

**Queer Quarantine:
Conceptualizing State and Dominant Cultural Responses to
Queer Threats as Discursive Tactics and Technologies of Quarantine**

by

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Abstract

This study explores queer quarantine, my conceptualization of processes and practices aimed at assessing, diagnosing and isolating queer threats to the nation. In theorizing queer quarantine, I draw upon the longstanding conflation of queerness with disease and contagion, and build a case for reading the isolation, containment and casting out of queerness as an assemblage of discursive tactics and technologies aimed at quarantining queers beyond conventional understandings of quarantine. I examine the ways queers are imagined to threaten public space, healthy bodies, and the future of the nation, and provide a new accounting for so-called homophobic policies and practices deployed in statecraft and dominant culture. I also trace the emergence of the queer AIDS monster, an effect of disciplinary tactics of queer quarantine and a particular discursive formation in its own right.

My study has two aims: building a case for queer quarantine and, at the same time, demonstrating how queer quarantine can be used as a new model of analysis to identify and explore some of the ways the Canadian state and dominant culture continue to marginalize and oppress queers despite the rights gains and “acceptance” that some gays and lesbians have achieved.

My analysis reveals that in 1970s Toronto, the rapidly increasing visibility of queerness became a public threat necessitating tactical responses from local authorities and the police to quarantine queer spaces. The advent of AIDS saw a new and heightened level of surveillance directed nationwide onto queer bodies by medical and legal authorities, with the development of new tactics and technologies of queer quarantine to protect against multiplying threats of queer contagion. Increased state obsession with

national security in the era of homonationalism sees a renewed focus on queer threats to the nation's future, for example, via children and the national blood supply.

This interdisciplinary study weaves together concepts and theories from cultural studies, history, sociology, queer theory, feminist theory, contagion studies, epidemiology, and applied linguistics, resulting in a multi-scalar analysis of the ways that queer quarantine can be employed to provide new readings of state and dominant cultural responses to queer threats over a forty-year period.

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List of Acronyms and Abbreviations Used in this Study

AAN	AIDS Action Now
ARC	AIDS Related Complex
ASA	Accepting Schools Act, 2012
AIDS	Acquired Immune Deficiency Syndrome
BBC	British Broadcasting Corporation
BC	British Columbia
CBA	Canadian Bar Association
CBC	Canadian Broadcasting Corporation
CBRC	Community Based Research Centre
CDC US	United States Centers for Disease Control and Prevention
CFS	Canadian Federation of Students
CRCBTS	Canadian Red Cross Blood Transfusion Service
CSC	Correctional Service Canada
DSM I	Diagnostic and Statistical Manual of Mental Disorders 1952
DSM II	Diagnostic and Statistical Manual of Mental Disorders 1968
DSM III	Diagnostic and Statistical Manual of Mental Disorders 1980
GRID	Gay-Related Immune Deficiency
GSA	Gay-Straight Alliance
HAART	High Active Antiretroviral Therapy
HIV	Human Immunodeficiency Virus
HOC	House of Commons
ICV	Institute of Canadian Values
IMFC	Institute of Marriage and Family Canada
LGBT	Lesbian Gay Bisexual Transgender
LGBTQ	Lesbian Gay Bisexual Transgender Queer
LGBTTIQ	Lesbian Gay Bisexual Transgender Two-Spirit Intersex Questioning
OCDC	Ottawa-Carleton Detention Centre
OHRC	Ontario Human Rights Commission
STI	Sexually Transmitted Infection
RCMP	Royal Canadian Mounted Police
TBE	Toronto Board of Education
TDSB	Toronto District School Board

Chapter 1: Queer Quarantine

A Disease From Other Countries

In July 2011, India's Minister of Health, Ghulam Nabi Azad, was quoted at a national conference on HIV and AIDS in Delhi as calling homosexuality "unnatural" and likening it to "a disease which has come from other countries."¹ These comments set off what the British Broadcasting Corporation (BBC) called a "serious row" amongst HIV/AIDS activists in India and received international media attention.² News outlets around the world picked up on the minister's statements, however, many news media in the global north also supplemented the phrase "other countries" with references to the west or western countries, thereby creating a clear subtext that Azad's comments were representative of a non-western, unenlightened, and less-than-civilized way of treating sexual minorities.³ Indeed, reporting on the event, Canada's state-sponsored news media, the Canadian Broadcasting Corporation (CBC), made the unsubstantiated claim that the minister's comments "echoed a common refrain in the conservative South Asian nation that homosexuality is a western import."⁴ I read this form of editorializing as constituent of the larger phenomenon that Jasbir Puar has termed "homonationalism," an assemblage

¹ "Row After India Minister Calls Homosexuality a Disease," *BBC News*, July 5, 2011, accessed July 30, 2014, <http://www.bbc.co.uk/news/world-south-asia-14024774>.

² Ibid.

³ See for example: Muneeza Naqvi, "Ghulam Nabi Azad, India Health Minister, Calls Homosexuality A 'Disease' From The West," *Huffington Post*, July 5, 2011, accessed July 30, 2014, http://www.huffingtonpost.com/2011/07/05/india-health-minister-ghulam-nabi-azad-homosexuality-a-disease_n_890143.html.

⁴ "India's Health Minister Calls Homosexuality a Disease," *CBC News*, July 5, 2011, accessed July 30, 2014, <http://www.cbc.ca/news/world/india-s-health-minister-calls-homosexuality-a-disease-1.1089821>.

of processes and practices through which certain white, middle-class, and able western gays and lesbians are becoming aligned with nationhood by taking up practices that support *life* and the promise of a *national future*: marriage, reproduction, and the military. “Homonationals” are thus tolerated (some would even say “accepted” under certain circumstances) as citizens with patriotic values and are used to differentiate good gays from bad queers.⁵ Via the figure of the homonational, the global north also claims and asserts moral and ethical superiority over other nations and cultures that marginalize and oppress gays and lesbians, as well as other sexual and gender minority people. This rhetoric is continually updated and repeated throughout popular discourse, with media singling out similar “foreign atrocities” to help buttress the global north’s belief in its own superior treatment of sexual minorities.⁶ Prior to and during the 2014 Winter Olympics in Sochi, press coverage of Russia’s 2013 legislation banning “gay propaganda” is another case in point. Homosexual acts are legal in Russia, but media reports on the Kremlin’s criminalization of gay propaganda, in a nation where pollsters

⁵ Jasbir Puar, *Terrorist Assemblages: Homonationalism in Queer Times* (Durham NC: Duke University Press, 2007), 38-39, 46.

⁶ The media’s ongoing response to state-supported anti-homosexual acts in Iran is an example of this. In 2012, *The Guardian* used the occasion of a speech given by “an influential Iranian cleric” who said that politicians supporting homosexuals are “lower than animals” and “blamed homosexuals for [the] spread of Aids (sic),” to remind readers about the 2005 hanging in Iran of two male youths “on charges related to sodomy.” The article noted that “despite the horrific punishment for homosexuals in Iran, the gay community,” arguably a western concept, “is alive underground,” attributing part of its existence to Facebook. See: “Homosexuals Are Inferior to Dogs and Pigs, Says Iranian Cleric,” *Guardian*, April 18, 2012, accessed September 8, 2014, <http://www.theguardian.com/world/iran-blog/2012/apr/18/iran-cleric-condemns-homosexuality>.

found that 35 percent of the population “believed that homosexuality was a disease,” present Russia’s treatment of gays and lesbians as antithetical to that of western nations.⁷

A problematic effect of homonationalism is the diversion of public attention away from queer-oppressive situations at home to sensationalized incidences of homophobia, gay bashing and oppression elsewhere in the world, predominantly in the global south. These diversionary tactics help maintain an attitude of superiority in the collective western psyche, and reinforce popular thinking within gay activism that western human rights models are universally acceptable and applicable.⁸ Additionally, I argue, they also function as discursive tactics to obscure state-sanctioned policies and cultural practices in Canada that continue to promote the quarantine of queerness, a concept central to this study.

The CBC article about Azad also stated that “many homosexuals hide their sexual orientation from friends and families,” while “the marginalization of gay people keeps them isolated and makes it harder for HIV/AIDS awareness messages to reach them.”⁹ These statements, which the CBC used in 2011 to describe India, are often invoked to suggest the global south is somehow less civilized, thereby reinforcing an orientalism that gets attached to HIV and AIDS. Yet, they apply just as well to Canada today. For examples of the multiform marginalization and oppression that queers continue to

⁷ David M. Herszenhorn, “Gays in Russia Find No Haven, Despite Support From the West,” *New York Times*, August 11, 2013, accessed September 9, 2014, http://www.nytimes.com/2013/08/12/world/europe/gays-in-russia-find-no-haven-despite-support-from-the-west.html?pagewanted=all&_r=0.

⁸ Indeed, much of the work undertaken in regards to gay rights in the world today is conducted under the aegis of what Massad has called the “gay international.” See: Joseph Massad, “Re-Orienting Desire: The Gay International and the Arab World,” *Public Culture* 14.2 (2002): 361-385.

⁹ “India’s Health Minister Calls Homosexuality a Disease,” *CBC News*.

experience in Canadian society today, one need only consider the public uproar sparked by the Ontario Liberal government's legislation of gay-straight alliances (GSA) in public schools in 2012, an issue I examine in detail in Chapter Four, or the fact that western HIV awareness campaigns must be designed to reach "men who have sex with men" (MSM). This identity category has gained currency among Canadian HIV/AIDS researchers, policy makers and educators to account for the many men who engage in homosexual acts but who do not identify publicly as gay or bisexual for a complex set of reasons, which include state-sanctioned heterosexism and "internalized homonegativity."¹⁰ The contentiousness of issues like GSAs in schools, which culminated in some school boards banning them outright,¹¹ reveals a society-wide tension whereby gays and lesbians who support what I call the three M's—monogamy, marriage, and the military—are "acceptable" or can at least be tolerated while other queers continue to be likened to disease, viewed as potential child molesters, and criminalized. It is this tension that fascinates me and inspired my initial thinking around what compels the cultural desire to quarantine the queer.

¹⁰ The term MSM was developed for speaking about and reaching men in cultures where western identity categories like "gay" and "bisexual" do not apply. I do not suggest that these identity categories are or should be universally accepted or applied. My point is that many Canadian and American men eschew these identifications, especially publicly, out of fear of reprisal, shame and internalized homonegativity. Studies undertaken over the last three decades demonstrate that heterosexism and anti-gay attitudes pose health risks to MSM. See, for example, this recent study exploring sexual identity and "outness" in terms of sexual risk taking: Darcy White and Rob Stephenson, "Identity Formation, Outness, and Sexual Risk Among Gay and Bisexual Men," *American Journal of Men's Health* 8.2 (2014): 98–109.

¹¹ Kate Hammer, "Halton Catholic School Board Under Fire for Banning Gay-Straight Alliances," *Globe and Mail*, January 10, 2011, accessed July 31, 2014, <http://www.theglobeandmail.com/news/toronto/halton-catholic-school-board-under-fire-for-banning-gay-straight-alliances/article561254/>.

Throughout this study I attempt to maintain a clear distinction in how I refer to identity categories. Therefore, I use “homosexual,” “gay men,” “lesbians,” and “gays and lesbians” to distinguish identities as required, avoiding when possible catchall acronyms like “LGBTQ,” which are unwieldy and used indiscriminately. Most frequently, I use “queer,” which many scholars now employ instead of LGBTQ, although queer is also an Anglo-American term and often used as though it were universal. In line with its usage in cultural analysis, I also deploy “queer” to signify contestation, subversion, transgression, and the pushing outwards of boundaries in terms of actions and activities, as well as the liminal or abject in terms of place, space, and time. So-called good gays and lesbians seek acceptance and assimilation under the terms of heteronormativity, thereby consciously or unconsciously subscribing to homonormative logic.¹² Queers and queerness, however, threaten the stability of heteronormative and homonational structures and systems of power that, I argue, undergird the presumed futurity of the nation. Therefore, not all gays are queer and not all queers are gay. Desire and acts between persons of the same gender but not necessarily the same *sex* can therefore also be queer desires and queer sex acts. I also consider queer those who are usually subsumed under the categories of asexual and autoerotic because of their potential to disrupt.

¹² Following Lisa Duggan’s conceptualization of homonormativity, scholars have explored the cleavage between so-called acceptable or good gays and bad queers. Puar’s work, cited earlier, on the phenomenon of homonationalism is exemplary here, as is Catherine Nash’s scholarship addressing the development of the good gay/bad queer binarism in the Canadian context. See: Lisa Duggan, “The New Homonormativity: The Sexual Politics of Neoliberalism,” in *Materializing Democracy: Toward a Revitalized Cultural Politics*, ed. Russ Castronovo and Dana D. Nelson (Durham, NC: Duke University Press, 2002), 175-194; Catherine J. Nash, “Toronto’s Gay Village (1969–1982): Plotting the Politics of Gay Identity,” *The Canadian Geographer* 50.1 (2002):1-16.

Queer Quarantine

This dissertation traces the phenomenon that I call *queer quarantine* across four decades of queer cultural history in Canada, from police raids on gay cultural and political establishments in the 1970s, to the development of national and provincial strategies on AIDS, to current debates over visible queerness in schools, the blood donor deferral for MSM, and the increasing criminalization of HIV transmission. In doing so, my study also presents a combination of methods for undertaking an analysis of official state discourse, including federal and provincial committee hearings, legislation, policies, and guidelines, to reveal some of the ways that the state has responded to perceived queer threats. Through my analysis, I argue that the effects of these responses can be understood as functioning to quarantine queerness.

Motivating me to undertake this study and undergirding my thesis is Eve Kosofsky Sedgwick's under-explored observation regarding our "culture's desire that gay people *not be*."¹³ Characterizing the psychiatry profession's pathologization of gender identity disorder in childhood as part of "the war on effeminate boys," Sedgwick reflects on why, when research suggests that many if not most effeminate boys will grow up to be gay men, mainstream society seeks either to deny the existence of gay kids or to view them as disordered, while adult gays and lesbians generally eschew them. In a world that clearly does not try to help kids grow up to be gay, preventing gay bodies, Sedgwick advances, seems to be a significant desire in our culture.¹⁴

¹³ Eve Kosofsky Sedgwick, *Tendencies* (Durham, NC: Duke University Press, 1993), 164.

¹⁴ *Ibid.*, 163-64.

Pathologizing gay and proto-gay children is a means to this end, but it is certainly not the only way this is accomplished. Reflecting on the main points in Sedgwick's essay, within the framework of dominant culture's longstanding treatment of queerness as disease, I explore how re-conceptualizing quarantine can further illuminate the ways that our culture's desire for a world without queers has been carried out and continues to be circulated in official discourse. Additionally, I examine the ways this reconfiguration of quarantine can be deployed as an analytical tool to demonstrate how queers continue to be the target of state-sponsored and cultural processes and practices of isolation and containment in Canada, despite the global north's collective fantasy that proclaims foreign, less civilized nations as the locus of gay and lesbian marginalization and oppression today.

It is my contention that while the longstanding pathologization of queerness has been studied in the past, it has been under examined and therefore not fully developed as a model for exploring the anti-queer policies and practices that continue to regulate and oppress queer people. The legal and social gains that gays and lesbians have made in the last four decades have much to do with this. As homosexuality is no longer officially classed as a disease in Canada, we speak most often now about homophobia (or homonegativity) as the "last" barrier to full equality for gays and lesbians. This is problematic, for there is much disagreement over the meaning and usefulness of the term homophobia, let alone the alleged origins and manifestations of the term, with psychologists and social scientists debating whether it should be used to describe an internalized fear of homosexuality, a pathological condition, or if it still serves as an

appropriate characterization for the social stigmas attached to homosexuality.¹⁵ Mainstream and gay media abound with news about homophobia as though its meaning were self evident. As I note in Chapter Five, contemporary usage of the term is so ambiguous that individuals professing anti-homosexual hostilities now claim they are being discriminated against when they are labelled homophobic for their beliefs. Experts write about homophobia, research its effects, and produce statistics without actually defining it, assuming it is universally accepted and understood. Amnesty International has now used the term “state-sponsored homophobia” to describe Gambia’s new “anti-gay law,” which could lead to sentences of life imprisonment for individuals found guilty of “aggravated homosexuality.”¹⁶ The president of Gambia is known for likening homosexuals to “vermin,” once stating that LGBT stands for “Leprosy, Gonorrhoea, Bacteria and Tuberculosis.”¹⁷ We might ask if this is solely a question of state-directed homophobia or if the reality is more complex. I suggest that the constant reification of homophobia masks a much more complicated assemblage of discursive tactics and strategic effects directed against queers.

¹⁵ For an excellent overview of the evolution of the term “homophobia,” contemporary debates around its usage, and suggestions for further scholarship, see: Gregory M. Herek, “Beyond ‘Homophobia’: Thinking About Sexual Prejudice and Stigma in the Twenty-First Century,” *Sexuality Research & Social Policy* 1.2 (2004): 6-24. Newer terms, such as homonegativity and heterosexism, have been developed to resolve some of the issues that the term homophobia presents. In popular discourse, however, homophobia remains current. In this dissertation, I restrict my use of homophobia to instances where I am paraphrasing other sources. Otherwise, I prefer terms such as anti-homosexual, anti-gay and heterosexist where applicable.

¹⁶ “Gambia’s President Jammeh Asked to Reject Anti-Gay Law,” *BBC News*, September 10, 2014, accessed September 10, 2014, <http://www.bbc.com/news/world-africa-29145397>.

¹⁷ Chris Harris, “Don’t Back ‘State-Sponsored Homophobia’, Urges Amnesty,” *EuroNews*, September 10, 2014, accessed September 10, 2014, <http://www.euronews.com/2014/09/10/dont-back-state-sponsored-homophobia-gambia-pleas-amnesty/>.

My conceptualization of queer quarantine offers a means to address this problematic by putting the conflation of queer with disease in the Canadian context back under examination to explore the ways that power relations continue to effect a quarantine of “the queer” today. In theorizing queer quarantine, I offer analytical tools for examining both the historical and contemporary threats that queers are imagined to pose to public space, healthy bodies, and the future of the nation, thereby providing a more robust accounting for many so-called homophobic policies and practices. My conceptualization begins with a queering of conventional understandings of quarantine, which includes the isolation of bodies and spaces suspected of being infected with contagious disease for specific periods of time. The traditional form of biomedical quarantine is historically enacted in the material realm in order to protect a “healthy” public from an infectious agent. I conceive of queer quarantine as a phenomenon comprising discursive tactics, technologies and material effects imbricated within longstanding historical discourses in which queers are positioned as morally flawed, mentally ill, and immanently diseased. These practices, I posit, continue today.

Building upon the three prime elements of traditional quarantine, bodies, space, and time, I argue for a re-reading of official and popular discourse that reveals conceptualizations of queer space as invading and infecting public space, queer bodies as vectors of contagion, and queer proliferation as threatening to the nation’s future via the corruption of its children. I also locate a particular discursive tactic of queer quarantine in the monsterization of queers, which manifests via a discursive formation I call the “queer AIDS monster.” As I demonstrate, certain queers come to embody this trope through the discursive production of monstrous queerness; at the same time, I argue that the queer

AIDS monster is also the banalized beast embodied by queers under queer quarantine. Queer quarantine is thus a conceptual framework for exploring how discursive tactics and technologies deployed by the state and dominant culture work to identify and isolate queerness and the threats it poses to the nation's future. These queer threats are revealed in part through dominant culture's longstanding obsession with stemming the proliferation of queerness and protecting the child from queer contagion.

Under these terms, "dominant culture" can include homonationalist claims, as well as discourse produced and re-circulated by homonormalized gays and lesbians, who also participate in processes and practices of queer quarantine. I use the term dominant culture as set out by Eva Mackey to refer to what others might call mainstream society. Dominant culture is a more nuanced term, however, in that it references less a group of people and more a cultural power that "constructs its dominance through culturally *unmarked* and supposedly *universal* notions of rationality, progress and equality."¹⁸ Drawing on work by Raymond Williams and Elizabeth Furniss, Mackey conceives of dominant culture as one that "infuses multiple domains of everyday life."¹⁹ While dominant culture may reflect the common sense logic of unmarked white "Canadian Canadians,"²⁰ it does not presuppose a bounded or essentialized national identity; it is always in the process of being contested by various individuals who participate in it to varying degrees. As such, dominant culture "is a long-term project, constantly created by the state and individuals."²¹

¹⁸ Eva Mackey, *The House of Difference: Cultural Politics and National Identity in Canada* (Toronto: University of Toronto Press, 2002), 166.

¹⁹ *Ibid.*, xvii.

²⁰ *Ibid.*, 19-22.

²¹ *Ibid.*, xvii.

In light of this conceptualization of dominant culture, I view the phenomenon of queer quarantine as mediated via an assemblage of discursive tactics and social processes that transform over time and space in relation to the assessment and diagnosis of queer threats. As such, the cultural power of dominant culture is supported through the homonationalist project and the rapid homonormalization of a visible and vocal segment of the Canadian gay and lesbian constituency. Conceptualizing queer quarantine thusly can help to theorize further how the state can tolerate certain manifestations of sexual difference, for example, in legalizing same-sex marriage, while at the same time punishing other forms of queerness through quarantine tactics and technologies that incite the monsterization and criminalization of unacceptable queer bodies.

Quarantine Talk

A few years before his AIDS-related death, the late porn star, writer and gay activist, Scott O'Hara, declared in an essay penned in opposition to increased state policing of public sex and official calls for gay men to abstain from sexual activity during the first major wave of the HIV/AIDS crisis in North America:

I would like to state that I think heterosexuals who insist on monogamous relationships should be arrested and quarantined, so they can't infect the rest of us with their insanity. Monogamy is unnatural behavior, as any zoologist or anthropologist will attest, a curiosity of so-called Western Society, and one need only look at modern history to understand how unhealthy it is.²²

O'Hara's remark is queerly ironic because by positioning dominant culture with its compulsory heterosexuality and legislated monogamy as insane and infectious, the essay

²² Scott O'Hara, "Talking With My Mouth Full," in *Policing Public Sex: Queer Politics and the Future of AIDS Activism*, ed. Ephen Glenn Colter et al. (Boston: South End Press, 1996), 81-86.

plays on the enduring heterosexist and anti-homosexual logic that maintains that queers and queer sex acts, if not all but the most missionary of procreative sexual activities, are perverted, diseased, and contagious. This logic requires the policing, regulation, and isolation of queers, as well as their eradication from future iterations of the nation.

Imbricated within this longstanding discursive conflation of queerness with disease is the *quarantine talk* that dominant culture has produced and continues to generate. I define quarantine talk as the set of anti-gay utterances deployed most often in popular discourse that, based on traditional notions of quarantine, call for the isolation, containment, or exile of queers. Read together as a discursive formation, these statements also reveal the cultural desire for a world without queers.

While quarantine talk might not incur the same material effects as an official declaration of quarantine, as a discursive tactic, it nonetheless has the power to effect social isolation and violence. Similarly, the use of the *fag* epithet might indeed be a mechanism through which pre-adolescent and adolescent boys police and regulate the proper production and expression of masculinity, however, in my experience growing up, “fairy boys” and “faggots” were considered fundamentally flawed, sick and most definitely, contagious.²³

With the advent of AIDS, state-mandated quarantine became a more serious possibility for queers, with political and medical authorities publicly suggesting quarantining queers and people with HIV and AIDS. For example, in spring 1989, the regional chair of Ottawa-Carleton, Andrew Haydon, publicly declared his desire to see

²³ For an excellent theorization of the use of the “fag” epithet in regulating masculinity, see: C. J. Pascoe, “‘Dude, You’re a Fag’: Adolescent Masculinity and the Fag Discourse,” *Sexualities* 8.3 (2005): 329-346.

mandatory HIV testing for immigrants, high school students, and people applying to work for the city. He also stated that since ninety-nine percent of people with HIV and AIDS were homosexuals or drug users, they should not be allowed to work for the city: “there’s a danger having those people working in a day-care operation just because of their lifestyle.”²⁴ In voting against city funding for AIDS education, Haydon also suggested that such awareness programs were useless. While education funding was approved and the technologies of queer quarantine that Haydon advocated, such as mandatory testing for homosexuals, did not make it into official city policy, they continue to circulate in official and public discourse around AIDS and queers.²⁵ I explore this “AIDS era” threat of quarantine more fully in Chapter Four.

While scholars have undertaken wide-ranging historical and political analyses of the late twentieth- and early twenty-first-century struggles for gay rights and queer liberation in the west, little academic work focuses directly on the historical and contemporary social and cultural linkages amongst queers, contagion, and *quarantine*. Popular culture and discourse are rife with references to quarantine and how, for example, queers should be rounded up and jailed. It is possible that quarantine talk and the links between queers and quarantine are so normalized and ubiquitous in western

²⁴ Doug Yonson. “AIDS Victims Should Not Work For Region: Haydon,” *Ottawa Citizen*, March 7, 1989, A1. Andrew Haydon has a riverfront park in Ottawa named after him.

²⁵ American officials have made similar declarations. Former Arkansas governor Mike Huckabee is infamous for likening homosexuality to a “dangerous public health risk” and stating, “We need to take steps that would isolate the carriers of this plague,” a declaration he did not recant when given the opportunity to do so in 2007: “Huckabee Wanted AIDS Quarantine.” *Huffington Post*, December 8, 2007, accessed August 4, 2014, http://www.huffingtonpost.com/2007/12/08/huckabee-wanted-aids-quar_n_75924.html.

culture, historically becoming part of what Antonio Gramsci called “common sense,”²⁶ that they have been mainly overlooked. The fact that O’Hara can, albeit ironically, call for the quarantine of straight people who believe in monogamy points to the existence of an implicitly if not commonly understood discourse in dominant culture around the quarantine of queers. Internet searches combining the keywords “gay” and “quarantine” produce many links to articles ranging from governmental considerations of quarantining homosexuals prior to and during the initial HIV/AIDS epidemic in North America to church blogs claiming that gays and lesbians are diseased sinners to discussion forums disseminating anti-homosexual messages and calling for official quarantine at best and death at worst.

While quarantine talk is a distinct feature of popular discourse around queers, being especially prevalent during the first years of AIDS, the lack of reference to and discussion around quarantine itself within academic scholarship on the sexual regulation of queers suggests an area for further study. My experience leads me to question the ways in which public discourses have linked queers, disease, *and quarantine* before, during, and since the initial outbreak of AIDS in North America.²⁷ At the same time, there is little Canadian scholarship exploring these concepts and theorizing the ways that they might be

²⁶ Gramsci’s theorizations of how capitalism became so embedded in social structures can be helpful in explaining the common-sense conflation of queers as perverse. Bourgeois cultural hegemony is maintained by mainstream society’s acceptance of bourgeois values, which are understood as common sense ways the world works. See: Antonio Gramsci, *Prison Notebooks* (New York: Columbia University Press, 1991).

²⁷ I confronted the possibility that I might be bisexual or gay around the same time as the Toronto gay bathhouse raids and the protests that led to the creation of Toronto Pride. I took part in protests and eventually in other forms of activism and support for people with HIV and AIDS. I thus participated in political action through which queers sought to claim public space and human rights, and witnessed the ways that other individuals, groups and the state responded.

deployed by dominant culture and the state to isolate, contain, and eradicate queerness as disease over time.

Accordingly, I am particularly interested in exploring this gap and theorizing the discursive and material elements of quarantine that apply to the problems that queers pose to the nation in the global north, prior to and following the advent of the gay and lesbian rights movements. In response to this silence on queers and quarantine, my study aims to explore and understand the ways in which queer quarantine may be theorized as an assemblage of technologies and processes working to manage the threats posed to dominant culture by queer bodies and queer sex acts over time and space during the last forty years in Canada.

In a series of Foucauldian-inspired analyses that trace a path through the rise of sexual rights, through the AIDS crisis, to the continuing evolution of the security state, I demonstrate how state and dominant cultural responses to queer threats have shifted over time from preoccupations with mapping queer space, to surveilling queer bodies, to the current obsessions with stemming the proliferation of queerness into the future. I posit that in 1970s Toronto, the rapidly increasing visibility of queerness came to be perceived as a public threat necessitating tactical responses from local authorities and the police to quarantine queer spaces into the early 1980s. The advent of AIDS, however, saw a new and heightened level of surveillance directed nationwide onto queer bodies by medical and legal authorities, together with the development of new tactics and technologies of queer quarantine to protect the state from multiplying threats of queer contagion. In the last set of analyses, I argue that in the twenty-first century, increased state obsession with national security in the era of homonationalism sees a renewed focus on the nation's

future as state institutions, from schools to hospitals to prisons, work to manage queer threats to children and the nation's blood supply. It is from within these contexts and from reflecting upon my own lived experiences that I approach the theorization and application of this new conceptual framework—queer quarantine—with the aim of providing a new model to explore the linkages amongst queers, contagion and quarantine across this period of rapid transformation and securitization.

Theoretical Framework

In her path breaking work, *Purity and Danger*, Mary Douglas defined dirt as “matter out of place,” viewing it as a social construct, with cultures separating what they regard as dirt, pollution and contagion from what they conceive as clean, pure and healthy to create order and a collective way forward.

For I believe that ideas about separating, purifying, demarcating and punishing transgressions have as their main function to impose system on an inherently untidy experience.”²⁸

The “inherently untidy experience” to which Douglas referred in 1966 involves an “impulse to impose order” that allows us to establish rules about purity and impurity for the maintenance of social order.²⁹ This impulse is a central factor in the origin of quarantine. Following Douglas, I suggest that there is an overall *impulse to quarantine*, which may be as old as the concepts of dirt, pollution and contagion themselves. Just as the concept of dirt is culturally constructed, the impulse to quarantine, its object and effects are subject to shifts and transformations over time and space. In Chapter Two, I explore the history of conventional quarantine as a tool for making order by isolating

²⁸ Mary Douglas, *Purity and Danger: An Analysis of the Concepts of Pollution and Taboo* (New York: Routledge, Reprinted 2002), 4.

²⁹ *Ibid.* 5.

contagions from populations perceived as clean and healthy. I also highlight some of the historical features of quarantine, which reappear in various assemblages under queer quarantine today. The impulse to quarantine, however, grounds my conceptualization of queer quarantine, which I elaborate throughout the remainder of this chapter.

My theoretical framework for queer quarantine, and the processes and practices that inform it, draws on Foucault's conceptualization of discourse as power/knowledge relations, as well as his understandings of governmentality and biopolitics. As an organizing principle of social relations, discourse refers to sets of statements governed by analyzable rules that produce systems of thought which determine "what could be said, who could speak, the positions from which they could speak, the viewpoints that could be presented, and the interests, stakes and institutional domains that [are] represented."³⁰ I apply my discourse analytical framework against state-produced policy and other related documents to reveal discursive formations, or "the establishment of the same theme in different groups of statement," which produce "a regularity: an order in their successive appearance, correlations in their simultaneity, assignable positions in a common space, a reciprocal functioning, linked and hierarchized transformations."³¹ Discourse is thus the realm within which, for example, those in authority can be said to create and circulate rules or *tactics* for the regulation of acceptable thinking and speaking about sex. Under the same example, this is also the medium through which *technologies* deployed for the surveillance of sexual behaviour and policing of these rules are shaped and guided.

³⁰ J. Motion and S. Leitch, "A toolbox for public relations: The oeuvre of Michel Foucault," *Public Relations Review* 33. 3 (2007): 263-268.

³¹ Michel Foucault, *The Archaeology of Knowledge and the Discourse of Language*, trans. A. M. Sheridan Smith (New York: Pantheon Books, 1972), 37.

Following this outline, I conceptualize queer quarantine as the assemblage of processes and practices, both discursive and material, that are deployed in the work of surveilling, assessing, diagnosing, managing, isolating and eradicating queer threats to public space, healthy bodies, and national futures. *Discursive tactics* of queer quarantine are those statements, rules, etc., which, spurred by the impulse to quarantine and drawing on extant discursive features, aim to carry out the work of queer quarantine in a particular manner. For example, Paris Hilton's comment in September 2012, "All homosexuals probably have AIDS,"³² and the *absence* of references to gays and lesbians in high school sex education curricula, are both discursive tactics that effect queer quarantine in different ways. While I do not suggest that queer quarantine functions only in the discursive realm, as this is certainly not the case, this study does emphasize discursive tactics and formations that can be traced at the level of discourse. The analyses of historical texts that I undertake reveal the deployment of discursive tactics of queer quarantine, many of which operate powerfully but much less visibly than technologies of queer quarantine such as bans, arrests or a police raids. Through analysis, we can correlate these tactics with their effects and with the further deployment of other technologies of governmentality.

Therefore, following Foucault's distinction between disciplinary *tactics* and *strategic effects*, where specific tactical aims of regulating and disciplining may fail but give way to unexpected strategic effects that are subsequently put to use,³³ I employ the term *tactics of queer quarantine* primarily to signify objectives, legible in discourse, that

³² "Paris Hilton Apologizes for AIDS Comment," *Toronto Sun*, September 21, 2012, accessed September 24, 2014, <http://www.torontosun.com/videos/1854181915001>.

