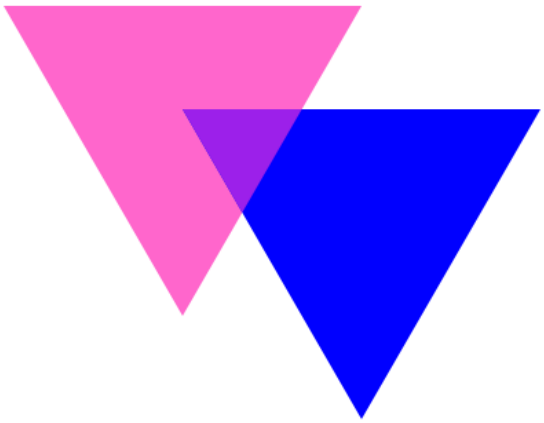

"The applicant has not explained convincingly about his homosexual activities in Denmark":

Responses to bisexuality in the Danish Asylum System

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MASTER'S THESIS – AALBORG UNIVERSITY

“The applicant has not explained convincingly about his homosexual activities in Denmark”: Responses to bisexuality in the Danish Asylum System

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Abstract

This thesis explores responses to bisexuality in the Danish asylum system. Asylum provides international protection for those who are fleeing prosecution in their home country, which extends to facing prosecution for sexual orientation and gender identity (SOGI). Refugee studies globally have indicated various problems within the asylum process, especially regarding LGBTQ+ applicants' credibility process, and how binary Western norms on gender and sexuality are imposed to asylum seekers from the South. Therefore, especially people with fluid sexualities experience problems claiming their credibility when seeking asylum. A raising concern, yet little explored, is that bisexual asylum seekers are found less likely to receive state protection in comparison to e.g. gay men and lesbians. This study aims to be the first paper to explore the situation of bisexual asylum seekers in Denmark. By analyzing a dataset of 29 asylum decisions of the Danish Refugee Appeals Board (RAB), I will address the challenges of bisexual asylum seekers, especially when it comes to claiming credibility in regards of bisexual identity. Specifically, I am interested in interpreting and explaining the ways in which the societal and institutional discourses on bisexuality contribute to erasing bisexuality as valid sexual orientation, and how these discourses affect bisexual asylum seekers. As a result, the Danish Refugee Appeals Board's responses to bisexuality raise a concern. My findings indicate that bisexual asylum seekers face significant challenges in communicating their stories and claiming their sexual identity in Denmark. Furthermore, troubling views on sexual binaries appeared while assessing the sexual identities of the refugee applicants. I argue that the recognition of bisexual identity, would actually expose the arbitrary decision making of the asylum officials when it comes to LGBTQ+ claims. The findings of this study address the need for urgent intersectional improvements regarding LGBTQ+ asylum applications, and the need to recognize bisexuality as a valid sexual orientation.

Acknowledgments

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Table of contents

Introduction

The 1951 UN Convention relating to the Status of Refugees Convention indicates that asylum can be given to a person who has a "wellfounded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion" (UNHCR 2010, p. 14). References to sexual orientation and gender are actually absent from this description, and therefore LGBTQ+ people are often categorized as belonging to a "particular social group". A later on published 'Guidance Note on Refugee Claims Relating to Sexual Orientation and Gender Identity' (UNHCR, 23rd October, 2012) is describing the appropriate methods to assess LGBTQ+ asylum cases, however, it has been reported that there are differences in the ways how different nation-states examine the cases. Reportedly, immigrant authorities often use inappropriate methods in this process, which are below the standards of European human rights and refugee law (Jansen & Spijkerboer, 2011; LGBT Asylum, 2015; Bendixen, 2020). However, in order to seek protection in another country, there are specific criteria that must be met. In this complicated process, asylum seeking individuals need to prove their LGBTQ+ (Lesbian, Gay, Bisexual, Transgender, Queer) status. Several studies and reports have indicated that the process of seeking asylum on the basis of LGBTQ+ status is challenging and problematic in many ways (Luibhéid, 2005; 2014; Millbank, 2009; Berg & Millbank 2009; Murray, 2011; 2014; Sin, 2015; Jansen & Spijkerboer, 2011; Giametta, 2017; Dhoest 2019; Cory, 2019; Peyghambatzadeh, 2020). A major global criticism has pointed out the ways in which stereotypical Westernized norms on sexuality are imposed on asylum seekers from the Global South. LGBTQ+ asylum seekers not only deal with the bureaucracy, but are also subjected to stigmatization, stereotypes and often asked about very personal details of personal life, intimacy and identity, which are analyzed by the state authorities (ibid). What makes this assessment challenging, is that LGBTQ+ status depends upon the applicant's internal form of self identity, which is complicated to assess by an outsider. The authorities may also assess the applicant's looks or demeanor, in order to decide whether the applicant is fitting their own culturally tied expectations of a LGBTQ+ person and the country of origin, to judge the applicant is really 'gay enough' to deserve protection (ibid). Literature on LGBTQ+ asylum has also indicated that the odds for getting an asylum are significantly lower for those individuals who do not fit into the stereotypical Western representation of what homosexual person should identify, behave or look like. Therefore, especially people with fluid sexualities

experience difficulties in regards to credibility (Berg & Millbank, 2009; Rehaag, 2009; Sin, 2015; Vogler, 2016; Marcus 2018; Peyghambatzadeh, 2020). Yet, a minor attention is given to bisexuality in this process.

Bisexual identity plays out differently compared to homosexuality, not only in relation to identity, but also in relation to its social and political outcomes. The lack of knowledge and research about bisexuality results in many institutions and decision makers holding narrow and dichotomic views (Marcus, 2018). Even bisexuals are recognized as part of the LGBTQ+ umbrella, from the standpoint of migration policies, bisexuals are often considered 'not gay enough' for deserving protection (Millbank, 2009; Sin, 2015; Peyghambatzadeh, 2020). Since bisexual people do not fit the mainstream binary concepts of sexuality, they face disadvantage inside the institutional structures that support this gender binarism (Monro, 2015). The analyses of credibility of an asylum seeker are often made through stereotypical hetero- or homosexual lens, and sexual fluidity disrupts the sexual binaries in the process. Navigating between the binary concepts of heterosexuality and homosexuality, the capacity to be sexually and romantically partnered with any gender, can increase the possibility of being rejected of asylum (Rehaag, 2009; Jansen & Spijkerboer, 2011; LaViolette, 2015; Sin, 2015; Peyghambatzadeh, 2020). On top of that, many bisexual people struggle with identity certainty, and might not have the right language to explain their fluid identity convincingly to the Western standards. Hence, language and cultural barriers may further enhance the mistreatment of bisexual asylum seekers. Therefore, in the face of legal and academic discussions of the straight/gay binary, it is not suprising that bisexual people are facing many obstacles (Marcus; 2018).

Terminology

Asylum seeker

An asylum seeker is a person who is applying for international protection from another state as a refugee, but still has not had their case processed (Bendixen, 2020).

Bisexual

In order to define my use of the term 'bisexuality', few things need to be noted. It is a contested term that is difficult to pin down, as there is no one agreed definition. Regardless, my main

interest is not to debate how to best define bisexuality, but to explore how refugee applicants with fluid sexuality are treated. Defining bisexuality also requires more deep analysis on assigned sex at birth and gender identity, which I leave out of this study. I consider bisexuality as a fluid sexual identity, where individuals have the potential to be sexually and romantically attracted to more than one gender (GLAAD, 2016). I am also aware that my definition of bisexuality is corresponding to other terms describing fluid sexuality (such as 'pansexual'), however, at this moment bisexual is the common term that is most widely understood, and used in legal documents and research. Therefore, with awareness of its limitations, bisexual is the term I use in this paper loosely, to describe a fluid sexuality.

Biphobia and bisexual erasure

By 'biphobia' I refer to the discrimination, oppression and prejudice towards bisexual people, that derive from structural oppression of a heterosexist society (Eisner, 2013). By 'bisexual erasure', I am referring to the problem of bisexual invisibility, which stems from biphobia (Yoshino, 2000). In this study, I am using the word biphobia loosely, and when using this word, I am also simultaneously referring to the problem of bisexual erasure.

Cisgender

Cisgender person is a person whose gender identity aligns with their assigned sex at birth (Eisner, 2013).

Essentialism

Queer theory describes the binary understanding of sexuality and gender as 'essentialist', meaning that sexual orientation and gender is something that is fixed and unchangeable (Monro, 2015).

Heteronormativity

"Heteronormativity refers to a set of cultural and social norms, according to which there are only two binary sexes and genders (man and a woman), and the only acceptable form of

sexuality or romance is between cisgender mand and one cisgender woman" (Eisner, 2013, p. 47).

Homonationalism

Homonationalism (homosexual nationalism) is a term originally introduced by Jasbir Puar (2007), referring to the processes where Western societies use LGBTQ+ rights in order to justify racist and xenophobic positions, such as anti-immigration policies. This promotes a sense of cultural superiority, dismissing the situated knowledge of ethnic LGBTQ+ people.

Homonormativity

Homonormativity is the acceptance and adaption of heteronormative and heterosexist values into queer subjects (Eisner, 2013), i.e. typical queer representation is often white, middle-class, cisgender gay men.

LGBTQ+

This term stands to describe Lesbian, Gay, Bisexual, Transgender, Queer people. The plus included indicates any other identities that fall under the non-heteronormative umbrella (GLAAD, 2016).

Monosexuality

Monosexuality denotes the romantic or sexual attraction towards one traditional gender, within the binary gender norm (man or woman) (Monro, 2005, p. 14). Monosexual person might identify either as heterosexual or homosexual. In bisexual research, scholars often use the terms 'monosexism' and 'mononormativity' to describe the norms related to monogamy and institutionalization of monosexuality.

Queer and queer theory

When using the word queer, I refer to gender and sexual fluidity that is free from the heteronormativity, and beyond the binary categories of heterosexuality/homosexuality and male/female. Here it functions as an umbrella term for anything that does not fit the

heteronorm. With queer theory I refer to the academic engagements within the area of gender and sexuality.

