that I Am*. Taboo Productions: Iran/Canada.
- Kim, R. (2005) 'Witness to an Execution', *The Nation*. Online: www.thenation.com/article/witness-execution (accessed on 15 September 2011).
- Life Magazine*, 1(8), 12 November 2001.
- Long, S. (2009) 'Unbearable Witness: How Western Activists (Mis)recognize Sexuality in Iran', *Contemporary Politics*, 15(1): 119–136.
- Lulibhéid, E. (1998) 'Looking Like a Lesbian': The Organization of Sexual Monitoring at the United States–Mexican Border', *Journal of History of Sexuality*, 8(3): 477–506.
- Mark Bingham Forum (n.d.) <http://tenrec.com/forum/index.asp?p=15> (accessed on 29 November 2001).
- Massad, J.A. (2007) *Desiring Arabs*. Chicago: University of Chicago Press.
- Mbembe, A. (2003) 'Necropolitics', *Public Culture*, 15(1): 11–40.
- Miller, A.M. (2005) 'Gay Enough: Some Tensions in Seeking the Grant of Asylum and Protecting Global Sexual Diversity', in B. Epps, K. Valens and B. Johnson Gonzalez (eds) *Passing Lines: Sexuality and Immigration*. Cambridge, MA: Harvard University Press, pp. 137–187.
- Moallern, M. (2002) 'Whose Fundamentalism?', *Meridian*, 2(2): 298–301.
- Najmabadi, A. (2008) 'Transing and Transpassing Across Sex-Gender Walls in Iran', *Women's Studies Quarterly*, 36(3/4): 23–42.
- Ong, A. (1996) 'Cultural Citizenship as Subject-Making', *Current Anthropology* 37(5): 737–762.
- Parsi, A. (2008) 'Interview with an Iranian Transgender', *Bumaz Network*. Online: <http://bimarz.wordpress.com/2007/07/15/interview-with-an-iranian-transgender/> (accessed on 26 April 2013).
- Petrelis, M. (2006) 'Iran Stop Killing Gays and Kids', *The Petrelis Files*. Online: <http://mpetrelis.blogspot.co.uk/2006/06/iran-stop-killing-gays-apparently.html> (accessed on 26 April 2013).
- Puar, J.K. (2007) *Territor Assemblages: Homonationalism in Queer Times*. Durham, NC: Duke University Press.
- Puar, J.K. and Rai, A. (2002) 'Monster, Terrorist, Fag: The War on Terrorism and the Production of Docile Patriots', *Social Text*, 20(3): 117–148.
- Razack, S. (1998) *Looking White People in the Eye: Gender, Race, and Culture in the Courtrooms and Classrooms*. Toronto: University of Toronto.
- Sanadjian, M. (1995) 'Temporality of "Home" and Spatiality of Market in Exile: Ira in Germany', *New German Critique*, 64: 3–36.
- Shakhsari, S. (2002) *The Discursive Production of Iranian Queer Subjects in Diaspora*. MA thesis, San Francisco State University, San Francisco, CA.
- Shakhsari, S. (2010) *Blogging, Belonging, and Becoming: Cybergovernmentality and Production of Gendered and Sexed Diasporic Subjects in Weblogistan*. PhD dissertation, Stanford University, Stanford, CA.
- Shakhsari, S. (2011) 'Weblogistan Goes to War: Representational Practices, Gender Soldiers and Neoliberal Entrepreneurship in Diaspora', *Feminist Review* 99: 6–24.
- Spade, D. (2003) 'Resisting Medicine, Re-modeling Gender', *Berkeley Women's Law Journal* 18: 15–37.
- Spade, D. (2008) 'Documenting Gender', *Hastings Law Journal*, 59: 731–842.
- Stone, S. (1991) 'The Empire Strikes Back: A Post-Transsexual Manifesto', in J. E. and K. Straub (eds) *Body Guards: The Cultural Politics of Gender Ambiguity*. New York: Routledge, pp. 280–304.
- Sullivan, A. (2001) 'Our War Too: Gay Heroes, and Gay Necessities', *PlanetO* (21 September). Online: <http://www.andrewsullivan.com/homosexuality.php/artu20010921> (accessed on 29 November 2001).
- Tait, R. (2005) 'A Farwa for Freedom', *The Guardian* (26 July). Online: www.guardian.co.uk/world/2005/jul/27/gayrights.iran (accessed on 26 April 2013).
- Tait, R. (2007) 'Sex Changes and a Draconian Legal Code: Gay Life in Iran', *The Guardian* (25 September). Online: www.guardian.co.uk/world/2007/sep/25/iran.robetobacco (accessed on 26 April 2013).
- Tobacco Tactics (n.d.) *Be Marlboro: Targeting the World's Biggest Brand at Youth*. Online: tobaccotactics.org/index.php/Be_Marlboro:_Targeting_the_World%27s_Big_Brand_at_Youth (accessed on 8 May 2013).
- Tribute to American Spirit Photo Quill* (2013), an online project sponsored by America On and Kodak. Online: <http://photoquill.kodak.com> (accessed on 26 April 2013).
- Varnell, P. (2001) 'The New Culture Wars', *Chicago Free Press* (19 September). Reposted Independent Gay Forum: Forging a Gay Mainstream. Online: www.indiegayfyc.org/topics/show/27126.html (accessed on 29 November 2001).
- Weston, K. (1998) *Longsightburn: Sexuality and Social Science*. New York: Routledge.