³³ Michel Foucault, *Discipline and Punish: The Birth of the Prison*, 2nd edition (New York: Vintage Books, 1995), 276-277.

aim to quarantine or eradicate queerness, its presence or its visibility, within the social and cultural realm. I do not suggest that the tactics of queer quarantine that I read in this study all lead to the actual eradication of queerness, however, they have consequential strategic effects, sometimes unintended, which can lead to the further surveillance and regulation of queerness and/or to modes of queer resistance. My use of *technologies of queer quarantine* is modelled on Nikolas Rose's concept of technologies of government developed in his elaboration of Foucault's governmentality, where "technologies of government are those technologies imbued with aspirations for the shaping of conduct in the hope of producing certain desired effects and averting certain undesired events."³⁴ Thus, *technologies of queer quarantine* signify the "assemblage of forms of practical knowledge, with modes of perception, practices of calculation, vocabularies, types of authority, forms of judgment, architectural forms, human capacities, non-human objects and devices, inscription techniques and so forth,"³⁵ that result from the impulse to quarantine and are shaped through discursive features and tactics of quarantine. For example, in response to the specific tactical aim of keeping queer blood out of the nation's blood system, Canadian Blood Services (CBS) has marshalled an assemblage of technologies of queer quarantine against queer men. These include forms of knowledge making such as public opinion surveys, which might not normally be considered tools of governance, as well as screening tools used at blood drives. In the model that I employ in my analyses, such tools are not only products of legitimized power/knowledge regimes, but also extend or transform existent ones or create new ones. Thus, as I elaborate in

³⁴ Nikolas Rose, *Powers of Freedom: Reframing Political Thought* (New York: Cambridge University Press, 1999), 52.

³⁵ Ibid.

Chapter Five, these technologies incite increased surveillance of queer bodies, and produce more disciplinary effects via their regulation.

Foucauldian-inspired conceptualizations of technologies of governmentality have been used fruitfully in the growing body of work on governmentality thanks to Rose's scholarship.³⁶ For example, Mona Gleason's study of psychology and the family traces processes of "comparing, differentiating, hierarchizing, homogenizing and excluding" within the practice of psychology, practices she termed "technologies of normalcy," to demonstrate the effects of the aims of psychology on social relations in post-war Canada. Using this concept, Gleason demonstrates how these technologies work to conflate *normal* with *socially acceptable*, perhaps unintentionally, with the strategic effect of constructing the normal and idealized Canadian family around English, middle-class, heterosexist and male-dominated values.³⁷

Notions of governmentality further intend that governing is not simply a top-down activity, but one in which all members of society participate via the governance of both others and of oneself. In her conceptualization of the "fag discourse," Pascoe theorizes that boys surveil and punish each other for transgressions in their daily performance of appropriate forms of masculinity that are maintained and re-circulated in dominant discourse as hegemonic masculinity, while at the same time internalizing this discourse such that it governs their own gender performance as well.³⁸

³⁶ For an excellent survey of this work, see: Nikolas Rose, Pat O'Malley, and Mariana Valverde, "Governmentality," *Annual Review of Law and Social Science* 2 (2006): 83-104.

³⁷ Mona Gleason, *Normalizing the Ideal: Psychology, Schooling, and the Family in Postwar Canada* (Toronto: University of Toronto Press, 1999), 9.

³⁸ Pascoe, "'Dude, You're a Fag.'"

Biopolitics are concerned with the development and maintenance of healthy populations; hence Foucault's imperative that "society must be defended," both from outsiders and from itself.³⁹ This requires that contagion be isolated, and taken together with Douglas's observations regarding cultural and religious purification rites for the creation of systems of order, helps contextualize the impulse to quarantine I elaborate in Chapter Two.⁴⁰ I also draw upon scholarship on contagion, which includes risk assessment, management and sanitization, notions that facilitate my analysis of the tactics and technologies of queer quarantine my study reveals.

Sex Panics

The impulse to quarantine impels discursive trends that transform across time and space and further incite quarantine. Moral and sexual panics, thus, heighten the impulse to quarantine queerness to an imperative at specific moments in time. Exploring the relationship between sex panics and governmentality provides further context for queer quarantine, particularly the identification and diagnosis of queer spaces and bodies as biopolitical threats.

Conceptualizing sex panics as a feature of discourse as power/knowledge in the Foucauldian sense, as comprising sets of related discursive formations imbricated within broader discourses around sex, facilitates an understanding of how they, too, inform the ways in which we are governed (disciplined and punished) by the state, its institutions, the media, each other and ourselves. In periods of heightened sex panic, dominant culture reveals an obsession with specific potential threats to the accepted way of life and to the

³⁹ Michel Foucault, *Society Must Be Defended: Lectures at the Collège de France, 1975-76*, trans. David Macey, ed. Mauro Bertani et al. (New York: Picador, 2003).

⁴⁰ Douglas, *Purity and Danger*, 2-6.

future envisioned for the nation's children. Driven by specific biopolitical imperatives, such as the impulse to quarantine the queer, sex panics become hooked into governmentality through localized interventions of surveillance, risk management, and sanitization practices.

While panics are sometimes seen as periods of society-wide anxiety, or shock in regards to an event, I subscribe to Gilbert Herdt's conceptualization of moral and sex panics.⁴¹ Herdt's work is especially useful in my framing of the historical contexts of the cases my study addresses as constituting a *generally sustained* panic around queerness, most often as forms of male homosexuality and homosexual acts between men.⁴² Building on the work of Stanley Cohen, who undertook the first contemporary sociological study of moral panics,⁴³ Herdt notes that moral panics come about as "a condition, episode, person, or group of persons emerges to become defined as a *threat* to societal values and interests."⁴⁴ Cohen did not include sex as a category of analysis in his work, but the concept of sex panics did emerge as a field of study in the 1980s in regards to homosexuality.⁴⁵ Scholars tend to regard them as a specific kind of *moral* panic. Simon

⁴¹ Gilbert Herdt, *Moral Panics, Sex Panics: Fear and the Fight Over Sexual Rights* (New York: New York University Press, 2009).

⁴² As Elise Chenier points out, "in the early twentieth century, psychopathy was also applied to adult women," and in 1920 American criminal law "addresse[d] the problem of female sexual immorality." Social and moral reform under industrialization and urbanization, however, led increasingly to women being "cast as victims...and in need of help rather than punishment." See: Elise Chenier, *Strangers in Our Midst: Sexual Deviancy in Postwar Ontario* (Toronto: University of Toronto Press, 2008), 23. Thus, the Canadian state and medical and legal authorities have focused their work on male sexual deviancy, particularly male homosexuality, to which my research also attests.

⁴³ Stanley Cohen. *Folk Devils and Moral Panics* (St. Albans: Paladin, 1973).

⁴⁴ Cohen, *Folk Devils and Moral Panics*, cited in Gilbert Herdt, *Moral Panics, Sex Panics*, 3, my emphasis.

⁴⁵ For foundational work on sex panics, see: Jeffrey Weeks, *Sexuality*, 3rd Edition (New York: Routledge, 2010); Simon Watney, "The Spectacle of AIDS," in *AIDS*:

Watney, exploring representations of AIDS, links sexual panic to the “spectacular” to reveal the ways in which threat is made to stick to bodies perceived as deviant.⁴⁶ For Herdt, sex panics evolve “through state and non-state mechanisms that impinge on institutions and communities, people become totally overwhelmed by and defined through the meanings and rhetoric of sexual threats and fears.”⁴⁷ These fears create obsessive anxieties about what the threat can mean for “society and future generations.”⁴⁸

In reflecting on Herdt’s model, I am reminded of Douglas’s claims that cultural and religious purity rituals originate in the drive to isolate and contain “matter out of place.”⁴⁹ Thus, in re-reading Herdt’s sex panics as particular *discursive formations*, I understand them as being repeatedly and obsessively re-articulated and re-circulated in order to contain the threats posed to social order by unbridled sexuality. It is in the *interest of the state*, its institutions, as well as state-sanctioned media, through which contemporary sexual panics are spread, to create and maintain panics in accordance with perceived threats. There has been a continual level of sex panic since at least the Victorian era. In Canada, this generalized panic has been punctuated and heightened by emergent conditions, with widespread and localized queer sex panics erupting again in the 1950s and 1960s thanks to the ongoing pathologization and criminalization of queers,

Cultural Analysis, Cultural Activism, ed. Douglas Crimp (Cambridge, Massachusetts: The MIT Press, 1993), 71-86; Gayle Rubin, “Thinking Sex: Notes for a Radical Theory of the Politics of Sexuality,” in *Pleasure and Danger: Exploring Female Sexuality*, ed. Carole Vance (Boston: Routledge, 1984), 267-319.

⁴⁶ For Watney, the “spectacular” refers to the ways in which AIDS is made into two-dimensional images. For example, the retrovirus and the gaunt faces of dying gay men, which function to identify AIDS for the spectator, not as real people, but as what happens to “homosexuals” and cast it as representing “the stigmata of their guilt.” See: Simon Watney, “The Spectacle of AIDS,” 78.

⁴⁷ Herdt, *Moral Panics, Sex Panics*, 5.

⁴⁸ *Ibid.*

⁴⁹ Douglas, *Purity and Danger*, 36.

the media's sensationalization of "sex crimes" involving children, and the states' conflation of homosexuality with character weakness, treachery and communism. As queers are always already tightly bound to notions of contagion and child molestation, queer sex panics, I argue, trigger power/knowledge regimes whereby the state and its institutions must respond through legislation, policy or direct action to quarantine queer threats. The cases I examine later reveal an irruption of queer sex panics that forced queer issues into official discourse in order to contain the risks they pose to the future of the nation.

Queers as Sick

In 1964, American medical doctor Warren Ketterer wrote that homosexuals were recognized for spreading sexually transmitted infections (STI), "although relatively little [had] been published on the subject."⁵⁰ In those days, queers were blamed as a group for spreading what were then known as venereal diseases, in particular syphilis and gonorrhea. The rationale given for the "homosexual implication in the spread of venereal disease" was the putative queer predilection for promiscuity and anal sex, both taboo subjects that doctors were not likely to broach with patients, let alone write about.⁵¹ Ketterer's work, while recirculating the trope of the disease-ridden promiscuous queer, was well ahead of its time, as he advocated for equal treatment of homosexual patients, higher screening and testing standards, and complete confidentiality around issues of sexual orientation to protect queers from discrimination. Fifty years later, circumstances are much different from the 1960s, and yet in this regard, little has changed. As I

⁵⁰ W. A. Ketterer, "Venereal Disease and Homosexuality," *The Journal of the American Medical Association* 188.9 (1964): 811.

⁵¹ *Ibid.*, 812.

elaborate in Chapters Four and Five, authorities continue to blame gay men for spreading HIV and other STIs, including syphilis, and much of the blame cast upon them is predicated on their supposedly ever-continuing promiscuous delight in unbridled anal sex.

It is not my intention to produce an expansive accounting of the historical conflation of queers with disease in this study; however, I offer below a brief outline of the historiography of *queers as sick*. Historical linkages between queerness and disease have generally been noted and explored in studies of the regulation of sexuality, explorations of homosexuality as crime or mental illness, and works that examine the emergence of the conflation of homosexuality with pedophilia. Among the scholarly writing that references and explores homosexuality as disease, Jeffrey Weeks's and Lesley Hall's political and cultural histories of sexual regulation in Britain prior to AIDS and Cindy Patton's now classic study of the emergence of AIDS and its impact on gay men in the United States document some of the historical consequences of western culture's conflation of queers with disease, particularly by medical authorities and the police.⁵² Moreover, it can be argued that the conflation of homosexuality with illness has been the domain of mainstream psychiatrists and psychologists for well over a century. Gary Greenberg has recently explored some of the harmful effects wrought specifically by the American Psychiatric Association's listing of homosexuality as a psychopathic disorder in its Diagnostic and Statistical Manual of Mental Disorders (DSM-I) from 1952

⁵² See: Lesley Hall, *Sex, Gender and Social Change in Britain since 1880* (New York: Palgrave Macmillan, 2013); Jeffrey Weeks, *Sex, Politics and Society: The Regulation of Sexuality Since 1800*, 3rd edition (Harlow, UK; New York: Pearson Education, 2012); Jeffrey Weeks, *Sexuality* (New York: Tavistock Publications, 1986); Cindy Patton, *Sex and Germs: The Politics of AIDS* (Montreal: Black Rose Books, 1986).

to 1973.⁵³ Apart from Gary Kinsman's foundational work,⁵⁴ which is arguably the most comprehensive study of the history of the regulation of homosexuality in Canada, there is less scholarly work dealing with the conflation of homosexuality with disease in the Canadian context, and this question has hardly been a preoccupation in more recent queer scholarship.

As Kinsman points out, it is the medicalization and criminalization of homosexuality, together with the work of historians and anthropologists overall that has “created the ‘problem,’ defining us as sick, deviant, abnormal—even criminal—and defining heterosexuality as ‘normal.’”⁵⁵ His analysis reveals that the *Wolfenden Report* was read in the United States and Canada in ways that further cemented the conflation of homosexuality with disease, in particular at this point with mental illness.⁵⁶ As official discourses continued to move from a criminal framework for regulating homosexuality to a medicalized model, treatments and cures for homosexuality became more commonly deployed as technologies for the regulation of queers as opposed to general incarceration. Prior to the 1970s, gays and lesbians were not visible in dominant culture under their own terms; rather, people encountered them via “psychology, sexology, and the courts and the

⁵³ Gary Greenberg, *The Book of Woe: The DSM and the Unmaking of Psychiatry* (New York: Blue Rider Press, 2013).

⁵⁴ Gary Kinsman, *The Regulation of Desire: Homo and Hetero Sexualities*, 2nd edition (Montreal: Black Rose Books, 1996).

⁵⁵ *Ibid.*, 30.

⁵⁶ *Ibid.*, 213-224. The Wolfenden Committee was formed in England in 1954 to study male homosexuality and prostitution following a series of scandals. Released in 1957, the report was read as continuing to categorize homosexuality as illness but also as introducing a more delineated public/private spatial divide in the regulation of sexuality, which as Kinsman elaborates in his analysis, influenced approaches to sexual regulation in Canada.

police.”⁵⁷ It is via these official sources, mainly funneled through popular media, such as the newspaper, the evening news, and now the Internet, that dominant discourses around homosexuality form and are re-circulated. While Ketterer notes that in the 1960s homosexuals were not necessarily of great interest to medical researchers and practitioners,⁵⁸ in dominant culture queers were associated with mental illness and venereal disease, as well as with passing these diseases on to the general population.

Therefore, queers were of great interest to psychiatrists, psychologists, legislators, the courts and the police well before the beginning of the twentieth century. Citing Magnus Hirschfeld, Gary Kinsman notes that there were around a thousand papers and books published on homosexuality between 1898 and 1908 alone, many authored by medical and legal authorities debating how to identify this “disgusting breed of perverts” and what to do with them.⁵⁹ Freud did not actually espouse the pathologization of homosexuality, but an overall trend in psychiatry and psychology for the first half of the twentieth century was to classify queerness as mental illness, diagnose it and treat it. This period gave rise to the idea that homosexuality can be cured, an idea on which organizations still try to capitalize today, as demonstrated by California’s 2012 law banning conversion therapy treatments on minors.⁶⁰ Of course, the idea that homosexuality can be cured underscores the pervasive understanding of it as a form of disease, while the fact that many children have been subjected to attempts to cure them of

⁵⁷ Ibid., 29.

⁵⁸ As Patton notes, “if a plague hit an unpopular class, far be it from doctors to interfere in God’s—or nature’s—plan.” Patton, *Sex and Germs*, 57.

⁵⁹ Kinsman, *The Regulation of Desire*, 28.

⁶⁰ Erik Eckholm, “California Is First State to Ban Gay ‘Cure’ for Minors,” *The New York Times*, September 30, 2012, accessed July 31, 2014, http://www.nytimes.com/2012/10/01/us/california-bans-therapies-to-cure-gay-minors.html?_r=0.

homosexuality further illustrates our culture's desire for a world without queers. The 1950s and 1960s also witnessed the publication of popular works with titles aligning homosexuality with mental illness, such as the oft cited *Homosexuality: Disease or Way of Life*, in which the author theorizes that queers are psychotic and diseased individuals, and that homosexuality should be exposed, rather than silenced, in order to eradicate it from American society.⁶¹ It was not until the mid-1960s that psychiatrists began to question this paradigm. This shift in thinking became more widespread with the publication of *Sexual Inversion*, by Judd Marmor, a leader in the movement to remove homosexuality from the DSM-II list of mental illnesses in 1973.⁶² This amendment remained controversial for many years, and despite it, the DSM-III continued until 1987 to list homosexuals who were unhappy with their sexual orientation as suffering from a mental disorder.⁶³ A key point here, as T. S. Stein notes, is that psychiatry and psychology played an over-determining role in defining and shaping western medical, legal and social discourses around queers as sick.⁶⁴ As the subsequent chapters of this study demonstrate, these past discursive constructs continue to influence official and popular discourses around queers today.

The discovery and classification of germs in the nineteenth century also changed how people conceived of disease and for the first time it was understood that invisible

⁶¹ Edmond Bergler, *Homosexuality: Disease or Way of Life?* (New York: Hill and Wang, 1957).

⁶² Judd Marmor, *Sexual Inversion: The Multiple Roots of Homosexuality* (New York: Basic Books, 1965).

⁶³ For a detailed historical analysis of the DSM and its impact on sexual minorities in the west, see: Greenberg, *The Book of Woe*.

⁶⁴ T. S. Stein, "Homosexuality and Psychiatry," in *International Encyclopedia of the Social & Behavioral Sciences*, ed. Neil J. Smelser et al. (New York: Elsevier, 2001), 6899-6904.

germs could get into and take over bodies. Foreigners, in particular, have historically been associated with disease. Cindy Patton suggests that the discovery of bacteria and the rise of American immigration at the beginning of the twentieth century further cemented this conflation of outsiders and illness.⁶⁵ Indeed, scholars have begun exploring the intersections of race, class and other marginalized identity categories with disease in several fields, for example, in postcolonial studies and queer theory. I discuss recent work in Chapter Two following a brief historiography of quarantine.⁶⁶ Since queers were not particularly visible in public until the rise of the gay and lesbian rights movement in the 1970s, most images and descriptions of homosexuals were produced by the police, the courts, and psychiatrists, who cast them as mentally ill and spreaders of disease reveling in debauchery. Queers were considered as outcasts and strangers living on the fringes of society. A major difference between the queer stranger and the foreign immigrant, however, was that queers were already inside the nation's borders and looked and acted much like everyone else. The invisibility of the disease of queerness, therefore, caused even more panic about queer contagion in the middle of the twentieth century. This is best encapsulated by the fact that the Canadian federal government went as far as to attempt building a "fruit machine" in the 1960s to identify gays and lesbians in its public

⁶⁵ Patton, *Sex and Germs*.

⁶⁶ Douglas's study of dirt as "matter out of place," is foundational for understanding the social impulse to order: Douglas, *Purity and Danger*. Susan Sontag explored of the power and effects of metaphors around AIDS, and also studied the discursive intersection of disease and marginalized groups, particularly the construction of disease as punishing gay men for deviant behavior while creating so-called innocent victims: Susan Sontag, *AIDS and its Metaphors* (New York: Farrar, 1988). Nayan Shah's recent work on the conflation of opium dens, prostitution, and disease with Chinese immigrants on the US west coast is an instructional case study of the intersections of race, class and disease epidemics: Nayan Shah, *Contagious Divides: Epidemics and Race in San Francisco's Chinatown* (Berkeley: University of California Press, 2001).

service staff during the government security campaigns which Gary Kinsman and Patrizia Gentile have termed “the Canadian war against queers.”⁶⁷ As Kinsman reports in his earlier study of this campaign, research for the machine was based on “psychiatric and psychological knowledge which was premised on the assumption that gay men and lesbians were either psychologically ‘abnormal’ or suffered from a ‘disorder.’”⁶⁸ The aim was to measure eye movements and pupil dilation in subjects who were shown erotic images, the assumption being that gays and lesbians would produce “abnormal” results. Development of the fruit machine ceased in 1967, due in part to the unavailability of test subjects.⁶⁹ This episode demonstrates, however, that the identification of the queer disease was not only the business of nineteenth century science but of twentieth century policing and statecraft, as well.

Much has been written on the immorality, perversity, and promiscuity of queers. References to queers as sick are common, and queerness as disease has a long history. Less common is recent scholarly work outside of psychiatry and psychology, and in the Canadian context, that demonstrates in a focused manner how this conflation continues to be maintained and circulated through official and dominant discourses socially and culturally. I suggest that this conflation should be examined more closely. By

⁶⁷ Gary Kinsman and Patrizia Gentile, *The Canadian War on Queers: National Security and Sexual Regulation* (Vancouver: University of British Columbia Press, 2010).

⁶⁸ Gary Kinsman, “‘Character Weaknesses’ and ‘Fruit Machines’: Towards an Analysis of The Anti-Homosexual Security Campaign in the Canadian Civil Service,” *Labour/Le Travail* 35, (Spring 1995): 153.

⁶⁹ The project needed test subjects to determine baseline measurements but it was difficult to recruit them from the ranks of the RCMP and other government departments because employees feared they might fail the test. Moreover, researchers had the most difficulty in recruiting women as test subjects, notably because they had “no contacts within the female homosexual community in this area and no safe ground upon which an approach might be made to these persons,” as cited in: Kinsman, “Character Weaknesses,” 158.

highlighting linkages between queers and disease in this study, I demonstrate the pervasiveness of this conflation under queer quarantine and throughout state and dominant cultural responses to queer threats historically and today.

Approach and Strategies

A principal aim of this study is to demonstrate that despite claims of gay and lesbian equality in the global north generally and Canada in particular, processes and practices of queer quarantine, which construct queer subjects as sick, contagious and monstrous, continue to be deployed in new ways as social and cultural circumstances faced by queers transform over time and space. As such, I offer a new theoretical and methodological approach to the study of the regulation of queerness. My theoretical framework, the methodology I employ, and my research findings are all products of interdisciplinary study. As a contribution to Canadian cultural studies, straddling both cultural theory and history while focused on discourse analysis of Canadian policy making around queers, my study incorporates concepts and approaches from a number of disciplines.

Interdisciplinarity itself has been the focus of much academic debate, some of which has concentrated on distinguishing it from multidisciplinary studies. Other scholars have explored ways in which combining methodologies and concepts engenders new forms of critical analysis within and between disciplines.⁷⁰ Indeed, it is the newness of the combined approach or resultant research product that characterizes successful interdisciplinary work. Writing in 1996 before the popularization of the Internet, Liora

⁷⁰ Here I am referring in particular to the work of: Liora Salter and Alison Hearn, *Outside the Lines: Issues in Interdisciplinary Research* (Montreal: McGill-Queens University Press, 1996); Paula Saukko, *Doing Research in Cultural Studies: An Introduction to Classical and New Methodological Approaches* (London: Sage, 2003).

Salter and Alison Hearn refer to “registers” as a “constellation of topics, perspectives and methods,” agreed upon and enforced within a discipline through which information is shared but which also act as boundaries between disciplines.⁷¹ In a world dominated by globalization, collaborative work, and social media focused on sharing, the boundaries of former academic silos have become porous. While “disciplinarity is criticized for fragmenting and dislocating knowledge,” Salter and Hearn argue that it also impedes the “evolution and politicization of knowledge,” because it is produced by those in power “who would like to maintain the social order as it is.”⁷² Thus, in studies such as mine which aim to critique and deconstruct dominant discourses around queers, interdisciplinarity is a tool that helps to unsettle discursive formations, which fix epistemological “certainties” about queers as social and national threats.

While combining methodologies is complex and daunting, not only because it requires knowledge and skills from discrete fields, I have endeavoured to put it into practice throughout the research and writing stages of my project. This has led to difficult questions, however, such as: how much reflexivity to entertain in the dissertation; at what level of granularity to report on findings arrived at through the deconstructive approach; how much social, political-economic context is relevant; which project limitations should be addressed; and how to account for specific effects, or what I might term the everything-influences-everything conundrum.

I engage with the combining methodologies approach by employing concepts and strategies primarily from within the fields of queer, feminist and poststructuralist theory, areas that are themselves interdisciplinary in range and approach. While my dissertation

⁷¹ Salter and Hearn, *Outside the Lines*, 23.

⁷² *Ibid.*, 34.

does not produce queer theory per se, my theoretical framework is informed by queer theoretical approaches, which have varied and expanded since the evolution of queer theory in the 1990s. Moreover, queer theory is dependent upon feminist and poststructuralist theory itself; therefore, I see it as inseparable from the two. Seidman's 1995 definition of queer theory still works today:

Queer theory is less a matter of explaining the repression or expression of a homosexual minority, than an analysis of the Hetero/Homosexual figure as a power/knowledge regime that shapes the ordering of desires, behaviours, social institutions, and social relations—in a word, the constitution of the self and society.⁷³

Ten years ago, in response to growing queer liberalism, and critique levelled against queer theory for its apparent obliviousness to its white- and male-centrism, David Eng et al. called for “queer studies [to be] ever vigilant to the fact that sexuality is intersectional, not extraneous to other modes of difference, and calibrated to a firm understanding of queer as a political metaphor without a fixed referent,” and a “broadened consideration of the late-twentieth-century global crises that have configured historical relations among political economies.”⁷⁴ As can be seen, these approaches to queer theory borrow heavily from poststructuralist understandings of Foucauldian power/knowledge and Derridean deconstructionism, as well as feminist theory's applications of intersectionality and attention to standpoint.

Therefore, my study works to deconstruct certain power/knowledge regimes produced by the state and its institutions that shape queer subjects, while at the same time, I pause to reflect on my own standpoint throughout. Furthermore, Eng argues that, “Mechanisms of normalization have endeavored to organize not only gay and lesbian

⁷³ Steven Seidman, *Queer Theory/Sociology* (Cambridge, Mass: Blackwell, 1996).

⁷⁴ David Eng et al., “What's Queer about Queer Studies Now?” *Social Text* 23.3-4 (Fall-Winter 2005): 1.

politics” but also the field of queer studies itself and the approaches used. Moreover, he suggests that researchers should:

Not only rethink the relationship between intersectionality and normalization from multiple points of view but also, and equally important, consider how gay and lesbian rights are being reconstituted as a type of reactionary (identity) politics of national and global consequence.⁷⁵

I have framed my study against the backdrop of homonationalism and western claims of superiority in terms of gay and lesbian rights to suggest that there is much room for renewed critical analysis in queer studies in the Canadian context. I offer a re-reading of official and dominant discourse to argue that despite western gay and lesbian rights gains and acceptance, tactics and technologies of quarantine continue to be assembled against queers.

My research strategy draws upon Foucauldian genealogical analysis and Derridean deconstructionist approaches. For Foucault, undertaking a genealogy entails the “search for instances of discursive production (which also administer silences, to be sure), of the production of power (which sometimes have the function of prohibiting), of the propagation of knowledge (which often causes mistaken beliefs or systematic misconceptions to circulate).”⁷⁶ In short, it is a “history of these instances and their transformations.”⁷⁷ I understand my study as a partial history of the instantiation and transformation of tactics and technologies of queer quarantine. Integral to genealogical analysis, is the requirement to search for and address the silences and gaps produced in official and popular discourses alike. These are often as telling in how we construct social

⁷⁵ Ibid., 4.

⁷⁶ Michel Foucault, *The History of Sexuality. Volume 1: An Introduction*, trans. Robert Hurley (New York: Vintage Books, 1980), 12.

⁷⁷ Ibid.

and political prohibitions as are the outright declarations that we might find in the promulgation of laws.

Deconstruction, as it is used in terms of queer theory, begins with work to reveal the instability of hierarchized binary terms, such as “heterosexual/homosexual.” As Nikki Sullivan suggests, deconstruction permits the “analysis of the culturally and historically specific ways in which the terms and the relation between them have developed, and the effects they have produced.”⁷⁸ This is important in the context of queer theory and feminist analyses of social and political relations because it allows us to question the construction of hierarchized binary opposites and consider “who it is that benefits from the cultural logic that (re)produces these kinds of divisions.”⁷⁹ In terms of policy analysis, deconstruction is a crucial tool for revealing how policy which is purportedly intended to assist disadvantaged groups may nonetheless use discursive tactics to benefit dominant culture through, for example, practices that continue to marginalize groups deemed less worthy of citizen rights. The deconstructive approach I use seeks to reveal these discursive contradictions by exposing the false binaries and sets of repetitions deployed in official discourse.

My analysis is divided into three chronological periods: pre-AIDS, AIDS and post-AIDS but I question these categories simultaneously. I also undertake my analyses in three stages: exploring technologies of queer quarantine with a focus on *queer space*; reading official discourse with a focus on the *queer bodies*; and, finally putting the analyses together by examining technologies of queer quarantine that focus on queer

⁷⁸ Nikki Sullivan, *A Critical Introduction to Queer Theory* (Edinburgh: Edinburgh University Press, 2000), 51.

⁷⁹ Ibid.

space and queer bodies with the tactical aim of quarantining *queer futures*, or the proliferation of queer, to preserve the innocence of children and protect the future of the nation.

The highly structured and intensive model elaborated by Jean Carabine inspired the discourse analytical framework that I employed.⁸⁰ Research included reading and re-reading my “archives,”⁸¹ which contain thousands of pages of legislation, policy, guidelines, surveys and reports produced across three levels of government: the City of Toronto, the Province of Ontario, and the Canadian federal government. The subject of these documents included issues ranging from the zoning and use of downtown Toronto public space for entertainment, the Toronto gay bathhouse raids of 1981, federal and provincial HIV and AIDS strategies, the Ontario government’s *Accepting Schools Act, 2012* (ASA), hundreds of pages of Hansard recording legislative debates and public depositions, as well as medical and scientific reports prepared by CBS, and official judgments rendered in the criminal cases pursued against Steven Boone of Ottawa. I also attended court proceedings and gathered and analyzed hundreds of media reports from major Canadian daily newspapers relating to all of the issues addressed in my primary sources.

⁸⁰ Jean Carabine, “Unmarried Motherhood 1830-1990: A Genealogical Analysis,” in *Discourse as Data: A Guide for Analysis*, ed. Margaret Wetherell et al. (London: Sage, 2001), 267-307.

⁸¹ Borrowing from Judith Halberstam, I employ the term “archive” in my work to designate not only the body of materials that I investigate but also those, selected from a range of fields and media, that I draw upon in my research and analysis. I elaborate this in the next section. For a discussion about how Halberstam views the “silly archive,” see: Judith Halberstam and Andy Campbell “Judith Halberstam,” *Artforum*, October 17, 2011, accessed September 12, 2014, <http://artforum.com/words/id=29167>.

Following the Foucauldian-inspired method of genealogical discourse analysis outlined by Carabine, I combed my archives seeking clues to the ways that discourse around queers was formed. For example, I paid particular attention to the words and phrases used to describe queers, when queers were or were not referred to, and which authorities spoke or did not speak about queers. I also analyzed the discourse to determine the ways that public and private spaces were conceived, how queer bodies were constructed, and the ways in which children and the future were described. As metaphorical framing is not readily apparent,⁸² it is through the work of discourse analysis that metaphor, repetition, gaps, silences and significant discursive features and formations come to light. In this way, I became deeply familiar with the discourses in order to discern trends across time and space, and thereby further contribute to the multi-scalar dimensions of this study. It is only by working methodically through the discourse analysis within the context of the theoretical framework that I am able to reveal a complex ontology of discursive tactics and technologies deployed in the construction and quarantine of queers and queerness throughout multi-level state discourses on queers.

Finally, while mine is not an ethnographic study, in researching various methods for approaching the collection and analysis of my research archives, Burawoy's extended case method of ethnography and ethno-history was useful in conceptualizing my approach to my source materials.⁸³ This approach differs from more traditional ethnographical models in that while researchers begin their analysis of individuals or

⁸² Paul H. Thibodeau and Lera Boroditsky, "Metaphors We Think With: The Role of Metaphor in Reasoning," *PLOS ONE* 6.2 (2011), accessed October 19, 2014, <http://www.plosone.org/article/info%3Adoi%2F10.1371%2Fjournal.pone.0016782>.

⁸³ Michael Burawoy, "The Extended Case Method," *Sociological Theory* 16.1 (March 1998): 4-33.

groups locally to understand the social relations they enact, they then extend their research outward from the “case studies” towards the so-called larger or meta-structures that contain the groups. This is the principal method used to explore and understand regimes of domination and control, and forces of resistance that form to contest social regulation. This approach differs in this latter regard from the most common form of institutional ethnography elaborated by Dorothy Smith, which, while also a bottom-up approach, is not concerned with the larger social, political, and economic structures of domination and control.⁸⁴ The extended case method does not work to bring local social practices in under theory, but focuses on making visible localized power relations and the regulatory structures that we do not see. Thus, the subjects and the findings drive the research; there is no *a priori* drive to make research findings fit into a given set of theories. While I find this approach inspiring, my research is clearly not primarily ethnographical and my archives are not constituted from oral histories and site observations. Moreover, my study is dependent on my elaboration of a theory to understand how regimes of domination effect social practices and how social practices in turn construct and maintain regimes of domination. And, to be clear, my research does have an agenda: my preliminary research and conceptualizations suggest that the processes and practices that I have called queer quarantine do exist and my study seeks to explore how they work. Burawoy’s ethno-history and Smith’s institutional ethnography are nonetheless inspiring through their organic approach of letting the findings lead the researcher and for their attention to the standpoint of the researcher, taking into account his or her location and relation to the subject, acknowledging that he or she is not

⁸⁴ Dorothy E. Smith, *Institutional Ethnography: A Sociology for People* (Lanham, MD: AltaMira Press, 2007).

impartial or objective and that there is something at stake in the research for the researcher.

