

1)Title: Creating Safe Spaces for LGBT Refugees from Muslim Dominated Countries

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3)Request for \$10,000

4)The arrests and torture of Chechnya gay men serves as a recent example of the dangerous conditions circumscribing the lives of LGBT people living within Muslim dominated regions. Homosexual, lesbian and transgender “acts” are frequently outlawed in Muslim countries and there is a shared belief that because of religious commitments to Islam there are simply no LGBT people within these regions. Denying the reports that the state was torturing gay men, the Chechen head of state, Ramzan Kadyrov, indicated Chechnya did not have any gays because, “their relatives would send them somewhere from which there is no returning.” (Batchelor, 1) Such sentiment was shared by the Sharia judges in Aceh Indonesia which condemned two young men who were discovered together in a hotel room by local vigilantes to 85 cane lashings each in a public setting. (BBC news, May 24, 2017).

The criminalization of LGBT “acts” is not specific to Muslim dominated regions. It was only in 2003 that the United States Supreme Court finally overturned sodomy laws which had been used to punish gay men even when said acts occurred within the privacy of their bedrooms (Lawrence v. Texas, 539 U.S. 558 (2003)). More recently, Christian leaders in Uganda, led by the American Evangelical pastor, Scott Lively, lobbied for anti-homosexual legislation that included a life sentence for those convicted of homosexuality. (Blake) Though this legislation was overturned by the Ugandan courts it led to brutal police actions which included the torture and rape of those suspected of homosexuality. One key difference between Christian and Muslim based homo- and trans- phobia is that there are many branches of Christianity that accept and welcome LGBT members interpreting their acceptance within the scriptures upon which their religious ideologies are based. There are no “mainstream” branches of Islam that offer similar acceptance and welcoming; though, there are organizations such as the Alliance for Progressive Muslims and the Global Queer Muslim Network that argue the Qu’ran should be read to be more accepting of LGBT Muslims. Moreover, there are few western countries influenced by Christianity that legally ban homosexuality while the majority of Muslim dominated countries continue to do so.

An even more difficult reality is endured by trans and gender fluid people as they often lack legal protections even within liberal democratic societies. In the United States the number of murders during the first three months of 2017 was counted to be 8 which suggests that this year will be deadlier than 2016 in which 21 known trans murders occurred. (Willis) Similar numbers are not available for countries in Muslim dominated regions but given the hostility to these “gender outlaws” (c.f. Bornstein) it is safe to speculate that they are likely to be at least as high.

This outline of the difficulties endured by LGBT people within Muslim dominated countries hints at the treacherous conditions LGBT Muslim refugees face in the midst of the current refugee crisis. There are several NGO’s that are committed to providing safety to these refugees. For

instance, the International Lesbian, Gay Bisexual, Trans and Intersex Association (ILGA) based in Europe has been documenting the terrible conditions that Muslim LGBT refugees face in the centers in which they are placed which includes threats, verbal harassment, violence and exclusion from their home-based communities. However, with few exceptions, the solutions offered to resolve these issues are framed within a westernized perspective. For instance, within many Muslim communities homosexuality is not understood within an “identity” framework but is predicated on positions of power determined by status and age. Within this context men who are penetrated are vilified not because of their sexual acts but because of the ways in which they violate gender norms. Men who are sexually dominant with other men are often not at risk of being labeled “homosexual” because by penetrating another man they have maintained their status as “men.” (Needham; Faucette). Failure to recognize the complex ways in which deviant sexualities are determined by the acts that violated the religiously prescribed gender norms will diminish the impact of reformers to improve conditions for LGBT people in Muslim dominant countries.