Notes

- 1 For an analysis of Marlboro's global branding strategies and the significance of free as a core branding value, see Hafez and Ling (2005). For deployments of freedom relation to cigarettes, see Marlboro.com 'packed with freedom promotion' created by Justin Bryan Cox at Leo Burnett Advertising Agency.
- 2 As scholars of citizenship have argued, the universalizing American citizenship realized through the process of individuation where citizen subjects are constituted and regulated by both the state and social institutions (Berlant 1997; Ong 1996). This process is also entangled with the construction of dangerous and victimized non-citizens v elimination or protection through the ethos of American democracy becomes a that is not limited to the apparatus of the state, but includes non-state institutions as human rights organizations (Shakhsari 2002).
- 3 This online photo gallery was established by Kodak and AOL, shortly after 9/11.
- 4 The desire to be included in norms of cultural and political citizenship has shifted in the US. As Escoffier argues, 'queer politics in the late 1980s and early 1990s

celebrated the otherness, the different-ness, and the marginality of the homosexual, whereas the gay politics of citizenship acknowledges the satisfactions of conforming, passing, belonging, and being accepted' (Escoffier 1998: 226).

- 5 Ellen DeGeneres acting as the emcee for the Emmy Awards as an 'out' lesbian, and window posters and postcards that read, 'United We Stand! Gay and Proud', were examples that revealed that being out and patriotic were not contradictory, but necessary for performances of an American gay identity in times of crisis.
- 6 This quote from an issue of *Life* magazine that featured stories of those who died in the 9/11 attacks is a telling example: 'Bingham, a six-foot-five surfer and rugby player, had ridden the horns of a bull this summer in Pamplon, Spain and lived to tell about it. The publicly gay San Franciscan had once wrestled a gun from a mugger's hand, then beat up the mugger and his accomplice. He was tough as nails' (2001: 89).
- 7 Some queer sites I explored soon after 9/11 included MetroG, Planetout, The Slant, Gay Today, the Independent Gay Forum, Rainbowquery, HRC (Human Rights Campaign), IGLHRC (International Gay and Lesbian Human Rights Commission), NGLTF (National Gay and Lesbian Task Force), GLAAD (Gay and Lesbian Alliance Against Defamation) and Andrew Sullivan's blogs.
- 8 For example, in a letter on an online forum dedicated to Mark Bingham, a gay man wrote: 'Thanks be to his Mother who let him become who he was. What a true inspiration he will be to all the scared and intimidated people coming to terms with their sexual identity. For entirely too long we as a society were considered to be less than a man, because of how we felt or what we did in our private life. Mark set the example that so many of us lead day to day. Praise to a Hero, who happened to be gay' (Mark Bingham Forum). This celebration of a 'gay hero' repeats heteronormative conventions of militarized nationalism, where women's role in bearing and rearing of future masculine soldiers is emphasized. Interestingly, women do not appear in this playfield of masculinity, except as patriotic mothers and wives of heroic men, or as repressed victims of 'barbaric' patriarchy. This absence in the political field of citizenship and the nation is reflected in the gendered imaginations of a gay community that stands proud and united with the rest of America where queer women do not 'matter' (Cohler 2006).
- 9 The outness of the queer citizen subject becomes problematic in the paradoxical coupling of visibility and concealment for trans people. As Toby Beauchamp (2009) has convincingly argued, the category of 'transsexual' in the US is produced through both legal and medical discourses through a double act of concealment and transparency. Those who fit the profile of suffering from the 'gender identity disorder' are expected to disclose their deviancy to the medico-legal apparatus in order to get approval to medically transition in the form of hormones and/or surgeries. At the same time, transgender people are expected to erase any trace of their birth gender in order to fit in, and to re-establish the normalized binaries of gender. 'Going stealth', however, as Beauchamp argues, is complicated by 'surveillance practices that are intimately tied to state security, nationalism and the "us/them", "either/or" rhetoric that underpins U.S. military and government constructions of safety' (ibid.: 357). While encouraged by queer advocates to reveal their trans status to circumvent post-9/11 increased security restrictions, not all trans bodies have the same stake in visibility. Beauchamp rightly points out that 'Bodies made visible as abnormal or unruly and in need of constraint or correction may likely experience increased vulnerability and scrutiny' (2009: 363). Pointing to the security anxieties provoked by trans concealment, Beauchamp rereads 'going stealth' within the context of 'war on terror', as 'not simply erasing the signs of one's trans status, but instead, maintaining legibility as a good citizen, a patriotic American – erasing any signs of similarity with the deviant, deceptive terrorist' (2009: 364).