Structure of Archives and Definition of Official and Unofficial Discourse

In order to operationalize this project, I divided my case studies and research materials into three principal archives. Each archive relates to one of the three thematic areas of queer quarantine that I explore: queer space, queer bodies and queer futurity/proliferation. The analyses that I undertake within each specific theme also correspond to my three principal chapters:

- 1) Chapter 3: Spaces. This includes the analysis of policy documents related to the conceptualization of recreational space in downtown Toronto during the 1970s, media reports on the murders of Kirkland Deasley in 1973 and Emanuel Jaques in 1977, and City of Toronto reports regarding the infamous Toronto gay bathhouse raids of 1978 and 1981.
- 2) Chapter 4: Bodies. The focus of this archive is detailed discourse analysis of Canadian federal HIV/AIDS policies, strategies, reports, and related materials from the early 1980s to the early 1990s.
- 3) Chapter 5: Futures. Under this theme, I focus on an analysis of three main case studies: the Ontario government's legislation on anti-bullying and GSAs in public schools, CBS policies and reports regarding the deferral on MSM blood donations, and Ontario court documents, media reports and testimonials relating to the arrest, detention and criminal trials of Ottawa's Steven Boone regarding the non-disclosure of his HIV infection.

The case studies that I analyze were selected because they allow me to complete a robust exploration of queer quarantine and reveal the trends and transformations in the deployment of tactics and technologies of quarantine in terms of queer space, queer bodies and queer futurity/proliferation across the forty-year period of my study. The cases are distributed amongst local/municipal, provincial, and federal government jurisdictions, which permits a multi-scalar analysis across time that enriches the applicability of the queer quarantine analytical model. In this regard, each of the principal case studies represents a historical moment when specific queer issues were first put into discourse by a federal, provincial or municipal government in Canada. For example, the Bruner Report, produced for the City of Toronto following the 1981 bathhouse raids, is the first official report on police/gay community relations. Similarly, the development of the national strategy on HIV and AIDS in Canada represents the first instance where the federal government had to seriously and publicly deal with queer issues in official discourse. Finally, there is a focus in my archives on events and documentation from Toronto and Ottawa. In an extensive, interdisciplinary and multi-scalar study of queer issues in Canada such as this one, a focus on these centres is unavoidable. Both of these cities play a historically central role in Canadian gay and lesbian history, not only because of the important gay communities located there but also because of their role as central sites for the governance and the policing of queerness. The case studies I have chosen for my study thus offer the richest amounts of available data for this investigation into processes and practices of queer quarantine.

In my archives, *Primary sources* include original documents: policies, manuals, guidelines, strategies, and reports produced by government institutions, non-government

organizations or other bodies responsible for the development and implementation of policies and practices. I consider these kinds of primary sources to be constitutive of official discourse regarding the archive topic, since these documents are produced with the aim of directing and shaping government policy and citizen behaviour.

Frank Burton and Pat Carlen's work on discursive analysis was particularly helpful to me in shaping my understanding of what I call "official discourse" and "unofficial discourse."⁸⁵ For Burton and Carlen, official discourse concerns laws, policies, reports, etc., that are produced by authorities for public consumption with the aim of resolving a situation and making a final evaluation or conclusion. At the same time, official discourses are nonetheless in struggle with the "other" or the "unspeakable" unofficial discourses of opposition that they seek to deny but must always incorporate. It is through this struggle that "legitimate and illegitimate knowledges of the state" are produced.⁸⁶

My archives thus also include a wide range of *secondary sources* that encompass documents forming part of an "other" or unofficial discourse. These documents include various types of media reporting and investigation (news story, column, documentary film, blog, reader comment), as well as individual testimonials and archived interviews accessible to researchers. I do not intend the distinction between official and unofficial discourse to signify one version as being more productive or generative of social and cultural behaviour than the other; rather, official discourse is produced by those in power who see themselves/are seen as having the authority to produce official declarations and

⁸⁵ Frank Burton and Pat Carlen, *Official Discourse: On Discourse Analysis, Government Publications, Ideology and the State* (New York: Routledge and Kegan Paul, 1979).

⁸⁶ *Ibid.*, 139.

undertake acts in the interest of the state and/or nation. Accordingly, official discourse is set out and enacted by the state, while unofficial discourse is produced socially and culturally in response to official discourse and in response to issues and events that official discourse is intended to address. Altogether, these primary and secondary sources constitute the basis of the research archives that I used in this project.

It is important to understand how each source or resource is classified in order to understand its role in my analysis and how it contributes specifically to the arguments I put forth in the dissertation. Such classification is a valuable exercise in projects such as this dissertation because it forces the researcher to justify the contents of each archive and to question and understand how related documents come into being: are they constituent parts of official discourse, are they formed in response to the issue from below, or are they produced as part of an alternative discourse? Burton and Carlen's work is also instructive here since they rightly argue that official discourse does not emerge out of a vacuum. Rather, official discourse is produced in response to issues, problems and events. Moreover, as it develops, official discourse works paradoxically both to deny and incorporate alternative and counter discourses.

Privileging Texts and Reification

At the same time, Gentile reminds us that "privileging official texts, even critical readings of them, can trap us in the discursive processes of reification" that destroy our connections to our past because our human condition and social relations are obscured.⁸⁷

In her collaboration with Kinsman, Gentile conducted many interviews with queer men

⁸⁷ Patrizia Gentile, "Capital Queers: Social Memory and Queer Place(s) in Cold War Ottawa," in Walsh, *Placing Memory and Remembering Place in Canada*, ed. James Opp et al. (Vancouver: UBC Press, 2010), 191.

and women who lived through the government security campaigns in Ottawa.⁸⁸ They let these queer voices speak so that the memories re-presented in their study “function as monuments to the unrecorded pasts of subaltern peoples and the function of public cultures.”⁸⁹ Referencing Ann Cvetkovitch’s work on archives of trauma and feeling, Gentile notes that there are alternative narratives and memories to the official stories produced and re-circulated by the state and its institutions.⁹⁰

Gentile’s caution in regards to privileging texts and narratives, as well as to the reification of cultural processes and practices, caused me to reflect on the ways in which I use official discourse, government and other putatively authoritative texts, in my readings of the state’s mapping of queer space. While Kinsman and Gentile’s study assembles a significant archive to reveal the development of queer community building from the ground up in response to the Cold War security campaigns, it also demonstrates the far-reaching effects of the Canadian war against queers. Based on the model I present in the following chapters, I would argue that the campaigns were also used to quarantine queers and to isolate and destroy queerness.

I am particularly concerned with revealing some of the ways that official discourse produced by the state and state-sponsored polices and programs have generated and continue to effect a quarantine of queerness across time and space in Canada. In this way, my work aims to build from the important work Kinsman and Gentile have undertaken in demonstrating the state’s role in nation-wide queer oppression. I have assembled archives of official texts from across time to reveal some of the ways the state

⁸⁸ Kinsman and Gentile, *The Canadian War on Queers*.

⁸⁹ *Ibid.*, 192.

⁹⁰ Ann Cvetkovitch, *An Archive of Feelings: Trauma, Sexuality, and Lesbian Public Culture* (Durham, NC: Duke University Press, 2003).

and dominant culture exert a queer quarantine on queer spaces, bodies and futures, despite those state ventures undertaken to support gay and lesbian rights and citizenship. While many hidden queer cartographies have been charted, an enormous amount of work needs to be done. This is not the work I undertake in this dissertation; however, by revealing how state-sponsored policy that fosters increased health and wealth for some gays and lesbian also works against some queers, I encourage further scholarly work to explore new forms of contestation and resistance to queer quarantine. Similarly, while queer scholars have studied particular instances of oppression and marginalization of queers, it is also vitally important to remind ourselves that these are not isolated instances; rather, they can be traced to a broader assemblage of processes and practices that continue to quarantine queers and queerness today.

Interrogating Gender, Race and Sexual Identities

Like most queer scholarship in Canada, this study is highly gendered, raced, and classed. As a white, male, middle-class, able member of a Saivite Hindu religious community who self-identifies as asexual and queer or queer-allied,⁹¹ in my different social circles I am variously cast as an insider-outsider, and am thus no stranger to questions about identity. So, when I established the parameters of this study, I intended that my exploration of queer quarantine would comprise an analysis of tactics and technologies directed against queers. Generally, however, my study centres on conceptualizations of queer quarantine as brought to bear on gay and queer *men*, and because of the time period, spaces and places with which the dissertation is concerned, the men that are the

⁹¹ Queer-allied is a useful designation in that it describes one's capacity for solidarity with queer *identities* while not necessarily aligning oneself with all or any particular queer *practices*.

focus of issues I explore in this project are primarily white and middle-class. In order to ensure the operationability of my study, I assembled a set of archives and case studies that would render an acceptable volume of classifiable documents on which to perform my discourse analysis. Because this study focuses on an analysis of existing discourse around multi-scalar government policies and practices that I read through the lens of queer quarantine, and not the creation of new sets of primary research data based on interviews with particular subjects, I have had to rely on the availability of sufficient quantities of analyzable material from which to draw viable conclusions. In other words, I had to follow where the sources led and those sources primarily reflected male experience.

Nevertheless, this does not mean that the processes and practices of queer quarantine that I elucidate in the following chapters are not relevant to the lives and experiences of other queer people. In many cases, given the nature of the policies and practices I explore, all queers by default are subject to quarantine. And yet, queer women, racialized queers and transgender and other queers are more often absent from the public record. An accounting of the specific ways in which the lives of lesbians and queers of colour, Indigenous queers, transgender queers and others have been and continue to be shaped by queer quarantine will require the assemblage of archives of memories from within these queer communities. As I discuss in the Conclusion, this is valuable work that, while not within the scope of this dissertation, could form the basis of future studies.

The gendered aspects of queer geographies are particularly complicated by what is often referred to as the invisibility of lesbians and other queers during the early years of

gay community formation in Canada.⁹² As Gentile notes, throughout much of twentieth-century Canada, women confronted more complicated rules around proper feminine behaviour and what type of conduct was considered befitting public versus private spaces. Moreover, while women experienced more obvious financial constraints, which continue to burden them today, “the sexual activities afforded to men frequenting places designated as gay sites were even less available to women.”⁹³ In other words, the gendered availability and use of public space by queers over the last century has made gay male sexuality public while generally rendering women’s queer relationships invisible.

The history of public sex, therefore, is more often a history of gay male sex. Since male homosexuality and male homosexual acts have been imagined more generally in dominant culture and by the state as threats to the health of the nation, the majority of state efforts to quarantine queerness have been formulated primarily to address the visible threats posed by homosexual and bisexual men. The official texts that form the basis of my analyses from Chapter Three through Chapter Five confirm this interpretation as the state throughout most of the twentieth century has sustained its focus on gay white men as it imagined the constituents of the queer threat to the nation.

As a consequence, many of the texts with which I engage address issues related to gay men almost to the exclusion of others. All three of my primary archives reveal

⁹² See: Catherine J. Nash and Alison Bain 2007, “Pussies Declawed: Unpacking the Politics of a Queer Women’s Bathhouse Raid,” in *Geographies of Sexualities: Theory, Practice, and Politics*, ed. K. Browne et al. (Farnham, Surrey: Ashgate, 2007), 159-168; Martha Vicinus, “Lesbian History: All Theory and No Facts or All Facts and No Theory?” *Radical History Review*, 60 (1994): 57-75; Becki Ross, “The House that Jill Built: Lesbian Feminist Organizing in Toronto, 1976-1980,” *Feminist Review*, 35 (1990): 75-91.

⁹³ Gentile, “Capital Queers,” 203.

narratives of events and the development of legislation, policies and practices using language that appears to focus on men.⁹⁴ Ironically, as Catherine Nash and Alison Bain explain, even in the case of the one major bathhouse raid in Toronto committed against women, the overarching narrative constructed around the gay community response to the raid turned out to be dependent upon the agency of gay white middle-class men.⁹⁵ With my conceptualization of queer quarantine formulated within this context, this study could therefore be read as applicable only to gay white men. To help counter this potential reading, throughout my analyses, I highlight how the official policy and policy-making documents, as well as other documents comprising these discourses, often speak to and about gay white men but exclude other queer people. I also conclude with a discussion around the potential for applying my conceptualization of queer quarantine to studies of non-white non-male queers, although particular discursive formations, such as the queer AIDS monster cathected as it is with the trope of the male homosexual child molester and its specific effects, are contingent upon categories of identity, the male gender being significant among them. Case studies focusing on queer quarantine as it applies

⁹⁴ In the case of HIV/AIDS policies and safer sex campaigns, the majority of Canadians dying from HIV infection and AIDS during the period I investigate were gay men and men not self-identifying as gay who have sex with other men and with IV drug users. Finally, for the case studies that I analyze in the third section of this study, discussion both inside and outside the Ontario legislature focused on gay boys and queer men. The CSB ban on MSM donating blood is primarily an issue around gay men and HIV. And, the most spectacularized cases of child molesters and queer AIDS monsters have featured men.

⁹⁵ This event is not within the scope of my study; it is well documented and analyzed from several important perspectives in Nash and Bain, "Pussies Declawed." Their significant contribution to the history of gay bathhouse raids in Toronto and probing analysis of phallogentrism in Toronto's gay community, demonstrates how the history of the Toronto gay village as "officially" and publicly male and white, and the networking opportunities and power enjoyed by men in the community, led to a situation whereby the women involved in the Pussy Palace raid had to turn to local gay men for help with their legal cases.

specifically to women and other gender and radicalized minorities are not part of this project. Future work in this area would help to reveal the reach and effects of tactics and technologies of queer quarantine and would demonstrate the different yet significant ways that queer quarantine has developed and been deployed against other individuals and groups in Canada.

Chapter Summary

This dissertation is divided into six chapters. This initial chapter introduces the context for my conceptualization of queer quarantine and maps out the historical conflation of homosexuality with disease. I also situate myself as the researcher and introduce the concept of quarantine talk. In discussing the historical literature I draw upon, I address the lack of research around queerness and quarantine. I then set out my theoretical framework, methodology and rationalization for queer quarantine and for the deployment of the thematic approach I use. Finally, I address some of the limitations of my research in queer cultural theory/history in the Canadian context.

In Chapter Two, I round out my conceptualization of queer quarantine by first exploring the historiography of conventional quarantine, including the ways it has been written about in western culture overall, as well as in the North American and Canadian contexts. I then examine contemporary links between quarantine and AIDS, which leads into a discussion of queerness as contagion. Here I provide the context for the development of the trope of the queer AIDS monster through a discussion of the invention of the child molester and its conflation with queers. Finally, I discuss queer cartography and its relationship to mapping instantiations of queer quarantine that my analyses reveal in the subsequent chapters.

The next three chapters form a triptych in which I explore an assemblage of tactics and technologies of queer quarantine by reading official and popular discourse around queers through the particular lenses of queer space, queer bodies and queer futurity. In this way, each analysis builds on the preceding work, with the chronological structure allowing me to grow my case for queer quarantine while highlighting linkages across time and scale. Chapter Three comprises the analysis of my first archive, which deals primarily with queer space. My focus here is on applying my conceptual and analytical frameworks to reveal spatial strategies of queer quarantine at work. While my initial research revealed a significant number of police raids on gay and lesbian bars, bathhouses and other establishments in Canadian cities and towns from the mid-1970s up until the mid-2000s, I focus my analysis on an archive of spatial tactics and technologies deployed in Toronto leading up to the infamous February 1981 gay bathhouse raids. Applying my analytical framework to official and popular discourse around the development of Toronto's Yonge Street sex strip and the murders of Kirkland Deasley and Emanuel Jaques allows me to reveal the ways that city authorities were forced to put issues around sex, public space and queer space into official discourse in new ways. By focusing on a spatial analysis in this case, I explore the construction of and meanings attached to queer space at the time, and reveal what I argue are particularly instructive instantiations of tactics and technologies of queer quarantine at work throughout the period. Ultimately, I read the bathhouse raids of February 1981 as an extreme version of developing practices of queer quarantine. I argue that an overall preoccupation with the identification and mapping of queer space developed in this period, aimed at preventing the proliferation of queerness into the public domain.

The second principal archive of my study focuses on issues relating to but not restricted to the body. In Chapter Four, I elaborate my conceptualization of queer quarantine through an analysis of the ways in which queer bodies and queer sex acts come to be newly and possibly forever marked as diseased, contagious, and therefore quarantinable, specifically during the putative height of the HIV/AIDS epidemic in Canada. As demonstrated earlier, queer bodies and queer sexual acts have long been seen as perverted, diseased, and contagious.⁹⁶ HIV/AIDS brings a heightened level of infectiousness to the queer body and queer sex acts. For example, in Canadian safer sex campaigns during the 1980s and 1990s, queers were exhorted to assume that all potential sexual partners were already “infected” with HIV. Indeed, in some campaigns, gay men were and are instructed to act as if *we are all already infected* with HIV.⁹⁷ In Chapter Four, I read Canadian HIV/AIDS policies and policymaking research and selected legal documents in order to understand the ways the state and dominant culture conflated HIV/AIDS and the queer body as a threat to the nation. A principal question that I explore therefore is how the insertion of AIDS into official discourse reveals tactics and technologies of quarantine at work to re-inscribe the queer body as contagious, and threatening to those whom Mackey would call innocent “Canadian-Canadians”?⁹⁸ In

⁹⁶ In terms of the contagiousness of queerness itself, Eve Kosofsky Sedgwick theorized homosexual panic as the fear of being seen as or being infected by homosexuality experienced by heterosexual men under the terms of 19th century cultural regimes of homosociality and its tight bonds of male friendship that generally excluded women. The term “homosexual panic” has since been used in the courts to qualify an overwhelming panic and serve as an excusing anti-homosexual violence perpetrated by heterosexual men against gay men they accuse of making sexual unwanted sexual advances against them. See: Eve Kosofsky Sedgwick, *Between Men: English Literature and Male Homosocial Desire* (New York: Columbia University Press, 1985).

⁹⁷ I unpack this notion in detail in Chapter Four.

⁹⁸ Mackey, *The House of Difference*, 19-22.

other words, I explore how queer bodies come to be read as infected (with HIV/AIDS) and contagious threats to the future of the nation. I argue that despite appearances to the contrary, Canadian federal HIV/AIDS policies, as well as safer sex campaigns targeting gay men, are constitutive of queer quarantine by at once creating infected/infecting bodies and invoking the cultural desire of a future without queers. This chapter also demonstrates a discursive transformation over time from a preoccupation with queer space in the 1970s to urgency around taxonomizing and ontologizing queer bodies and queer sex acts in order to quarantine and ultimately eradicate them.

As the two preceding chapters focus on analyses of queer quarantine through readings that highlight discursive tactics assembled against queer space and queer bodies, the final chapter in the triptych brings together the notions of quarantine tactics aimed at queer space and queer bodies under the theme of queer futurity. I illustrate how queer quarantine is assembled against the threat of queer proliferation in the future. In Chapter Five, I investigate the ways in which queer issues are newly inserted into official discourse at the federal and provincial levels. I explore three discrete but interrelated sites: the Ontario government's Bill 13, also known as the ASA; CBS's 2012 reconfiguration of the ban on blood donations from MSM; and the 2010-2014 criminal cases against Steven Boone, who has been convicted of three counts of attempted murder in relation to the non-disclosure of his infection with HIV. I read official and popular discourse from this archive to demonstrate how tactics of queer quarantine continue to be arrayed against queer spaces and queer bodies in order to quarantine the perceived queer threats to the future of the nation, embodied today by queer kids, queer blood and, in

particular, the HIV vampire who threatens the integrity of the national body via its children and its blood, both key to its future survival.

In the conclusion, I discuss my overall findings and their implications, as well as the contributions that my study makes to the field, in particular, its methodological and theoretical contributions to Canadian Studies in cultural theory and cultural history. This dissertation also reads as a cautionary tale, particularly in regards to the current homonationalist imperative to point fingers at anti-homosexual policies and practices beyond our borders, while ignoring the tactics and technologies of queer quarantine that operate in Canada. It also demonstrates that policies and practices that allegedly aim to expand the tolerance of diversity and gay and lesbian rights also continue to reproduce and re-circulate damaging discursive formations that have significant effects. In this light, I also discuss implications for policy-making and further research into cultural sites that reveal a desire for a future without queers.

Chapter 2: Queer Contagion

A Brief History of Quarantine

Quarantine, as it is understood today, originated in fourteenth-century Europe.¹ Medico-legal understandings of quarantine generally describe it as the separation or isolation of an individual (or other being) from contact with others for a specific period of time. Commonly used dictionaries refer to quarantine as both the “period of time” of the isolation and the “situation” of being isolated itself.² Traditionally, an individual subject to quarantine is suspected of being infected with a communicable disease, and will, therefore, either develop symptoms of illness during the quarantine period or remain healthy. If no illness is revealed during the period of quarantine, then the individual is no longer considered to pose a threat to others and is reintegrated into society. Authorities use the quarantine period to assess risks and mitigate threats before re-assimilation is permitted. Isolation, which in dominant culture is equated with quarantine, is the containment of individuals considered infected with a communicable disease. They are contained for the duration of their infectiousness so that they do not transmit the infection to others. They may be isolated until cured, until the infection leaves the body, or until death. Reintegration into society may occur once the threat they pose has been acceptably reduced. Whether they are or are not infected at the time of quarantine, individuals are quarantined because they are understood to pose a *potential threat* to the health of others,

¹ Mark Harrison, *Contagion: How Commerce Has Spread Disease* (Hartford CT: Yale University Press, 2012), xiv, 8; J.N. Hays, *The Burdens of Disease: Epidemics and Human Response in History* (New Brunswick, NJ: Rutgers University Press, 2009), 55-58.

² *Merriam-Webster.com*, Springfield, MA: Merriam-Webster, 2014, accessed November 3, 2014, <http://www.merriam-webster.com/dictionary/quarantine>.

hence to the population and the future of the nation. Therefore, as Alison Bashford and Carolyn Strange note in the introduction to their anthology on isolation, the study of quarantine applications, including the isolation of people and places, can be approached “as an historical exercise of state power.”³ In Canada, the federal *Quarantine Act* and provincial health acts delegate vast powers to the ministers of health and the courts to execute various quarantine measures when deemed necessary.⁴ In this section I offer a brief historiography of quarantine, from early forms of isolation to later applications in statecraft and as a mechanism of nation building.

Origins of Quarantine

While conventional quarantine dates back to the Middle Ages, scholars have shown that social practices of separating people who appear sick or different from those understood to be healthy and similar to each other have ancient roots. Hebrew and Christian Bibles, for example, make numerous references to people suffering from what is understood to be leprosy as unclean and untouchable. These historical sources help us to understand that humans across wide expanses of time and space learned to associate

³ Alison Bashford and Carolyn Strange, “Isolation and Exclusion in the Modern World: An Introductory Essay,” in *Isolation: Places and Practices of Exclusion*, ed. Carolyn Strange and Alison Bashford (New York: Routledge, 2003), 1-19.

⁴ The federal quarantine act focuses on travellers and trade entering and leaving the country, however, it affects all individuals and gives the Minister of Health the authority to set up a quarantine station (“any place that is used for the administration and enforcement of this Act”) anywhere in the country: Canada, Parliament, House of Commons, *Quarantine Act*, Ottawa: Public Works and Services Canada, 2005, accessed November 3, 2014, <http://laws.justice.gc.ca/eng/acts/Q-1.1/page-1.html#docCont>. The *Ontario Health Protection and Promotion Act* provides for the isolation or detention of individuals for up to six months at a time, renewable through the courts, as well as for enforced treatment for infection: Ontario, Legislative Assembly, *Health Protection and Promotion Act*, Toronto: The Assembly, 2011, accessed November 3, 2014, http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90h07_e.htm#BK1.

unhealthy people as “others” needing to be shunned or isolated in order to minimize their risk to the health of the majority population. As Andrew Szasz notes in his exploration of what he calls “inverted quarantine,” a recent trend whereby consumers surround themselves with products made to keep the threats of the outside environment at bay, isolation is not new; it likely dates back to the earliest human societies.⁵ Indeed, historians of ancient disease generally accept references to leprosy in sacred Hindu texts from the 6th century BCE as the first accounts of the disease.⁶ Ancient Chinese, Greeks and Romans also wrote about leprosy, which is theorized to have moved from Asia to Europe as people moved due to war, colonization, and trade. Although the Byzantines established laws to isolate foreign migrants following the great epidemic of bubonic plague in 549 CE, it appears that leprosy holds a significant place in the history of disease and isolation practices worldwide since it was written about throughout early civilizations.⁷ In Europe, leprosaria were established with laws enforcing the physical separation of people with leprosy from the general population well before the development of the traditional concept of quarantine. France was the first nation to establish asylums in the sixth and seventh centuries. Throughout the Middle Ages, European and Asian nations used military power to enforce the isolation of people with contagious diseases, sometimes executing those who refused to follow isolation orders.⁸

⁵ Andrew Szasz, *Shopping Our Way to Safety: How We Changed from Protecting the Environment to Protecting Ourselves* (Minneapolis: University of Minnesota Press, 2007).

⁶ Gwen Robbins et al., “Ancient Skeletal Evidence for Leprosy in India (2000 B.C.),” *Plos One*, May 27, 2009, accessed August 4, 2014, <http://www.plosone.org/article/info%3Adoi%2F10.1371%2Fjournal.pone.0005669>.

⁷ Peter Tyson, “A Short History of Quarantine,” *Nova*, October 12, 2004, accessed August 4, 2014, <http://www.pbs.org/wgbh/nova/body/short-history-of-quarantine.html>.

⁸ Robbins, et al., “Ancient Skeletal Evidence.”

Scholars writing about contagion and quarantine such as Mark Harrison have found western writings connecting epidemics of plague and other diseases such as leprosy to trade dating back in Europe to the mid-14th century, at which time local city governments had enacted laws to isolate people who were ill and limit the movement of tradespeople and their wares in areas that were understood to be infected with plague.⁹ Harrison claims the first recorded quarantine-like restrictions in Europe were the “Ordinances of Pistoia,” which were set down in 1348 to regulate the isolation of healthy people from places deemed infected, as well as to limit people’s access “to anyone carrying linen or woolen cloth.”¹⁰ It is in these first laws enacting isolation that *specific places* are first written about as being infected with plague-like diseases: this represents an early period in Europe during which space itself is conceptualized as contagious and appears in discourses dealing with disease. At the same time, Italian *lazarettos* in and around the port of Venice were the first institutions built to isolate and manage people with leprosy and those suspected of being contagious.

The term quarantine itself is also medieval. It was first written into regulations in the Republic of Ragussa (now Dubrovnik) in 1397, which called for the offshore isolation of cargo ships coming from the so-called Orient for up to 40 days—an increase from the 30 days specified in 1377 as *la trentina*.¹¹ During the quarantine period, ships were kept in isolation away from the main port so that any disease they carried would supposedly run its course and neither people nor material goods would harbour contagions by the time they came ashore. The idea of maritime detention spread thusly throughout Italian,

⁹ Harrison, *Contagion*, 1-6.

¹⁰ *Ibid.*, 8.

¹¹ *Ibid.*

French and Spanish ports into the fifteenth century. According to Harrison, this was the period where the modern understanding of the link between contagion and commerce was developed. This link has not only been maintained but also further strengthened today, given the importance of security post-September 11, 2001 and the perceived increase in threats of contagion during this era of increased globalization.¹²

While the practical and procedural elements of quarantine changed little over the decades and, indeed, centuries following its inception, transformations in discourses around quarantine and disease have been significant. Until the Enlightenment, racialized groups in Europe, such as Jewish migrants and those from the today's Middle East and Asia, bore the brunt of the blame for spreading contagious diseases like the plague. Clearly, the roots of orientalism are deep and buttressed by a Eurocentric view of disease and death being brought to western civilization by "unclean" migrants from the east.¹³

In the fourteenth and fifteenth centuries, as commerce became factored into ideas around the spread of disease, and authorities began enacting quarantine measures, tradespeople and merchants became increasingly suspect of transmitting the plague. In this early period of quarantine application, civil authorities surmised that the movement

¹² As the time of writing, the Canadian federal government has announced that it has suspended "the issuance of visas for residents and nationals of countries with 'widespread and persistent-intense transmission' of Ebola virus disease." The announcement affects residents of Guinea, Sierra Leone and Liberia and also includes a halt in processing permanent residence applications from people from these countries. See: Helen Branswell, "Ebola: Canada Suspending Visas for Residents of Outbreak Countries," *CBC*, October 31, 2014, accessed November 4, 2014, <http://www.cbc.ca/news/politics/ebola-canada-suspending-visas-for-residents-of-outbreak-countries-1.2820090>. In the US, three states, New York, New Jersey and Illinois, have begun enforcing a 21-day quarantine for anyone returning to those states from the affected countries. See: "Ebola Outbreak: 3 U.S. States Order Mandatory Quarantine," *CBC, The National*, October 25, 2014, accessed November 14, 2014, <http://www.cbc.ca/player/News/Health/ID/2571353075/>.

¹³ Edward W. Said, *Orientalism* (New York: Vintage Books, 1978).

of people and goods caused outbreaks of disease, but physicians only slowly accepted this idea, having previously focused on disease irruption in individual bodies, not the transfer of infection among people. By the seventeenth century, contagion was accepted as the cause of plague and other diseases, replacing ideas involving bad air, unfavourable environments and susceptible individual bodies. It was therefore no longer solely a question of static places originating individual diseases; now, contagions moved from place to place, and thus from body to body. Consequently, the sanitization of space and place became increasingly important for it was now understood that reinfection was possible.¹⁴ This feature of disease control developed first in Italian city-states due to their proximity to perceived contagions from the east and their civic culture, which valued the “common good” most highly.¹⁵ Northern countries were slower to establish quarantine measures and *lazarettos*. When the Plague of San Carlo hit in 1575-78, covering all of Italy, civic mindedness helped shift discourses around disease and the plague such that the notion of disease moving from place to place via human relations became a focus. Hence the concentration on commerce, the development of sanitary boards to oversee public health, and the installation of embargoes against other countries based on disease outbreaks and perceptions of risk.

By the 1600s, “hospitals were created to incarcerate the sick,” and “quarantine likewise acted as *social filters*, excluding undesirable characters while allowing important persons free passage.”¹⁶ At this time, new connections were being made in medical

¹⁴ I use “sanitization” to mean not simply to clean and order, but “to make (something) free from dirt, infection, disease, etc.” Merriam-Webster, accessed October 8, 2014, <http://www.merriam-webster.com/dictionary/sanitize>.

¹⁵ Harrison, *Contagion*, 12.

¹⁶ *Ibid.*, 14.

discourse between the plague and other contagious diseases and migrants, poor people, criminals, and outlaws. The orientalist racialization of non-white others from beyond the borders of European civilization is obvious in western disease historiography. While new histories of disease such as Harrison's undertake important work in exploring how historical movements of people have complicated our understandings of disease and quarantine, in their necessary representation of events, they can fall into the trap of reifying orientalist perspectives and racist notions.¹⁷ I point this out here as I attempt to avoid the reification of so-called foreign others as disease carriers in this study.

Quarantine in North America

Scholars from a variety of fields, but particularly those working in Indigenous and postcolonial studies in North America, have explored perspectives on the role of disease and contagion in the genocidal conquest and destruction of Indigenous peoples and their traditional ways of life during the period of European colonization of the Americas.¹⁸ The

¹⁷ Harrison's highly documented work carefully differentiates between racist discursive formations produced by European authorities and his analysis of contagion historiography. In theorizing the apparent absence of quarantine measures in the Middle East, however, Harrison's narrative relies on the notion of a culture clash between a supposed "Christian Europe" and the Muslim "Levant," where "according to many Islamic scholars, death from plague was to be regarded as divine mercy or martyrdom rather than as punishment." This reading falls back on orientalist logic that sets Christian Europe and its use of science for the "common good" in opposition to the Levant, where scientific concepts of contagion were "anathema to many Muslims," resulting in a lack of disease control and widespread outbreaks of plague. *Ibid.*, 11.