Context

In this part I am going to describe the context of the situation of LGBTQ+ asylum seekers in Denmark, and furthermore, describe the situation of bisexual people in society and contemporary discourses.

LGBTQ+ and asylum in Denmark

Denmark is one of the European countries that recognizes sexual orientation and gender identity as causes of persecution (LGBT Asylum, 2015). Meanwhile Denmark is considered as one of the most LGBTQ+ friendly countries in Europe, it has simultaneously provided a hostile environment for asylum seekers, where inhumane conditions and practices in detention and deportation centers have received concern and criticism (UNHCR, 2021). During several years, The United Nations High Commissioner for Refugees has urged Denmark to change it's restrictive asylum policies. UNHCR has pointed out that currently Denmark is hosting the lowest number of asylum seekers in over a decade (ibid). The majority of asylum cases are being rejected, since a "large part of the treatment of asylum cases takes its starting point in a suspicion that the applicant is lying about her/his identity and asylum motive [...] there has been focus on control and suspicion of fraud" (Bendixen, 2020, p. 28).

When someone seeks asylum in Denmark, first the applicant has to be registered by the police and then apply for asylum via the Danish Immigration Service (*Udlændingestyrelsen*) (Bendixen, 2020). In the next step, the applicant has to go through an interview where the identity of the asylum seeker is established and the application is assessed. In this complicated process, the LGBTQ+ applicant must demonstrate their identity status (LGBT Asylum, 2015). It is common to question applicants about private sexual and intimate experiences, in order to evaluate the credibility of the applicant's sexual identity. However, being categorized as a member of a particular social group will not guarantee an asylum, since other aspects of the refugee definition must be proved by the applicant, which is most importantly the well-founded fear of persecution (UNHCR 2010, p. 14). Credibility and consistency are the key elements of an asylum case, and it is mainly based on the applicant's identity and personal story; most

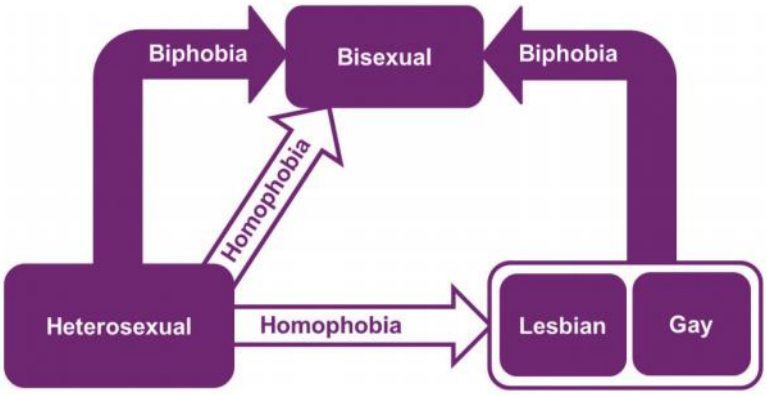
importantly what they fear will happen upon returning to their home country (ibid). Afterwards, if the Immigration Service rejects the asylum application, which happens in majority of the cases, it is passed to the Refugee Appeals Board (RAB) (*Flygtningenævnet* in Danish) for re-evaluation. In this case, the applicant is entitled for a lawyer and interpreter. The Refugee Appeals Board re-examines the case, and ultimately confirms the applicant's rejection or offers asylum. However, the majority of cases get rejected in both assessment rounds, and the chances of being granted asylum in the first round is highly unlikely (LGBT Asylum, 2015). The Danish immigrant authorities often decide that the individual story of the applicant is not credible, and the fear of persecution is not valid (Bendixen, 2020). Even if homosexuality would be criminalized in the country in question, Denmark does not find the persecution systematic, and therefore the decisions of the authorities seem to be random, without consistency in who are being found credible (Bendixen, 2020). The persecution risk is judged based on various NGO and embassy documents of the applicant's country of origin, which include information mostly about the situation of gay men, with very little focus on women or bisexuals (Jansen & Spijkerboer, 2011; Peyghambarzadeg, 2020). Furthermore, it is stated that the immigration officers lack knowledge of LGBTQ+ issues, and that they do not have a culture-sensitive understanding of the complexities at stake (LGBT Asylum, 2015; Bendixen, 2020).

Bisexuality and biphobia

The term 'biphobia' was first introduced by Kathleen Bennett (1992), which was defined as negative attitudes towards bisexuality. Meanwhile homosexuals can suffer from homophobia, in addition, bisexuals also suffer from 'gender binarism' (Yoshino, 2000; Obradors-Campos, 2011). Bisexuals are often noted as the 'invisible majority' of the LGBTQ+ umbrella, however sexuality studies suggest that in reality the number of bisexuals is greater than the number of monosexuals (gay men and lesbians) (Yoshino 2000; Gates 2011; YouGov 2015a; 2015b; Movement Advancement Project, 2016). "This suggests that bisexual invisibility is not a reflection of the fact that there are fewer bisexuals than there are homosexuals in the population but is rather a product of social erasure" (Yoshino, 2000, p. 361). Bisexuals have difficulties in their visibility that are specific; a primary example of biphobia is the denial of the existence of bisexuality. An example of monosexual presumption is that if a woman is in a relationship with a man, we are assuming her as straight; if she is with a woman, we are likely to assume her as lesbian (Yoshino, 2000). These assumptions also

include stereotypical views about bisexuality, such as the perception that bisexuality is just a phase, bisexuals have to choose between two genders, they are indecisive and promiscuous, or they are actually just straight or gay (Yoshino, 2000; Eisner, 2013).

Figure 1. (Rankin et al., 2012, p. 30)



Biphobia is oftentimes also internalized by the individual: regardless of one's sexual orientation, most people have grown up in a heterosexist society. People with non-normative sexualities may unconsciously internalize the heterosexist system, and that may lead to internalized homo- and biphobia (Obradors-Campos, 2011). Like any LGBTQ+ person, realizing one's sexual orientation or gender is often a gradual process that may unfold over a series of years. The coming out experience for bisexuals may differ from gay men and lesbians, due to out of fear of stigma and stereotypes, much of which comes from heteronormative society, but also from the rest of the LGBTQ+ community (Figure 1). Reportedly, bisexual people often experience identity uncertainty, and are less likely to come out than gay men and lesbians (McLean, 2007; Pew Research Center, 2013; Ryan et al., 2015; 2017; Taylor et al., 2019). Bisexual people often are selective of the situations and people when coming out, and furthermore, might never come out because of this 'double stigma' and social erasure (McLean, 2007; Pew Research Center; 2013). Having weaker sense of identity, community, and belonging to both heterosexual and homosexual communities, are associated also with poor mental health results among bisexuals. Comparative research suggests that bisexuals' mental health outcomes (such as self-harm, suicide, anxiety and depression) are repeatedly worse than gay men and lesbians (Barker, 2015; D'Lane et al., 2015; Semlyen et al., 2016; Ryan et al., 2017, Ross et al., 2018; Taylor et al., 2019; Chan et al., 2020).

Within saying this, it's evident that bisexuals are a vulnerable group that often suffer from unique problems. As long as bisexuality remains misunderstood in society, this leads to

bisexuals suffering major health disparities and human rights violations. “When courts and adjudicators are themselves complicit in the perpetuation of bisexual invisibility in LGBT-rights jurisprudence, their failure to acknowledge the existence of bisexuals necessarily results as well in a failure to address the serious and potentially life-or-death problems bisexuals face at higher rates than even lesbians and gays” (Marcus, 2018, p. 76). Also scholars of bisexuality frequently indicate the lack of bisexual representation in overall queer literature; even though queer theory and bisexual studies have much common - both areas of study have roots in gay liberation, questioning the heteronorm, social construction, identity and feminism - queer theory continues to ignore bisexual identity (Callis, 2009). Even bisexuality seems to be existing in the core of binary resistance and gender deconstruction, bisexual identities have been historically erased from the field of queer theory (Goldman, 1996; Callis, 2009).

Research questions

Based on previous studies done on bisexuality and asylum, my hypothesis is that bisexuality complicates the asylum seeking process also in Denmark. Consequently, the lack of knowledge and unfamiliarity of bisexuality as a valid sexual orientation can have damaging consequences when seeking asylum. Therefore, this study could pose questions such as: 1) How does the Danish asylum system respond to bisexuality? 2) What kind of discourses on bisexuality are being produced? 3) What kind of prevailing ideologies do these discourses represent, and how does this impact bisexual asylum seekers?

Literature review

This study is positioned at the intersection between sexuality studies and refugee studies. In this section I will review literature on feminist theory, queer theory, LGBTQ+ refugee studies and bisexual studies. Being aware of the growing and varying literature on these matters, I am only going to limit my review to the selected studies that are mostly used in this paper.

Queer and feminist theory

Like many other researchers within gender and sexuality, I am influenced by French philosopher Michael Foucault’s concepts of ‘biopower’ and ‘biopolitics’. Foucault’s

conceptualizations of power, sexuality, norms and normalization can be found throughout his literature and teachings, however biopower is a significant concept in '*The History of Sexuality, Volume I*' (1976/1978). What is specifically relevant for this study is Foucault's illustration of the dynamics of power and discourse, and their relationship to science and sexuality. Foucault offers a philosophical exploration of the mechanisms of power, and how power is used to police sexual bodies. In this study, power is considered something that can be 'exercised' through discourses by institutions.

Jasbir Puar, also influenced by Foucauldian biopolitics, ties together queer theory, gender theory, race theory and feminist theory. In this study I am using her book *Terrorist Assemblages: Homonationalism in Queer Times* (2007) and her article "Rethinking Homonationalism" (2013). By applying the theoretical concept of 'homonationalism' I am analysing how acceptance of queer subjects have become a barometer for national excellence in the West, and therefore used as an instrument of inclusion/exclusion for nationalistic purposes also in Denmark, such as regulating immigration.