- 10 For example, in 'The New Culture War', Paul Varnell (2001) wrote: 'Modernity with its individualism, capitalism, rationality, and undermining of religious dominance has more or less invaded an Arabic Muslim culture which is literally in its 1400s, and no doubt feels strange, foreign, threatening, rather as if the same institutions had suddenly appeared in Europe in [the] 1400s' (Varnell 2001: n.p.).
- 11 For example, see the San Francisco-based gay activist, Michael Petrelis' blog entry about the protests on the anniversary of Marhouni and Asgari's death (2006).
- 12 It is true that the Islamic state in Iran combines modern medical and religious discourses to produce ideal heteronormative citizen subjects. Post-revolutionary Iran has seen a proliferation of sex reassignment surgeries that can be attributed to Imam Khomeini's fatwa to make these surgeries religiously and legally permissible. Since the early 1980s numerous 'sex reassignment surgeries' have taken place, allegedly making Iran the 'capital of sex change surgeries' after Thailand. The Iranian state offers relatively sizable subsidies and loans for sex change surgeries. (See Fathi 2004; Tait 2005, 2007.)
- 13 In order to protect the privacy of those who undergo surgery, the post-revolutionary Iranian state issues new birth certificates and passports with the post-surgery assigned gender to people with 'gender identity disorders' – a pathologizing term, which, as Najmabadi (2008) argues, emerged in the 1960s in Iran and was adopted from the American medical and psychological books of the same period in the US.
- 14 Turkey extends protection under the 1951 United Nations Convention relating to the Status of Refugees and the amending 1967 protocol, only to persons originating in Europe. However, the Turkish government does permit non-European asylum seekers to remain in Turkey temporarily while their cases are pending with the UNHCR.
- 15 The registration process with the UNHCR, registration and assignment to small satellite towns in Turkey, interviews with the UNHCR for refugee status determination, and interviews with the third country of asylum, take years, during which time asylum seekers are required to pay for their own basic expenses. While the Turkish government provides limited social and medical services, this requires a fee-based 'temporary resident permit', which has to be renewed every six months. The cost in April 2009 was 273 YTL, which is equal to \$218 USD.
- 16 A few organizations have advocated for the training of the Turkish government employees and the UNHCR interviewers and criticized the homophobia and transphobia to which refugees are subjected. However, while these organizations' work is important in reducing the violence that queer refugees experience in transitioning between national borders, they keep state and UNHCR regulations of border and gender intact. For example, ORAM, an organization that assists many refugee applicants in Turkey, relies on the UNHCR interpretation of 'membership in a particular social group' in its advocacy for queer refugee applicants. Membership in a particular group is interpreted by the UNHCR as either sharing a 'characteristic which is immutable or so fundamental to human dignity that [one] should not be compelled to forsake it', or 'a characteristic which makes a group cognizable or sets it apart from society at large. The characteristic will often be one which is innate, unchangeable, or which is otherwise fundamental to identity, conscience, or the exercise of one's human rights' (Unsafe Haven 6–7). ORAM explains that gay men have the immutable characteristic of being sexually or emotionally attracted to men, and lesbians to women. Transsexuals' gender identity, rather than their sexual orientation, ORAM explains, is viewed as immutable and fundamental to the person's identity (Unsafe Haven 7).
- 17 In order to pass the medical and psychological exams successfully, before their interviews with the UNHCR and the embassy of the third country of asylum, queer and transgender Iranians often rehearse and repeat conventions of 'authentic' and believable sexual and gender identities.

18 The autonomous subject, as Butler points out, 'can maintain the illusion of its autonomy insofar as it covers over the break out of which it is constituted' (1992: 12). The queer refugee is often depicted in dominant representations of the refugee discourse as the subject *in front of law*, as opposed to the subject produced *by law* (Shakhsari 2002). The Iranian transsexual refugees' performances of immutable gender identity are consistent with modern discourses of sexuality that produce universalized gender and sexual identities. As several scholars have argued (Beauchamp 2009; Spade 2003, 2008; Stone 1991), 'transsexual' as a category that signifies 'gender identity disorder' was recognized in the US through legal and medical discourses. In the same way that medical and psychological texts were/are used to determine the authenticity of a client's claim to 'true transsexuality', the Iranian transsexual refugee is tested by the UNHCR for the authenticity of her/his sexual and gender identity, which subsequently qualifies one as a 'true refugee'.