¹⁸ James Daschuk, *Clearing the Plains: Disease, Politics of Starvation, and the Loss of Aboriginal Life* (Regina: University of Regina Press, 2013); Renisa Mawani, "Legal Geographies of Aboriginal Segregations in British Columbia: The Making and Unmaking of the Songhees Reserve, 1850-1911," in *Isolation*, ed. Strange and Bashford, 174-190; Andrea Smith, "Not an Indian Tradition: The Sexual Colonization of Native Peoples," *Hypatia* 18.2 (2003): 70-85; Mary-ellen Kelm, *Colonizing Bodies: Aboriginal Health and Healing in British Columbia, 1900-50* (Vancouver: UBC Press, 1998); Sarah Carter, "Categories and Terrains of Exclusion: Constructing the 'Indian Woman' in the Early

first documented waves of infectious disease to arrive in South, Central and North America were brought to the shores of the continents by white European explorers, merchants and settlers beginning around 1518.¹⁹ Subsequent waves of contagion continued for decades thereafter up until the twentieth century. Smallpox was among the primary fatal diseases transported from Europe in the sixteenth century, and many millions of Indigenous people were killed throughout the American continents as a result of the infectious vectors brought to the continents via colonization. Most historical sources dealing with early contagion and quarantine in Canada and the US do not provide figures indicating the gravity of the effect that colonization and its diseases had on the Indigenous peoples of North America. Few sources even bother to acknowledge the massive death and trauma involved. Indeed, the Canadian Public Health Association (CPHA), in its widely circulated and celebratory book, *This Is Public Health: A Canadian History*, misguidedly euphemizes this era of genocidal colonization as “increased European immigration” that “adversely affected” Indigenous people. It also lists alcohol as a disease factor along with typhus, smallpox, measles and tuberculosis that “destroyed many Indigenous lives.”²⁰ Harrison suggests that epidemics of typhus and smallpox occurred so frequently in the North American colonies, and quarantine

Settlement Era in Western Canada,” in *Out of the Background: Readings on Canadian Native History*, Second edition, ed. Ken S. Coates et al. (Toronto: Copp Clark Ltd., 1996), 147-161; Anne McClintock, *Imperial Leather: Race, Gender, and Sexuality in the Colonial Contest* (New York: Routledge, 1995).

¹⁹ Harrison, *Contagion*, 18.

²⁰ Christopher Ruttly and Sue C. Sullivan, *This is Public Health: A Canadian History* (Ottawa: CPHA, 2010), vii. The reference to alcohol as destructive to Indigenous people in a chapter that focuses on early Canadian quarantine and sanitation measures furthers what Kelm refers to as the notion of weak-bodied Aboriginal people as “genetically ill-equipped to fight disease.” This is a fallacious and racist construction that helps white settler society imagine that the destruction of Indigenous lives and cultures is inevitable. See: Kelm, *Colonizing Bodies*, xvi.

measures were so irregularly employed, that epidemics became “normalized.”²¹ When we look for evidence of racialization and discrimination in regards to applications of quarantine and quarantine discourse, the lack of concern about transmitting infections to Indigenous people then and the lack of care in attending to an acknowledgement of the disaster of colonialism in the present, clearly support an unwillingness to regard Indigenous people as human beings deserving of respect and dignity.

Quarantine and Race

While quarantine measures were implemented in some ports during North American colonization, the connection between so-called aliens and disease was clearly established first with the immigration of Chinese workers to Canada and the US in the latter half of the nineteenth century. Shah documents this in his study of the immigrant Chinese quarter of San Francisco as a form of racial and cultural quarantine.²² He demonstrates that discourses during this period represented Chinese workers as a weaker and more easily corruptible “race” both physically and morally, and thus more susceptible to diseases, sexual perversions, and drug use than white Europeans.

Alexandra Minna Stern’s work on twentieth-century quarantine measures at sites along the Mexico-US border explores another part of this evolving discourse.²³ Stern traces the linkages between race and contagion that were inscribed in official quarantine measures and related discourse by American authorities and nationalists around a hundred years ago. Of course, discourses that represent “foreigners” and non-white

²¹ Harrison, *Contagion*, 18

²² Shah, *Contagious Divides*.

²³ Alexandra Minna Stern, “Buildings, Boundaries, and Blood: Medicalization and Nation-Building on the U.S.-Mexico Border, 1910-1930,” *Hispanic American Historical Review* 79.1 (1999): 41-81.

settlers as diseased and sources of contamination were certainly not new. Nevertheless, the formalization and normalization of quarantine measures in law and the official linking of race and nation to notions of contagion and purity is new and significant in this modern period in Europe and North America. The institution of quarantine measures at this time also corresponds to the development of modern schools, hospitals, asylums and prisons as official institutions of governmentality aimed at civilizing and regulating individual behaviours under the terms of biopower.²⁴ Stern's work reveals that as quarantine measures became formalized and normalized along the Mexico-US border, so too were Mexicans officially racialized and formally represented as dirty and diseased, thus not fit for inclusion in the American national project.

By 1916 quarantine was implemented and regularized at the Laredo, Texas border crossing against Mexicans who were forced to undergo kerosene baths and invasive physical exams before being marked with indelible ink.²⁵ A year later, an official quarantine was set up along the entire length of the border to eradicate typhus following the deaths of approximately five citizens of El Paso, including the city's (white

²⁴ Following Foucault's definition of biopower as "the set of mechanisms through which the basic biological features of the human species became the object of a political strategy, of a general strategy of power," I read biopower as including various practices and processes deployed in order to taxonomize, ontologize, and regulate individual bodies and whole populations to further the objectives of nation building. See: Michel Foucault, *Security, Territory, Population: Lectures at the Collège de France, 1977–1978*, ed. Michel Senellart, trans. Graham Burchell (New York: Palgrave Macmillan, 2007), 16.

²⁵ I read the inscribing of the Mexicans' supposed health status directly on their body as a technology of governmentality that resurfaces in different forms across time. In the so-called post-AIDS era, it reappears in terms of the inscription of queer bodies as HIV-negative and HIV-positive, as well as the use of medication to reduce HIV-positive viral loads in bodies, thereby categorizing them as "undetectable."

European) doctor, which “caused quite a stir among the Anglo elite.”²⁶ Inspection stations were established and within months, thousands of border crossers from Mexico had been bathed in kerosene and soap and had their clothing removed and steam cleaned before crossing into the US. Over the next two decades, the disinfection plants were enlarged and securitized with operations far overshadowing those at Ellis Island. These plants engaged in the mass delousing, fumigation and vaccination of Mexican immigrants, and baggage was treated with cyanide. Mass quarantining along the border continued into the 1930s, although with the advancement of antibiotics and the lack of actual epidemics, official disinfection and sterilization processes eventually wound down. The El Paso plant operated until 1938, when its facilities were transformed into US army venereal disease clinics.

Quarantine Applications in Canada

Quarantine measures were introduced differentially in Canada during the eighteenth century owing to different mobility patterns from those to the south. Sanitation and isolation measures became more regularized with American independence from Britain, and with the establishment of tighter controls at ports and along the new international

²⁶ Stern, “Building, Boundaries, and Blood,” 61. Today, almost one hundred years later, race is undoubtedly a major factor in the global north’s approach to the Ebola epidemic in West Africa. While thousands of people have been infected in three countries, with a death toll approaching five thousand, it is the isolated cases of Ebola involving European and North American doctors and nurses, who have mainly recovered, which appear to be causing the most reaction in the global north. See: “Ebola Outbreak: NYC Doctor Craig Spencer's Condition Upgraded to Stable,” *CBC*, November 1, 2014, accessed November 4, 2014, <http://www.cbc.ca/news/world/ebola-outbreak-nyc-doctor-craig-spencer-s-condition-upgraded-to-stable-1.2820930>; United States of America, Department of Health and Human Services, *2014 Ebola Outbreak in West Africa*, Centers for Disease Control and Prevention, accessed November 4, 2014, <http://www.cdc.gov/vhf/ebola/outbreaks/2014-west-africa/index.html>.

border, “quarantines and sanitary embargoes came to be used consciously as instruments of statecraft.”²⁷ Fears of the Black plague spreading to British North America translated into the enactment of the first quarantine law in 1721.²⁸ Nonetheless, typhus and smallpox outbreaks continued unabated, and eventually comprehensive quarantine laws were introduced through the *Quarantine Act of Lower Canada* in 1795 while the territory was still under rule from overseas.²⁹

A major cholera epidemic in Britain and Europe in the 1830s and a 1847 outbreak of typhus saw renewed links made in political and medical discourses between disease, poverty and dirt and the influx of immigrants to British North America fleeing famine and pestilence. Immigration peaked during this period, with some 30,000 people, primarily Irish and Scottish, arriving via the port of Quebec City each year. Fearing that these immigrants would transplant the epidemics that were reportedly sweeping from Asia, across Russia, and into Europe, the colonial government decreed that a quarantine station be set up to screen incoming “fever ships” and protect the inhabitants of Lower Canada.³⁰

The history of Canadian quarantine regulations and effects is doubtless overshadowed by the nation’s most famous quarantine station, which opened in 1832 on Grosse Île, an island in the middle of the St. Lawrence River, 50 kilometres east of Quebec City. By most accounts, the station was set up hastily with devastating results due to its location and inadequate size for the number of people that would pass through it, as

²⁷ Harrison, *Contagion*, 24.

²⁸ Today, the Public Health Agency of Canada (PHAC) administers the *Quarantine Act* and related federal regulations in coordination with the provinces and territories.

²⁹ CPHA, *This is Public Health*, vii.

³⁰ Marianna O’Gallagher, *Grosse Île: Gateway to Canada, 1832-1937* (Ste-Foy, Quebec: Carraig Books, 1984).

well as the lack of understanding of and treatment for epidemics of virulent disease. In particular, the year 1847—Black '47 as it was called—saw a complex assemblage of events, including the Irish and European famine and an outbreak of typhus that led to an immigration spike and the concomitant deaths of at least 10,000 people, 5000 at sea and more than that number at Grosse Île and towns upriver.

Only after these losses subsided did improved understandings of disease and treatments lead to the government's refurbishment of the Grosse Île quarantine station. In 1869, it began serving as the primary quarantine site for immigrants, even boasting "modern first-, second- and third-class hotels" to accommodate those entering through this "gateway to Canada."³¹ Once the deadly diseases that had raged as epidemics were successfully treatable, Grosse Île's operations as a human quarantine station for immigrants ceased in 1937, with international agreements and surveillance measures replacing outright quarantine stations.

Canadian Quarantine Historiography

Despite this past, few scholarly studies have interrogated quarantine in Canada, particularly in terms of cultural history and social relations. Several works address Grosse Île specifically: Marianna O'Gallagher's detailed but celebratory book; Michael Quigley's article on the establishment of the 1996 Irish Memorial; and Colin McMahon's study of discourse around the site's national commemoration.³² Beyond Michael Bliss's

³¹ André Sévigny, *Quarantine and Public Health: The Changing Role of Grosse Île*, Parks Canada, accessed August 5, 2014, <http://www.pc.gc.ca/eng/lhn-nhs/qc/grosseile/natcul/natcul1/a.aspx>.

³² See: Michael Quigley, "Canada's Irish Famine Memorial," *Labour/Le Travail*, 39 (Spring 1997): 195-214; Colin David McMahon, "Quarantining the Past:

historical account of the smallpox epidemic of 1885 in Montreal,³³ there are references to quarantine in postcolonial and Indigenous studies examining race and poverty in disease historiography during the colonial period.

The federal government is another source of information on Canadian quarantine history, particularly through its treatise on the history of public health and its management of Grosse Île. Writing for Parks Canada, Sévigny notes that although the Grosse Île quarantine represents a tragedy and “its first chapter ended in disaster for thousands of Irish people,” the story ends happily because “the death and suffering of many of the immigrants who stopped at Grosse Île were not in vain.”³⁴ In concluding her history of the island station, O’Gallagher calls Grosse Île a “mainly successful effort.”³⁵ These perspectives reflect that of the federal government, which frames Grosse Île as an episode of nation building. As Eugene Whalen, a former federal Minister of Agriculture, declared in 1983: “In human terms, Grosse Île is not always a pretty story. But nation building is not always a pleasant activity.”³⁶ Quarantine, then, because of its biopolitical underpinnings, tends to be presented in official discourse as part of the necessary machinery deployed in the construction and maintenance of the modern nation. Its results are usually deemed successful despite the quarantine effects that have weighed more heavily against racialized, poor, and queer others than against “Canadian-Canadians.”

Commemorating the Great Irish Famine on Grosse-Ile,” (doctoral dissertation, Concordia University, 2001).

³³ Michael Bliss, *Plague: A Story of Smallpox in Montreal* (Toronto: HarperCollins Publishers, 1991).

³⁴ Sévigny, *Quarantine and Public Health*.

³⁵ O’Gallagher, *Grosse Île*, 108.

³⁶ *Ibid.*, 9.

Among the works that contest the official history of quarantine and epidemic management in Canada as integral to successful nation building, Esysllt Jones's exploration of disease epidemics in western Canada is particularly insightful.³⁷ Her rereading of Canadian disease historiography to show how disease epidemics have historically been tied to working classes and urban poor in Canada has inspired my thinking around disease and queer bodies. Specifically, Jones's work illuminates how the state and medical discourses, as well as dominant culture, have positioned the working class, immigrants and people living in poverty as sources of disease due to their allegedly dirty bodies and weak morals. Following the insights of Ava Baron and Eileen Boris,³⁸ Jones demonstrates how the body as a category of historical analysis studied through the lens of disease epidemics reveals inequalities in disease management:

In the history of settler colonialism in Western Canada, the spatial management of disease through processes of public health (such as quarantine) play a central role, not only in Aboriginal communities but also among those marginalized groups within settler society that were similarly subjected to discourses of race, civilization, and progress.³⁹

Exploitation and social inequality in Canada, therefore, have been written onto the body at times of disease and epidemic. Indeed, there was a general awareness in Canada by the early 1900s that poverty, substandard housing, and inequalities in nutrition and health services facilitated disease transmission. Nevertheless, workers, immigrants and the poor in Canadian urban centres including Winnipeg "were blamed for the spread of diseases

³⁷ Esysllt Jones, "Disease as Embodied Praxis: Epidemics, Public Health, and Working-Class Resistance in Winnipeg, 1906-19," in *The West and Beyond: New Perspectives on an Imagined Region*, ed. Alvin Finkel et al. (Edmonton: Athabaska University Press, 2010), 200-226.

³⁸ Ava Baron and Eileen Boris, "'The Body' as a Useful Category Analysis for Working-Class History," *Labor: Studies in Working-Class History of the Americas* 4. 2 (2007): 23-43.

³⁹ Jones, "Disease as Embodied Praxis," 204.

such as smallpox, tuberculosis, and typhoid, and became the target of public health reform.”⁴⁰ I explore this notion further in Chapter Four in my discussion of technologies of quarantine aimed at queers with the arrival of AIDS.

In her work on the enforcement of health regulations concerning epidemics of disease and Indigenous people during colonization, Maureen Lux demonstrates that the imposition of quarantine measures served to further the segregation of Indigenous people and the erasure of their presence already being undertaken through the *Indian Act*. Whereas quarantine was rarely prescribed in Canadian cities and towns in the early twentieth century, Lux’s research reveals a disproportionate use of quarantine on reserves, “where it was resorted to frequently.”⁴¹ In fact, the *Indian Act* was amended in 1914 to permit the superintendents to impose ad hoc quarantine on reserves. It was also applied repeatedly at residential schools, presumably so that parents could not visit their children, which would further reduce Indigenous children’s contact with their own culture. Lux’s conclusion is that quarantine measures served to accelerate the impoverishment and decline of Indigenous culture while “protecting” non-Native people.⁴²

In contesting views established in traditional historical work on state and medical authority responses to disease epidemics, scholars in postcolonial studies argue that Indigenous people, immigrants, racialized people, workers and the poor themselves became the targets of quarantine regulations, whereas the social realities were the origin of disease. Drawing on these critical readings, in the following three chapters I argue that

⁴⁰ Ibid., 208.

⁴¹ Maureen Lux, *Disease, Medicine, and Canadian Plains Native People, 1880-1940* (Toronto: University of Toronto Press, 2001), 182.

⁴² Ibid.

tactics and technologies of queer quarantine are deployed against queer spaces and queer bodies, and in particular queer proliferation into the future, while the social inequities that incite the impulse to quarantine the queer and its effects of anti-homosexual violence often are not addressed.

The End of Epidemics and Quarantine?

The post-war period, with its rapid expansion of science, technology and medicine, appeared to many researchers and pundits as the beginning of the “end of epidemics.” As Hays suggests, the discovery of the polio vaccine in 1955 and other advances in medical science incited great optimism in the belief that conquering deadly infectious disease worldwide was just around the corner.⁴³ While this was overly optimistic, the disappearance of the plague, the eradication of polio and smallpox, and the plunging mortality rates of many major diseases made it seem that the end of epidemics had arrived. With this dearth of deadly disease, the application of conventional quarantine for human populations also declined, such that it was reduced to uses like the isolation of sick school children from others. Nonetheless, despite advances in public health and the expansion of the welfare state, which saw the rise of healthy and wealthy western populations, “the powerful still configure disease as the product and bane of the powerless.”⁴⁴ Therefore, even at this apparent end of epidemics, certain unwanted groups were blamed for the dirt and disease that still threatened dominant culture and posed risks to national futures. Under this logic, educational films such as Encyclopaedia Britannica’s *Venereal Disease: The Hidden Epidemic* were shown in 1970s classrooms to

⁴³ Hays, *Burdens of Disease*, 243-250.

⁴⁴ *Ibid.*, 283

coach youth away from promiscuous sexual lifestyles and towards imagined healthy futures of marriage and monogamy.⁴⁵ Despite an absence of external epidemic threats, deviant sexuality—criminalized and pathologized—remained a serious internal risk to national health and social order, particularly due to dominant cultural understandings of prostitution, sexually transmitted disease, and the ever-growing threat of “the homosexual.” While quarantine had officially been used to keep disease out of Canada and to stop contagions inside national borders from spreading, it had also been deployed against internal “others” deemed dirty, weak, lazy, and improperly gendered and sexualized: Indigenous people, immigrants, racialized people, the working class and poor people. Queers, ever the subject of quarantine talk, were not immune.

AIDS shattered the dream of an end to epidemics. As Patricia Wald notes, the advent of AIDS and the discovery of HIV “jolted scientific researchers and medical practitioners out of their sanguinity,” and for the west “marked the hubris of contemporary medical science and terrified a public that had grown dependent on promises.”⁴⁶ Forced to come to terms with the epidemiological chaos and fear that AIDS generated, first striking the west hard in urban gay communities, nations grappled with many questions, among them, whether it was appropriate “to invoke old instruments against the new epidemic.”⁴⁷ Quarantine, seemingly underground in most western nations

⁴⁵ Thomas G. Smith, *Venereal Disease: The Hidden Epidemic*, film (Chicago: Encyclopaedia Britannica Educational Corporation, 1972).

⁴⁶ Priscilla Wald, *Contagious: Cultures, Carriers, and the Outbreak Narrative* (Durham: Duke University Press, 2008), 213.

⁴⁷ Peter Baldwin, *Disease and Democracy: The Industrialized World Faces AIDS* (Berkeley: University of California Press, 2005), 41-42.

for fifty years, loomed as a nasty possibility, and queers were the target of increased public anger and fear.⁴⁸

Quarantining AIDS and Queers

By the mid-1980s, quarantine talk had officially moved from the playing field and the water cooler to the newspaper and the nightly news. On July 8, 1987 the headline in Vancouver's *The Province* declared, "Quarantine: Socreds unveil plan to target AIDS victims."⁴⁹ With the tabling of Bill 34 to amend the British Columbia (BC) *Health Act* that summer, BC was poised to become the first province to isolate and intern people living with AIDS.⁵⁰ The media suggested the plan would empower the courts to force people with HIV "to stop having sex" and to shunt them into quarantine for a year. On paper, the bill spoke of communicable diseases in general, not specifically AIDS, but government and media discourse around Bill 34 clearly indicates that the government intended to invest itself with the capacity to effect an AIDS quarantine.⁵¹ A former AIDS

⁴⁸ I encountered AIDS hysteria and renewed talk of quarantine when I first went to university and self-identified as both bisexual and gay. It was a period of fear and anxiety for many. Quarantine talk about queers was not new to me, but the frequency with which I encountered it and anti-gay acts increased markedly. As a poignant reminder of the early chaotic period of AIDS, I recall visiting the home of my friend's sister, who informed us that her husband no longer wished us to have any contact with their kids. At first I thought she meant that her husband feared our presence would turn the boys gay; then I realized through the ensuing silence that she was insinuating we had AIDS. I now understand that what I experienced that day was queer quarantine made flesh.

⁴⁹ Barbara McLintock, "Quarantine Plan For AIDS," *Province* (Vancouver), July 8, 1987, 3.

⁵⁰ *Ibid.*

⁵¹ See: Nathaniel Christopher, "Lone PWA Survivor Remembers," *Xtra!* March 24, 2011, 8;

Michael P. Brown, *Replacing Citizenship: AIDS Activism and Radical Democracy* (New York: The Guilford Press, 1997), 47-48; British Columbia, Legislative Assembly, *Bill 34, Health Statutes Amendment Act*, 1987, 1st Session, 34th Parliament, 2634-2652,

activist recalled how “the government was talking about shipping us off to the Queen Charlotte Islands to live in isolation.”⁵² Ann Silversides confirms this instance of quarantine talk in her book on AIDS activist Michael Lynch. Silversides notes that elected officials in BC and Nova Scotia were discussing the establishment of quarantine stations for people with AIDS on offshore islands and “[putting] a wall around the west end (in Vancouver) and [rounding] up all the AIDS carriers.”⁵³ While medical authorities were ambivalent about the suitability of quarantine measures for AIDS, with the panic around the epidemic reaching its apex, the BC legislation and media hype over possible quarantine measures in other jurisdictions injected a new level of fear and urgency into the gay community.⁵⁴

During the three years leading up to the release of the federal government’s national strategy on HIV and AIDS in June 1990, which I explore in Chapter Four, Canadian political and medical authorities were actively discussing quarantine for queers with HIV and AIDS. Following the anti-gay, pro-quarantine rhetoric of Ottawa politician Andrew Haydon, Ontario’s chief medical officer of health, Dr. Richard Schabas, recommended that the provincial classification of AIDS be amended to that of a virulent disease, which would allow authorities to quarantine people with HIV. His suggestion

accessed November 5, 2014,

https://www.leg.bc.ca/hansard/34th1st/34p_01s_871124p.htm#02634.

⁵² Wallace A. Robinson et al., “Aging with HIV: Historical and Intra-Community Differences in Experience of Aging with HIV,” in *Growing Older: Perspectives in LGBT Aging*, ed. James T. Sears (New York: Routledge, 2010), 112.

⁵³ Ann Silversides, *AIDS Activist: Michael Lynch and the Politics of Community* (Toronto: Between the Lines, 2003). Silversides also notes “the Nova Scotia health minister suggested quarantine for sexually active people with AIDS.” See page 167.

⁵⁴ As cited in Silversides, *AIDS Activist*, 252: Betsy Chambers, “N.S. Doctors Cool to the Suggestion of Segregating Sexually Active HIV Carriers,” *The Medical Post*, Jan. 26, 1988; Dan Guinan, “Quarantine... Really,” *Angles*, August 1987.

that “the appropriate recommendation or order to someone known to be infected is not to have sexual intercourse,” was read not only as support for quarantine, but also as suggesting that queers should not be engaging in sex at all.⁵⁵ If they had any positive outcome, it would be that these remarks helped forge bonds amongst AIDS activists and allies, and resulted in a 500-member Toronto protest to draw public attention to the possibility of quarantine and call for Schabas’s resignation.⁵⁶

There was a marked shift from quarantine talk in popular discourse in the 1970s, which involved notions of rounding up all the queers and sending them to a desert island, to that of the 1980s and 1990s which saw Canadian politicians and medical authorities place queer quarantine into official discourse for the first time. Although a physical “[rounding] up [of] all the AIDS carriers” did not materialize, repeated calls for quarantining people with AIDS and queers were embedded in dominant discourse where they continue to influence discursive tactics and technologies of queer quarantine deployed against queers today.

Queer as Contagion

In July 2011, it was Ghulam Nabi Azad’s comparison of queerness to disease that most offended the majority of those who disagreed with the pronouncements of the Indian cabinet minister. Subsequently, Russian president Putin’s comments conflating homosexuality with pedophilia following the enactment of legislation banning “homosexual propaganda” in 2013 were only superseded by his now famous invitation to potential visitors to the Sochi Winter Olympics: “You can feel relaxed and calm [in

⁵⁵ Silversides, *AIDS Activist*, 19.

⁵⁶ Kelly Toughill, “AIDS Quarantine Plan Draws Protest,” *Toronto Star*, February 9, 1990.

Russia], but leave children alone please.”⁵⁷ This is a clear reference to homosexuals as sexual predators or pedophiles, and given that Putin was primarily addressing foreigners planning to attend the games, it is a further equation of homosexuality with a contagion coming from beyond national borders.

I refer to these comments from the Indian Minister of Health and the Russian President regarding queers not because they are representative of a condition specific to non-western cultures, although more recent outrages, such as the reinstatement of a ban on homosexual activity in India and repeated attempts to criminalize homosexuality in Uganda, make it appear as though an anti-homosexual wave were sweeping across the global south.⁵⁸ Rather, I suggest that these comments demonstrate the pervasiveness of the conflation of queers with disease and pedophilia in official discourse around homosexuality throughout the world today. Whether anti-homosexual discourse has been imported to countries in the global south via colonization or other routes is not the focus of this dissertation. This is work undertaken by scholars in postcolonial studies and sexuality studies.

⁵⁷ Shaun Walker, “Vladimir Putin: Gay People at Winter Olympics Must ‘Leave Children Alone,’” *Guardian*, January 17, 2014, accessed July 30, 2014, <http://www.theguardian.com/world/2014/jan/17/vladimir-putin-gay-winter-olympics-children>.

⁵⁸ See: “India Gay Sex Ban Reinstated by Top Court,” *CBC News*, December 11, 2013, accessed September 11, 2014, <http://www.cbc.ca/news/world/india-gay-sex-ban-reinstated-by-top-court-1.2459395>. See also: “Uganda Seeks to Reinstates Anti-Gay Law,” *Al Jazeera*, August 31, 2014, accessed September 11, 2014, <http://www.aljazeera.com/news/africa/2014/08/uganda-seeks-reinstates-anti-gay-bill-20148138256501947.html>. Currently, the Ugandan president is attempting to reinstate a tamer version of an earlier anti-homosexual law recently struck down by the courts. In particular, the he is allegedly seeking to “increase the penalties (for)...*recruitment of children* and exploiting financially vulnerable youths.” My emphasis.

There is at least in the global north, however, a longstanding history of treating *queerness as a disease* of morals, mind and body, and *queers as pedophiles* and child molesters. Throughout the last century, artists, writers and activists contributing to the development of contemporary gay and lesbian identities have documented these culturally embedded linkages.⁵⁹ Gays and lesbians have internalized these core social beliefs for at least a century. Author Quentin Crisp, addressing the complex issues surrounding the conflation of effeminacy with homosexuality famously wrote: “The men of the twenties searched themselves for vestiges of effeminacy as though for lice.”⁶⁰ Thus effeminacy is read as a marker for queerness with queers seen as morally and mentally disordered because they seek sexual gratification either with “real” men or with children. The historical constructions of queers both as disease and as child molesters are thus foundational discursive formations that ground my conceptualization of queer quarantine. It is also important to understand the significance of the public fears of queer contagion and proliferation. As I discuss in the next section, beyond the anxieties around homosexual acts as inherently dirty and responsible for the spread of various diseases, a great fear is that homosexuality itself is contagious, that it is not only “congenital” but an illness that can spread to men and boys throughout the world. As Cindy Patton put it, “homosexuality is ‘contagious’ not just as a method for passing queer germs, but as a

⁵⁹ Among the many examples to be found in gay and lesbian literature and culture, I draw the reader’s attention to: Larry Kramer, *Faggots* (New York: Grove Press, 1978); Quentin Crisp, *The Naked Civil Servant* (New York: The New American Library, 1968); Jean Genet, *Querelle de Brest* (Paris: Gallimard, 1953); Radclyffe Hall, *The Well of Loneliness* (New York: Covici-Friede, 1932).

⁶⁰ Crisp, *The Naked Civil Servant*, 21.

model for responding to erotic desires.”⁶¹ In other words, for dominant culture, not only does queerness produce illness, queerness itself is an infectious agent.

Invention of Child Molesters

A number of scholarly studies undertaken in the United States and in Canada explore the conflation of homosexuality with pedophilia and child molestation and the ways it developed in the post-war period of the twentieth century. Attributed to Senator Joe McCarthy’s anti-communist and anti-homosexual campaigns beginning in 1950 during the Truman Administration, the American witch-hunt for queers in government, also known as the Lavender Scare,⁶² most certainly influenced the “Canadian war on queers.” Government scandals, inquiries and commissions, as well as what was perceived to be a growing wave of sex crimes, fuelled the imaginations of the media and dominant culture, already overanxious about sex, to create a (homo)sexual panic that lasted throughout the 1950s and 1960s.⁶³

⁶¹ Patton, *Sex and Germs*, 12.

⁶² David K. Johnson, *The Lavender Scare: The Cold War Persecution of Gays and Lesbians in the Federal Government* (Chicago: University of Chicago Press, 2004).

⁶³ Gary Kinsman and Patrizia Gentile, *The Canadian War on Queers*; Elise Chenier, *Strangers in Our Midst: Sexual Deviancy in Postwar Ontario*, (Toronto: University of Toronto Press, 2008); George Chauncey Jr. “The Postwar Sex Crime Panic,” in *True Stories from the American Past*, ed. William Graebner (New York: McGraw-Hill, 1993) 160-178; Gary Kinsman, “‘Inverts,’ ‘Psychopaths,’ and ‘Normal’ Men: Historical Sociological Perspectives on Gay and Heterosexual Masculinities,” in *Men and Masculinities: A Critical Anthology*, ed. Tony Haddad (Toronto: Canadian Scholars’ Press, 1993) 3-35; John D’Emilio, “The Homosexual Menace: The Politics of Sexuality in Cold War America,” in *Passion and Power, Sexuality in History*, ed. Kathy Peiss and Christina Simmons (Philadelphia: Temple University Press, 1989), 226-240; John Marshall, “Pansies, Perverts and Macho Men: Changing Conceptions of Male Homosexuality,” in *The Making of the Modern Homosexual*, ed. Kenneth Plummer (London: Hutchinson, 1981), 133-154.

In Canada, research into sexuality and the development of medical, legal and other dominant discourses around sex expanded in the post-war period following the enactment of the 1948 criminal sexual psychopath law. This law allowed for Canadian courts to view sex criminals as pathological; therefore, they could be held for indeterminate periods and forced to undergo psychiatric treatment until they could be declared cured. Thus, sex criminals were no longer just immoral and needing to be locked away; they were mentally ill and needed help.

Kinsman and Chenier, in particular, have documented the historical role of the police in representing queers, mainly via the media, as a threat to normal society.⁶⁴ Chenier has shown how the police conflated homosexual men with pedophiles and child molesters in order to defend their position against psychiatrists and psychologists who were less likely to view queers as threats to anyone beyond themselves, since for the medical authorities, queers needed treatment. The generalized sex panic was fueled by the media's spectacularization of rare but real sex crimes in major Canadian cities as the visibility of gay men began to grow. As Chenier notes, queers were increasingly becoming "easy targets for the police who were anxious to be doing something about the sex crime problem."⁶⁵

The expansion of public discourse around sex crimes and children in the post-war period can be attributed to the baby boom and a marked increase in the number of parents raising young children, a state-supported mental health movement as part of the Canadian welfare state, and changes in sexual mores given the vast movement of people to cities and internationally during and after the two world wars. Additionally, Alfred Kinsey

⁶⁴ Kinsman, *The Regulation of Desire*; Chenier, *Strangers in Our Midst*.

⁶⁵ Chenier, *Strangers in Our Midst*, 91-92.

published *Sexual Behavior in the Human Male* in 1948,⁶⁶ and although it scandalized many people, it is widely accepted as having opened the door to an increase in research into and public discussion about sex and sexuality. The growth of the media and the expansion of television as a primary source of information for Canadians led to the sensationalization of the few cases of child abduction, rape and murder that occurred, thus contributing to the public's fear of widespread and growing danger to the nation's children due to the threat of the sex criminal.⁶⁷

In 1954, the federal government's Royal Commission on the Criminal Law Relating to Criminal Sexual Psychopaths (McRuer Commission) sought to enhance the regulation of sex criminals and sex crime in Canada.⁶⁸ Through the expert testimony that occurred throughout the deliberation of the McRuer Commission, the balance of regulatory power over sex and what was considered normal versus abnormal shifted to psychiatrists and psychologists. While the application of law remained in the courts, the mental health profession became the authority on questions of sex and sexual deviancy in Canada from the 1950s onward. This trend continues today with psychiatrists providing "expert" testimony on deviant behaviour during the trials of sex criminals, now called "dangerous offenders."⁶⁹ During the Commission itself and in subsequent years medical and legal discussions around criminal sexual psychopathy focused on homosexuality.

⁶⁶ Alfred Kinsey, et al., *Sexual Behavior in the Human Male* (Bloomington, IN: Indiana University Press, 1998).

⁶⁷ Chenier, *Strangers in Our Midst*, 68-78.