Kimberlé Crenshaw's (1989; 1991) concept of 'intersectionality' must be one of the most groundbreaking concepts in feminist literature today. *Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics* (1989) and *Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color* concentrate on violence against women of color, exploring the various ways in which especially social categories of race and gender intersect. As intersectionality has indicated to be a useful theory to address different mechanisms of oppression, it is used for this study as to bring awareness on the many ways in which bisexuality intersects with other social categories, such as race, gender, class, and so on.

Bisexual scholar Surya Monro (2005; 2015) connects the relationship of bisexual identity politics and institutions. *Bisexuality: Identities, Politics, and Theories* (2015) is based on bisexual research mainly in the UK, USA, Colombia and India. Monro indicates the importance of policy and legislation embracing sexual fluidity and making space for diversity beyond monogamy and the binary categories. Furthermore, in Monro's international approach, she highlights the differences on sexuality and gender across cultures. Monro's research and literature indicates how we see bisexuality today is impacted by imperialism, colonialism, capitalism, and the discourses of scientific sexuality. This book is helpful for understanding the Western attachment to categorizing sexual orientations and identities, which affects the asylum process.

To demonstrate how homophobia locates on different layers of society, I am influenced by Kopano Ratele's study *Hegemonic African Masculinities and Men's Heterosexual Lives: Some Uses for Homophobia* (2014). Using his theoretical distinctions between "vertical homophobia" and "horizontal homophobia", together with Puar, Monro and Crenshaw, I am taking into consideration the ways in which nation-state and society produce discourses of biphobia.

Lastly, some additional bisexual literature supporting my knowledge should be mentioned. Kenji Yoshino's essay *The epistemic contract of bisexual erasure* and bisexual activist Shiri Eisner's book *Bi: notes for a bisexual revolution* are used frequently during the course of this study. Both of these pieces of literature are meaningful contributions to bisexual knowledge, and have inspired me to choose this topic that I feel strongly about.

Bisexual refugee studies

Bisexual refugee studies have shown that historically the legislation has been erasing bisexual people, which has denied bisexual people have their rights to citizenship. Marcus' article (2018) examines bisexual erasure within legal LGBT-rights discourses around the world. This article gives a comprehensive review on how invisibility of bisexuality in the legal sphere causes bisexuals having difficulties in claiming their equal rights. Calling for bisexual inclusivity, this article offers a great starting point to explore the scale of the problem.

A concerning issue is why bisexual individuals are less successful seeking asylum than i.e. gay men and lesbians. Most of the existing research today has investigated legal documents analyzing the immigration office's asylum decisions in English speaking countries, United States, Canada, Australia, the UK and New Zealand (Berg & Millbank, 2009; Rehaag, 2009; Sin, 2015; Vogler, 2016). Moreover, Jansen and Spijkerboer's (2011) extensive report on LGBTQ+ asylum seekers in Europe indicates that there has been a variety between handling asylum policies in Europe. Even this study reviews LGBTQ+ asylum procedures in general, it sheds a light on the low number of bisexual asylum seekers. These studies indicate that bisexuals are often found less credible, and subjected to improper stereotypes (such as bisexuals are 'confused' or going through a 'phase') and the immigration authorities have failed to understand the reality of bisexual experiences. Furthermore, it's noted that the low frequency of bisexual asylum seekers may reflect the invisibility of bisexuals.

However, the more recent studies by Vogler (2016) and Jansen (2019) suggest that bisexuals are increasingly making valid claims. Vogler's (2016) evidence suggests that asylum

seekers with fluid sexualities in the United States can be successful, and recognizing this fluidity is a remarkable development. Highlighting the situation of bisexuals in Netherlands, Jansen (2019) adds that since the previous study in 2011, the bisexual asylum seekers have been increasingly recognized compared. Seemingly some improvements have been made in the Netherlands, since no examples of stereotypes were found in these decisions.

Lastly, Peyghambarzadeg (2020) gives a comprehensive review on the current situation of bisexual refugees in Europe, discussing the contemporary narratives of bisexuality in the asylum process. The latest studies might hint that knowledge on bisexuality is increasing, however more knowledge is needed to explore this matter globally.

LGBTQ+ Asylum in Denmark

Even though there is no literature about bisexual asylum seekers in Denmark, few studies about LGBTQ+ asylum can give direction the situation of sexually fluid people (Lunau 2019, Carlson 2020, Andreassen 2021). Comparing the credibility assessments of asylum seekers between Denmark and Sweden, Carlson (2020) indicates that in Sweden there is a focus on the applicant's feelings and identity, whereas in Denmark, the main is especially on the applicant's actions, such as romantic partners.

Recently, Lunau (2019) interviewed rejected queer asylum seekers in Denmark. Like other LGBTQ+ refugee studies have indicated, Lunau's study finds that when asylum applicants in Denmark do not fit the standards of Western queerness and 'gay pride', they are disregarded as credible. Furthermore, one of the research participants was rejected asylum, because he had married a woman in order to cover for his sexuality (Lunau, 2019, p. 16). This not only confirms that the immigration officers in Denmark have no sensitive knowledge of the struggles of LGBTQ+ people, but also ignores the reality that sexuality can be fluid, changing over time.

Andreassen's (2021) recent article also confirms the notion that applicants' sexual fluidity, lack of visibility and 'proudness' lessens their credibility. In the article Andressen demonstrates that the Danish Refugee Appeals Board expects asylum seekers to perform certain online behavior, in order to decide whether the applicant is a 'genuine' LGBTQ+ person. Moreover, any content that potentially associated the applicant with heterosexuality (i.e. expressions of a fluid sexuality) typically led to their determination as 'fraudulent'. These

studies can support the hypothesis that bisexuality increases the ambivalence of asylum applicants.

In addition to these studies, I am using two supporting reports from organizations Refugees Welcome and LGBT Asylum. "*Well-founded fear – credibility and risk assessment in Danish asylum cases*" (Bendixen, 2020) explains comprehensively the asylum seeking process in Denmark and how the requirement of well-founded fear is assessed. The report "*LGBT asylum applicants in Denmark: Applying for asylum on the grounds of sexual orientation and gender identity*" (LGBT Asylum, 2015) highlights the problems that queer asylum seekers face when seeking an asylum in Denmark. Throughout this study, I am using these reports to support the knowledge I have on the Danish asylum system.

Furthermore, it should be noted that my knowledge is also supported based on my personal exchange with LGBT Asylum[1] during the course of spring 2021, and therefore any undocumented information I have received is referenced here as 'personal communication'.

Theory

In this study I look at the ways in which societal norms on gender and sexuality are related to power. I will consider the ways in which Foucault's (1978/1976) thoughts of biopower can be expanded with postcolonial queer theory and implemented in context of bisexuality. As Foucault's ideas have been further developed with contemporary views on sex, gender, sexuality and society, therefore, with the work of Jasbir Puar (2007), Kopano Ratele (2014) and Surya Monro (2015) and Kimberlé Crenshaw (1989; 1991) I illustrate how normalization of things such as sexual binaries cause constitutions to practice power, resulting in discriminatory policy practices. Specifically, I indicate that understanding societal norms in combination with homonationalism is vital for understanding biphobia in the asylum process.

Biopower, norms and normativity

Michel Foucault's concept of 'biopower' have been influencing many queer and feminist theorists, becoming an analytical tool for understanding the relation of power and knowledge,

[1] LGBT Asylum is an organization that helps queer asylum seekers and refugees to seek asylum in Denmark.

and the practices by which human life is shaped, governed and controlled (Foucault, 1976/1978). Foucault describes biopower as a modern way of power that takes hold of human life. According to Foucault, the techniques of power are accompanied by discipline surveillance, aimed at taking control of life of the population, especially those who do not fall to the normative order. From this perspective, governing means something in the wide sense of all the mechanisms and institutions; such as schools, police, prisons and hospitals, that constitute a power as they regulate things such as birth rate, public health, housing, and migration. Foucault argues that biopolitics helps us to understand how sexualities are being repressed and regulated with the conceptions of heterosexuality, reproduction, family and health (ibid).

Foucault argues that power is also something that is practiced through language and discourses, which is crucial for understanding and interpreting how institutions such as governments practice power (Foucault 1976/1978). When we talk about a discourse, we also have to interpret the language; e.g. who produces the discourse, in which context, how they speak, and for what purposes. Therefore, discourses affect our knowledge, and have an effect on how we interpret the world and ourselves. This can be used as a form of social control, with social and political purposes. When certain discourses become institutionalized, a particular way of thinking and acting becomes seen as 'normal'. This is how certain societal norms are reproduced and maintained, favoring the social ups that benefit from the norms (ibid).

Normativity can be understood as something in society being morally righteous, so to speak, a 'normalized' standard. A prior example within the area of sexuality is the 'heteronorm'. Heteronormativity specifies the assumption heterosexual relations as the norm, and the expectations of the binary categories of men and women as standard (Warner, 1993; Spargo, 1995). When the prevailing norm becomes 'normalized', it establishes its place as a naturalized assumption, and becomes immune to questioning and alternative options. Dianna Taylor (2009) sums this notion such;

> "Simply put, normalizing norms encourage subjects to become highly efficient at performing a narrowly defined range of practices [...] In time, the repeated behaviors become embedded to the point where they are perceived not as a particular set of prevailing norms, but instead simply as 'normal' inevitable, and therefore immune to critical analysis" (Taylor, 2009, p. 47).

Why many queer and feminist theorists find Foucault important, is specifically because his emphasis on the role of institutions and discourses in the formation of sexuality (Spargo, 1995; Callis, 2009). He argued that sexuality in Western culture is recognized as a matter of medical science, rather than a matter of pleasure (Foucault, 1976/1978; Callis, 2009). In a system of scientific sexuality, 'the sexual' is therefore controlled by various forms of power, such as the fields of medicine, biology, and psychology. With this Western medicalization, in addition to other powerful institutions like the church, institutions had the power of labeling and regulating these non-normative desires; eventually these categories of gender and sexuality came as ways to control. At the time, language and discourses about what is perverse or deviant was also created. Along with other shameful practices that fell outside of the procreational purpose, like women's and children's sexuality, the 'homosexual' became a focus for a variety of control social order (Foucault, 1976/1978; Spargo, 1995; Callis, 2009). This medical heterosexism has caused most of the non-normative sexualities and gender identities labelled as clinical disorders, where they have been objectified as something that must be pathologically understood.