19 This is not to say that refugee applicants do not have legitimate reasons for seeking asylum. Neither does pointing to the formative and performative processes of asylum suggest that queer refugee applicants and asylum seekers are duped or that they 'lie'. Clearly, the pressure to tell *the story* is tied in with the refugee's claim to available public spaces and legitimacy of presence (Sanadjian, 1995). Even when one is officially recognized as a 'true refugee' by the international refugee regimes, requests for testimonies by the media and random 'hosts' (ranging from individuals to universities and LGBT organizations) repeat the interview processes for the refugee. The refusal to answer is exhausted, for it may open the gates to accusations of abusing the asylum privilege, a *right* granted to those who qualify for it by their 'lack' in relation to the citizen. In a gay Iranian man's words, some have launched a 'queer importing business', without actually supporting those who they claim to protect.

21 I have discussed neoliberal diasporic entrepreneurship during the 'war on terror' elsewhere (Shakhsari 2010, 2011).

22 In fact, in my conversation with an ORAM staff member, I learned that in some cases, exaggerated stories of persecution have proven to be detrimental to the asylum seeker's case, when they raise the possibility of deceit.

23 For a promotional video of this film see www.youtube.com/watch?v=wF_WOnSndgQ&feature=related

24 It was only in 2010 that ILGA published a sensationalized story by an unknown author about Iranian transgender people. In one short paragraph, the article mentions Mahtab's death in Canada, focusing on the story of abuses she experienced in Iran. Ironically, there is very little or no advocacy on behalf of queer refugees after their arrival in destinations such as the United States or Canada, where very few job opportunities and services are available to refugees in a market economy where the individual is increasingly responsible for her or his own economic well-being.

25 The film won the Melbourne Queer Film Festival Audience Choice Award for Best Documentary. The co-director's blog at the address www.baabakye.com is no longer active. See the film blog at http://iknowthatiam.blogspot.com/2009_01_01_archive.html (accessed on 15 September 2011).

26 Representations of lives of queer Iranians as victims of a backward Iranian homophobia may also serve as opportunities for immigration for those who produce and reproduce the victim narrative. For example, the cameraman and co-director of *I Know that I Am* was granted asylum in Canada for his courage to make the film. A self-identified straight cisgender man who assumes himself the mission of rescuing transsexual Iranians, the co-director told a queer Canadian online journal that he 'chose to seek asylum in Canada because of this country's reputation for trans acceptance and human rights protection' (Xtra, 16 August 2006).

Chapter 5

Black skin splits

The birth (and death) of the queer Palestinian

Jason Ritchie

Two years into the second intifada, and just months after the election of Ariel Sharon – a right-wing 'hawk' on whose behalf he and other 'gays for Sharon' enthusiastically campaigned – Shaul Ganan embarked on a mission to expose the suffering of queer Palestinians to the world. As head of the Palestinian Rescue Project at HaAguda, Israel's oldest and largest gay rights organization, Ganan had worked for several years to provide food, clothing and condoms to Palestinian male sex workers who lived illegally in the slums and parks of Tel Aviv. But in the aftermath of the intifada, letters from HaAguda verifying the queerness of their holders were no longer sufficient to protect his 'children', as Ganan calls them.¹ The Israeli police began arresting and deporting Palestinians who had, until then, flown under the radar of the state as harmless queers. In response, Ganan began issuing press releases, contacting Israeli and Western journalists, and circulating transcripts of interviews he had conducted with a few queer Palestinians, who recounted in disturbing detail their stories of suffering and victimization at the hands of Palestinian fathers, brothers, police and other terrorists.

In August 2002 Ganan struck gold when Yossi Klein Halevi, an American-Israeli journalist, wrote an article in the generally liberal – and consistently pro-Israel – American magazine, the *New Republic*, that would become the authoritative text on the suffering of queer Palestinians (Halevi 2002). Cited and recycled in countless popular and journalistic sources, Halevi's article documents a supposed epidemic of anti-gay violence in Palestinian society. 'Because the world hasn't forced the P.A. [Palestinian Authority] to tolerate gays, Palestinian homosexuals are increasingly seeking refuge in the only regional territory that does: Israel. In the last few years,' Halevi writes, 'hundreds of gay Palestinians ... have slipped into Israel ... beyond the reach of their families and the P.A.' (Halevi 2002: n.p.). To validate his proclamations about the nature of Palestinian society – and the suffering of queer Palestinians – Halevi, like most journalists after him who would take an interest in the subject, relied primarily on interviews with Shaul Ganan; and he focused, in particular, on the story of one young Palestinian man whom he calls 'Tayseer'. Before 'seeking refuge' in gay-friendly Israel, Tayseer was 'arrested and hung by his arms from the ceiling ... forced to stand