⁶⁸ While the Canadian federal government added "buggery" and "gross indecency" as acts that could lead authorities to charge men under the 1948 criminal sexual psychopath law, effectively equating homosexuals with psychopaths, politicians and the media argued that penalties available to punish offenders were not adequate. The McRuer Commission was struck to study the public danger these "psychopaths" posed and to recommend enhanced sentencing. See: Kinsman, *The Regulation of Desire*, 183-187.

⁶⁹ See my discussion of the Steven Boone trials in Chapter Five.

Kinsman notes, “the ideological framing of homosexuals as sex crazed melded easily with this sexual psychopath frame.”⁷⁰ Thus, authorities continued to conflate homosexuality with sex crimes. As Chenier notes, “despite the fact that the public’s attention was squarely focused on sexual assaults against female children, homosexuality was the single most discussed criminal sexual act.”⁷¹ In spite of popular shifts in thinking about sexuality, influenced by the women’s movement and the increasing availability of oral contraception for women, laws were not drafted to begin decriminalizing homosexual acts in Canada until 1968 and, to this day, queerness is conflated in dominant discourses with insatiable sex drives, pedophilia and sexual abuse.

Queer Child Molesters

The assemblage of events, bolstered by the further medicalization of adult-child sexuality and sex criminals through psychiatry, led to the development of a sex crime panic following the Second World War. At this point, the conflation of homosexuality with child molestation began to crystallize. Thus emerged the figure of the queer child molester, which, I argue, is the prototype for what I call the queer AIDS monster.

Although psychiatric authorities urged that sex crimes should be handled apart from deviant and morally repugnant sex acts, such as homosexuality and paraphilia, “1950s mainstream journalistic discussions about sex deviation and violent sex crime went hand in hand.”⁷² As a consequence, homosexual acts were considered deviant and

⁷⁰ Ibid., 184.

⁷¹ Chenier, *Strangers in Our Midst*, 89.

⁷² Ibid., 70. Readers might assume that this conflation has been wrenched apart over the last 30 years following partial decriminalization of homosexual acts in 1969, the popular gay rights movement in the 1980s and 1990s, and the legalization of same-sex

criminal—and in terms of the law they were criminalized until 1969—but dominant and popular discourses positioned homosexuality on the same footing as major sex crimes involving child rape and murder. Indeed, the conflation of queers with child molesters really cannot be overstated; when one looks for it in newspapers and magazines from the 1950s onward it is easily found.⁷³

The publicity around the McRuer Commission of 1954 and the media's coeval focus on sexual violence against children also helped to shape the sex criminal as a public stranger and homosexual pervert located beyond the safety of the nuclear family. Over time, the figure of the morally bankrupt, sexually perverse and insatiable homosexual was mapped onto the figure of the child molester as stranger.⁷⁴ Besides reaffirming the safety of the nuclear family and innocence of family men, this conflation directed public attention around sex crimes away from the family and into the public sphere, where it stuck to the bodies of queer men and other men deemed out of place. This included racialized and immigrant men, as well as the places they were imagined to frequent such as bars, motels, and derelict or abandoned sites.⁷⁵ In the mid-1950s, the *Toronto Daily*

marriage in the 2000s. As I explore in more detail in Chapter Five, however, it remains a significant discursive formation.

⁷³ The media significantly drove the conflation of queers with sex crimes during this period. Chenier cites influential journalist June Callwood's 1955 article in *Maclean's Magazine* focusing on sex crimes in which homosexuality is unquestionably tied to pedophilia and incest. See: Chenier, *Strangers in Our Midst*, 70; June Callwood, "The Parents Strike Back Against Sex Criminals," *Maclean's Magazine*, July 23, 1955, 7-9 and 48-51.

⁷⁴ Chrysanthi Leon, *Sex Fiends, Perverts and Pedophiles: Understanding Sex Crime Policy in America*, (New York: New York University Press, 2011), 25-37; Chenier, *Strangers in Our Midst*; Philip Jenkins, *Moral Panic: Changing Concepts of the Child Molester in Modern America* (New Haven, CT: Yale University Press, 1998).

⁷⁵ Elaine Tyler May has also theorized the importance of the family via her conceptualization of domestic containment in cold war America. This conceptualization would have similar applications for Canada and further reveals extramarital and extra-

Star set up a citizens' forum on "sex deviates" that attracted over 2,000 people. The result of the forum and its spectacularization in the media was a further expansion of medical and psychiatric authority over discourses around homosexuality and the sexual regulation of families and children.⁷⁶ Kinsman argues that the *Wolfenden Report* was highly influential in its division of homosexuals into two groups: adults engaging in sexual relations with adults; and, "men who seek as partners boys who have not reached puberty."⁷⁷ At this point, the homosexual pedophile entered official government discourse and thereafter homosexuals and pedophiles were conflated in official and dominant popular discourses. Since the report relied on the myth of older men seducing boys such that male homosexuals were conceptualized as "a higher 'social danger'" to youths than heterosexuals,⁷⁸ it thus recommended serious consequences for queer intergenerational sex acts.⁷⁹ Moreover, research undertaken for the McRuer Commission alleged that a majority of homosexual men claimed their homosexuality was the result of childhood sexual assault by an adult male.⁸⁰

familial sexuality/public sex as needing to be contained by law. See: Elaine Tyler May, *Homeward Bound: American Families in the Cold War Era* (New York: Basic Books, 1988). For similar work specific to the Canadian context see: Veronica Strong-Boag, "Home Dreams: Canadian Women and the Suburban Experience, 1945-60," *Canadian Historical Review* 72:4 (December 1991): 24-34.

⁷⁶ Kinsman, *The Regulation of Desire*, 198; Chenier, *Strangers in Our Midst*, 69.

⁷⁷ Kinsman, *The Regulation of Desire*, 217.

⁷⁸ *Ibid.*, 218.

⁷⁹ Queer women were similarly affected by the medicalization of homosexuality throughout this period; however, they were not considered pedophiles and were not constructed as child molesters or as threats to children. On the contrary, as Chenier notes, lesbians were constructed as "predatory toward heterosexual adult women." Lesbian sex was not public sex so women were not constructed as violent queer outlaws in the ways that homosexual men were. Chenier, *Strangers in Our Midst*, 91.

⁸⁰ *Ibid.*, 96-97.

This trope expresses homosexuals as predatory and homosexuality as contagious: homosexual men were characterized as immature, improperly developed, and seeking similarly sexually immature partners for sex. Thus, the great danger to children, and in particular boys, was that of the predatory queer who would corrupt youth and infect them with queerness, much as a virus is commonly understood to gain entry into the body and convert healthy cells into more viral agents. I argue that as a consequence of these discursive constructions, tactics and technologies of queer quarantine developed in response to the transforming threats of queer contagion. Over the following decades, these tactics continued to be highly influenced by private-public and adult-youth conceptualizations of sexual regulation. Subsequent moves to decriminalize certain homosexual acts in private but further regulate them in public resulted in increased privatization of gay networks and cultural formations, promoting what Kinsman has called a “ghettoization and a strategy of containment.”⁸¹

The general consensus today of benevolent “liberal-minded” citizens in the global north and gay rights activists worldwide is that likening homosexuality to disease and child molesters is outdated, or as critics of Azad’s statements would have it, an “unscientific and irrational” form of oppression in which civilized people no longer engage.⁸² To prove this, one invariably points to the delisting of homosexuality from the DSM-II as a mental illness in 1973, claiming that this marked a watershed in terms of the uncoupling of queerness from illness. This claim ignores that the DSM-II entry was replaced immediately with “gender dysphoria,” a pathologization, which Sedgwick

⁸¹ Kinsman, *The Regulation of Desire*.

⁸² “India’s Health Minister in Gay Gaffe,” *Al Jazeera*, July 5, 2011, accessed August 4, 2012, <http://www.aljazeera.com/news/asia/2011/07/20117515437104974.html>.

rightly pointed out, has helped to continue western culture's war efforts against effeminate boys, most of whom reportedly grow up to become gay men.⁸³ Others might argue that public calls for the isolation and containment of queers in the 1980s, and the conflation of queers with disease, was a product of the chaos and panic during the initial AIDS outbreaks. Today, in the "post-AIDS" era,⁸⁴ state policy and cultural practice have led to the "acceptance" of queer difference and the enshrinement of laws and policies protecting the human rights of those queers who live with HIV and AIDS. I argue that the pathologization of queerness as disease and of queers as child predators is not merely a relic of the past, brought back to life by so-called "primitive" or "pre-modern" cultures who are not yet in step with the ways of the modern world. Discursive features of queer quarantine continue to evolve in the global north as anywhere else, and reveal themselves in tactics and technologies assembled differentially against queerness in its many forms, from those who are deemed the least acceptable to those who can access the privileges of being incorporated into the mainstream of dominant culture.

The Queer AIDS Monster

The historical conflation of queers with moral and mental weakness, psychopathy, disease and pedophilia is foundational to the generalized sex panic around homosexuality and thus to my theoretical framework for queer quarantine. The application of this framework in my research not only reveals the deployment of discursive tactics and technologies of queer quarantine across the period I study, but also traces a discursive phenomenon I call the *queer AIDS monster*. This figure emerges as an effect of

⁸³ Sedgwick, *Tendencies*, 154-164.

⁸⁴ I elaborate and critique this term later in this study.

disciplinary tactics of queer quarantine and as a particular discursive formation in its own right. An imagined figure, it shows up spectacularly in popular discourse under certain conditions and yet, as a disciplinary tactic, it also produces particular material effects. I offer here a brief overview of the linkages I make throughout the following chapters as I trace the apparitionality of the queer AIDS monster.

The transformation in dominant discourse that saw the generalized qualification of homosexuals as morally and mentally ill amplified by the addition of the category of queer child molester occurred in the 1950s and 1960s in the United States and Canada beginning with the Truman Administration's witch hunts for communists and queers and Canada's own war against queers.⁸⁵ Chenier's thesis about the central role of the mental health profession, the courts and the media in the discursive construction of the child molester as "strangers in our midst,"⁸⁶ complements May's study of the rise of the nuclear family in the middle of the twentieth century in the United States, and Strong-Boag and Gleason's scholarship in the Canadian context. May theorized domestic containment as an ideology and discursive strategy in the United States to position the nuclear family as the realm of security and prosperity in life, the means through which deviating energies could be channelled and contained to realize the American dream.⁸⁷ She argues that this strategy functioned well for a good portion of the Cold War period; however, she theorizes its disintegration in the late 1960s and 1970s with the advance of the baby boomer generation and new technological and scientific advances making rebellion and risk-taking acceptable and sexy until the early 1980s. Since queers and

⁸⁵ Kinsman and Gentile, *The Canadian War on Queers*.

⁸⁶ Chenier, *Strangers in our Midst*.

⁸⁷ Elaine Tyler May, *Homeward Bound: American Families in the Cold War Era* (New York: Basic Books, 1988), 16-19.

child molesters cannot (ought not to) be contained in the domestic security of the ideal family unit, they are cast out and conflated with each other. Moreover, as the rare child molestation/sexual psychopathy case was spectacularized in the media, with the perpetrators cast as unnatural and monstrous,⁸⁸ the queer child molester became the primary scapegoat onto which dominant culture projects its anger/guilt at its own unacknowledgable obsession with child sexuality.⁸⁹

Apart from Chenier's work, the discursive construction of the male homosexual as sex pervert, child molester and murderer has received little scholarly attention in Canada. While scholars do refer to this trope in their documentation of regimes of power/knowledge regulating queers, its function as a disciplinary tactic has not been adequately analyzed. In my three archives, I find ample evidence to suggest that this trope of the queer AIDS monster is often deployed, and has undergone several transformations from its haunting beginnings as the stranger in our midst in the 1950s to its current apparition as Ottawa's "HIV vampire." As I demonstrate in Chapter Three, pre-AIDS queers were read as risks to the nation because of their perceived threats to public space and conservative family values. In Canada, the solidification of the homosexual as child molesting monster occurred through the national outpouring of anti-homosexual hysteria generated in response to the 1977 rape and murder of Emanuel

⁸⁸ Leon charts the rise of the American sexual psychopathy era between 1930 and 1955. She points to particular cases, namely the "Wineville Murder Farm" in California and the internationally infamous "Leopold and Loeb," which "shaped beliefs about sex crimes through the subsequent decades." Leon, *Sex Fiends*, 31.

⁸⁹ For more theorizing on the role of the homosexual and the child molester as scapegoat for society's anxiety about childhood sexuality, see: Philip Jenkins, *Moral Panic: Changing Concepts of the Child Molester in Modern America* (New Haven: Yale University Press, 1998).

Jaques. Characterized by the media as a “homosexual orgy,”⁹⁰ the Jaques case linked queers to the monstrous in ways that would have significant long-lasting effects. Shortly thereafter, initial configurations of AIDS as a gay plague, first termed *Gay-Related Immune Deficiency* (GRID) by medical authorities led to a complex conflation of queers with moral and somatic decay. During this period, in which attention moves from queer spaces to queer bodies, the threat of the queer child molesting stranger is amplified with the advent of HIV and AIDS through the construction of the queer stranger bent on infecting other bodies, as well as the nation’s blood supply. The creation of Canadian Gaëtan Dugas as AIDS patient zero positions queers as responsible for the AIDS epidemic, while the depiction of Dugas as intentionally infecting others set the foundations for the emergence of the figure of the queer AIDS monster who I argue has haunted queer cultural space for the last 30 years.

While there has been much written about the criminalization of HIV non-disclosure cases in Canada and the US, little attention is paid to the cultural constructions around these cases. Scholars have produced few academic studies in this area, and their particular focus is heterosexual HIV non-disclosure. James Miller’s fascinating analysis of the Charles Ssenyonga case is the principal Canadian work in this area.⁹¹ Miller demonstrates how the media and the courts portrayed Ssenyonga “as a Black version of the legendary lady-killer Don Giovanni.”⁹² He argues that besides being constructed as the “incarnation of ‘African AIDS’” by June Callwood in her bestselling book about the

⁹⁰ “Homosexual Backlash Feared,” *Toronto Star*, August 3, 1977, A3.

⁹¹ James Miller, “African Immigrant Damnation Syndrome: The Case of Charles Ssenyonga,” *Sexuality Research and Social Policy: Journal of NSRC* 2.2 (June 2005): 31-50.

⁹² *Ibid.*, 31.

case, Ssenyonga was overdetermined by his race and his immigrant status, which were deployed to characterize him as hypersexual and excessively masculine.⁹³ Thus, Ssenyonga's "African strain of HIV" made him a "hyper-viral carrier" of disease and a "hyper-virile seducer" of young white Canadian women.⁹⁴ While he does not refer to the case as monsterization, Miller does address implicitly the inseparability of AIDS and queerness by showing how despite Ssenyonga's exclusive seduction of women, there were attempts by the media to prove he was secretly homosexual in order to further justify his hyper-sexuality and his HIV infection. Asha Persson and Christy Newman's survey of the media's treatment of heterosexual HIV non-disclosure focuses on the specific construction of male aggressors and women victims in the Australian context.⁹⁵ While the authors do argue that a discursive monsterization is at work in these cases, it is the devious masculinity of black hypersexual African immigrant men that is made monstrous against the vulnerability of Anglo-heterosexuality.

I focus my attention on two particular configurations of the queer AIDS monster in Chapters Four and Five. Despite a series of human rights gains by the gay rights movement in Canada since the 1980s, the case of blood donor James Thornton in 1988 and the recent political and public hysteria in regards to gay-straight alliances in Ontario schools, queer blood, and Ottawa's Steven Boone over the past four years, reveal that the monsterization of queers in dominant culture continues to be a significant feature of discourse around queers. While tracing the discursive construction of queers as disease in

⁹³ Ibid., 31. See: June Callwood, *Trial Without End: A Shocking Story of Women and AIDS* (Toronto: Alfred A. Knopf, 1995).

⁹⁴ Ibid., 40.

⁹⁵ Asha Persson and Christy Newman, "Making Monsters: Heterosexuality, Crime and Race in Recent Western Media Coverage of HIV," *Sociology of Health and Illness* 30.4 (May 2008): 632-646.

the analysis of my three archives, I pay particular attention to the discursive formation of the queer AIDS monster set against the background of the haunting/haunted relationship between queers and HIV/AIDS to draw some conclusion regarding the monsterization of queers not only as a cultural trope but also as a tactic and an effect of queer quarantine.

From Queer Cartography to Queer Quarantine

As I began developing my conceptual framework, Kinsman and Gentile's work on the government security campaigns, and Kinsman's earlier projects exploring the responsabilization of queers during the initial AIDS epidemic in Canada, inspired me to think about how the government surveillance and the purges of Cold War period could also be conceived of as earlier forms of technologies of queer quarantine. Through the spatial strategies of contact tracing and mapping that Kinsman and Gentile describe, state security forces in the 1950s and 1960s created ontologies of queer behaviour that over time revealed a growing proliferation of queers perceived as threatening to the state, its interests, and the integrity of the nation.

Since that period of state mapping of queer proliferation, a growing body of scholarly work has traced the formation of gay identities and communities in Canada, particularly in Toronto, Vancouver and Montreal. Important Canadian work in this area began in the 1980s, following the introduction of gay and lesbian area studies in the United States and the United Kingdom. It deals primarily with the historical regulation of sexuality and queer resistance, gay and lesbian rights organizing, and community formation. Besides Kinsman's history of the regulation of queer sexuality, other significant Canadian work including Deborah Brock's studies of sexual normalization

and sex work;⁹⁶ Miriam Smith's documentation of the gay and lesbian rights movement in Canada;⁹⁷ and David Rayside's work on the politics of sexual diversity, specifically same-sex marriage and religion in Canada and the United States.⁹⁸ In terms of activism and community formation, Tom Warner, David Churchill, and Ross Higgins have undertaken important research on queer resistance, cultural networks and organizing, particularly in Toronto and Montreal.⁹⁹

A surprising amount of queer Canadian writing attends to sexual geographies, much of which has been useful to me in my conceptualization of queer quarantine. Bouthillette, building on groundbreaking studies by American Larry Knopp on the formation of urban gay communities, was first to begin writing about the particularities of

⁹⁶ Deborah Brock. *Making Work, Making Trouble: The Social Regulation of Sexual Labour*, (Toronto: University of Toronto Press, Second edition 2009); Deborah Brock, *Making Normal: Social Regulation in Canada*, (Toronto: Nelson, 2003).

⁹⁷ Miriam Smith, *Political Institutions and Lesbian and Gay Rights in the United States and Canada*, (New York: Routledge, 2008).

⁹⁸ David Rayside, *Queer Inclusions, Continental Divisions: Public Recognition of Sexual Diversity in Canada and the United States*, (Toronto: University of Toronto Press, 2008).

⁹⁹ See: Kevin Walby, "'He asked me if I was looking for fags...' Ottawa's National Capital Commission Conservation Officers and the Policing of Public Park Sex." *Surveillance & Society* 6.4 (2009): 367-379; David Churchill, "Mother Goose's Map: Tabloid Geographies and Gay Male Experience in 1950s Toronto," *Journal of Urban History* 30.6 (September 2004): 826-852; Tom Warner, *Never Going Back: A History of Queer Activism in Canada* (Toronto: University of Toronto Press, 2002); Ross Higgins, "Baths, Bushes, and Belonging: Public Sex and Gay Community in Pre-Stonewall Montreal," in *Public Sex, Gay Space*, ed. William Leap (New York: Columbia University Press, 1999), 187-202; John Grube, "'No More Shit': The Struggle for Democratic Gay Space in Toronto," in *Queers in Space: Communities/Public Places/Sites of Resistance*, ed. Gordon Brent Ingram et al. (Seattle: Bay Press, 1997), 127-146; Steven Maynard, "Through a Hole in the Lavatory Wall: Homosexual Subcultures, Police Surveillance, and the Dialectics of Discovery, 1890-1930," in *Gender and History in Canada*, ed. Joy Parr and Mark Rosenfeld (Toronto: Copp Clark Ltd., 1996), 165-84; Becki Ross, *The House That Jill Built: A Lesbian Nation in Formation* (Toronto: University of Toronto Press, 1995).

gentrification and gay neighbourhoods in Toronto.¹⁰⁰ Catherine Nash's recent work on the formation of the Toronto gay community in the 1970s and 1980s calls into question notions of identity as rooted in place and historical time, and explores how identities and spaces are dynamic, contested and flexible. She also addresses the male domination of queer issues and spaces in Canada, which many other scholars avoid exploring.¹⁰¹ Her collaborative work with Bain, which uses the police raids on the Pussy Palace lesbian bathhouse in Toronto in 2000 as a case study, undertakes spatial analyses to explore identity formation and identity politics among queer women.¹⁰²

My reflections on my conceptual framework for queer quarantine, which draws upon theories of governmentality and state regulation of queer bodies, have nonetheless been significantly informed by Kinsman and Gentile, who individually and collaboratively have mapped out the Canadian government's decades-long war against queers.¹⁰³ As Gentile notes in her recent essay on "queer cartography," the RCMP tracked the activity of "suspected," "alleged," and "confirmed" homosexuals in Ottawa in the 1950s and 1960s using a map of the city festooned with red dots.¹⁰⁴ While the state

¹⁰⁰ Anne-Marie Bouthillette, "Gentrification by Gay Male Communities: A Case Study of Toronto's Cabbagetown," in *The Margins of the City: Gay Men's Urban Lives*, ed. Stephen Whittle (Ashgate, 1994), 65-83. See also: Larry Knopp, "Ontologies of Place, Placelessness, and Movement: Queer Quests for Identity and Their Impact on Contemporary Geographic Thought," *Gender, Place and Culture* 11 (2004): 121-134.

¹⁰¹ Nash, "Toronto's Gay Village"; Catherine J. Nash, "Gay Politics and Ethnic Minorities: The Struggle for Gay Identity in Toronto in the Late 1970s," *Gender, Place and Culture* 12 (2005): 113-135.

¹⁰² Catherine J. Nash and Alison Bain, "'Reclaiming Raunch': Spatializing Queer Identities at Toronto Women's Bathhouse Events," *Social and Cultural Geography* 8, no. 1 (2007): 47-62; Nash and Bain, "Pussies Declawed."

¹⁰³ Kinsman and Gentile, *The Canadian War on Queers*.

¹⁰⁴ Patrizia Gentile, "Capital Queers: Social Memory and Queer Place(s) in Cold War Ottawa," in *Placing Memory and Remembering Place in Canada*, ed. James Opp and John C. Walsh (Vancouver: UBC Press, 2010), 187-214.

made little if any *official public* pronouncements on homosexuality itself, it was clearly *in the business* of surveilling and mapping queers.¹⁰⁵ This was part of the federal government's security regime against queers, which began in the Cold War period and lasted into the 1970s. Homosexuals, particularly those who worked for the federal government, were represented as threats to national security, and ensuing police surveillance and tracking led to the expulsion of numerous queers from their jobs and the ruin of many lives.

Gentile's queer cartography contributes to the ongoing project of mapping queer space undertaken by scholars since the 1980s. It is important work that helps to demonstrate the "development of human and social capacities for agency, creativity and resistance," social relations that are wiped from memory by the discursive reification of meta-narratives and official versions of Canadian national history that obliterate queer history, particularly its local developments and counter narratives.¹⁰⁶ This work allows the voices of queers themselves to be heard in the historiography, demonstrating some of the ways that queer community-building occurred in spite of the war on queers, and revealing how some queer community networks actually grew in part through acts of resistance to the security campaigns.

Inspired by Kinsman and Gentile's queer cartography and its revelations of Canadian state repression of queer threats, my study explores the periods following the major thrust of their analysis. Whereas their study concentrates on the secret tactics and covert operations of state security forces and the queer acts that resisted them, my study

¹⁰⁵ Gentile analyzed secret government security-related files in which homosexuality was constructed as a character weakness, making queers "vulnerable to blackmail and subversion from the Soviet Union's agents." *Ibid.*, 192.

¹⁰⁶ *Ibid.*

seeks to reveal tactics and technologies of queer quarantine that are imbricated in official state and state-sponsored discourse from the mid-1970s to the present day. Since my conceptualization of queer quarantine is framed by Foucauldian theories of discourse, biopolitics and governmentality, my project scope is also predicated on Foucault's notion of the "putting into discourse of sex," and exploring the power/knowledge regimes that developed through discursive transformations into a "science of sexuality."¹⁰⁷ I am thus particularly interested in mapping specific moments when various levels of government first put queers into official discourse, and to explore the trends and transformations in tactics and technologies of queer quarantine deployed across these moments.

Issues *around* homosexuality are first put into official discourse by the Canadian government through laws enacted to punish and prevent deviant sex acts; however, these laws, enacted after 1867 were based on British law and speak about deviant *acts* such as "buggery." Homosexuality itself does not appear in early official state discourse, nor are notions of homosexuals as subjects recorded. While the post-war period saw the establishment of new legislation against sex crimes and a new section of sexual offences in which buggery was separated from bestiality and gross indecency, descriptions remained vague and the focus was deviant sex acts, not queers as subjects.¹⁰⁸

The state made its first acknowledgement of homosexuals as "a status or a type of person" in the revised *Canadian Immigration Act* of 1952, when it passed the bill excluding homosexuals along with prostitutes and "persons coming to Canada for an

¹⁰⁷ Foucault. *The History of Sexuality*, 12.

¹⁰⁸ Kinsman, *The Regulation of Desire*, 129-130.

immoral purpose.”¹⁰⁹ This official quarantining of *foreign queers* from Canadian immigration processes continued until the establishment of the Canada Immigration Act in 1977. While the federal government officially recognized homosexual subjects outside of Canada through the law requiring their quarantine, despite the growing discourse around homosexuality and criminality developed and circulated by medical and mental health authorities, the Canadian state itself was often *officially* silent on the existence of queer *subjects* inside the country. In other words, through events such as the McRuer Commission, the state contributed to dominant discourse around homosexuality mainly by speaking about deviant acts rather than subjects. Recent research reveals, however, that the state did regard queers as individuals under the terms of secret security campaigns aimed to purge them from government employment.

I begin my principal analysis of queer quarantine after the events of 1969, which include the Stonewall Riots in the US and the passage of the Omnibus Bill decriminalizing certain homosexual sex acts in Canada. Together with the emerging gay and lesbian rights movement and the increasing visibility of queers in public, these events led to the formation of gays and lesbians as state subjects and their eventual construction as such in official state discourse, including the policy-making and related documents I read in the following chapters.

¹⁰⁹ Ibid., 170. Kinsman notes that the original 1948 amendment included the word “lesbians,” as well, but it was dropped in the final version of the bill. This may be further evidence that queer women were not perceived as threats to the nation to the degree that queer men were, however, it would be instructive here to analyze related documents and discourse to understand the different tactics of quarantine at work in this case.

Chapter 3: Spaces

In late 1971, a decade before the infamous Toronto gay bathhouse raids of February 5, 1981, a group of thirteen queer people protested openly on the streets of the Ontario provincial capital against the CBC for its production of a documentary on Canadian gay life. In their letter to the CBC, the protesters claimed that *Nothing to Hide* misrepresented Toronto gays and lesbians,¹ not the least because women were entirely absent from the documentary and because it was filmed in New York City:

The view of the gay community shown in this program was that of an outsider, concentrating on the external aspects of the streets, steam baths, bars, etc... the viewer is led to associate gay life with pornography, anonymous sexuality, sexual addiction and sadomasochism.²

This protest, it turns out, was one of the first public demonstrations by queers in Canada.³ Although the size and scope of this early demonstration was minimal in comparison with the three thousand-strong protest that overwhelmed the street in front of Toronto Police's 52 Division in response to the 1981 bathhouse raids, the individuals who participated in the two public events are linked across time not only through their contestation of the state's regulation of queers but also through their queering of public space. In the ten

¹ Jeannine Locke, *Nothing to Hide*, documentary series, *Tuesday Night* (Broadcast: November 30, 1971; Toronto: Canadian Broadcasting Company, 1971).

² Rick Bébout, "Gay Journalism: What For?" accessed October 27, 2014, <http://www.rbebout.com/docs/nlgja.htm>.

³ The first recorded public demonstration by queers took place on Parliament Hill less than four months earlier, on August 28, 1971, when gays and lesbians met to call attention to the Toronto Gay Action brief, "We Demand," presented to government officials a week earlier. The group called for changes to laws and policies that oppressed gays and lesbians in Canada at the time. See: Ed Jackson and Stan Persky, *Flaunting It! 1964-1982: A Decade of Gay Journalism from The Body Politic* (Toronto: Pink Triangle Press, 1982); Kinsman, *The Regulation of Desire*; Warner, *Never Going Back*; Kinsman and Gentile, *The Canadian War on Queers*.

years that separated these public protests, despite increased visibility, community formation and collective action, Canadian queers did not enjoy a significant increase in rights or freedom from state oppression. Both groups demonstrated resistance to dominant culture by presenting themselves as visible queers standing together in everyday *straight space* and drawing attention to the continued normalization of nationwide anti-homosexual practices supported through both official and popular discourse and executed through law-making, policing and day-to-day social relations.

Writing about gay journalism in the 1970s, Rick Bébout suggested that CBC's portrayal of queers in *Nothing to Hide* and those thirteen protesters form part of a story about how the Canadian media saw queers in the early years of the gay and lesbian rights movement. He stressed the important work of gay journalists in contesting mainstream constructs by building images of gays and lesbians that shape a new reality. Indeed, the media do not just see, they re-present, and in so doing, they actively contribute to the transformation of dominant discourses over time. *Nothing to Hide* is a constitutive part of our national history, and thus includes the construction and quarantine of queer space and queer place in the pre-AIDS era in Canada.

The 1971 documentary was produced in order to present a view into gay life, and yet it focused instead on "the streets, steam baths, bars, etc.," and so-called criminal, perverted and disease-spreading sex acts such spaces were assumed to foster. Consider the special irony in how the Canadian state broadcaster went to New York City to film a Canadian documentary in American queer spaces because of a supposed lack of Canadian queers, only to have queer Canadian protesters turn up right outside their offices ready to speak. Ten years later, the bathhouse raids, while amounting to the largest single mass

arrest of men in Canadian history since the 1970 October Crisis, was also arguably a product of a dominant cultural and political obsession with queer space, its identification, its isolation and its ultimate eradication. While Toronto police officers appeared seriously intent on destroying the gay bathhouses and ruining many lives on the night they arrested over three hundred men, two days later, ten times that number of queers and queer allies amassed outside police headquarters powerfully indicating that in fact they had nothing to hide. Amongst the shouts that night, “No more shit!” was a prominent rallying call. Clearly, the protesters meant that they had had enough police harassment. In thinking about tactics and technologies of queer quarantine, however, the slogan takes on a more symbolic meaning. As I elaborate later in the chapter, the police dubbed the raids “Operation Soap,” suggesting the intention not only to clean up but also *to rid the city* of dirt and disease.

I begin this chapter by reflecting on the protests against CBC’s *Nothing to Hide* and those against the bathhouse raids a decade later because I read them both as focused primarily on queer space. In 1971, the CBC portrayed gay life by presenting queer space as foreign, dirty, diseased and flirting with death. In 1981, police raided and destroyed four gay bathhouses. In both cases, queers responded in the streets, demonstrating their presence and their willingness to be seen. Thus, I begin my exploration of tactics and technologies of queer quarantine through an examination of official and popular discursive constructions of queer space from the early 1970s to the early 1980s, prior to the advent of the AIDS epidemic. I am particularly interested in key moments during which the state and its institutions put queers and queer space into discourse, thereby fixing its relationships of difference from mainstream public places and spaces. At these

times, “homosexuality” was increasingly invoked in official discourse by various levels of government and state institutions, including the police, and in popular discourse by national and local media. I argue that as queers began to be recognized and articulated publicly in official state discourse in the 1970s and early 1980s, a principal axis around which these discourses turned was the spatial. In this period, queer space became a primary focus of attention by state authorities and dominant culture. Given the construction of queerness as a contagion threatening public space, children, and the future of the Canadian nation overall, tactics of queer quarantine were mobilized against spatial targets. My primary objective in this chapter, then, is to reveal the ways that the impulse to quarantine queerness was manifested spatially during the period. I explore how queerness and queer spaces were constructed discursively and examine the spatial connections and trends linking discursive tactics and the deployment of technologies of queer quarantine across time during the pre-AIDS era.

The ways in which queer space is put into discourse are bound up in the ubiquitous and never-ending processes of queer subjectification, which itself involves processes of coming out—or not coming out. When I reflect on my own past stories, the two processes are revealed as intertwined, although I would not have read them in the past as I do now. In my younger days as an activist beginning the long process of coming out, one of the first concrete actions I undertook was to form a small collective in 1988 and re-dedicate a physical space on our university campus for gay men and lesbians from the school and the community to get to know other gays and lesbians in safety. There had been an earlier gay space on the university campus, but the number of “out” gay people was small and the space had not survived anti-gay pressures to disappear. My

relationships to queer (and non-queer) space significantly inform my research and reflection on the spatial aspects of queer quarantine. These relationships have helped shape my understanding of queer space as space that must be constructed, maintained and transformed, in the face of inevitable de-territorialization and re-territorialization—processes and practices of queer quarantine—and like queer subjects themselves, are always in the process of becoming.