In addition, a crucial feature of Foucault's thought is that he argued that sexuality is a category of experience that can be nurtured by knowledge, rather than a natural or biological feature. His theory of power and norms is simultaneously an example of how sexuality is being created by knowledge of power and history, and in particular, how sexualities are "cleansed through the verbalization of desires and practices in medical, psychoanalytic, criminal, educational, sociological, philosophical and historical examinations" (Evans, 1993, p. 18). Meanwhile contemporary societies are starting to recognize other sexualities, Foucault's thoughts on the sexual and social illustrate the possibility of the sexual liberation - controlling marginalized sexualities eventually became a way to meet people alike, and this created individuals originally labeled as an 'outcast' of society to form a group identity (Callis, 2009). Dianna Taylor (2009) captures this well in her analysis on Foucault and norms;

> "as sex is seen as fundamental to who one is, generating and obtaining knowledge about sexuality is synonymous with having access to truth. The interconnection of sex and truth, in turn, encourages the acceptance and internalization of sexual norms and thus masks their normalizing character: persons perceive the proliferation of sexual identities and discourses as signifying freedom from sexual repression when in fact it situates subjects squarely within in relations of power" (p. 57).

In the same way that gender is a crucial part of one's identity forming, so is sexuality crucial to the sense of who a person is. We can therefore relate Foucault's thought to Judith Butler's (1990/2006) views on gender as a social construct; how sex and gender is just not necessarily a given born characteristic, but the existing social norms effect on how we 'do gender' and form our sexual identities. However, both Foucault and Butler did not explore bisexual identity in their work. According to Foucault, "to have a good sexuality is to have a socially recognized sexuality" (Gros et al., 2017 p. 68). Even homosexuality might not be considered as a normative sexuality, nevertheless, legally and socially, it is a recognized sexuality. Yet, this is not the case with bisexuality; bisexuality is barely acknowledged in litigation and legal discourse around the world, which reflects a boarder societal problem of bisexual erasure (Yoshino, 2000; Marcus, 2018; Rehaag, 2009).

Homonormativity, homonationalism and homophobia

However, the binary divides and sexualization of modern societies cannot be fully comprehended without giving attention to the other power dynamics and their repercussions upon building the nation-state and borders. Normative heterosexuality is also a fundamental element of nationalist and racial ideologies (Evans 1993; Monro, 2005; 2015; Puar, 2007). What Foucault left unexamined, is how we know gender and sexuality today are also due to issues such as patriarchy, capitalism, colonization and imperialism (Puar, 2007; Monro 2015). Colonizing countries did not only control land, but also people's identities became regulated, promoting scientific knowledge and other hierarchical ideas that served the white middle class. Therefore, homophobia and biphobia in the South are at least partially a legacy of colonialism: often when postcolonial countries are resistant to homosexuality and gender fluidity, it is embedded into nationalist discourses resisting the Western dominance (Monro, 2015; Ratele, 2014). To understand the intersections of various power mechanisms, I am turning to scholars like Jasbir Puar (2007), Kimberlé Crenshaw (1989; 1991) and Surya Monro (2015) to explore Western nation-states regulating borders and sexuality.

Borders are a strategic site where biopower is exercised; policies that control borders, reinforce normative social arrangements that harm others specific groups and individuals, while benefiting those who fit in the normative order (Puar, 2007; Monro, 2005). People who do not fit with normative conceptions of gender and sexuality face disadvantages in various ways; legislation, language, and other institutional structures support gender and sexual

binarism. Jasbir Puar (2007; 2013) demonstrates that heteronormativity, that the nation-states have long relied on, is now followed by homonormative ideologies in support for nationalistic ideals. As Foucault (1976/1978) indicated, legal discourses have played a primary role in the production and regulation of sexuality. Homonationalism (homosexual nationalism) can be described as an institutional change, that absorbs queer subjects into the nation-state through legal practices, such as equal marriage rights, or extending an asylum to include LGBTQ+ people. Throughout the 20th century, the homosexual was the criminal and the unacceptable citizen in European and North American discourses of citizenship (Foucault 1976/1978; Puar 2007). While the LGBTQ+ rights have drastically improved since then, the acceptance of homosexuality and 'gay-friendliness' has become a barometer of societal exceptionality in Western nations (Puar, 2013). In other words, the principles of sexual liberation and tolerance have become a way to exercise biopower at borders. At the same time, when Western countries are represented as morally and culturally exceptional, non-Western countries are seen as inferior and 'repressive'. "One prime mechanism of sexual exceptionalism is mobilized by discourses of sexual repression—a contemporary version of Foucault's repressive hypothesis—that are generative of a bio- and geopolitical global mapping of sexual cultural norms" (Puar, 2007, p. 9).

Homonationalism in the context of asylum manifests in a way that asylum is granted to only a few individuals that are seen worthy of protection by the state, resulting in many queers being excluded based on their race and not having homonormative sexualities. As mentioned earlier, most often asylum is granted to those that are 'out and proud', corresponding to the individualistic Western identity construction, which privileges mostly stereotypically white, middle-class, homosexual men. In this way, many Western countries deny themselves from homophobia by laying the blame elsewhere, thus sanctioning the people that do not fit the national norms of citizenship. This homonationalism distinguishes the now the 'real homosexuals', and the rest are destined to detention and deportation (Puar, 2007). The liberal idea of including sexual orientation and gender identity as possible pathways to have 'freedom' and become a citizen, is taken away from those who cannot demonstrate convincing queer identity. Therefore, I argue that homonationalist ideas are being used as an instrument for inclusion/exclusion of bisexual asylum seekers also in Denmark.

In order to grasp how homophobia and homonationalism plays out in society, I am referring to Kopano Ratele (2014), who introduces how homophobia manifests along vertical and horizontal lines. Non-heteronormative people are relatively invisible in some parts of the world, because they are prohibited by society and sometimes legally criminalized. 'Vertical

homophobia' is something that comes from the institutions and sociopolitical structures, like the nation-state, meanwhile 'horizontal homophobia' is something that refers to the "everyday, interpersonal, and psychological life by anti-homosexual discourse" (Ratele 2014, p. 120). As Foucault states, discourses are also ways to maintain norms, and therefore, ways to control. In this sense, de-criminalizing homosexuality on state level, or being a 'gay friendly' on paper does not equal a LGBTQ friendly society. In addition to institutional discourses, homo- and biphobia is something that is also experienced from the bottom-up, from other people, like communities and families. Therefore, judging the prosecution risk of an asylum seeker based on the country report is not taking into consideration the horizontal violence, which can lead to further inclusion/exclusion of asylum seekers.

However, Monro (2015) points out that homonationalism plays out differently in relation to homosexuality and bisexuality. The nationalistic discourses by nation-states issues as production of hetero- and homonormative frameworks, defining what is normal and acceptable in terms of citizenship. The reason why 'bi(sexual)-nationalism' has not emerged is because bisexuality is still stigmatized in contemporary society, and not recognized as normative, acceptable sexuality: "Sexualised forms of nationalism are only likely to develop where the subjects (individuals) in question are seen as domesticized, 'respectable' citizens who uphold dominant norms (such as monogamy)" (Monro, 2015, p. 65). As Foucault (1976/1978) notes, normalization of sexualities are dependent on institutional recognition. Therefore, as long as bisexuality stays invisible, also biphobic discourses continue to be overlooked.

Intersectionality and bisexual identity

The term 'intersectionality' was first introduced by Kimberlé Crenshaw (1989) and has been ever since an influential analytical framework in feminism and identity politics, particularly by Black feminists. Intersectionality takes in notion the intersections between various social and political identities such as gender, race, sexuality, class, socio-economic status, religion, age, ability etc. This approach posits that these social categorizations need to be considered as interlinked: a person's lived experiences differ depending on their overlapping identities, and a person's disadvantage increases with each additional stigmatized identity. For instance, what Monro (2015) indicated in her study on bisexuals of color in the UK, is that bisexuals of faith often have an intersectional disadvantage, since they face prejudice from their own religious communities, and furthermore, bigotry and racism from the white society,

including queer spaces. Moreover, intersectionality strives to analyze the underlying structural power mechanisms that form the social categories. 'Structural intersectionality' further defines the "multilayered and routinized forms of domination" (Crenshaw 1991, p. 1245) in specific contexts. This means that as power is something socially structured and institutionalized, less privileged people experience structural disadvantage in society. Intersectional analysis can help us see how certain groups of people are made particularly vulnerable with practices that fail to take into account the contextual and structural dimensions.

The LGBTQ+ narratives by the asylum authorities are questionable, when we take into consideration the intersections of sexuality with other social categories. Like monosexuals, bisexual people have varying experiences depending on the various other intersections of social categories. Monro (2015) indicates that the connected phenomena, capitalism, imperialism, colonialism and the discourses of sexual science, reinforce the binary divisions and contribute to biphobia and bisexual erasure. As many bisexuals experience shifts in their fluid identities and desires over time, bisexual identity challenges the essentialist understanding of sexuality, and complicates also the relationship between gender, sexual orientation and sexual behavior: "it can be argued that a Western attachment to 'fixing and naming' sexual orientations and identities can marginalize or erase other ways of doing things" (Monro, 2015, p. 2). Monro adds that the term 'bisexual' is overwhelmingly used in the Western society, but not necessarily elsewhere. Language barriers and difficulty to explain bisexual identity in an international context adds another layer of difficulties to people with fluid sexuality. Not all asylum seekers have the privilege to identify within a certain label; identity politics is often not a priority for asylum seekers, because identifying as such can be a matter of life and death (Monro, 2015). Self-identification issues may increase the chances of rejected asylum, if the applicant does not consider themselves falling within the definition of the particular social group (Spijkerboer, 2011). When this Western homonationalist narrative of 'being out and proud' is combined with essentialist understandings of sexual orientation and identity formation, it is not a surprise that being "at the intersection of different inequality systems, including heteronormativity, homonormativity, monosexism, colonialism, and nationalism, it is hard for [bisexuals] to tell their stories and for their audiences to understand and accept them as their stories do not fit the prototypical normative narratives" (Peyghambatzadeh, 2020, p. 25). Hence, with an intersectional lens to bisexuality, we can take into account the complexity of specific difficulties that are still overlooked when it comes to asylum seekers with fluid sexuality.