There has been very little research to date that focuses on developing culturally specific responses to the needs of LGBT Muslim refugees. (Kahn). An important first step was the United Nations High Commission on Refugees (UNHCR) report of 2013 in which it examines the challenges LGBT refugees face. Key among these challenges is the severe isolation they face within their diaspora communities if they “come out” and the likelihood that some may choose to remain in their home countries, irrespective of the dangers, so as to avoid self-identifying in this way. (UNHCR) The report recommends a number of protocols to be implemented by refugee NGO’s to better deal with this situation. Included in these recommendations is the provision of “sensitivity” training for refugee staff which outlines questions and appropriate considerations of whether refugees are “gay” enough to warrant refugee protections and/or are in need of seeking asylum. The report also suggests that offices should include some kind of signage or symbol (e.g. Rainbow Flags) that lets refugees know the office is a “welcoming” and safe environment for them. Though well intentioned, there is little empirical evidence to support that such signs would be viewed as indicative of a safe space nor has there been research to determine what, if anything, would help LGBT Muslim refugees feel safe in either their home or diaspora communities.

This proposal will help to supplement the current research that exists by looking at two key questions: 1) What steps, if any, can be taken within Muslim dominant countries that might allow LGBT people to risk “coming out” in order to seek safety; and, 2) To what extent do Western attitudes, including those that are anti-gay, anti-Muslim and anti-immigrant, effect the decisions of these refugees to hide their identities or, perhaps worse, choose to remain in their home countries risking the dangers others are more able to escape. The theoretical basis for framing these questions in a relational way reflects the ideas of scholars who suggest a process of turning the “gaze” of Westerners towards non-Westerners back on itself. Within this context it is incumbent on those who advocate for Muslim LGBT people to examine how Western ideologies contribute to the dangers that Muslim (and non Muslim LGBT) people face. This theoretical paradigm can produce advocacy for Muslim LGBT refugees that avoids the trappings of ethnocentric and colonial discourses from dominating policy responses to this crisis (Bhabha;

Crossman) Developing this project, then, will rely on feminist legal scholarship in comparative jurisprudence, post-colonial critical theories and histories of human rights advocacy as a basis for developing responses to the critical needs of LGBT Muslim refugees. It is hopeful that this analysis can enable immigration and refugee workers to convey a sense of safety that protects LGBT Muslims who are currently or are considering becoming refugees.

The methodology for this study will be purposive sampling through which subjects will be identified through contacts with immigration organizations in the United States and LGBT Muslim networks located in Morocco. This method relies on the researcher's judgement for choosing research subjects. Relying on purposive sampling is recommended when there are limited numbers of people who can serve as subjects of the survey being conducted.(Padgett) The following will serve as the primary criteria for selecting participants: 1) Participants must be over 18 years of age; 2) They must be fluent in Arabic, English or French; 3) They must have been raised in a Muslim-dominant country (with distinctions made for different sects); and, 4)They must be (or have been) LGBT while in their home countries. Survey questions will be designed to solicit perceptions and real threats to the safety of LGBT refugees in their countries of origin and in their resettlement countries. Survey responses will be evaluated and participants will be selected for follow-up interviews that will be conducted within at least the United States and Morocco (possible interviews may be conducted in Europe/Canada where refugees currently live).

5)The method for research will include surveying LGBT Muslim refugees currently living in the United States. At least one organization, CUNY Citizenship Now!, a legal advocacy organization based in New York City, has agreed to work with me to provide access to Muslim refugees who have settled in the U.S. I have also been in communication with other organizations like the Refugee Survival Network which has offices in the U.S., Europe, North Africa and the Middle East. A founding board member and current executive director, Zaid Hydari, has agreed to consider presenting this proposal to other board members to seek their approval for conducting research within the framework of their organization. A Ph.d. candidate at the University in Fez, Morocco and a founding member of the Takamul Center for Interdisciplinary studies and Research, Hamza Tayebi, has agreed to provide assistance in making contacts with LGBT networks in Morocco (request for a letter has not been answered as of yet). It is expected that as initial efforts to find a participants for this study is underway there will more venues that will become available as well.