My preliminary investigations into the Toronto bathhouse raids, revealed that there are surprisingly few scholarly studies of the raids and the context leading up to them, even though scholars working in gay and lesbian studies consider the raids to be a watershed moment in the history of gay and lesbian rights, and not only in Toronto but in Canada as a whole.⁴ Some scholars have briefly reviewed and commented upon the raids and their purported effects, viewing them as a moment that brought queers together against a common enemy and crystallized the Toronto gay community.⁵ Indeed, in 2011, Queer Ontario's 30th anniversary "No More Shit!" Remembrance Project positioned the raids as a sudden attack on queer space that shaped the gay communities, as we understand them today.⁶ Others consider that the raids confirm the period comprised an overall homophobic environment reigned by the police. Nadia Guidotto, in one study that does explore the bathhouse raids more closely, suggests they be read as an example of biopolitics, particularly homo sacer, however, she views the events mainly in isolation

⁴ Writing for *The Globe and Mail*, Marcus Gee recently declared, "after the infamous bathhouse raids in 1981, gay culture flourished under the rainbow banners of the Village." See: Marcus Gee, "Gay Life Moves into a New, Freer Phase," *Globe and Mail*, June 11, 2011, A16.

⁵ See Kinsman, *Regulation of Sexuality*; Warner, *Never Going Back*; Kinsman and Gentile, *Canadian War Against Queers*.

⁶ QueerOntario, "The NO MORE SHIT! Remembrance Project," accessed September 19, 2014, <http://queerontario.org/the-no-more-shit-remembrance-project/>

from the larger historical, socio-economic and cultural contexts and does not foreground queer issues or the gay community.⁷ While she argues that the “tenor of the time” was homophobic with a gradual heightening of public sentiment against homosexuals, Giudotto does not elaborate on contextual links to preceding events in order to parse this claim. In another study referencing the raids, rather than ask why they occurred, George Smith seeks to answer how they unfolded.⁸ He analyzes instances in police investigations to understand how under specific laws the repeated inscription of police observations transforms them into legal fact, producing an “ideological circle” in which queer individuals are trapped and criminalized. This is an insightful textual analysis; however, “in eschewing discourse and theory,”⁹ Smith’s focus is the application of law. Much room remains for exploring discourse around the raids and the construction of queerness through discursive power relations during the period.

My initial research revealed the existence of official documentation about the Toronto bathhouse raids that has not been duly considered in explorations of these events. Some scholars have suggested that events in Toronto preceding the raids may have influenced the police decision to target queers in this manner, however, these linkages have not been sufficiently examined. Given that there is still much to explore here, I decided to build my archive for this case study on the Toronto raids but to broaden the scope by examining connections to past events. The February 5, 1981 raids did not occur in a vacuum and were certainly not the only police raids on gay bars and bathhouses at

⁷ Nadia Giudotto, “Homo(sexual) Sacer: Biopolitics and the Bathhouse Raids in Toronto, 1981.” (LL.M. Thesis, York University, 2006).

⁸ George W. Smith, “Policing the Gay Community: An Inquiry Into Textually Mediated Social Relations,” *International Journal of Sociology of Law* 16 (1988): 172-173.

⁹ *Ibid.*, 179.

the time in Canada, or on the continent for that matter.¹⁰ I suggest, however, that since the Toronto raids culminated in the arrest of over three hundred men and in property damages exceeding \$35,000, we tend to view them as a salient example of the police regulation and repression of queers rather than considering their relation to other forms of governmentality. I argue that the raids can also be read as an instantiation of queer quarantine. When viewed as a spatial technology of quarantine, the Toronto bathhouse raids of 1981 become part of a broader assemblage of processes and practices, which can be traced across official discourse and whose tactical aim is to quarantine and eradicate queer space.

Since there had already been a police raid at The Barracks gay bathhouse in Toronto a couple years earlier—a raid around which scholars are mostly silent—the spatial angle really appealed to my investigative senses. It has also been alleged that only gay establishments were targeted for police action during this period, however, I located arrest reports in City of Toronto documents and local press that reveal that many heterosexual “bawdy houses” were also raided or closed down by police during the mid-to-late 1970s and that this was part of a concerted campaign to clean up public space along Yonge Street.¹¹ Some historians have noted that the rape and murder of twelve-year old Emanuel Jaques in August 1977 was used as the principal catalyst for this cleanup. Yet there is little consideration of the effects of the representation of the rape and murder

¹⁰ Raids also occurred in Montreal and Calgary, and in major American cities including New York and Detroit; for a comparative history of American and Canadian bathhouses and raids, see: Allan Bérubé, “The History of Gay Bathhouses,” in *Gay Bathhouses and Public Health Policy*, ed. William J. Woods and Diane Binson, 33-53, (New York, Harrington Park Press, 2003). Co-published as: *Journal of Homosexuality*, 44.3/4 (2003): 33-53.

¹¹ I explore this in detail later in the chapter.

of Jaques as occurring during a putative “homosexual orgy” committed by men the media instantly conflated with Toronto’s gay community. Furthermore, few scholars seem to allow that the *The Body Politic*’s publication of a treatise on pedophilia by Gerald Hannon, entitled “Men Loving Boys Loving Men,” four months after the murder of Jaques by three pedophiles had significant bearing on the ways queers and queer spaces were perceived as threats and on tactics deployed to quarantine those queer threats. It is no accident that following the Jaques murder and the publication of the article in *The Body Politic*, American anti-homosexual crusader Anita Bryant travelled to Toronto in January 1979 to speak at a local Christian church as part of her Save Our Children campaign.

In the following sections, I undertake an analysis of official and popular discourse around key events leading up to the 1981 bathhouse raids in order to demonstrate how space and spatial tactics became a central feature in the regulation of sex and the visibility of queers throughout the 1970s and into the early 1980s. I focus particularly on discourse produced by the City of Toronto, its politicians and the media, around the issues of: the Yonge Street strip, the murder of Emanuel Jaques, and the 1981 bathhouse raids. In order to meet the challenges of my combining methodologies approach, I also briefly consider the impacts of discourse around other issues on queer space, including another murder three years prior to the Jaques murder, which while apparently lost to time, when regarded through a spatial lens, evokes important questions about the discursive construction of queers during the period.

These are significant events linked through dominant discursive tactics that effect technologies of identifying, mapping and eradicating the spatial threat of queer contagion

in Toronto prior to the materialization of AIDS. In my reading, the 1981 Toronto bathhouse raids are part of a larger, more complex assemblage of spatial tactics and technologies for quarantining the potential proliferation of queers in public space that continues today.

Putting Queer Space into Discourse: Our First Win?

In the 1970s the mapping of queer space that authorities—governments, police, media—began undertaking in the 1960s continued, with discourse around queers increasingly focusing on where queers could be found, how these locations could be characterized, and how they interacted with one another. Under the terms of queer quarantine, the creation of queer space—the ways the gays and lesbians, for example, carve meeting places like our Trent Lesbian and Gay Collective out of straight space—can be read as the *proliferation of queerness*.¹² Thus, the specificity of the queer threat in spatial terms is that of the public place “infected” by queers and a growing visibility of queerness signals the threat of that proliferation. Thus, when the federal government first initiated what was read as a decriminalization of homosexuality with proposed amendments to the Criminal Code announced by Justice Minister Pierre Trudeau in 1967, it also tightly circumscribed the space in which tolerable sex acts should and could take place. With his statement that “the state has no business in the bedrooms of the nation,” Trudeau effectively mapped out the legitimate sexual terrain of the nation, relegating sex to the domesticated privacy of

¹² With a friend’s assistance, we set up the TLGC in 1987 by reclaiming former Trent Homophile Association meeting space next to the office of the Trent University newspaper. I remember arranging telephone service and setting up the answering machine as particularly daunting events. The organization began holding regular meetings and events by 1989. See: Trent Queer Collective, “About the TQC,” accessed September 19, 2014, <http://www.trentqueercollective.com/about-us/>.

the home, a privileged, conservative site where sex is depoliticized, sanitized, wrapped in intimacy and, at the same time, intended to have productive economic ends.¹³ Ironically, the implication is that while national bodies are typically quite literally conceived in private and intimate spaces, national subjects are produced, engendered, practiced and performed in public places. Homosexuality, conflated with disease and child molestation, is anathema to public order and the nation-building project. Queers in public space are quite simply “matter out of place,” as queer bodies, promiscuous, germ ridden and anti-generative, threaten to transform public places into spaces of excess, disease and, ultimately, death.

Portrayals of queers in dominant culture in the early 1970s were highly negative, as demonstrated by *Nothing to Hide*, but authorities such as the government, the church, the police and the media did not respond to queers in public space in even or predictable ways. On the one hand, the media often reacted with hysteria, but on the other hand they were sometimes mute on queers in their application of the tactical aims of queer quarantine. Following mounting pressure from the newly formed Toronto Gay Alliance Towards Equality, Toronto City Council, voted in 1973 to pass a resolution adding “sexual orientation” as a prohibited ground for discrimination against City of Toronto employees, offering “homosexual” and “bisexual” employees equal protection to “heterosexual” employees in terms of hiring, assignments and promotions.¹⁴ This was the

¹³ For the original quote, see Geoffrey Stevens, “Bill Overhauls Criminal Code,” *Globe and Mail*, December 22, 1967, 1.

¹⁴ “Our First Win,” *Body Politic*, October 1973, accessed October 27, 2014, http://archive.org/stream/bodypolitic10toro/bodypolitic10toro_djvu.txt. See also brief references in: Nash, “Gay Politics and Ethnic Minorities,” 123; Warner, *Never Going Back*, 73; Jackson, *Flaunting It!*, 228.

first move of its kind in Canada, and an early one when one considers the subsequent battles gays and lesbians fought in their goals to achieve human rights in Canada.

While this early gain in Toronto is primarily read as a gay rights or human rights issue, I suggest that it is also important to look at such issues in terms of *space*. In other words, struggles over gay rights in all their various manifestations can be read as struggles over the right to be in certain spaces and the right to create others. Applying a spatial lens to critical analysis, therefore, can reveal new ways to understand queer history in Canada. The protection of gays and lesbians from discrimination in municipal employment officially transformed Toronto city government workspace into spaces distinct from other city spaces in terms of the safety and security they officially offered employees. At the same time, city workspaces are not queer spaces, with any queerness generally rendered invisible, and as the City of Toronto was already practicing the values it officialized in the resolution, the practical effects of the gain were minimal.

What is significant about this early case of putting queers and queer space into official discourse, however, is how it was and was not re-circulated. Toronto's gay and lesbian newspaper, *The Body Politic*, produced one article on the City of Toronto resolution. Mainstream media did not report on it. "Our first win," as it was called, meant acknowledgement of gays and lesbians in official City of Toronto discourse but it had little if any practical effect at the time and was effectively erased by the media. The silencing of "our first win," by the mainstream media effectively keeps the notion of "tolerable" gayness out of public space and together with the media's continued portrayal of homosexuals as diseased and dysfunctional operates as a discursive tactic of queer

quarantine to contain representations of queerness within the boundaries of sexual deviance and perversion.

Ontario Human Rights Commission

There are numerous examples that follow the City of Toronto's 1973 resolution, where the putting into discourse of queer issues involved the deployment of tactics and technologies of quarantine. I offer a further illustration. Due to much lobbying from rights activists by the mid-1970s, the Ontario Human Rights Commission (OHRC) began studying the inclusion of sexual orientation as a category deserving protection against discrimination. In response to OHRC's recommendations on the matter, *Toronto Star* editors argued that while homosexuals should be protected against discrimination, "homosexual rights should be limited."¹⁵ The editorial significantly avoids mention of homosexuals as a (minority) community; instead, it *invokes queers specifically as individuals* who should be treated like everyone else so long as they "enjoy these rights by the simple expedient of not flaunting their sexual preference."¹⁶ This means "private sexual preference" was tolerable, whilst "public behaviour," performing queer visibility or queerly taking up space in public was not.

Coming as it does under the category of human rights, the public debate around the OHRC's recommendations is usually read primarily as a gay rights issue, while discourse opposing the OHRC recommendations, and other gay right gains, is usually

¹⁵ "Homosexual Rights Should be Limited," *Toronto Star*, July 22, 1977, B4.

¹⁶ *Ibid.*

read simply as homophobic or anti-gay without much further analysis.¹⁷ I argue, however, that the discourse around the OHRC's recommendations also produced and reinforced a significant spatial strategy deployed towards the quarantine of "known homosexuals" and visible queerness from all public space, with discursive tactics setting limits in terms of where queers may publicly and visibly circulate. "Known homosexuals," the *Toronto Star* argued, should be prohibited from being hired in certain positions of authority, such as camp counselors or public school teachers, particularly if their "public behaviour" suggested that they were advocates of or were themselves "public crusaders for homosexuality."¹⁸ The use of "crusaders" calls to mind religious conversion and arguably draws on parental fears about the seduction and corruption of male children by male homosexual teachers. This editorial exemplifies a discursively executed spatial strategy that seeks the reinforcement of the private-public divide whereby the progressive forces of dominant neoliberal ideology construct privatized, closeted homosexuality as tolerable while queer visibility is quarantined from public space.

Early Toronto Gay Community

This private-public divide in terms of the visibility of queer space is also legible in official and popular discourses around the formation of the early gay community. Among the scholars undertaking work in queer geography in Canada, several have theorized and historicized the formation of the Toronto gay community centred in the Church and

¹⁷ Warner, *Never Going Back*; Catherine J. Nash, "Contesting Identity: Politics of Gays and Lesbians in Toronto in the 1970s," in *Gender, Place and Culture* 12.1 (March 2005): 114.

¹⁸ Ibid.

Wellesley area.¹⁹ Anne-Marie Bouthillette's study reveals that prior to 1950, gay men tended to be dispersed throughout the city, but when the Yonge subway line opened in 1954 between Union and Eglinton stations they began to move towards one primary area in the downtown.²⁰ The late 1950s to 1960s also tended to see younger renters moving to Church and Wellesley. Bars and hotels became focal points where gay men met for sex and to socialize. Gay activities and households began to converge in Church and Wellesley areas so that it became officially recognized as the Toronto gay village in the early 1980s following the 1981 bathhouse raids.

Gay gentrification of Cabbagetown adjacent to the gay village and Don Vale, to the northeast, began in the late 1960s and early 1970s. Bouthillette suggests that as these properties were centrally located gay realtors and their associates bought them up. Thus home purchasers went from semi-skilled labourers in 1955 to gay professors, town planners, teachers and musicians in the 1970s. She argues that the gay men in her Cabbagetown study had the capital and agency to relocate and renovate homes, thereby enhancing neighbourhood property values and acquiring political power through this spatial presence.

The point here is that not all "homosexual space" was always read as "bad" or dirty. Following Gieryn's work on place and its economic value,²¹ the gentrified gay neighbourhood, connected to capital commercial value, and retaining the facade of

¹⁹ See: Bouthillette, "Gentrification"; Nash, "Toronto's Gay Village"; Churchill, "Mother Goose's Map"; Maynard, "Through a Hole in the Lavatory Wall."

²⁰ Bouthillette, "Gentrification." I speak about gay men here because queer geographers have focussed primarily on the creation of the gay male community in Toronto. There is little research on women to date.

²¹ Thomas Gieryn, "A Space for Place in Sociology," *Annual Review of Sociology* 26 (2000): 463-496.

productive family values, becomes a landscape of value as opposed to commercial space where sex is seen as invading public spaces of family recreation. This value trumps the private sexualized aspect of the space. Simply put, economic productivity and commercial value can extend political power, making certain gay spaces “tolerable,”²² while other queer city spaces, such as downtown sex strips are considered a blight that must be eradicated. At the same time, it must be remembered that tolerable gay neighbourhoods are not only circumscribed and bordered in space. The visible excess of public queerness is quarantined such that the surface aesthetics of gentrification replace the perverted roots of queerness.²³

Sex and the City: A Deadly Invasion

In a similar light, CBC TV archives and local newspaper reports document the protracted struggle between developers and the City of Toronto in regards to plans for the Eaton Centre beginning in the late 1960s. The high-profile development, slated to open in the mid-1970s, ensured that the proper use of downtown space became a preoccupation in official city discourse. In her study of how the media helps to construct moral panics, Yvonne Ng contends that Toronto politicians and the media colluded to engineer a cleanup campaign of the Yonge Street strip, and that the murder of Emanuel Jaques was

²² I use the term “tolerable” to describe the category of “good gays,” referenced in Chapter One, which is comprised mainly of *gay, white, affluent men*, who can “pass” as heterosexual or are tolerated in dominant culture. I dispute the applicability of the term “acceptable” used by others.

²³ For a cogent and poignant illustration of tolerable gay neighbour(hood)s helping to uproot unacceptable queerness from the streets, see: Becki Ross and Rachael Sullivan, “Tracing lines of horizontal hostility: How sex workers and gay activists battled for space, voice, and belonging in Vancouver, 1975 –1985,” *Sexualities* 15.5/6 (September 2012): 604-621.

used to push the campaign through and transform the city's downtown core.²⁴ While her study does not concern the gay community and police regulation of queers in Toronto before or after the Jaques murder, it provides an insightful perspective into the creation of the sex strip problem and the city's reaction to the murder.

My analysis of archival news reports reveals that the mayor and the city council first problematized Toronto's Yonge Street strip in official city discourse in early 1973; the public did not appear to appreciate the seriousness of the issue at the time. Among Mayor David Crombie's first "order of business" was to promote the Yonge Street clean up. While the cleanup idea did not proceed then, it did gain some traction. Coincidentally, the first modern gay-owned and operated bathhouse in Canada opened at this time. While not directly on the strip, it was located about two blocks northwest of the future site of the Eaton Centre, near the gay village.

A similar type of spatial problem had arisen in the Toronto District of Yorkville just north of the Yonge Street strip beyond Bloor Street in the 1960s, when the area became a site of youth counter-culture.²⁵ By the late 1960s, merchants were complaining about hippies "ruining" the area. To solve that problem the City worked to cast out the hippies and rebrand the district to attract tourists with expensive shops and galleries. The 1973 disputes took place between so-called legitimate businesses and peddlers and prostitutes on the Yonge Street strip, becoming a socio-economic issue rather than simply

²⁴ Yvonne Chi-Ying Ng, "Ideology, Media and Moral Panics: An Analysis of the Jaques Murder," (M.A. thesis, Centre of Criminology, University of Toronto, 1981).

²⁵ See: Stuart Henderson, *Making the Scene: Yorkville and Hip Toronto in the 1960s*, (Toronto: University of Toronto Press, 2011). Henderson's work focuses on the potentialities of the youth counter-culture rather than space. Based on my reading of his work, I suggest that various technologies for the regulation of space were deployed during the period in question and that there is room for employing a spatial analysis here.

a business issue: it pitted “legitimate” business people and productive use of space against “illegitimate” people and “indecent” behaviour. Businessmen and the politicians courting votes feared undesirable prostitutes and street pedlars were making the space unwelcome for desirable downtown shoppers. It became a spatial issue where consumer capitalism struggles against non-productive sexual use of public space and conservative values oppose the visibility of sexual perversion and disorder.²⁶

Thus, sex and “the strip” in Toronto were put into official government and political discourses and widely circulated for the first time. This is not to say that this is a media-driven project: the discourses around what I call *sex and the city* were driven by the impulse to quarantine public sex and effected specific spatial technologies framed and mediated by laws and legal practices, politics, the economy and other social and cultural conditions.

Building on the discourse around the strip, Ontario Premier William Davis launched a “law-and-order” campaign in the lead-up to the Ontario election of spring 1975. The discourse around Toronto’s sex strip became shrill at this point as the election campaign fell directly on the heels of the “Ottawa Sex Scandal,” which grabbed major headlines across Canada throughout March 1975.²⁷ Once again, the sex strip posed a threat to the future of downtown Toronto, with Davis declaring the latter would “be dead

²⁶ What is new is that sex shops really did move onto the “strip.” On their own they are not a problem but given the current discourse around proper use of space, they are constructed as problematic on several levels.

²⁷ This scandal included the arrest of 18 gay men and the suicide of one man after the police publicly outed the men via the media following their arrests. The media publicity is thought to have precipitated the suicide. Ultimately, homosexuality is again cathected with notions of death.

in five years unless we take action now.”²⁸ Politicians spoke about the need to mop up the downtown, with the sex strip being likened to filth and blight, and the mayor equating the perversity of the sex strip with debauchery and death.

It was not only sex as blight that was invading the city. The police introduced a different spatial tactic via its claim that “organized crime in the United States is taking over the sex industry in Toronto.”²⁹ Analysis of the official discourses around the strip reveal a moral panic over the visibility of sex in public space in the city, with discursive formations conflating public spaces of sex both with dirt and death and with organized crime from the United States, sparking fears of another kind of American invasion, a significant trope which has haunted Canadian national narratives for decades, and resurfaces again with the 1981 gay bathhouse raids.

Sex is “Killing Yonge St.”

Throughout the period 1973-1977 while there was cooperation between the City of Toronto, political figures and the police in maintaining a certain level of policing and enforcement of bylaws to keep the sex strip under control, no official clean-up program was established. Research reveals that the issue was politically driven primarily at election time and two events occurring in the first half of 1977 significantly raised the prominence given to the issue.

First, in February, the Eaton Centre officially opened on Yonge Street.

Significantly, the arrival of the Eaton Centre re-introduced the issue of the “family” into the equation: official city discourse and the media praised the Eaton Centre and the City

²⁸ Warren Gerard, “The Yonge St. Strip: A Boon or a Blight?” *Toronto Star*, May 31, 1975, A1.

²⁹ Ibid.

for creating a renewed downtown for “everyone.”³⁰ Secondly, as the opening of the Eaton Centre brought a wave of families and consumers into the downtown, the contrast between the family-friendly mall and the sex strip surrounding it could hardly be starker. Therefore, the City requested a special committee provide recommendations on how to resolve the situation.

The *Report of the Special Committee: Places of Amusement* was released on June 6, 1977. In their introduction, the authors declare that the “crisis in downtown street life is a psychological one with the potential to become a real one.”³¹ Therefore, they acknowledge that the sex strip problem was exacerbated by the way it was being viewed and the alarm being raised about it. To some extent, it had been imagined into being, however, they predicted that if the city turned its back on the strip, the blight would envelop the entire downtown. With these declarations the authors further reified the threat of “the strip” as contagious, and incited the execution of a spatial strategy to redeem the city’s future from “the beginnings of that decay on the street.”³²

The report incited feature articles in the press in which investigative reporters undertook surveillance and mapping activities to reveal the putative inner workings of the sex strip. Reporters repeatedly cast the strip as a blight growing out of control and claimed that “sex [was] killing Yonge St.”³³ Exaggerating the fears of contagion further, news features and editorials again connected the “sin strip” with invasive organized crime

³⁰ Ng, “Ideology, Media and Moral Panics.”

³¹ Toronto City Council, *Report of the Special Committee: Places of Amusement*, Toronto: June 1977, 3.

³² Ibid.

³³ “Sex Killing Yonge St. — Report,” *Toronto Star*, June 7, 1977, A2.

from the US.³⁴ Finally, Mayor Crombie suggested the city padlock the Yonge Street sex shops.³⁵

What the report did not do, however, is as important as what it did do. While the *Report of the Special Committee* can clearly be read as a technology of governmentality deployed to map spaces related to the sex industry in downtown Toronto and thereby produce official knowledge on the spatial threat of sex in the city, it did not construct queer space as the primary threat then. In the 150-page report, only one paragraph is allocated to “homosexual soliciting,” which is noted as being:

Most prevalent in the peep show booths in the Dundas-Gerrard section. Some of these operations, behind bookstores and pinball arcades, have a constant group of five or six men lounging in front of the dark and cramped booths. Almost all of the screens and these booths have scrawled messages to the effect that if you want a particular sexual service, it is only necessary to leave your door partially open. (In fact, from observation it is obvious that is precisely what happens.)³⁶

This description does little to support the idea that at this point queer space overly concerned Toronto city officials. Although adolescent boys most often frequented arcades, the authors do not even imply a link here to the threats these men might have posed to innocent youth. Male homosexuality and child molesters clearly generated fear and loathing of homosexuals in dominant culture, but it was female prostitutes and heterosexual sex shops that captured the attention of the authorities and were the primary focus of the drive to clean up the Yonge Street strip in early 1977. Indeed, while Chenier

³⁴ The *Report of the Special Committee* notes on page 29 that the chief of police was “very concerned about the existing involvement of organized crime in these establishments and fear[ed] further and more extensive involvement unless something is done very quickly.” The threat of organized crime is often used as a rationale for police action, another strategy of quarantine.

³⁵ David Miller, “Crombie’s Answer to City’s Sex Shops: Lock ‘Em Up,” *Toronto Star*, July 22, 1977, A1.

³⁶ Toronto City Council, *Report of the Special Committee*, 55-56.

found that the early twentieth-century pathologization of female gender and sexual deviancy disappeared into the penumbra of male sex deviants and child molesters, Carolyn Strange's history of Toronto "working girls" and Deborah Brock's study of prostitution in Canada document a decades-long history of police and urban authorities using bawdy-house laws and city bylaws to regulate women's sexuality.³⁷ The dearth of attention lent to queer space and homosexuality in the *Report of the Special Committee* suggests that official mapping of urban queer space had only just begun. In this light, the two pages in the report listing the inspections of and cumulative charges laid against Charlie's Angels body-rub parlour seem eerie and ironically banal today. Shortly after the report was released, Charlie's Angels would become an infamous murder site and a focus of anti-homosexual hysteria as the trope of the queer child molester/murderer/monster once again made headlines across the nation.

The Kirkland Deasley Murder

But before exploring the impacts of the Jaques murder, I first explore and theorize the starkly different treatment the media gave to the previous child sex slaying in Toronto. The primary question: Why did the rape and murder of this boy not generate the type of sex panic produced by the Jaques case? Indeed, the murder of nine-year-old Kirkland Deasley in July 1973 did not cause political authorities, the media or the public to react at all in the ways they did four years later to the Jaques case. Deasley, who was from the same neighbourhood as Jaques, was sexually assaulted and brutally murdered by a man, and his body was found in a hotel room at the corner of Bay and Dundas streets, *only one*

³⁷ Carolyn Strange, *Toronto's Girl Problem: The Perils and Pleasures of the City, 1880-1930*, (Toronto: University of Toronto Press, 1995); Deborah Brock, *Making Work*.

block from the Yonge Street strip where Jaques was raped and murdered. The minister presiding over Deasley's funeral declared, "*places like the Yonge Street Mall created the atmosphere that led to the kind of behaviour responsible for the boy's death,*" and "are conducive to the growth of deviant behaviour."³⁸ This statement suggests a causal link between place and deviant, even murderous behaviour, however, archival research reveals that the media and citizen response to this rape and murder was limited.³⁹ This does not mean that the tragedy was not widely reported: I located over a dozen articles, as well as a number of letters to the editor, about the Deasley murder, the accused, and the ensuing trail in the *Toronto Star* and *The Globe and Mail* between 1973 and 1989.

Despite the crime being labelled a "sex killing,"⁴⁰ there is no reference to it as a homosexual sex crime, contrary to the treatment of the Jaques case. Nor was the accused referred to as a homosexual or pedophile, despite his previous convictions for assaulting children prior to murdering Deasley. Significantly, the media describes him as a "drifter," "hitchhiker," "transient," and "itinerant," which clearly position him as someone "out of place." Moreover, once the trial revealed that he was a chronically alcoholic "psychopath" who had "tried to get committed" and had "cried out for psychiatric aid,"

³⁸ "Society Created Climate for Act that Killed Boy, 9, Minister Says," *Globe and Mail*, August 1, 1973, 5. Italics mine.

³⁹ A reference in Ng's paper originally raised this issue for me. My search for stories referencing the Deasley murder revealed nothing like the hysteria around Jaques. And while much of the writing about the Jaques case deals with space and place, this is not the case for the Deasley murder.

⁴⁰ See: Donald Grant, "Transient is Charged in Hotel Sex Killing of Nine-Year-Old Boy," *Globe and Mail*, July 31, 1973, A1.

the media adopted a sympathetic tone and blamed society, rather than the murderer, for the tragedy.⁴¹

Thus, even though the newspapers published graphic details about how the sexually abused and mutilated body of the boy had been found in the hotel room, the media-amplified discourse around this event focused on the grief the boy's family experienced and the tragic life of the accused. In other words, no moral panic developed around sex crimes and the strip: at that time, the Yonge Street strip and space adjacent to the mall was not yet over-determined by sex in the public imagination, and despite Mayor Crombie's 1973 attempts to initiate a cleanup, sex and the city was not yet established in dominant discourse. This is further demonstrated by an article about the Ford Hotel, the Deasley murder site, published that October.⁴² The massive, 600-room hotel had just been sold and was coincidentally to be demolished during the murder trial in early 1974. Here, the hotel is called the "Queen of dumps," and although queerness is referenced twice—"over the years it has been a haven for prostitutes and homosexuals" and one of its bars was "noted for its homosexual clientele"—the article positions the hotel as sad and tragic place filled with "many old people" with nowhere else to go. The hotel, too, is "out of place." Apart from a brief reference to a prostitute conducting business there, it is delinked from the city space it occupies: no references are made to its location on the edge of the Yonge Street strip and no links to the sex strip/sex crime problem raised briefly during the city election. This is significant because it helps us to understand how

⁴¹ See: "'I Tried to Get Committed' Man Quoted at Murder Trial," *Toronto Star*, March 9, 1974, C14; Wendy Darroch, "Killer Cried Out for Psychiatric Aid But Nobody Could Help," *Toronto Star*, March 16, 1974, B5.

⁴² Warren Gerard, "Ford Hotel Has 19 Days Left After 45 Downhill Years," *Toronto Star*, October 1, 1973, A3.

the safe/threatened binary, that is, the threat of “the strip” is socially constructed. Here, any queerness around the hotel and the murder are tightly quarantined: the murderer incarcerated, the rape of the boy blamed on psychopathy, not homosexuality, and the hotel demolished. I argue that because the hotel is not primarily a space of homosexual debauchery and perversion, but rather a sad, condemned space, and the murder cannot be presented as a “homosexual orgy,” it is not a site of queer proliferation. In other words, there is *no space* in this instance for the construction of a “homosexual” panic.

The Yonge Street Cleanup

In the early 1970s comparatively little police action against gays and lesbians was *officially* recorded although it was occurring in numerous ways.⁴³ Queer networks and organizations that could learn about, disseminate and respond to it, however, were only just developing.⁴⁴ Contrary to what some media and scholars have implied in the context of the 1981 gay bathhouse raids, it is incorrect to assert that Toronto police only targeted queer spaces in the 1970s. The police did in fact target heterosexual establishments using the bawdyhouse laws prior to their attacks on queer places, although these raids were not on the scale of the gay bathhouse raids. For example, Toronto police twice raided the Westover Hotel in 1973, with one raid involving forty officers.⁴⁵

⁴³ See: Warner, *Never Going Back*; Kinsman and Gentile, *The Canadian War on Queers*; George Smith, “Policing the Gay Community.”

⁴⁴ Gay liberation organizations were really just starting out in the early to mid-1970s. The first political/legal group, the Right to Privacy Commission, was only organized in January 1979 in direct response to the first Toronto police raids on the Barracks bathhouse the preceding month. The group was set up to defend the 28 men arrested as a result that initial raid.

⁴⁵ “Toronto Hotel Was Sex Supermarket,” *Toronto Star*, August 21, 1976, B1.

Indeed, the initial campaign to clean up Yonge Street targeted heterosexual sex shops and massage parlours in the downtown core. At various points in the mid-1970s the *Toronto Star* kept a weekly tab on the numbers of individuals arrested for allegedly running common bawdyhouses or for being found-ins at these establishments.⁴⁶ Some columnists and letter writers cheered on the police work but the majority thought that police energy was misdirected in this case. These places appear to have primarily been establishments serving heterosexuals, with police using bawdyhouse laws to charge visible heterosexual sex shops and sites of heterosexual prostitution. Significantly, then, problems concerning space and sex were first put into public discourse via the media in the mid-1970s in terms of the blight on the downtown core caused by *visible heterosexual excess in public places* that were conceived for families and so-called legitimate business. Although the police were known to harass gay men for public sex in parks and washrooms, going so far as to target them specifically, politicians and the media had not yet discovered queers as a visible spatial threat.

While George Smith, Tom Warner and other scholars have written about the discursive construction in the 1960s and 1970s of homosexuality and crime as linked together, the Jaques murder marks a watershed in dominant discourse after which queer spaces became perceived as criminal spaces overall, even more so with crimes involving minors. This connection was clearly revealed in the news articles, editorials and features following the Jaques murder and ensuing trial with Toronto City Hall promising “an all-out fight” to ensure that the sexual excess of Yonge Street be “eliminated.”⁴⁷

⁴⁶ “Sex Raid Above Bookstore,” *Toronto Star*, December 16, 1976, A3.

⁴⁷ “All-Out Fight Promised to Clean Up Yonge St.,” *Globe and Mail*, August 12, 1977, B1.