Methodology

Ontological and epistemological positions

Like majority of queer literature, this study stands from an ontological standpoint of social constructivism, and to some extent poststructuralism, meaning that I consider everything, including categorizations of sex, sexuality and gender, as a social construct, but, also considering that those ideas can and are being constantly expanded and challenged. Therefore, the ideas of bisexuality are constantly shaped and reflected not only in the academic discourses but also in cultures, media, arts and other spaces where narratives of sexuality are presented. This study is also written regarding the notion that sex, gender and sexuality are fluid spectrums: there are more than two genders and more than two binary ways to identify as a sexual being. However, as much as I would like to resist the normative categories of men and women, nevertheless, for the sake of more coherent and clear analysis, I will leave from the premises, that majority of population today are heterosexuals, and identify as cis-gender (gender identity aligns with the assigned sex at birth); either a man or a woman.

This study draws also from a perspective that inequality is socially constructed; norms (such as heteronormativity and monosexuality) create policies (borders, citizenship), and policies constitute power, which hinders people's access to life, safety and knowledge. From this perspective, while sexuality has always been controlled by the state and other authorial institutions, I notice that it is deeply intertwined with other hierarchical systems of power, including gender, race, class, ability and so on. This understanding is more or less shared with other feminist and queer scholars referred in this study. I understand biphobia as a systemic oppression that is a consequence of the Western gender binaries and heterosexist worldview. Within this understanding, heterosexism divides people into normative categories of men and women. By this notion, like many other bisexual scholars, I believe that that bisexuality in contemporary society is considered as something that threatens the normative order. Furthermore, in this worldview individuals with non-normative sexual orientations, even as tolerated, can never be on an equal footing in society as heterosexuals. Examining the histories of state control and the present neoliberal environment, I argue that anything that departs from the normative status quo – such as queers, migrants, asylum seekers, religious minorities – are treated as 'others' of the society and met with ongoing politicization. In that sense, I consider that (bi)sexuality is always political. Like Dianne Otto (2018) articulates the heteronormative

nation-state: “If the precarious lives of sexual and gender minorities are taken seriously as lives that matter, it becomes apparent that the nation-state is so deeply enmeshed in the regulation of sexuality that its very existence depends on it” (p. 240).

Like Foucault argued, I also consider that sexuality and queerness are to some extent as categories of experience, that can be nurtured by the power of knowledge. Therefore, I also personally relate to the notion that sexuality is constantly being created by knowledge. While societal norms and other oppressive systems of power hindrance people’s access to the knowledge of themselves, I argue that “practicing refusal, curiosity, and innovation can facilitate a loosening of the interconnection between increasing persons’ capacities and possibilities and intensifying power” (Taylor 2009, p. 61). Refusing to accept what is presented to us as ‘normal’ and natural is a necessary pathway for bisexual people to live freely. For a long time, knowledge on bisexuality and bisexual narratives have been produced and controlled by people that are not bisexual. Here, I want to also refer to bisexual activist Shiri Eisner, who notes that the oppressive stereotypes and negative meanings attached to bisexual people are rather ‘imagined knowledge’ within culture and society (Eisner, 2013). Therefore, bisexual epistemology could pose questions such as; who is producing these discourses, and why? And therefore, who benefits from biphobia and bisexual erasure? What are the structural practices that keep bisexuals invisible?

Data collection and processing method

My data consisted of the empirical material of the Danish Refugee Appeals Board’s (*Flygtningenævnet*) decisions. All the decisions by the board are public information, accessible via their database on the institution’s website[2]. In the website, there is an option to filter the cases based on certain categories, so I narrowed the database for references to LGBTQ+. From that database, I searched the keyword ‘bisexual’ (‘*biseksuel*’ in Danish). From all the cases mentioning bisexuality, I overlooked those that only mentioned the word bisexual together in regards of LGBTQ+ rights in the country in question, hence bisexuality was not mentioned referring to the applicant’s identity. This filtering narrowed it down to a total 29 cases between the years of 2015-2021. I saved and collected the cases from the institution’s website and translated them from Danish to English.

The collected data was coded using software NVivo, which is available for Aalborg university students and staff on the university website. The software allowed me to prepare and

[2] https://fln.dk/

code qualitative data for analysis. In NVivo, the data material is coded to 'nodes', where relevant pieces of text can be highlighted and linked to particular categories, and furthermore sub-coded into 'sub-nodes'. First I divided the cases into rejected and accepted cases, and sub-coded them into categories, focusing on reasoning of the decisions; 'identity of the applicant', 'consistency of the story' and 'well-founded fear'. After this I searched for indicators of theoretical key concepts in the data and collected additional codes relevant to those concepts.

The Appendix with all the 29 analyzed cases will be provided and uploaded as a separate document supporting this thesis.

Analysis method

Through my dataset examination of 29 published cases of bisexual refugee applicants, I assess the Danish Refugee Appeals Board's responses to bisexuality. In this analysis I will further refer to the Danish Refugee Appeals Board as 'RAB'. Within this data, I am aware that it comes from an authoritative source, and therefore the concept of power is also a key issue in this analysis. I want to investigate what kind of responses to bisexuality I can find from these decisions, and what types of applicants are more successful than others. Furthermore, my purpose is to find out whether indicators of biphobia are represented in the data. Since my aim is to expose the use of discourses as a form of power within the asylum system, therefore I will apply critical discourse analysis as my analysis method (CDA).

Discourse is something that can manifest in many forms, such as policies, narratives, different written texts, conversations, nonverbal communication, and so on (Bryman, 2014). However, a discourse is much more than just a verbal action, since it is composed of different ideas of the social world. CDA is an analytical method, often committed to social change, that draws particularly from the Foucauldian perspective to reveal the hidden power relations within discourses (Bryman, 2014). The 'criticality' aims to address the 'social wrongs', such as injustice, inequality and lack of freedom (Fairclough, 2010). Therefore, it is a well used method for institutional practices and legal analysis, and practiced by scholars concerned with intersectional issues, such as race, class, gender and sexuality (Huckin et al., 2012). With CDA it is common to analyze certain phenomena in a given context, and to "find patterns that create, circulate, reinforce and reflect societal norms and ideology" (Huckin et al. 2012, p. 119). CDA is especially interested in linguistic manifestations of power and how that influences our knowledge, beliefs, ideologies and norms, and therefore, also limits our understanding of the world. Therefore, we should pay attention to the given social relations that control the

production of these discourses, often in favor of those social groups who benefit from the system (Bryman, 2014). With the help of the theoretical insights, these discourses can be criticized by analyzing them, taking into account the wider social context in which discourse is embedded, and questioning whose interests are served by this positioning (Bryman, 2014; Foucault 1976/1978).

Fairclough (2010, p. 226) suggests that analyzing a 'social wrong' can be formulated in four stages:

> "Stage 1: Focus upon a social wrong, in its semiotic aspect.
> Stage 2: Identify obstacles to addressing the social wrong.
> Stage 3: Consider whether the social order 'needs' the social wrong.
> Stage 4: Identify possible ways past the obstacles."

To illustrate this methodology, we can apply it in the context of this study as biphobia as the social wrong. The immigration authorities have the power to represent knowledge that is affected by the pre-existing institutional structures, that favor of those normative social groups who benefit from the system. In this sense, the immigration authorities have the power to decide applicants' 'true' identity in the asylum seeking process (Berg & Millbank, 2009). By examining the data we can analyze how bisexual prejudices are reproduced in through discourses affected by the prevailing social norms and binaries (e.g. monosexuality and homo-/heteronormativity), and how those discourses contribute to the social and cultural reproduction of biphobia. These discourses have an effect on how institutions police sexuality and borders. By taking a Foucauldian approach to discourse, we can point out what kind of power relations and prevailing ideologies are keeping the asylum system in place, and what kind of change is needed.

Validity and limitations

There are few things that should be noted regarding the validity of the study. With all these limitations there is a possibility that this study will have some flaws that decrease the accuracy of the findings.

Firstly, data on bisexuality in relation to immigration is extremely hard to find. Due to the invisibility of bisexuality, and also the sensitive nature of the topic brings some ethical difficulties to produce new data. This exploratory study leaves from premises that the data

available is limited, and the methodological challenges involved in this topic would require resources that are beyond the scope of this thesis. There are no official statistics on the number of asylum seekers based on sexuality. In LGBT Asylum's database, approximately out of 430 cases, in total 41 are registered as bisexual (LGBT Asylum, March 2nd, 2021, personal communication). This means, that the organization has helped in total 41 people that identified themselves as bisexual. Other than that, there is no official database existing to indicate how many percent of LGBTQ+ asylum seekers identify as bisexuals, or how many accepted/rejected applicants identify as bisexual. Therefore, the biggest validity threat to this study is the lack of reliable data about bisexuals. Taking in consideration that in overall, there is more bisexual population than homosexual population (Yoshino 2000; Gates 2011; YouGov 2015a; 2015b; Movement Advancement Project, 2016), the number of found cases in this study is quite low. However, the (in)visibility in the asylum system does not necessarily mean bisexual erasure, hence it could also mean that there are actually just fewer bisexuals asylum seekers compared to homosexual asylum seekers. As stated earlier, many bisexuals are read as either straight or homosexual, or, decide not to come out because of the stigma attached to bisexuality. Therefore, since bisexuals are generally less visible than homosexuals, I acknowledge that it is actually impossible to know the extent of the issue. Furthermore, bisexuals might decide to lie about their identity, because of the fact that it is be easier to get an asylum if you identify as homosexual (Peyghambatzadeh, 2020).