6)It is expected that a report detailing the research and findings will be published in a peer reviewed journal which may include the Journal of Immigrant and Refugee Studies and Journal of Homosexuality. The intended audience for this report will be LGBT advocates and immigration workers. In addition, it is expected that a conference paper will be submitted to Takamul Centre for Interdisciplinary Studies and Research 2nd annual conference to be held in March 2018 in Marrakech. This will afford an opportunity to reach an audience that can have a direct impact on creating safety networks for LGBT Muslims. This research is collaborative in its design and may lead to other joint efforts that are not specifically apparent at this time.

7) Research for this project will begin this summer and it is expected that survey questions will be put before the Human Subjects Research Review Committee by the end of the summer 2017. Contacts with participants will begin in the Fall 2017 through networks within the United States and in Morocco. A preliminary report/paper will be submitted for presentation in March 2018 and an article will be submitted for publication review by December 2018.

8) Itemized projected budget

Travel to NYC as needed: \$250 (gas/toll reimbursement)

Travel to Morocco: \$3500 (2 trips including conference presentation for myself and one trip for research assistant)

R/t airfare: 800 x3

Lodging: \$1100

Translator services: \$40.00/hour @10 hours

Research Assistants: 2 @\$2925

Total=\$10,000

9) Research into additional funding sources will begin Summer 2017.

10) References

Tom Batchelor, "Chechnya Gay Purge: Russian Foreign Minister Says Claims of Abuse are 'not based on fact,'" *The Guardian*, May 30, 2017

Homi K. Bhabha, "Narrating the Nation", introduction in *Nation and Narration*, edited by Bhabha (Abingdon: Routledge, 1990)

Mariah Blake, "Meet the American Pastor Behind Uganda's Anti-Gay Crackdown," *Mother Jones* March 10, 2014 Retrieved from <http://www.motherjones.com/politics/2014/03/scott-lively-anti-gay-law-uganda>

T, Boellstorff, Between religion and desire: Being Muslim and gay in Indonesia. *American Anthropologist*, 107 (4), 575–585.

Kate Bornstein, *Gender Outlaw* (New York: Routledge, 1994)

K.R. Chavez, "Identifying the needs of LGBTQ immigrants and refugees in Southern Arizona," *Journal of Homosexuality*, 58, 2011:189–218.

Brenda J. Crossman, "Turning the Gaze Back on Itself: Comparative Law, Feminist Legal Studies and the Postcolonial Project," 1997 *Utah Law Review*, 525

Judith Avory Faucette, "Human Rights in Context: The Lessons of Section 377 Challenges For Western Gay Rights Legal Reformers in the Developing World," *The Journal of Gender, Race and Justice*, Winter, 2010: 413-439

Sarilee Kahn, "Cast Out: "Gender Role Outlaws" Seeking Asylum in the West and the Quest for Social Connections", *Journal of Immigrant and Refugee Studies*, 13, 2015: 58-79

"Indonesian Men Caned for Gay Sex in Aceh," *BBC News*, May 23, 2017, Retrieved from <http://www.bbc.com/news/world-asia-39996224>

Joseph Massad, "Re-Orienting Desire: The Gay International and the Arab World," *Public Culture*, 14, 2002: 361

Jayesh Needham, "After the Arab Spring: A New Opportunity for LGBT Human Rights Advocacy?", *Duke Journal of Gender Law & Policy* 20, 2013:287-323 Retrieved from: <http://scholarship.law.duke.edu/djglp/vol20/iss2/3>

D. Padgett, *Qualitative Methods in Social Work Research: Challenges and Rewards* (2nd ed.) (Thousand Oaks, CA: Sage, 2008)

United Nations High Commission on Refugees, (April 2013), "Resettlement Service Division of International Protection," Retrieved from: <http://swigea56.hcrnet.ch/refworld/docid/5163f3ee4.html>

Racquet Willis, "At Least 7 Transgender Women Have been Killed in 2017," *Think Progress*, February 28, 2017 Retrieved from <https://thinkprogress.org/six-transgender-women-killed-2017-1d3a2ccd988b>

World Health Organization, (2012).Sexual and other forms of gender-based violence in crises. Retrieved from <http://www.who.int/hac/techguidance/pht/SGBV/en/index.html>