Immediately, sex shops and bars were not only blight on the downtown, they became read as dangers to the whole city and beyond. The solution presented was to close down operations to prevent their spread into the wider community, thereby effecting a form of quarantine, which aimed to prevent the movement and proliferation of queerness.

The Queer Sex Panic

Dominant discourse around space, sex and queers was significantly transformed not only in Toronto but also across Canada once the rape and murder of Emanuel Jaques made national headlines on August 2, 1977. Twelve-year-old Emanuel Jaques disappeared from the strip where he was shining shoes with friends. After a difficult search, police found his body on a Yonge Street rooftop above a body-rub parlour five days later. Yonge Street suddenly became sensationally exposed as the site of a new and more dangerous threat to the community: unimaginable homosexual acts, child rape, and murder.

I want to acknowledge that the Kirkland Deasley and Emanuel Jaques stories concern the horrific rape and tragic murder of real boys and that the events caused much trauma for the families and the community at large. At the same time, it is also important to point out that the Jaques murder was used in the service of spatial tactics with strategic effects engendering future traumatic consequences for queers far into the future. During the trial, the *Toronto Star* wrote:

This trial is not the story of a single crime... it is the story of endemic, casual outlawry, of children consigned to a moral cesspool, of sexual promiscuity and exploitation, of commercial child pornography and other degradations so appalling that ordinary citizens find it hard to bear the sight.⁴⁸

⁴⁸ Borden Spears, "There is a Reason to Report Details of the Jaques Trial," *Toronto Star*, February 25, 1978, C2.

Mainstream media investigations into the “gay lifestyle” were published weekly as a result of the trials of the four men accused of the rape and murder began to put queer space into dominant discourse in ways that had not been done before. Although they tried to distance themselves from the accused—three were avowed pedophiles—gay community leaders, such as George Hislop whom the principal murderer first called for help, became targets of mainstream anger.

Several studies of queer cultural history reference the Jaques murder,⁴⁹ and it has been embedded within a recent novel about Portuguese immigrant life in Toronto,⁵⁰ but Yvonne Ng’s study remains the primary scholarly exploration of the Jaques murder to date.⁵¹ Ng’s thesis is that the media and politicians manufactured public consent to clean up the sex strip and used the Jacques murder as a catalyst to execute it. I argue, however, that in both official and popular discourse, making sense of the Jaques murder involved constructing a narrative using discursive formations already in circulation: homosexuals as child predators, and the downtown strip as perverted space where unimaginable sex acts took place. I suggest that calls for action to be taken, “against the ‘animals of the Yonge St. Jungle’ who murder little children,”⁵² could only be made because the discursive formations that link the Yonge Street sex strip to “filth” and “garbage” were

⁴⁹ See: Kinsman, *The Regulation of Desire*, 336-338; Tom Warner, *Never Going Back*, 135-137; David Townsend, “The ‘Blood Libel’ and the Spectator’s Eye in Norwich and Toronto,” *Journal of the Canadian Lesbian and Gay Studies Association/Revue de la Société canadienne des études lesbiennes et gaies* 1 (1999): 1-24.

⁵⁰ Anthony De Sa, *Kicking the Sky*, (Toronto: Doubleday, 2013).

⁵¹ Ng, “Ideology, media and moral panics.” My framework for analyzing and understanding the Jaques murder and its effects on tactics and technologies queer quarantine assembled against queers draws on and builds upon some research undertaken by Ng.

⁵² “Letters to the Editor: Animals of Yonge St. Jungle,” *Toronto Star*, August 6, 1977, B3.

already in high circulation. The sex panic that developed around the Jaques murder was articulated as a spatial strategy and this strategy was imbricated in the discursive conflation of “homosexuals” and monsters committing child rape and murder. Given the significance of space in the discursive construction of queers, I suggest that the “putting into discourse” of queer issues be read more critically through a spatial lens in order to understand the assemblage of discursive tactics aimed at quarantining and casting out queer threats.

Within official and popular discourses around the Jaques murder were deployed discursive tactics that aimed to quarantine queerness in three principal ways: a) representing queer space as dirty and diseased; b) conflating queers with child molesters and murderers; c) equating homosexuality with death. Moreover, given that the queer acts attributed to homosexuals at the time were considered to be “unimaginable,” I also argue that these tactics worked to make knowable and circumscribable that which dominant culture could not imagine. Any epistemological gaps created by this unimaginable act were sutured over by assigning it a knowable origin through the logical conflation of the murderers with the gay community and the body-rub parlour with the sex strip, which could be quarantined and, in theory, eradicated.

On August 3, 1977, two days after police discovered the body of twelve-year-old Emanuel Jaques, *The Globe and Mail* ran a feature article on homosexual prostitution in which two “professional homosexuals” stated that Toronto police had not been harassing gays for more than five years.⁵³ Quoting the professional homosexuals as spokespersons for the gay community, the paper noted that relations between the police and the gay

⁵³ “Police No Longer Hassle Gays on Strip, Homosexual Says,” *Globe and Mail*, August 3, 1977, 5.

community had been officially good for a number of years. While this supports the argument that queers were not the focus of sex policing in the downtown until that point, the spatial strategies deployed in this and other national news stories suggest that a lack of attention to queer space had resulted in the murder of the child. Notably, *The Gazette* declared that the murder case had “dragged into the spotlight one of the shadiest subcultures on the city’s downtown Strip.”⁵⁴ Further reinforcing this idea, *The Globe and Mail* printed an adjacent piece that day forecasting that the dominant reaction to the murder would be a “threat to gay rights.”⁵⁵

Strategically, the article in *The Globe and Mail* opens with an interview with the professional homosexuals inside a gay bar, then moves directly to the murder scene half a mile down Yonge Street. Leaving the bar, the reporter takes a cab to the body-rub parlour, noting on the way that “Toronto was fast becoming the biggest *hangout for professional homosexuals* in North America.”⁵⁶ He then described the murderers taking Emanuel Jaques into the body-rub parlour via the *rear entrance to a filthy room*, the rape of the boy alluded to intentionally or not. Police described Charlie’s Angels, at 245 Yonge Street, as “a filthy, filthy hole,” located directly across the street from the iconic Eaton Centre, the epitome of public space used appropriately for economic productivity and family recreation.

Spatially, the discursive features conjured in this article reveal the anatomy of the conflation of queer space with dirt and queers with child molesters and murderers. First, the author suggests that the gay bar in which he begins his report and the scene of child

⁵⁴ Helen Bullock, “Portrait of a Killer,” *Gazette*, March 13, 1978, 34.

⁵⁵ Lawrence Martin, “‘Knee-jerk Reaction’ is Seen as a Threat to Gay Rights,” *Globe and Mail*, August 3, 1977, 5.

⁵⁶ “Police No Longer Hassle,” *Globe and Mail*, my emphasis.

rape and murder are only a half-mile cab ride apart. By not describing the gay bar and then qualifying the body-rub parlour, which he visits next, as a filthy hole, the author conflates queer space with filth. Furthermore, by engaging the professional homosexuals with talk about minors inside the gay bar, the two spaces overlap even further: it is as though the gay bar and the body-rub parlour become the same place, filthy, threatening, dangerous and deadly to young boys in particular and the community overall.

Two-forty-five Yonge Street was not originally a gay space, but as a body-rub parlour facing the luxurious Eaton Centre, its rooms inhabited by criminalized men, it was already a liminal, and therefore, “queer” place. Once it was turned into the place where Jaques “was the victim of a lengthy homosexual orgy,”⁵⁷ it became the “death-site body rub,”⁵⁸ queered in the sense of homosexual excess.⁵⁹ Numerous articles described the boy’s body being found on the rooftop in a garbage bag, exposed as the refuse of unbridled perversion. Press reports during the investigation and trial repeatedly suggest that the rapists/murderers did not set out to kill the boy, only to have sex with him, and yet the gruesome details of the drawn out rape and murder were repeated over and over for weeks. Thus a “homosexual orgy” fatefully turns to murder and with it homosexuality is irrevocably equated with the death of the child.

Kirkland Deasley’s rape and murder four years earlier had disappeared from cultural memory. Dominant discourse had not linked it to the Yonge street strip, to queer space or queer threats, and it was not dug up in August 1977. Thus, the Jaques murder

⁵⁷ “Homosexual Backlash Feared,” *Toronto Star*, August 3, 1977, A3.

⁵⁸ “Death-site Body Rub Closes,” *Toronto Star*, August 5, 1977, A3.

⁵⁹ The physical building became a site/sight of monstrous queerness as well. After the murder it was marked up and sprayed with paint and debris; some suggested the building be burned down.

produced shock and disbelief: “detectives hunting for shoeshine boy Emanuel Jaques believed they would find him alive and travelling to Vancouver on a transcontinental train.”⁶⁰ The *Toronto Sun* declared: “the strip ...contribute[s] to a climate of sexual permissiveness that is *unwholesome and unhealthy*. It is an environment for perversions and degradations that are *unimagined by ‘straight’ people*.”⁶¹

Queer Child Molesters/Monsters

The Yonge Street strip quickly came to embody the threats posed by queers who were imagined to haunt it.⁶² Increasingly, the media tied the murder to the sex strip,⁶³ so that the site of the “homosexual orgy” and murder came to stand in for the whole downtown sex strip, while child molesters/monsters, conflated with homosexuals, represented all queers. David Townsend reviewed some of the media coverage of the Jaques murder, which he compared to the twelfth century murder of William of Norwich in his article exploring similarities between anti-semitism and homophobia in tropes of martyrdom and innocence. He argues that media portrayals “offered the murderers of Emanuel Jaques as the most pervasively and powerfully represented of all homosexual men” at the time.⁶⁴ As a gay man living in Toronto at the time, Townsend recalls these discursive

⁶⁰ Gwyn Thomas, “Police expected to find boy alive on train to Vancouver,” *Toronto Star*, August 3, 1977, A1.

⁶¹ John Cosway, “A Farewell to Slain Boy,” *Toronto Sun*, August 5, 1977, 32, my emphasis.

⁶² It is important to think about queer space as very much still in the process of being imagined during this period. The idea that queer space needs to be constructed not only by queers but by dominant culture, as well, is compelling, as is the notion of queer space as a space that must be continually demystified. I elaborate on this later in the chapter.

⁶³ “Sin Strip Victim,” *Toronto Sun*, August 3, 1977; “Manuel Jaques is a Victim of Yonge St.,” *Toronto Sun*, August 3, 1977.

⁶⁴ David Townsend, “The ‘Blood Libel,’” 4.

representations as being “monologic,”⁶⁵ such that “the totalizing objectifications of homosexuality and of homosexuals made it clear that I was part of the human trash that needed sweeping up.”⁶⁶

Reaction by the Portuguese community was as symbolic spatially as it was generative of the conflation of monstrous child molesters with queers. Filling Nathan Phillips Square, approximately 12,000 community members protested the murder, many demanding the return of the death penalty and the hanging of the accused murderers.⁶⁷ Indeed, they hanged an effigy of one of the murderers at Toronto City Hall during the August 8, 1977 rally.⁶⁸ As the murderers, avowed pedophiles, were instantly conflated with homosexuals, protesters blamed the gay community for the Jaques murder. Photographs taken at subsequent protests show young boys carrying signs bearing slogans such as: “Am I safe?”⁶⁹ In a march on the strip itself, a woman carried a sign that read “Kill Sex Perverts,” and in a moment underscoring the hysteria, another woman cried out, “Dirty homosexuals, homosexuals...they’re ruining where I live...homosexuals. Lesbians. They’re smoking marijuana and everything,” nearly collapsing before rolling television cameras.⁷⁰ Suggesting another front in the war on queers, these images frame the localized spatial threat of the Yonge Street sex strip to innocent boy victims, with the strip a synecdoche for the wider, national threat of child-

⁶⁵ Ibid.

⁶⁶ Ibid., 5.

⁶⁷ “Media Responsible for Overreaction,” *Comunidade*, August 31, 1977, 12.

⁶⁸ *Portuguese Canadian History Project*, York University Libraries, accessed September 22, 2014, http://archives.library.yorku.ca/exhibits/show/pchp/comunidade_records/item/2471.

⁶⁹ “Protest Against Slaying,” *The Globe and Mail*, August 10, 1977, 8.

⁷⁰ Ron Porambo, “‘The Next Child May Be Yours’: The Neighbors March for Manuel,” *Globe and Mail*, August 4, 1977, 4.

molesting queers. Indeed, the trope of the homosexual child rapist reappeared in feature articles repeatedly following the murder. Authorities, such as social workers and police officers, were interviewed in newspaper articles warning parents, which led to further panic about homosexuals recruiting and molesting children.

In the growing discourse around gay recruitment and child molestation, the media called assurances from “gay leaders” that homosexuals were not child molesters, “flatulent nonsense.”⁷¹ The Jaques murder was continually revisited in the media, particularly in letters to the editor supporting Anita Bryant’s anti-homosexual crusade visit to Toronto in January 1978, just prior to the Jaques murder trial, and again following the bathhouse raids in 1981. But one of the most egregious and damning statements came from the sentencing judge in the Jaques trial. In his judgment, he wondered: “how common that sort of thing (pedophilia) is among homosexuals” and suggested that those who seek protection for homosexuals in the Human Rights Code of Ontario were misguided in their attempts to do so.⁷² Therefore, the discursive formation of the homosexual as child molester, murderer and monster was crystalized through the repeated conflation of the rape and murder of the child with homosexuality.

Discursive tactics of queer quarantine were further amplified after *The Body Politic*’s publication of the feature article “Men Loving Boys Loving Men,” which appeared just over three months after the Jaques rape and murder. The article featured interviews with and detailed narrative around several Toronto men who engaged in sex

⁷¹ Dick Beddoes, “Gays on Guilt: Blame Media,” *Globe and Mail*, August 10, 1977, 8.

See also: Claire Hoy, “Gay Whining Falls on Deaf Ears,” *Toronto Sun*, August 10, 1977, 16.

⁷² Vianney Carriere, “Jaques Killers Sentenced to Life and Told Never to Expect Parole,” *Globe and Mail*, March 23, 1978, 1,4.

with boys. One of the men, Simon, was a public school teacher who formed sexual relationships with some of his students, including a twelve-year-old boy.⁷³ In his study of the increasing sex panic in the 1970s and debates over introducing the topic of homosexuality into the sex education curriculum in Toronto schools, Michael Graydon notes that the publication of Hannon's 1977 article raised great public alarm that queers saw children as a means to their sexual pleasure.⁷⁴ The police reaction was to raid the offices of *The Body Politic*, seize publications, financial documents and subscription lists. The paper's directors were charged under a section of criminal code making it illegal to use the mail service "for the purpose of transmitting anything that is indecent, immoral or scurrilous."⁷⁵ As the primary distribution centre of queer news, culture and thought in Canada at the time, *The Body Politic* represented a spatial threat to public space both locally and nationally through its proliferation of queerness. As technologies deployed in the aim of quarantining queerness, then, the arrests would have aimed to shut down this form of queer production. The seizure of the subscription lists not only raised fears about their possible publication, but also concerns about individuals becoming targets for future police surveillance.

Although my study of newspaper archives from the period reveals that some Toronto city council members appeared to be supportive of gay rights issues, most

⁷³ Gerald Hannon, "Men Loving Boys Loving Men," *Body Politic*, November 21, 1977. This was not the first time *The Body Politic* ran such an article. In 1972, it published "Of Men and Little Boys," also by Hannon, which led to a certain amount of sensationalism in the media. However, that article did not follow an event as traumatic as the Jaques murder.

⁷⁴ Michael Graydon, "'Kids Not Rights, is Their Craving?': Sex Education, Gay Rights, and the Threat of Gay Teachers." *Canadian Review of Sociology* 48.3 (2011): 313-339.

⁷⁵ Jackson, *Flaunting It!* 233.

politicians throughout the 1970s towed an anti-homosexual line. Indeed, as activist Anita Bryant prepared to travel to Toronto to speak in early 1978, Mayor Mel Lastman initially intended to give her a key to the city.⁷⁶ This highly symbolic gesture is also a loaded spatial strategy. It would have declared the city a space open to anti-homosexual activity, marking Toronto as off-limits to queers. Lastman eventually decided not to follow through with this idea.⁷⁷

While Graydon focuses on the article's effect on teachers and its role in delaying the inclusion of information on homosexuality in sex education curriculum, I want to stress the importance of viewing this case through a spatial lens. While both official and popular discourse were deployed here to further sensationalize the trope of the queer child molester/monster, it also helped to stake out the school as a public space doubly at risk. Schools, whose primary responsibility was the formation of the next generation of ideal productive citizens, were targets of queers and the queer agenda. Not only were queers attempting to make homosexuality a teachable subject in the classroom, queers were also imagined to be infiltrating the system and preying on young boys, contaminating them and furthering the overall proliferation of queerness. I elaborate this notion in Chapter Five where I explore the Ontario ASA.

The Barracks Raid: "Making Gay Sex Dirty"

Eighteen months prior to the raids of February 5, 1981, the Toronto police raided The Barracks, a gay bathhouse on Widmer Street on December 9, 1978. Five men were charged as keepers of a common bawdyhouse, 23 others as found-ins. This raid, like the

⁷⁶ "No Medal for Anita on North York Visit," *Toronto Star*, January 10, 1978, A4.

⁷⁷ Ibid.

larger one to follow, included violent police acts, including “the usual smashing of doors and walls and the seizure of membership lists containing thousands of names.”⁷⁸ While it is not within the scope of this chapter to explore the details of this case, it is important to note some points that tie into the main questions I ask in this study. Thus, I am specifically interested in the ways that The Barracks as queer space, and the queer acts alleged to occur there, were constructed in official and popular discourse, namely in the media and in the courtroom once the trial began in 1981. Known to the Toronto community and the police, The Barracks had remained undisturbed for four years until complaints from neighbours prompted a three-week investigation culminating in the violent raid. Despite the police clearly indicating to reporters that the bawdyhouse charges related to indecent acts only—not prostitution—weekend papers immediately called it “a front for male prostitution,”⁷⁹ the tactical aim being to tie the place to organized crime. While the raid is considered part of the anti-homosexual backlash that followed the Jaques murder and the “Men Loving Men Loving Boys” feature, I argue that, as a technology of queer quarantine, the raid produced spatial effects well summarized in the title to Blatchford’s investigative report: “800 Homosexuals Now Living in Fear.” In a world where being outed could mean losing one’s job and family, police seizure of the bathhouse membership list, which actually contained 2,500 names, was a political move of intimidation tactics as journalist Gerald Hannon termed it.⁸⁰ Authorities and the media understood that bathhouses were the only spaces many men

⁷⁸ Gerald Hannon, “Making Gay Sex Dirty,” *Body Politic*, May 1981, accessed October 27, 2014, http://archive.org/stream/bodypolitic73toro/bodypolitic73toro_djvu.txt.

⁷⁹ Christie Blatchford, “800 Homosexuals Now Living in Fear,” *Toronto Star*, December 13, 1978, A2.

⁸⁰ Hannon, “Making Gay Sex Dirty.”

could safely use to meet others for sex: the raid destabilized all these queer spaces since the potential for more raids loomed large, as did the possible publication of the membership list. One police officer called Toronto school boards, advising them that teachers from their schools were among the men arrested. One of the men had his home raided, and was charged for engaging in “indecent acts” with other men there.⁸¹ During the trial, the Crown threatened to read into public record the whole membership list, thereby using against the bathhouse and its clients the same administrative technology the bathhouse originally applied to protect itself.

The principal discursive tactic applied during the court proceedings is well stated in the title of Hannon’s report: “Making Gay Sex Dirty.” The court proceedings, which include police descriptions of the bathhouse during their undercover operations, put the queer space of the bathhouse into *official discourse* in Canada for the first time. Police carted in boxes of seized materials, including “seemingly endless series of photographs of small rooms containing objects like dildos, belts and undergarments, of the introduction into evidence of tubes of KY, cans of Crisco and towels with semen stains,”⁸² duly labelled and presented as queer filth. The bathhouse hallways were described as “dimly lit,” filled with men engaged in perversities; the undercover officers “absolutely!” feared being attacked. “Men wandered throughout the halls like ‘zombies,’” the whole place smelling like “excreta.”⁸³ Hannon suggests that the sex and sex toys were denuded of their context in the court. I argue that removed from the context of queer space, these

⁸¹ Ibid.

⁸² Ibid.

⁸³ Ibid.

signifiers of queer space become doubly “matter out of place,” not only “filthy dirty” but “unimaginable,” even to the presiding judge.⁸⁴

Toronto Police continued to undertake action against queers. Using spatially oriented technologies of queer quarantine, they undertook surveillance of public washrooms used by men for sex, and raided so-called bawdy houses. These actions seem random rather than concerted and may have been undertaken to demonstrate that the police were responding to the general panic around queers and to render queer space less safe, thereby destabilizing the community solidarity which had grown in response to the anti-gay backlash following the Jaques murder. In June 1979, Toronto police raided a single dwelling and arrested a man for keeping a common bawdyhouse, and that October they raided the Hot Tub Club, charging 20 men with bawdyhouse offences. Most notable in 1979, a bizarre police entrapment scheme in Greenwin Square concluded when the City ordered the renovation of the washrooms there, leading to the destruction of *the glory hole that police had made* to encourage sexual activity between men.⁸⁵ Under my conceptual framework, the processes involved here—making the glory hole, surveilling the toilet stall, arresting 34 men, fining them, and publishing their names—are *technologies of queer quarantine* that resulted in the mapping of queer space and the diagnosis/identification and isolation of these men as queers. The irony here is that the police initiated the queering of this particular site. In terms of queer quarantine, this

⁸⁴ Ibid., Hannon reports: “An incredulous Judge Rice had to have ‘butt plug’ spelled out for him, and seemed equally astonished to discover that dildos could be purchased at Eaton’s or Simpsons.”

⁸⁵ See: Arnold Bruner, *Out of the Closet: Study of Relations Between the Homosexual Community and the Police*, Toronto: Report to the Mayor Arthur Eggleton and the Council of the City of Toronto, 1981, Appendix I, ii-iii; See also: Jackson, *Flaunting It!* 235-240.

action can be read as a form of “inoculation”: police draw queer men to a securitized site, arrest and out them publicly in an attempt to “cure” them of committing future queer acts in public, thus reducing further proliferation of queerness. In addition, these technologies of quarantine also had strategic effects: expanding discourse around queer space and queer acts, particularly via local media, which built on and re-circulated discursive formations about queer perversions in washrooms, spreading the notion that public space was under threat from queer proliferation.

In her work on gay and lesbian identity politics, Nash writes about the Toronto Police Association’s internal newsletter *News N Views*, which published an anti-homosexual article in March 1979. Demands for the Association to publish an apology and clarify its position achieved little result. Nash notes that, “gay activists portrayed these police activities as evidence of a deliberate and sustained assault by Toronto’s police force against the increasingly visible and vocal gay and lesbian communities.”⁸⁶ The articles and the vague manner in which the police responded to critics do testify to anti-homosexual attitudes, but evidence of a “sustained assault” on queers by police is less clear. I do not dismiss the significance of the raids and violence against queers during the period. Rather, I argue that qualifying the attacks as deliberate, sustained and planned is questionable. They would be better termed as complex, complicated by an assemblage of planned and unforeseen events and overlapping discursive tactics and technologies of quarantine. These discursive tactics and spatially enacted technologies were deployed against visible and public manifestations of queer space which were read as evidence of a queer threat to social health and the future of the nation, in particular that of its children.

⁸⁶ Nash, “Contesting Identity.”

Nash's exploration of "discursive exchanges containing alternative and contested representations of homosexual identities and spaces" supports the development of a more nuanced understanding of discursive strategies around queer space as uneven.⁸⁷ My conceptualization of the raids as part of an assemblage of tactics and technologies of queer quarantine complicates narratives in which a more even march to gay equality is frustrated by a coordinated and sustained "homophobic" campaign led by the police.⁸⁸

The Toronto Gay Bathhouse Raids of February 1981

Following the murder of Emanuel Jaques, dominant discourse around queer space took on a new fervour in constructing homosexuality as constitutive of environments where perverted acts unimaginable to normal folk take place. Four days after Toronto police invaded the four gay bathhouses in the raids of February 5, 1981, a headline in *The Globe and Mail* read: "Mysterious Bathhouse World Full of Mirrors and Dim Lights."⁸⁹ Queer space, while arguably more visibly present in the public domain than ever before, was still being qualified as "a world unknown to most people,"⁹⁰ which Ian Mulgrew suggested was "inhabited only by men, it is a world of dim lights and mirrors, catering to a belief that the body is a temple."⁹¹ While most people likely have not visited a gay bathhouse, I suggest that the repeated notion of gay bars and bathhouses as mysterious

⁸⁷ Ibid.

⁸⁸ The bathhouse raids themselves were not carried out evenly, for material evidence and witness testimony were clear: some establishments were damaged more than others by the police, and bathhouse patrons recalled that some police officers appeared embarrassed and apologetic for what some of their colleagues were doing that night. Some patrons were treated roughly and abused; others noted that police acted kindly towards them.

⁸⁹ Ian Mulgrew, "Mysterious Bathhouse World Full of Mirrors and Dim Lights," *Globe and Mail*, February 9, 1981, 5.

⁹⁰ Ibid.

⁹¹ Ibid.

and unknown is a discursive tactic that aims to quarantine queer space by producing it as unknowable, liminal and abject; in other words, unacceptable to Canadian values.

My archival searches of mainstream media reveal few references to bathhouses prior to the morning of February 6, 1981, other than the Blatchford feature and *Toronto Sun* references linking The Barracks to prostitution following the December 1978 raid. Consequently, it is via the infamous raids of 1981 that gay bathhouses really enter public discourse, full of mirrors and dim lights. The focus of my analysis is not on the raids themselves, but rather on the way that queer spaces were subsequently represented, first in mainstream media, then in official discourse. These raids and the gay community response were originally well covered in the gay and lesbian press, and extensive retrospectives have been done in gay and lesbian media since then. For example, *Xtra!* ran a feature commemorating the 30th anniversary of the raids. Since my focus is official and public discourse, I do not analyze those materials here. And, while I do not focus on answering questions regarding why the raids happened, these are enticing questions. I argue that an examination of the spatial tactics deployed in the discursive constructions of the bathhouse spaces demonstrates that the raids represent a salient example of the assemblage of transforming technologies of queer quarantine deployed against queer space just prior to the advent of AIDS in the early 1980s.

We cannot know the real reasons why these raids took place on the night of February 5, 1981. The investigation files that the police gathered for six months prior to the raids are not publicly accessible. It is understood that the trial of the owners of the Barracks bathhouse raided in December 1978 was just about to start; evidence from a new raid might have helped police but Chief Ackroyd denied the timing of the raids had

anything to do with that trial. He also denied that a CBC television documentary on homosexuals broadcast shortly before the raids had any effect on the timing.⁹² The documentary, *Sharing the Secret: Selected Gay Stories*,⁹³ featured a boy coming out to his hysterical mother and included scenes supposedly representing the inside of a gay bathhouse. Reviewing this film, Chris Bearchell wrote:

The hidden depths of a gay steambath are probed by a camera that sees no faces, only dim, empty hallways, a camera that peers suspiciously into darkened rooms and then zips away at a crazy angle, as if embarrassed at having caught some dirty business. Accompanied not by the baths' usual disco muzak but by the eerie sound of footsteps, these shots subvert Peter's attempt to demystify gay sex, snatching his experience from him and redefining it as something creepy, cold, frightening.⁹⁴

Such a representation of the gay bathhouse is not surprising, given that the producer viewed queers in the same light as disease: "I want the viewer to think, 'There but for the grace of God go I,' *whether it's a film on cancer or on gay people.*"⁹⁵ Moreover, in a CBC film broadcast a year earlier, *The Running Man*,⁹⁶ a closeted gay track coach at a high school turns down the appeals of a boy who thinks he his gay, and the boy kills himself. I am certainly not saying that these two CBC productions led to the bathhouse raids. They do, however, reproduce and re-circulate dominant discursive formations of queer space as dirty, diseased and frightening and homosexuality as deadly, particularly to schoolboys.

⁹² "Homosexuals, Lawyers Claiming Harassment Over Bathhouse Raids," *Globe and Mail*, Feb. 7, 1981, 1.

⁹³ *Sharing the Secret*, documentary film, directed by John Kastner and Rose Kastner, CBC, Toronto: 1981.

⁹⁴ Chris Bearchell, "Trading on Secrets: Chris Bearchell Looks at the CBC Documentary *Sharing the Secret*," *Body Politic*, March 1981, accessed October 27, 2014, http://archive.org/stream/bodypolitic71toro/bodypolitic71toro_djvu.txt.

⁹⁵ Bébout, "Gay Journalism."

⁹⁶ *The Running Man*, TV drama, directed by Donald Brittain, CBC, For the Record, Toronto: 1981.

Despite abundant evidence demonstrating an overall *war on queers* by the state and its security apparatus,⁹⁷ we cannot definitively say that the Metro Toronto Police also officially targeted queers and developed plans to undertake a sustained assault on queer space. What I do argue, however, is that discursive tactics, their strategic effects, as well as intentional acts and unforeseeable events all came together in unexpected ways to produce an assemblage of quarantine effects directed against queer spaces throughout the 1970s. As queer spaces became more visible, they became more open to attack. At the same time, queers became more vocally resistant to attack than many other individuals and groups against whom the state was also “at war.”⁹⁸ I argue that the discursive constructions of queer space as diseased and deadly that frame the police raids of February 1981 build on the discursive formation of queers as child molesters concretized with the Jaques murder, as well as on the discourses around sex and the city, which facilitated the early campaign to clean up Yonge Street. In the remainder of this analysis, I explore the ways that the obsession with queer space in the wake of the raids—identifying it, mapping it, and isolating it—all aim at its ultimate eradication. Under the terms of queer quarantine, queerness is conflated with disease and dirt itself, not diseased and dirty people.

Guidotto views the police actions that night as an example of Foucault’s biopolitics, offering “a way of conceptualizing power relations and social organization in

⁹⁷ Kinsman and Gentile, *The Canadian War on Queers*.

⁹⁸ For example, Canadian and American scholars in post-colonial and Indigenous studies trace a war against Aboriginal people (Residential schools, Indian Act, etc.), scholars in sexuality studies post a war against prostitutes and a war against drug users. These groups were in even more disadvantaged positions socially and economically, in terms of class, health, etc., to be able to resist the hegemonic rule in the visible and spatial ways that queers were able to do at the time.

the modern Canadian context.”⁹⁹ Her analysis focuses on biopolitics as relations of power (repression by Toronto police and resistance from below by queers) whereby the police are an extension of the state that is used to codify queers as deviants and criminals, leading to the raids during which the oppression of the queer patrons is compared to the state of *homo sacer*. While she acknowledges discourse as important to the construction of sex panics in the media and in dominant culture, her work does not explore how discourse and discursive formations relate to or frame biopolitical urges and actions by the state to regulate queers. Viewing the bathhouse raids throughout the lenses of criminology and police regulation of sexuality, Guidotto argues, “as the raids testify, sex is no longer ‘just sex’—it is, in fact, sexuality. It is transformed into a discursive site where subjects are produced as ‘normal’ or ‘abnormal,’” and suggests, “media coverage of homophobic panics before the raids, during and afterwards, shows that ‘the homosexual’ took centre stage in Canada at this time.”¹⁰⁰ The raids doubtless represent a key moment in queer history in Canada, both in terms of the volume of discourse created around queers and the formative effects the event had on the coalescence of the Toronto gay community. I posit, however that given the threat of queer proliferation, *queer space*, its cartography, taxonomy and ontology, is the principal foci of dominant discourse around queerness. The homosexual does not become a knowable subject in dominant discourse until much later, if ever, as Watney has demonstrated in his concept of the AIDS spectacle as the screen for dominant culture’s queer fears.

I read the bathhouse raids as a technology of queer quarantine executed to fulfill the tactical aim of quarantining queer space and, ultimately, eradicating the possibilities

⁹⁹ Guidotto, “Homo(sexual) Sacer,” 75.

¹⁰⁰ *Ibid.*, 75-76.

for its spatial proliferation into the future. The police sought to destroy the bathhouses, not bring the queers into the law, or produce a particular heteronormative order as argued elsewhere.¹⁰¹ Bathhouses are sites where sex is performed in “unimaginable” ways according to the heterosexual matrix. The police are dispatched to bring the house down before it further infects the nation. Thus, queer space is the locus of the queer contagion, literally a breeding ground for the proliferation of queers that must be quarantined, and with it, queerness cast out.

Re-reading the name of the police operation, the discursive construction of the bathhouse as “shit,” and the rhetoric about “gas chambers,” helps us to conceptualize the raids not as quarantine measures to cleanse and disinfect the baths but rather as technologies of queer quarantine aimed at producing a world without queers. The bathhouse raids had been planned over a period of six months and were well coordinated: over two hundred police raided four different bathhouses at approximately the same time on a busy and cold Thursday night. The raids even had a code name: Operation Soap. While the significance of the code name appears obvious, I suggest that it is misread as an action aimed at cleaning up the baths. Indeed, soap is used to clean, however, this is not a question of making order through tidying up. Soap is used to make order and purify by *removing dirt and disease*. Therefore, I maintain that “Operation Soap” was not about bringing the bathhouses back under the law. They were already “matter out of place,” thus “Operation Soap,” aimed to eradicate them. And out of fear of more raids, queers would avoid the public baths and bars, making them close down, as one did, thus casting the queer blight further from the downtown, forcing an end to queer proliferation.