An additional data limitation was also language. As I am not fully fluent in Danish, I needed to rely on a dictionary in order to translate the data from Danish to English. This may have an effect on my analysis, and I am aware of the fact that I might miss some of the nuances of Danish language, which can have an effect on my findings.

One of the biggest limitations was also the timing of the study. My original purpose was to implement qualitative interviews as a supporting method, but due to the circumstances, I had to limit my methods to only investigating the Danish Refugee Appeals Board's decisions. The sensitive nature of the topic in addition to Covid-19 pandemic limited my access to find people to interview. However, based on the 29 cases I found, some observations can be made.

Lastly, I am aware that this study is influenced by my own bisexual identity, and this puts me in a position, where it's impossible for me not to engage with my own interests. Moreover, I need to consider my own position as white, middle-class researcher from a Nordic welfare country, which puts me in a certain position of privilege. This privilege, especially my own whiteness, also comes with a level of power, where I can speak of these issues without them affecting me on a personal level. This being said, I am aware that my research is not free

of ideologies that influence my critical thought. Due to the nature of the study, I have chosen an analysis method that allows the researcher to engage with their own positionality.

Analysis

In this part I am going to demonstrate how the immigration authorities tend to control and construct the knowledge of the asylum applicant's identity, often in resistant ways, where it is already assumed that the applicant is lying. For the sake of more coherent analysis, I am dividing the analysis in two different parts, focusing on the theoretical findings and their interconnections.

Among the total 29 decisions examined, there were 24 negative decisions (asylum rejected) and five positive (asylum granted). From these cases 27 were men and two applicants were women. Applicants were from the following countries: Uganda (8), Iran (5), Ghana (2), Iraq (2), Tunisia (1), Congo (1), Gambia (1) Cameroon (1), Morocco (1), Colombia (1), Nigeria (1), Armenia (1), Belarus (1) and three from an unknown country. The positive cases consisted of two men from Iran, two men from Uganda, and one woman from Armenia. Following this, it should be noted that all people in the investigated data identified either men or women (or, the authorities assumed so), and therefore this study leaves out any deeper analysis on gender identity.

Sexuality as fixed and binary

What became the most evident pattern from the investigated cases was the idea of sexuality as something fixed and binary. When processing the data, it became evident that the categories of reasoning were interlinked in a way that the credible identity was highly dependent on the consistency of the story, which is based on homosexual experiences, and the well-founded fear was tied to whether the applicant had a credible identity. Therefore, any identity uncertainty, identity change, or late disclosure of identity caused the applicants to lessen their credibility.

Majority of the applicants had difficulties to explain their story and identity in a linear and coherent way. What was stated repeatedly, is that applicant’s bisexual orientation was “not made probable”, hence the stories were frequently described as “incoherent”, “unbelievable“, “unlikely”, “undetailed” or, even “striking”:

> The applicant's explanation that he allowed himself to be recruited to the FARC to avenge the killing of his aunts is *not likely* [...] It also *does not seem credible* that the applicant chose to enlist in the FARC [...] It is also *not credible* that the commander, when made aware of the applicant's plans [...] Furthermore, for the same reason, it is *unbelievable* that the commander, even though he knew of the applicant's plans, granted him leave. It is also *unlikely* that the applicant remained in the restaurant [...] Furthermore, it seems *less likely* that the applicant should have been able to hide from the commander [...] It is also *striking* that the applicant's residence was not sought by the FARC in the years 2008 - 2014, just as it is *striking* that 11 years after the applicant deserted, in autumn 2019, the FARC should have approached him again and burned down his house. (Case, 4, Appendix)

Moreover, it was often assumed that the bisexual identity was "constructed for the occasion", assuming that the applicant has made it up:

> Following an overall assessment, the Refugee Appeals Board also ignores the applicant's explanation that he is bisexual as unbelievable and *constructed for the occasion*. (Case 2, Appendix)

A convincing bisexual identity was well dependent on homosexual experiences. This required that the applicant was able to explain sexual encounters in a logical and coherent manner. RAB also based credibility on applicants' experiences about their early childhood and teenage years, indicating the RAB's understanding of sexuality as something linear and detectable from an early age:

> The applicant has further referred to the fact that on his return to Uganda he fears that he will be killed by the locals or by two of his sisters and his stepbrother because he is bisexual. In support of this, the applicant has stated that he already thought as a child that he liked boys. (Case 14, Appendix)

While early childhood memories may successfully correspond to the current sexual identity for some, it can lead to the misconception that there is a sole path to form a sexual identity that should be sexually experienced from a young age. "This reflects an essentialist view that defines what one 'really is', a view that sits readily with legal approaches that seek to categorize distinct, knowable groups" (Berg & Millbank, 2009, p. 210), and may posit especially bisexuals in a vulnerable position because of the higher rates of identity uncertainty.

Moreover, the popular essentialist idea that bisexuals can choose, or eventually have to make a decision between men or women, was expected from the applicants. This implies the norm of a monogamous relationship with a fixed partner as the only acceptable relationship model, as the 'respectable' citizens are those who uphold dominant norms (Monro, 2015). Therefore, it's not surprising that identity uncertainty was found to lessen the credibility of the applicant:

> With regard to the applicant's explanation of being homosexual or bisexual, the Refugee Board has emphasized that he has explained to the Danish Immigration Service about his confession of being sexually attracted to men [...] He was only sexually with men because he lived in the room with the three young men. The board has also emphasized that the applicant has stated to the Danish Immigration Service that he would choose to marry a woman if he could decide for himself, and that he has explained to the board that he was not born gay, but was [with men] due to lack of access to contact with women (Case 10, Appendix).

Another issue which arises from this specific case, is that the applicant clearly expressed his distress that this is either a matter of biology or of his personal agency. The applicant is seemingly unsure, if he had a choice to be bisexual, but it is remarkable that the responsibility here is given to the applicant, and the asylum authorities could not accept the idea that he is bisexual. Meanwhile the dominant discourse on LGBTQ+ rights rely on the lack of choice as reasoning to have equal rights (the argument that homosexuals are 'born this way'), this theory may be helpful function in the homosexual cases, but it may fail bisexuals (Cory, 2019). The medical control of sexuality makes it very convenient to deny the existence of bisexuality. In a society where we seek to medicalize and naturalize desires (Foucault 1976/1978) one is seen either 'born straight' or 'born gay'. Bisexuality disrupts this claim and might be therefore regarded as a matter of choice (Yoshino, 2000).

In contrast, the ability to choose a preference between men and women was found to increase credibility. In the cases of two Iranian men who got asylum, it was emphasized that the preference for men increased the credibility.

> However, the Refugee Appeals Board uses the applicant's explanation of his sexual orientation as a basis. [...] The Board has hereby emphasized [...] that the applicant in his report on his sexual development to his lawyer, and in his explanation to the Board,

> has given a credible and coherent statement of his bisexuality with preference for men. (Case 9, Appendix)

What is noteworthy in this case is that oftentimes bisexuality in men is not seen as a complete orientation, but rather as a phase and a pathway to homosexuality (Eisner, 2013). What becomes evident here, is that the applicant being able to recognize a preference is indicated as 'sexual development' that counts positively to asylum. "In popular imagination the 'one,' 'complete' sexuality is monosexual, and any addition to it becomes excess" (Eisner, 2013, p. 73). As bisexuality in men also creates a certain threat to masculinity and patriarchy, in popular Western culture, homophobia manifests in ways in which any non-heteronormative activity between men is often labelled as 'gay' behavior.

While bisexual asylum seekers may have had to perform heterosexuality in their country of origin, they may feel pressured to act more homosexual or seek asylum as homosexual in order to get an asylum (Peyghambatzadeh, 2020). Therefore, bisexuals might have the need to erase their attraction to the opposite gender:

> In support of the asylum motive, the applicant refers to the fact that at the age of 12 he was in a relationship with a girl, but that he was also interested in boys. [...] After arriving in Denmark, the applicant first became partners with a woman (E). Shortly afterwards, however, the applicant met a man, (F), whom he also became partners with. When the applicant got to know (F), he felt very attracted to him and therefore stopped his relationship with (E). [...] The applicant has subsequently characterized himself as homosexual. [...] However, the board relies on the applicant's information that he is homosexual. [...] The board has also emphasized the applicant's behavior in an article in (named magazine) in (autumn) 2016 together with both his then female and male partner [...] According to the applicant's explanation, it must be assumed that he intends to live openly as a homosexual also on a return to Iran. (Case 15, Appendix)

Here, it is established that a bisexual may have has some relationships with the opposite gender, but these must be downplayed and disclaimed in the asylum seeking process in order to adopt a credible identity which is then named as homosexuality (Berg & Millbank, 2009; Sin, 2015). Obviously, it possible that the applicant identifies homosexual, and my purpose here is not to suspect the applicant's 'true' identity. However, it could also prove a point that sexual behavior does not always align with sexual identity, as we indicate in the following case:

> Throughout the asylum case, the applicant has claimed that he is bisexual, that he had feelings for [A] and felt sexually attracted to men. During the board meeting, the applicant explained that he had little feelings for [A], but that it was something he had to do, that it was about getting money from [A], and that he is not bisexual but heterosexual. (Case 11, Appendix)

In this case, sexual experiences with the same gender without an established identity was found inauthentic. As said, when making these claims, it should be noted that sexual identity and sexual behavior are not always directly correlated, especially when people do not fit within the sexual binaries. Furthermore, people may experience a lot of shame and internalized homo-/biphobia and therefore avoid identifying as such (Obradors-Campos, 2011). Nonetheless, a bisexual person can be sexually attracted and sexually active with someone, without any 'homoromantic' interest (Eisner, 2013). The monosexist norm not only assumes that one should have a gender preference, but also that sexual and romantic attraction should correlate accordingly:

> The Board has in particular emphasized that the applicant has explained differently about his sexuality during his conversations with the Danish Immigration Service. During the conversation on (early) 2018, he thus explained that he was gay [...] During the conversation in (the summer) 2018, he explained that he was bisexual in the sense that he both gave and received sexual services from men, whereas during the board meeting he has explained that he has many times been tempted by women, but has not any sexual experiences with women (Case 5, Appendix)

Clearly, sexual activity with same gender is needed in order to be regarded as bisexual, however, it is not noted as credible without established identity during the asylum process. Similar results were found in Rehaag's (2009) study, where it was noted that "the fact that adjudicators in bisexual refugee claims cited such evidence suggests that they were actually concerned with establishing, not whether the claimant was bisexual, but rather where the claimant fit into an essentialist hetero/homosexual binary" (p. 428). Therefore, it's not surprising that a late disclosure of identity also caused credibility problems. In some cases disclosing sexuality late in the asylum process caused lack of credibility, and ultimately, led to a rejected asylum:

> The one voter in this majority rejects the applicant's explanation that he is homosexual or bisexual. This voter emphasizes that the applicant has developed his or her asylum motive in the course of the proceedings, and that the applicant has asserted this asylum motive at the latest possible time in the process. (Case 23, Appendix)

Previous research has also documented that applicants who share their sexual orientation late in the asylum process risked labelled as fraud (Berg & Millbank, 2009; Jansen & Spijkerboer, 2011; Peyghambatzadeh, 2020). The idea that a stable sexual identity should be presented as early in the process puts especially bisexuals in a vulnerable position, since bisexual people struggle with identity formation for various different reasons, more often than gay men and lesbians. It should also be noted that sometimes people can't establish an identity until they are in an environment where they can feel free of harm (Berg & Millbank, 2009; Spijkerboer, 2011; Monro, 2015). Having an established identity is often not even a possibility within certain circumstances, because identifying as such can lead to discrimination, or in the worst case, prosecution and death (ibid).

Individualism and sexualized forms of nationalism

Nonetheless, only having a credible identity, or coherent story, was not enough to lead an asylum. Ability to be open about one's sexuality, and the intent of continuing being open about it, was an indicator that increased an applicant's credibility. This requires levels of conforming into the normative 'liberated' Western queer life (Puar, 2007), that may be difficult to racialized asylum seekers, particularly due to hostility towards asylum seekers in Denmark. Being 'out', both in the home country and Denmark, was often required for valid well-founded fear:

> According to the applicant's explanation, it must be assumed that he intends to live openly as a homosexual also on a return to Iran. (Case 15, Appendix)

Yet, being failed to reveal their sexuality was counted as negatively for the result:

> The other voter in this majority assumes, as explained by the applicant, that he has not revealed his homosexuality, either in Iraq or in Denmark, and that he does not intend to do so either. (Case 23, Appendix)

Requiring visibility of sexual orientation in general is rather disturbing, especially in a persecutory environment. Also asylum centers in Denmark are often hostile environments for sexual and gender minorities (LGBT Asylum, 2015). Often they need to live in fear, and remain closeted also in Denmark due to fear of harassment and threats. Rather than voluntarily coming out, oftentimes they seekers become 'outed' by others, being forced to do so:

> This is supported by other information of the case, including the statement from (spring) 2019 of LGBT Asylum and the information that he has had to move to another asylum center due to problems related to his sexual orientation. [...] The board also assumes, according to the applicant's explanation, that on his return to Iran he does not want to hide that he is bisexual. (Case 9, Appendix)

Such an approach improperly demands asylum applicants to establish private matters to social manifestations, which may subject them to further violence. In addition, RAB commonly assumed that once the applicant has left their home country, their sexuality is something they should perform in Denmark, and in addition, to explain convincingly:

> In addition, the applicant has not explained convincingly about his homosexual activities in Denmark (Case 5, Appendix)

This marks the exceptionality of Denmark as a place of sexual liberation, that should be demonstrated accordingly. This is what Puar (2007) calls 'sexual exceptionalism', where the homonormative idea of freedom and self-determination, embedded in whiteness, is used against racialized queers. The authorities seem to be more concerned about "codifying an ideal of European values" (Puar, 2007, p. 20), than human rights. The ability to perform 'outed' identity is also deeply dependent on contextual intersectionality (Crenshaw, 1989; 1991).

In practice, the asylum seeker can be turned and asked to seek protection from their home country, ask help from local LGBTQ+ groups, or move to another city. The assumption that an asylum seeker could easily just detach themselves from their communities and move to another city, or join and have knowledge of queer groups in the country, is arbitrary when you consider other intersecting social categories. For instance, women are often socially and economically dependent on their families, and therefore have more difficulties to flee abuse. Certain privileges such as class, economic status and access to certain resources are helpful to

prove a credible identity:

> According to the content of the Ministry of Foreign Affairs' consultation note, the applicant has now proved his identity. It can also be assumed that the applicant is a doctor and that she has been divorced from her former spouse. The majority can then base the applicant's explanation that she is bisexual, that her ex-spouse has revealed her in a sexual relationship with another woman, that she has fled the residence, that the police have refused to help her, that her ex-spouse and her father are angry with her and that she and the spouse have been divorced. (Case 22, Appendix)

In this case of an Armenian woman, the economic advances and the ability to provide such documents led to a positive asylum. Ironically enough, those applicants that have access to such material resources, like official documents and other citizenship privileges, may be those, that are living according to the heteronormative standards (like monogamy and marriage), and are performing their sexuality in the most invisible and apolitical ways. Therefore, it seems conflicting that those that are less privileged, are forced to prove and perform their homosexuality in the asylum process. However, Puar (2007) indicates that oftentimes the normativities compliment each other: “homosexual sexual exceptionalism does not necessarily contradict or undermine heterosexual sexual exceptionalism; in actuality it may support forms of heteronormativity and the class, racial, and citizenship privileges they require” (p. 9). Often LGBTQ+ migrants are not privileged enough to have physical evidence of past relationships that support their application (such as photos, letters, or certificates), and therefore it’s also easier for authorities to turn away those people. Therefore, it is important that we point out the lack of intersectionality in these arbitrary exclusion mechanisms.

Moreover, having other types of visible proof, such as digital content was found to increase credibility of identity in two of the positive cases. The following applicant managed to get an asylum, since he was able to provide video material as a proof of his sexuality:

> The Refugee Appeals Board finds after an overall assessment not to be able to deny that the applicant is bisexual, and [...] that the applicant participated in a protest demonstration against the adopted legislation in Uganda regarding homosexuals (in spring) 2014, and in this connection appears on a video from the event, that implies that he is exposed in Uganda as a result of bisexuality/homosexuality. (Case 28, Appendix)

This is an absurd requirement since it is often dangerous for LGBTQ+ applicants to produce such supporting evidence. A recent article by Andreassen (2020) indicated that online visibility, especially Facebook content, has been increasingly used as an indicator of LGBTQ+ identity credibility in Denmark. Content from the applicants' personal Facebook profiles are examined by the Danish Immigration Service in order to determine whether the applicant is credible. Evidence such as photos with partners or proof of LGBTQ+ activism are found to increase credibility. This was also the case of Iranian man who got accepted in 2018:

> The board has also emphasized the applicant's appearance in an article in (a named magazine) in autumn 2016 together with both his then female and male partner [...] and the excerpts of the applicant's Facebook profile, where he has posted notices from his activities in i.a. AIDS Foundation and LGBT Asylum. (Case 15, Appendix)

However, social media content did not guarantee credibility in all of the cases. The following bisexual activist from Congo applicant got rejected in 2020, because he did not appear in a video by his name:

> In this connection, the Refugee Appeals Board has also emphasized that homosexuality is legal in Congo. [...] The fact that the applicant in a YouTube video, with very few views, has declared himself bisexual, cannot lead to another result, already because the applicant does not appear by name. (Case 3, Appendix)

What appears bizarre here is that the applicant should have been mentioned by name, or the video should have had more views, whereas such requirements were not demanded from other applicants. As the RAB's decisions often lacked in logic, this confirms the observation made in other reports on Denmark, that getting an asylum seems to be a matter of luck (LGBT Asylum, 2015; Bendixen, 2020) Especially when it came to the applicants from Uganda, where homosexuality is criminalized, applicants were still rejected for various different reasons. This seems contradicting, since these applicants do not have the opportunity to seek protection from the state, and the only option then would be to hide their sexuality. Even in cases where identity was noted as credible, the board rejected them, suggesting that as already being lived without being prosecuted, the applicant could continue doing so —and therefore not in need for asylum:

> Regarding the general situation for LGBT people in Uganda, the Refugee Board notes that background information on the situation of LGBT people in Uganda shows that although the conditions for LGBT people in Uganda may be difficult depending on the circumstances, LGBT people are not exposed to routine or systematic targeted abuses by the authorities [...] However, the background information also shows that homosexuals are at risk of being discriminated against, threatened and abused in Uganda by in particular by the local population, which risk is particularly present for persons whose sexual identity is "*outwardly visible*" [...] Based on the applicant's explanation, the Refugee Appeals Board assumes that he is bisexual and that he has lived as a bisexual, but the board assumes that the applicant has lived as a bisexual in Uganda for a number of years without having experienced asylum-causing problems. (Case 14, Appendix)

Here, two important things should be noted. Firstly, as bisexuality is considered 'less queer' identity than homosexuality, this posits bisexual applicants in a vulnerable position, where it is often assumed that they can go back to their home country and choose to downplay their attraction to their same gender (Jansen & Spijkerboer, 2011; Peyghambatzadeh, 2020). Secondly, seemingly vertical homophobia by the nation-state is not considered systematic enough, and when the persecution threat intertwines with horizontal homophobia, such as conflicts with local communities, it is not considered as a ground for asylum if you are not 'outwardly visible'. This assumes that the applicant should look and act in 'gay enough' manner in order to deserve protection (LGBT Asylum, 2015). Not only this enforces stereotyping, but furthermore, this does not take into consideration the fact that often queer people have learned to suppress their self-expression because of the fear of harassment and violence (ibid).

The authorities also required the applicants to have knowledge of local LGBTQ+ groups in their home country, suggesting the applicant could join one as a 'solution' for their fear:

> It also appears that there is a prevailing traditional and cultural disapproval of homosexuality, that homophobia is widespread, and that there is often confusion about what it means to be LGBT. Although there is a strong Ugandan public opinion against homosexuality, there are a number of organizations, primarily in Kampala, that actively and openly debate LGBT rights and also prosecute LGBT rights cases in the courts. Support networks for homosexuals have also been established. Against this

> background, the Refugee Board finds that it cannot in itself lead to asylum that the applicant is bisexual. (Case 14, Appendix)

Here we can question the Danish sexual exceptionalism explicitly in relation to Uganda's "confusion about what it means to be LGBT". Based on this analysis, it's evident that the Danish immigrant authorities are facing major confusion what it means to be queer beyond whiteness and mononormativity. This reflects the homonationalist ideology, where non-Western cultures, traditions and family values are portrayed as more 'backwards' and 'repressive' (Puar, 2007). The same discourses that produce Western states as an exceptional and 'progressive' (e.g. Danish values) are often used to justify the hostile immigration policies of the state (Puar, 2007). This Western moral and cultural superiority is also often attached to religion. The authorities assumed that LGBTQ+ identity requires a conscious rejection of any religious identity, which may cause improper stereotyping, especially Muslims;

> It should be noted that the applicant has explained that [B] was a Muslim and therefore taking into account both that reason and the conditions for homosexuals in Uganda generally, it is unlikely that [B] should have told his father about the sexual relationship with the applicant. (Case 13, Appendix)

Here the idea of 'repressive and foreign' homophobia perfectly serves the anti-immigrant state, which is often committed to misunderstanding immigrants and their traditions and cultures. The image of queer asylum seekers as being repressed by their religion and own culture is used against themselves by the authorities to make the story sound inauthentic. This assumes that a queer Muslim could possibly not have other than blatantly homophobic and heteronormative family, and once again, choose individualism over the bonding with their families or communities. Within this 'Muslim-gay' binary, being homosexual and Muslim are assumed as mutually exclusive identities (Puar, 2007; Rahman; 2010). Within this binary, Western and Eastern cultures are imagined as mutually exclusive and oppositional (Rahman, 2010). Therefore, Muslim queers often represent an intersectional location, where this binary is challenged, meaning that Muslim queers can be caught between Islamophobia and homophobia (ibid).

Final remarks

To summarize, this analysis indicates that often bisexual identity marks ambivalence, and any kind of ambivalence during the asylum process affects negatively for the result. Therefore, especially bisexual asylum seekers often need to strategize their coming out stories to maximize the most desirable outcomes. This finding is supported by other literature on bisexual asylum seekers (Rehaag, 2009; Berg & Millbank 2011; Sin, 2015; Vogler, 2016; Marcus 2018; Peyghambatzadeh, 2020). As I found an inconsistency in the reasoning of these asylum decisions, being able to tell a coherent story and getting an asylum seemed to be a combination of certain intersectional privileges and good luck. Questioning the applicant's identity and making assumptions based on stereotypes is problematic in many ways and seems to be an attempt to make one's account of events sound inauthentic. Ultimately, the analysis uncovered the ways in which the bisexual asylum seekers are expected to adopt and perform a Western model of sexual liberation, which is based on homonormative ideas of sexuality, visibility, and individualism. However, in order to discuss this more in-depth, in the next part, I am going to proceed with the main findings and indicate what this means regards to bisexuality.

Discussion

The findings indicate that bisexuality itself creates a challenge to the binary structures that uphold the Danish asylum system. As stated in the analysis, the board tried desperately to preserve the stabile heterosexual/homosexual binary, which caused the unstable usages of bisexual as a word. Specifically, words "homosexual" and "bisexual" were mixed and used somewhat overlappingly. This indicates that it is difficult for the immigration authorities to consider bisexuality as a separate, steady identity. As Sin (2015) states, "bisexuality is strategically coupled with homosexuality to serve the exclusionary desires of the immigration authorities" (p. 432). Often in LGBTQ+ rights discourse, the notion "or bisexual" is added deliberately as the sidenote of homosexuality (Marcus, 2018). However, "when sexual orientation is regarded as an adequate basis for asylum, bisexuality becomes decoupled from homosexuality and thus ineligible for protection" (Sin, 2015, p. 432).

As Vogler's study (2016) concluded, it is not impossible for bisexuals to claim themselves credible, however, it is often very difficult. So, I proceed with two main findings. First, to reveal that some certain bisexual applicants who conform conforms to the Western homonormative standard — can be successful to get an asylum. Secondly, to some extent there is a possibility to get an asylum, if a bisexual conforms to the tight monogamous standards of heteronormativity— so to speak, picks a side— and is able to provide credible proof that is highly dependent of individual privileges, such as gender, class and economical status. I argue that both of these findings support the binarism of sexuality, and in that sense, serve anti-immigrant ideologies. As noted earlier, often these two normatives compliment each other and the intersecting citizenship privileges they require:

> "Homonormativity can be read as a formation complicit with and invited into the biopolitical valorization of life in its inhabitation and reproduction of heteronormative norms. One prime mechanism of sexual exceptionalism is mobilized by discourses of sexual repression—a contemporary version of Foucault's repressive hypothesis—that are generative of a bio- and geopolitical global mapping of sexual cultural norms" (Puar, 2007, p. 9).

Hence, the Danish exceptionalism in LGBTQ+ rights should be questioned. Just because Denmark does not practice anti-homosexual laws by the nation-state, it does not make Denmark automatically LGBTQ+ friendly. When the LGBTQ+ policies intersect with immigration policies, queer migrants are put into a position where their equal rights are being violated. The findings highlight the lack of expertise the asylum authorities have regarding racialized queer lives in general, and in Denmark. There is an urgent need for the asylum cases to be investigated individually, taking into account the intersectional nuances. Therefore, beyond the foreign homophobia, Denmark needs to shift focus on addressing the local mechanisms of exclusion and biphobia. By ignoring all these situational challenges faced by sexually fluid people, Denmark indirectly participates in oppressing bisexual people in vulnerable situations.

Within saying all this, it should be noted that I am not trying to indicate that bisexual people are treated worse than other LGBTQ+ asylum seekers, but rather I am trying to draw attention to the ways in which bisexuality exposes the instability of the asylum system, that oppresses all queers, which helps to highlight the common struggles inside of the binary system. Hence, monosexuality doesn't require deconstructing the systems of power in the same way that bisexuality does. The resistance to consider bisexuality as valid orientation appears to

stem from the relationship between different forms of powers, such as heterosexism, monosexism, patriarchy, and nationalism. Therefore, the social recognition of bisexuality would not only threaten the binaries in question, but also would make it actually impossible to 'prove' one's heterosexuality or homosexuality (Yoshino 2000; Eisner 2013). It's obvious that the Danish asylum policies marginalize all queers further, and only looking at this data we can't make a comparison whether bisexuals are less likely to get an asylum than gay men or lesbians in Denmark. However, it should be noted that bisexual asylum seekers suffer both from biphobia and homophobia (Figure 1, p. 7). Bisexual applicants often flee prosecution on the grounds of homophobia but are often met with biphobia when seeking asylum. Being inspired by Ratele's (2014) notions of vertical and horizontal homophobia, I could suggest the terms '*vertical biphobia*' and '*horizontal biphobia*'. In contrary to vertical homophobia, vertical biphobia is manifesting as institutional invalidation and erasure, meanwhile horizontal biphobia comes with an additional layer of stigma, not only from everyday heteronormative society, but also the LGBTQ+ community.

As proceeding with the 'stage 3' of Fairclough's (2010) analysis on social wrong, I argue that the social order 'needs' biphobia for categorizing people and sexualities, and thereby, to exercise biopower at borders. In this way, the recognition of bisexuality as a valid orientation, without it's homosexual dependency, actually would expose the inconsistency within the Danish asylum system when it comes to LGBTQ+ procedures. In short; if we did not categorize people in homosexuals and heterosexuals, it would be impossible to oppress bisexual people. Likewise, if there were no categorizations of men and women, it would be impossible to oppress people according to their gender (Eisner, 2013).

Conclusion

This thesis has sought to acknowledge an issue that has not yet been investigated in Denmark: bisexual asylum seekers. As a result, the current responses to bisexuality in the Danish asylum system in Denmark raise a great concern. Even though this study cannot give a full view of bisexual experiences in the asylum process, some observations can be made. Evidently bisexual asylum seekers face difficulty communicating their stories, and troubling views of on sexual binaries appeared in the cases when assessing the sexual identities of the asylum applicants. These troubling views call for action the need for development in practice concerning LGBTQ+ asylum applications in Denmark. Within this data, it is impossible to know what are the actual

discussions being held between the asylum authorities and asylum seekers, and therefore, additional studies should be done, especially from the perspective of bisexual asylum seekers. A full analysis of biphobia, and the reason for low grant rates of bisexual asylum seekers would require an extensive review of all asylum decisions. Especially, more studies should be done on bisexual women, and bisexuals with non-normative gender identities, to explore why they are overwhelmingly underrepresented. Within saying this, as both having fluid sexuality and having non-normative gender identity oppose the binaries, further studies should be also done on bisexual asylum seekers who identify as trans and genderqueer. Lastly, I want to emphasize that Denmark is not an exception when it comes to improving equal rights for LGBTQ+ people, and there is a need to recognize bisexuality as a separate and valid sexual orientation. Until then, negative refugee claims will lead to damaging consequences, such as deportation, persecution, torture, or even death.

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