¹⁰¹ Ibid.

Numerous references were made by the police, the media and in the courts to the bathhouses as “filthy dirty” and reeking of shit. These are not only references to the dominant perception that queer spaces are dirty and diseased but also allusions to men engaged in anal sex. Thus, in a move that would today doubtless be considered sexual assault, police forced at least one gay man to bend over naked because they were “just checking for shit.”¹⁰²

A 25-year-old employee of the provincially funded bail review project was in the Romans club and was one of a number of patrons herded into the weights room wearing nothing but a towel. Mr. Webster said there were four or five policemen in the room and he was made to take off the towel, bend over at the waist and spread his buttocks.¹⁰³

Following the more recent legal decision against the Toronto police subsequent to the 2000 police raid on the Pussy Palace women’s bathhouse event, I suggest that the violent male gaze of the police officers who forced the man to spread his buttocks was a form of non-consensual anal penetration.¹⁰⁴ The overall violence undertaken by the police was remarkable for the period, with over \$35,000 damage caused. Damage to the Romans Spa was so extensive that it never re-opened. Although attendants offered the police keys to all the rooms, the police instead took their own crowbars, which they brought with them, down the halls, smashing mirrors and punching hundreds of holes in doors and walls, and ripping ashtrays off their moorings. The police chief said the force used was necessary.

In media reports immediately following the raids and in retrospectives, much has been said already about police comments that it was too bad they could not hook the

¹⁰² Hannon, “Making Gay Sex Dirty.”

¹⁰³ “Homosexuals, Lawyers,” *Globe and Mail*.

¹⁰⁴ For an excellent analysis of the raid on the Pussy Palace as sexual violence against the patrons, see: Catherine J. Nash and Alison L. Bain, “The Toronto Women’s Bathhouse Raid: Querying Queer Identities in the Courtroom,” *Antipode* 39.1 (February 2007): 17-34.

showers in the sauna up to gas. Such comments were not necessarily representative of the intent of the police raids overall, however, and the police were unable to bring criminal charges against the bathhouse patrons. In his article, Mulgrew positions the “mysterious” bathhouse as “catering to the belief that the body is a temple.”¹⁰⁵ Therefore, the physical destruction of the bathhouses is more suggestive of a desire to eradicate the site of the “gay cult,” rather than the men themselves, which is how dominant culture would come to apprehend the bathhouse: a sodomitic temple where gay men go to revel in their perversions and plot the recruitment of young boys to swell their membership.

Morris Manning, lawyer for the bathhouse owners, was convinced that “the raids were designed to drive the gay community out of Toronto.”¹⁰⁶ For him, the fact that the police did not close down the bathhouses was proof of this aim. Indeed, the raids were also described as a “blitzkrieg.” The objectives of the Blitzkrieg were as much about destroying a place as they were about terrifying the population so that they would fear using public space: one never knew when another attack would take place, thus all space was suspect. While the bathhouse raids destroyed queer space, making it unusable for gay men to meet for sex and/or political activities, their unexpectedness and quick execution made all other gay space a possible target and thus unsafe. Therefore, they destabilized an already unstable and precarious place. The secondary effects of the potential publication of the names and occupations of the men charged at the bathhouses would also destabilize to their home and business spaces, therefore, it made all public space more threatening to gay men, not only those involved in the raids, but also those who could

¹⁰⁵ Mulgrew, “Mysterious Bathhouse.”

¹⁰⁶ Bruner, *Out of the Closet*, 120.

become targets of future raids. In this way queerness was further quarantined from public space.

Queer Space and Disease

In his work on the historiography of the gay bathhouse, Bérubé notes that, “part of the old anti-gay rhetoric was that “sick” people went to the bars to spread the “disease” of homosexuality.”¹⁰⁷ He notes that when American baths were being closed in the 1980s, “the Health Department similarly portrayed the bathhouse as “not fostering gay liberation” but instead “fostering disease and death.”¹⁰⁸ As I have discussed earlier in this dissertation, the conflation of queers and queer spaces with dirt and disease has a long history, however, it is a discursive formation with particular spatialized effects. The Toronto bathhouses were circumscribed, diagnosed as filthy shit-smelling queer places, and those frequenting them were arrested, charged and publicly shamed. The quarantining technologies of identification, diagnosis and isolation are further enhanced via the public being repeatedly made aware of the dangers of contagion associated with queer space. As if to underscore this point, all the men arrested were considered infected. Those men charged with running the bathhouses were literally forced to take VD tests, while the other 286 men charged as found-ins had cards mailed to their homes suggesting that they get tested for venereal disease. Nonetheless, I suggest that the discursive focus is queer space rather than queer bodies and that the bathhouse itself is read as diseased. Individuals become infected through their association with the space. As reviews of city reports, court proceedings and media reports show, dominant and popular discourse at

¹⁰⁷ Bérubé, “The History of Gay Bathhouses.”

¹⁰⁸ Ibid. 52

this time does not revel in the details of the sexual acts undertaken in the bathhouse; after all this is a mysterious place: it is “unimaginable.”

The Bruner Report: “Out of the Closet”

Following the major bathhouse raids of February 5, 1981, there were several—likely very unexpected—large demonstrations by queers and their allies in Toronto to protest the police actions against the gay community. Although the Mayor requested that the Chief of Police investigate police conduct during the raids, little came of the request. Moreover, despite the tabling of a report on the raids by city aldermen, which recommended that the Attorney General for Ontario undertake an official enquiry, and calls for an enquiry by other groups, there was no investigation. In March 1981, the City Council voted to have a report produced on improving relations between the police and the gay community. On July 31, following the resignation of the person originally designated to produce the report, Arnold Bruner, a former reporter and law student, was given the task of delivering the report within 60 days. He did so with a very small budget, resorting to assistance from his wife and son to complete the report.

The Bruner Report, as is it has been called, has not been the subject of much reflection, perhaps because it was summarily dismissed by the police and by the Toronto City Council, and received unfavourable reviews by gay community leaders, in the latter respect, chiefly because of its unusual research methodologies and reliance on stereotype. Every one of its sixteen recommendations was rejected. Nonetheless, the report is one of the first government documents to put queerness into official discourse via an analysis of the so-called gay community. Moreover, in terms of its mapping of Toronto queerness, it

is a fascinating document that demonstrates further the technologies of government employed in the service of the impulse to quarantine the queer.

The official name of the Bruner Report, *Out of the Closet*, is significant as it speaks to a number of issues regarding queer visibility, space, and the public/private binary. Of course, coming out of the closet generally signifies an ongoing process that many queer individuals undergo as part of queer subjectification. The identificatory acts that form part of this process are generally understood as affirming “the gay fact,” neatly summed up by the early 1980s Act Up slogan, “We’re here, we’re queer, get used to it,” and more recently updated for Stonewall UK’s anti-homophobia campaign which I first encountered at the Luton, England train station in 2009: “Some people are gay. Get over it.”

While Bruner might likely have shared these sentiments, the title of the report can also be read ironically as acknowledging the massive *outing* that the 1981 bathhouse raids caused. Not only were many gay and bisexual men publicly outed via the raids themselves, the resistance queers subsequently channelled into the streets brought the acts of coming out to a whole new level of public visibility. However, queer space was constructed throughout the 1970s in dominant culture as a threat to mainstream public space and the health and future of the nation, and the Bruner Report, perhaps unwittingly, supports this as I explain below.

As one of the first reports commissioned by a government in Canada to look into and make recommendations on improving relations with the gay community, the Bruner Report contributes to discourse about queer space and puts queer space into official government discourse, as well as into public discourse via the media. A significant

amount of the report is dedicated to arguing that there was a gay community in Toronto in 1981 and, furthermore, to taxonomizing and ontologizing the community. For Bruner, there *is* a gay community, and there is no need to debate it: “The issue of dealing with the gay fact in our community emerges fully ‘out of the closet’ with this study and report.”¹⁰⁹

Two years earlier, in 1979, responding to the growing tensions between the police and the Toronto Black community following the death of Albert Johnson at the hands of the Toronto Police, Metro Toronto Council asked Cardinal Carter, Catholic Archbishop of Toronto, to mediate between the police and minority groups in the city. After seven weeks of consultations with city authorities and numerous community groups, Carter submitted his findings and recommendations. His report specifically declared that homosexuals do not form a minority community. Referring to gays and lesbians as “the Homosexual *group*,”¹¹⁰ Cardinal Carter would deal only with *visible* minorities. City Council passed all of Cardinal Carter’s recommendations, which excluded queers outright, to focus on visible minorities. Cardinal Carter’s response was not that surprising, not only because his religious position appeared to some to direct his anti-homosexual ruling,¹¹¹ but rather, I argue, because a cultural tactic of queer quarantine at that time was to send queers back into the closet and render them *invisible*.

Today, when we read, “there is a gay community,” it seems to be an obvious fact to many people. This might explain why scholars have not remarked upon Bruner’s

¹⁰⁹ Bruner, *Out of the Closet*, 17.

¹¹⁰ Gerald Emmett Cardinal Carter, *Report to the Civic Authorities of Metropolitan Toronto*, Toronto: Reports Collection, City of Toronto Archives, October 29, 1979, 1-2.

¹¹¹ Nash points out how *The Body Politic* noted the irony of the Archbishop of Toronto, who was basically mandated by his personal and official convictions to discriminate against gays, writing a report on police-gay relations. See: Nash, “Contesting Identity.”

extensive discussion of the issue. But in 1981, while gay and lesbian activists, a few academics, and gay and lesbian media had been using the term to describe the national body of gay people, their culture and spaces, a majority of the ruling class and dominant culture disavowed its existence. It was assumed that a “community” referred to a “good” and beneficial grouping of people sharing a common heritage, or set of goals or interests. How could individuals involved in immoral sex acts in dark and dirty spaces constitute a community? A sub-culture, perhaps, but not a community. Furthermore, if dominant culture accepted the claim that there was a gay community, then it would have to be acknowledged. By avoiding the question of its existence, they could elude the issues its acknowledgement would lead to, such as, extending human rights to gays and lesbians. Moreover, a community resides in space: acknowledging a gay community would mean accepting visible queer places in public space and foster the further proliferation of queerness.

Among those authorities most reluctant to accept the idea of the gay community were the police. The bathhouse raids and the subsequent Bruner Report made this tension public. In August 1981, the head of the police association declared that he had significant problems with gays and lesbians being recognized as a legitimate minority community.¹¹² While Bruner’s report indicates that there are no reasons given for the stance taken by the police association, *The Globe and Mail* links the head of the police association’s opposition to a gay “community” to his personal observations of “oral copulation and buggery” in the back alleys off Yonge Street, leaving one to wonder what the head of the

¹¹² Alden Baker, “Gays No Minority Group, Police Association Says,” *Globe and Mail*, August 29, 1981, 5.

police association was doing in those alleys.¹¹³ It is clear from this article that the police understanding of “gay identity” is informed primarily by these “indecent” sexual acts undertaken “out of place.”

I argue that one of the significant strategic effects of the 1981 bathhouse raids is in effect the insertion of a queer topos into official government discourse around the gay community. In Bruner’s report, his defense of the existence of a “gay community” is surprisingly robust given the period and environment during which it was penned. Bruner went so far as to import academic expertise from University of Toronto sociologists to enhance his knowledge of community and to dispute the prevailing understanding of the time that gays and lesbians could not comprise a community. Noting, “gay people, in Dr. Reitz’s opinion, have become more of a community precisely because they are drawn together by a hostile environment that seeks to deny them legitimacy,”¹¹⁴ Bruner clearly conceived of the spatial as integral to the formation of the gay community.

Bruner’s exploration of the gay community through his visits to institutions and interviews with community activists led him to the following conclusion in regards to the gay population of Toronto: “a group bound together as a community by a common identity, common goals, a common interest to defend; a well-organized group with an increasingly sophisticated system of interaction and communication, growing in economic and political strength.”¹¹⁵ Given the police actions that had taken place only a few months prior, it is clear that this concept would not be quickly accepted by police or by authorities at any level of government.

¹¹³ Ibid.

¹¹⁴ Bruner, *Out of the Closet*, 34.

¹¹⁵ Ibid. 34.

Bruner's Gay Topos

Bruner's primary challenge was to present recommendations on police relations with the gay community without investigating the bathhouse raids themselves. He was not mandated to speak about the raids as all forms of enquiry were off the table. Accordingly, Bruner took the position that the raids came about because of a lack of knowledge on the part of the police about the gay community, as well as on the part of queers about the importance and role of the police, a position that spokespersons for the gay community rejected. Bruner, thus used the report, a technology of governmentality, to fill the authorities' knowledge gap by undertaking a mapping of the gay community. Significantly, Bruner notes that the community's size can only be estimated (he cites Kinsey's studies claiming up to ten percent of the population as gay) and that gay people are spatially distributed everywhere; in other words, they are not grouped within territorial, occupational or other boundaries.

Ultimately, I argue that, while it does not appear to be his intent, the strategic effect of Bruner's report is the surveilling and mapping of queer men and queer sex in Toronto. While it was mandated to study police and gay community relations and to provide recommendations for improvement, the *Bruner Report* actually functions as an—albeit not always intentional—technology of quarantine through its taxonomization and ontologization of queer space and queer acts. Indeed, the majority of the report works to define gayness and to situate it, in other words, to try to put it in place.

While the Bruner Report begins by defining the gay community, it quickly drops the focus on community and spends much time on gay male cruising and the queering of

public space.¹¹⁶ It begins by defining “gay cruising” as “going to a place where gay men congregate” and lists these places as bars, bathhouses, parks, and public washrooms. There are certainly other places where gay men may congregate for reasons other than sex but Bruner seems completely unaware of this possibility. Bruner’s writing overall is concerned with sex and cruising, the queering of public space and the making of queer place within that space. In fact, rather than talking about gay people, gay identities and diversity, the “gay community” is presented as a homogenous entity comprised of (unmarked) white men in search of sex in specific places in primarily public space. Indeed, in the two-hundred-page report, Bruner refrains from referencing gay people. This positions the gay community as apparitional—as opposed to visible—in public space as queers are constructed as queering liminal public spaces, such as public washrooms and public parks.

It is in Bruner’s mapping of public spaces that gay men apparently used for sex that the report begins to re-present discursive forms about queer space that were in circulation throughout the 1970s and before. He describes washroom sex as both the domain of gay men who are secretive and fearful before they come out and as an activity helping them to “face up to their homosexuality.”¹¹⁷ This reading positions public toilets as straight spaces that are queered at certain times to become places where queerness is learned and integrated into queer men’s developing subjectivity. Significantly, through this report, public washrooms, bars and bathhouses, are thus put into official government discourse as sites of queer contagion and proliferation.

¹¹⁶ My terminology, not Bruner’s.

¹¹⁷ Bruner, *Out of the Closet*, 52.

Based on my reading of the report and what Bruner said about it following its release, I suggest that Bruner was aiming to document the so-called “gay lifestyle” in order to normalize it. He does succeed in putting queerness into official discourse, but in the process, he recirculates discursive formations that conflate queerness with psychological problems, terror, bodily trauma, and death. His writing is less sensational and filled with stereotype in his description of the bathhouse as historically important for gay men as a social and sex-oriented place, but a space with a central role for what tends to be considered the gay community. He notes that the sex found there is fast, direct and safe because there are only homosexual men in the bathhouse, no gay bashers or other dangers that exist in parks and washrooms. He also references the use of the bathhouse by married men as a sexual outlet, whereby they are supposedly not in danger of arrest, as they might be in actual public places like parks and restrooms. Accordingly, as Bruner notes, the Toronto bathhouse raids were an attack on this safety at the centre of the community. Moreover, whereas the washroom and the park are public places that are temporarily transformed into what I call apparitional queer space through queer acts, the bathhouse is a gay site fixed within and protected from outside heterosexual public space. Therefore, the police raids are read here as an attack on the centre or hub of the so-called gay community, its visible centre.

Bruner and Queer Child Molesters

Although Bruner was mandated to study police and gay community relations and not study the February 1981 gay bathhouse raids, he overstepped these bounds in several sections of the report. An important case in point is his attempt to undo the conflation of homosexuality and child molestation. That he addressed the issue in the first place

testifies to his understanding of dominant discourse around queers and the damaging effect of this trope on queers and their relations with police and other authorities.

Early in the report, he notes that pedophilia “occurs in both heterosexual and homosexual males and is deviant behaviour in both groups. For this reason—not a proper subject for this study.”¹¹⁸ At the same time, Bruner notes that “the notion that pedophilia is equated with homosexuality is widespread” and that “this misconception has been fuelled by the murder of 12-year old Emanuel Jacques (sic) more than four years ago and by the publication in *The Body Politic* that same year of the article “Men Loving Boys Loving Men.”¹¹⁹

Returning to this trope later in the report, Bruner refers to the “slanting of factual information” by the police in regards to the bathhouse raids, citing a press release that is not discussed elsewhere in the literature. On April 22, 1981 police released a statement to the media indicating that prostitution was occurring at the bathhouses, however, no charges were ever laid in connection to this allegation. This particular press release links the bathhouses to an arrest in an apartment in Toronto two months later where “implements of torture” and “kiddie porn” were said to have been found. This news release makes it appear that these two discrete incidents are related, and suggests that gay bathhouses are places of torture where child pornography is made and consumed. As Bruner notes,

“Clearly the impression one may get from the juxtaposition of the raids and mention of prostitution with ‘kiddie porn’ and ‘torture implements’ is that the bathhouse raids produced evidence of prostitution, kiddie porn and torture. The release was intended for the media and consumption by the public [and was] given extensive coverage.”¹²⁰

¹¹⁸ Ibid., 42.

¹¹⁹ Ibid., 47.

¹²⁰ Ibid., 120.

Bruner asks: “What are the motives of the police in drafting such a document?”¹²¹

Unfortunately, he does not offer a response. Given his contractual position and mandate, he was not likely able to do.

Therefore, while the report does not make clear suggestions regarding police motivation for the raids and its subsequent actions against queers, it does succeed in outlining for careful readers the way in which police action can be read as a spatial technology of queer quarantine working to further the tactical aim of isolating queers as child molesters/monsters. In a move using similar rhetorical sleight-of-hand to that used in the *Toronto Star* article I discussed earlier following the Jaques murder, the police’s media release conflates all gay bathhouse space with an individual apartment, its perverse “matter out of place,” to reconfigure and recirculate the discursive formation of homosexuals as child molesters.

In this chapter, I have explored the types of discursive tactics and technologies of quarantine that were deployed to eradicate the queer threat in Toronto prior to the advent of AIDS. As I discussed at the beginning of this chapter, while the primary focus of my exploration of spatial tactics as central to the functioning of technologies of queer quarantine was to be the 1981 bathhouse raids in Toronto, my research soon led me to understand that as the raids themselves constitute a technology of queer quarantine, the discourses resulting from the acts themselves function as spatial technologies of quarantine. Therefore the raids really cannot be studied as though they are not imbricated in the process and practices through which queerness and queer space are put into official government and popular discourse throughout the pre-AIDS period. Consequently, the

¹²¹ Ibid.

goal of the preceding pages has been to trace across the period some of the trends that exemplify how queer space and queer cultural landscapes were constructed as threatening to dominant culture. Key issues in my analysis leading up to the 1981 bathhouse raids are the development of a political campaign to clean up the downtown core of Toronto in the early to mid-1970s and the tragic rape and murder of 12-year-old Emanuel Jaques. My research revealed increasingly spatialized discourses around sex and the city in the early 1970s. As tensions over the building of the Eaton Centre made use of downtown space a central issue for Toronto, the development was touted as promoting the family and promised economic growth for the downtown. Most unexpectedly, it facilitated the production and proliferation of multiple spaces for sex work, one of which became the site of the Emanuel Jaques murder, the event which helped significantly to spread the highly flammable conflation of queers with child molesters in the growing public panic over sex and the city. Accordingly, discourses around the need to protect the family and the economy developed at the heart of a new front in the Canadian war against queers, this one targeting queers in public space.

These events transformed dominant discourse permitting state security forces—the police—to begin taking more targeted material action against queer places and queers in public space that it might not have had the moral authority to act upon previously. The tactic of eradicating queerness was then increasingly pursued through technologies deployed to quarantine the threat of queer places that were manifesting in public space, including cultural space. Initial spatial tactics can be broadly categorized as mapping, meaning that first queer space was taxonomized and then its constituents ontologized; further policies were then devised to effect quarantine-type measures. Key indicators that

primary discourses around queers were concerned with spatial tactics are the significance of issues surrounding the public/private binary and controversies over dominant culture's uneasy acceptance that the gay community exists.

As the discourse around public space grew and the cleanup campaign developed, the Jaques murder brought together the discourses around dangerous space and homosexuality in new ways that would have important consequences in future discursive constructions of queers in space. While some scholars have addressed the issue of the Jaques murder, this event has mainly been fixed in queer history as a point after which a homophobic backlash against queers began and after which ensued a period of more open homophobia towards gays and lesbians. This study connects the cleanup campaign and the Jaques murder to the 1981 bathhouse raids via a spatial analysis of these events across time, thereby demonstrating that the simple categorization of practices and acts as homophobic or anti-homosexual often elides a much more complex assemblage of discursive tactics and quarantine technologies driven by the impulse to quarantine the queer.

Chapter 4: Bodies

On May 17, 1988, during the first Canadian conference on Acquired Immune Deficiency Syndrome (AIDS), over two hundred members of Toronto's AIDS Action Now (AAN) and Action SIDA from Montreal, protested in the streets of downtown Toronto against continued government inaction on AIDS. Chanting "Silence equals death," as they marched past the headquarters of the Ontario Progressive Conservative party, protesters then assembled in front of City Hall, where some activists shouted "Fire Epp! Fire Epp!" as they set alight an effigy of the federal government's Minister of Health and Welfare, Jake Epp. This highly visible demonstration, one of only two effigy burnings at the time, which *The Toronto Star* called a "volatile protest," was reported in newspapers across the country.¹ A rare event, the effigy burning shocked and scandalized the Mulroney government, so much so that three weeks later it announced significantly increased funding to the government's AIDS budget.² It would take the Canadian government two more years to reveal its first national strategy on HIV and AIDS, however, the AAN-led effigy burning was a key activist event that brought media attention to the state's woefully negligent response to the ever-deepening crisis of AIDS in Canada.³

¹ Kelly Toughill, "AIDS Ten Years Later: Still a Deadly Mystery," *Toronto Star*, January 3, 1989, A16. See also: "Ottawa Urged to Address AIDS Problems," *Toronto Star*, May 18, 1988, A7.

² Geoffrey York, "Epp Pledges \$129-million in AIDS fight," *Globe and Mail*, June 9, 1988, A1.

³ In writing about HIV and AIDS, I generally follow the official discourse, i.e. HIV and AIDS or HIV/AIDS when referring to specific documents or issues using this nomenclature. Much discourse, however, especially in the early years, was focussed specifically on AIDS and not HIV in particular, thus I often refer to AIDS without reference to HIV. Moreover, I am uncomfortable with general use of HIV/AIDS which reifies these discrete concepts as one entity and assumes that AIDS is already a developmental conclusion to HIV and that all people knowingly experience HIV

Recalling that event, Warner notes that demands for the resignation of Minister of Health and Welfare were not new, as Epp continually “ignored calls for a national strategy on AIDS.”⁴ Moreover, according to Warner, “activists could not recall ever having heard Epp, a staunch family values advocate, utter the word ‘AIDS.’”⁵ One might wonder how a federal health minister could remain publicly silent on AIDS during the first decade of the crisis. Yet, it was precisely such silence, a synchronous refusal by governments in both Canada and the US to acknowledge AIDS and its grave effects on thousands of people, that led to the formulation of the equation “Silence=Death,” the slogan that became a call to action in AIDS activism throughout the 1980s and 1990s.⁶ Canada’s inability to produce a national strategy on AIDS until almost a decade into the epidemic says much about the depth and breadth of this silence.

On June 28, 1990, however, the new health minister who replaced Epp in a cabinet shuffle, Perrin Beatty, finally announced a national AIDS strategy. Branded as a turning point in the nation’s fight against AIDS, *HIV and AIDS: Canada’s Blueprint*,⁷ which I explore later in the chapter, comprises three main thematic sections: the first, focusing on the state’s version of Canadian AIDS history; the second, dealing with how the state viewed itself taking control of the AIDS crisis; and finally, its plan for the

issues/symptoms prior to an experience of AIDS. Therefore, I trouble this notion by referring to AIDS and HIV.

⁴ Warner, *Never Going Back*, 253.

⁵ Ibid.

⁶ Richard Fung and Tim McCaskell, “Continental Drift: The Imaging of AIDS,” in *Queerly Canadian: An Introductory Reader in Sexuality Studies*, ed. Maureen Fitzgerald and Scott Rayter, (Toronto: Canadian Scholar’s Press, 2012), 191-195; Miriam Smith, “Identity and Opportunity: The Lesbian and Gay Rights Movement,” in *Queerly Canadian*, 121-137; Tom Warner, *Never Going Back*.

⁷ Canada, Department of Health and Welfare, *HIV and AIDS: Canada’s Blueprint*. Ottawa: Supply and Services Canada, 1990. Hereafter, I refer to this policy document simply as the *Blueprint*.

future. In the state's narrative, AIDS originated in a tragic past punctuated by a "cruel disease," which was imported to Canada by "homosexuals" from the United States. The state's publication of this strategy was presented as the first step in decisive government action to negotiate collaboration between state officials, medical authorities, community organization and citizens, which would then lead, ultimately, to a future nation "free from AIDS."

A rereading of the *Blueprint* and the research and policy-making documents the federal government produced in the interval between the advent of AIDS and the publication of the strategy, reveals much tension and ambiguity in the ways the state spoke about and did not speak about queers, whom it had long treated as threats to its interests and to the nation. Therefore, while the *Blueprint* represents a turning point in the Mulroney government's long-standing reluctance to speak publicly about AIDS and acknowledge its effects on people, official federal government discourse also demonstrates that the AIDS crisis was a significant catalyst in forcing the state to begin officially recognizing and speaking about queers in ways that it could not have conceived of doing before.

Once the guarantees for equality set out in the Canadian *Charter of Rights and Freedoms* came into effect in 1985, the Supreme Court of Canada was forced to begin hearing gay and lesbian rights challenges based on sexual orientation—this certainly had important consequences for the Canadian gay and lesbian rights movement.⁸ With the

⁸ Much scholarly work has focused on this aspect of the gay and lesbian rights movement in Canada. See: Miriam Smith, "Identity and Opportunity"; Miriam Smith, *Political Institutions and Lesbian and Gay Rights in the United States and Canada* (New York: Routledge, 2008); Tom Warner, *Never Going Back*; David M. Rayside and Evert

coincident advent of AIDS, however, the federal state was forced to put queers into its official policy discourse, as the rapid growth and visibility of gay rights and AIDS activism throughout North America also compelled the recognition of queers as subjects demanding rights as citizens.

I argue that despite its inconsistent representation of queers and AIDS, early state policy-making on AIDS punctuated by the *Blueprint* solidifies the conflation of infectious disease, specifically AIDS, and queerness in official state discourse in Canada. This is also a period during which official discourse presents a marked queer *apparitionality*—a concept I borrow from Diana Davidson who coined it in her analysis of Michelle Cliff’s *Bodies of Water*, to designate a kind of ghosting or “a disappearing and appearing in a text or assemblage of texts.”⁹ Official discourse during this period tends to blame queers for AIDS but is silent on their contributions to halting the epidemic and caring for those directly affected. Moreover, despite the extension of certain rights to gays and lesbians, the discourse around AIDS fixes the construction of tolerable gay subjects in opposition to unacceptable queers, which, going forward, constitutes an axis of struggle for queers against representation and regulation by the state and dominant culture. Official discourse also reveals the inception of new discursive tactics and technologies for the identification, surveillance and quarantine of queer bodies. Constitutive of the project of western AIDS discourse, these technologies of quarantine

A. Lindquist, “AIDS Activism and the State in Canada,” *Studies in Political Economy* 39 (Autumn 1992): 37-76.

⁹ Diana Davidson, “Ghosting HIV/AIDS: Haunting Words and Apparitional Bodies in Michelle Cliff’s ‘Bodies of Water,’” in *Spectral America: Phantoms and the National Imagination*, ed. Jeffrey Andrew Weinstock, (Madison, WI: University of Wisconsin Press, 2004), 221-222.

further demonstrate the inseparability of gay male subjectivity from HIV and AIDS, as much then as today.

The silences and inconsistencies around AIDS and queers in the early period of the epidemic were not restricted to official state discourse: unofficial discourses reflected in the media are remembered for both silence and hyperbole around AIDS. Early on, authorities and the media blamed the epidemic on one man, Patient Zero, a gay flight attendant from Québec who became what I call Canada's first queer AIDS monster made in the USA.¹⁰ Today, media silence allows Canadians to imagine that AIDS has all but gone away. The media's creation of the spectacle of AIDS in the 1980s was the subject of much critical analysis then, especially in the United States.¹¹ Less studied is the inconsistent discursive construction of the AIDS epidemic and the apparitionality of its so-called "victims," and the quarantine talk that proliferated in dominant culture as medical authorities presaged that the coming AIDS plague would jump the putative borders of the "gay community" to infect the heterosexual population through the bodies of bisexual men who could pass for straight.¹²

Scholars exploring the political and cultural history of AIDS in the Anglo-American West have tended to focus on the failings of state actors and policies on one hand, and the significant contributions of community organizing and AIDS activism on

¹⁰ I unpack this term later in the chapter.

¹¹ See, for example, this important collection: Douglas Crimp, ed., *AIDS: Cultural Analysis/Cultural Activism*, (Boston: MIT Press, 1988).

¹² For an exploration of the cultural representation of the role bisexual men in the epidemic, see: John M. Clum, "'And Once I Had It All': AIDS Narratives and Memories of an American Dream," in *AIDS: Cultural Analysis/Cultural Activism*, ed. Douglas Crimp, 201-224.

the other, and rightly so.¹³ AIDS activists, scholars and other critics of state policy initiatives have concentrated on what the state did and did not do in terms of managing and funding a nation-wide approach to AIDS research and treatment. Less attention has been focused on what state policy makers actually said about AIDS and about queers during the first decade of the epidemic. Since it is during this period that the federal state began acknowledging queers publicly in official policy, I am interested in how it constructed queerness in the new and developing context and what kinds of discursive tactics were used to circumscribe the threats that AIDS and queer bodies posed to the nation at that time.

My overall question in this chapter is: How have tactics and technologies of queer quarantine transformed and been deployed during the initial period of the AIDS crisis in Canada?¹⁴ I explore the ways that HIV and AIDS were invoked in official discourse at the beginning of the crisis, from the initial discovery and identification of Gay-Related Immune Disease (GRID) in 1982 to the publication of state strategies aimed at halting AIDS. My research reveals discursive shifts and transformations in technologies of queer quarantine that were produced during national HIV and AIDS policy making beginning with what I call, borrowing from Foucault, the *putting of AIDS into discourse* in 1985.

Overall, I am interested in how queer bodies and queer sex are constituted within the new

¹³ For an excellent comparative study of select Western nations' policy responses to HIV and AIDS, see: Peter Baldwin, *Disease and Democracy: The Industrialized World Faces AIDS*, (Berkeley, University of California Press, 2005). On AIDS activism in Canada, see, for example, Warner, *Never Going Back*, and Kinsman, *The Regulation of Desire*.

¹⁴ I use the term *initial AIDS crisis* as a means of distinguishing the pre-HAART period in Canada from the contemporary and sometimes-called post-AIDS period of the HIV/AIDS era. In spite of what governments and mainstream (gay and straight) media might opine, there are a number of HIV and AIDS crises underway within and beyond Canadian borders.

discourse around AIDS, and how these configurations inform the quarantine of queer bodies and the constitution of queer subjectivities.

In the first part of this chapter, I explore the emergence of AIDS and its construction in popular discourse in order to understand how official government discourse around AIDS and queers developed, and to highlight the discursive shift from a focus on queer space to a preoccupation with queer bodies. I explore this discursive turn to queer bodies through my analysis of a number of important federal research and policy-making papers produced prior to the *Blueprint*. In the second section of the chapter, I discuss my analysis of the *Blueprint* and my conclusions in terms of the federal policy's quarantining effects.

While the state and some of its institutions formulated plans and programming intended to halt the putative spread of HIV and AIDS into the “general population,” technologies of quarantine assembled against HIV and AIDS were also deployed against queers themselves. These tactics and technologies result in strategic and material effects that worked to quarantine queerness, such that tolerable forms of gayness became incorporated—not assimilated—into dominant culture, while unacceptable queerness was further quarantined through forms of oppression, repression, and criminalization¹⁵.

The research findings outlined in this chapter are based on the federal government component of a broader HIV and AIDS policy case study I conducted as part of the dissertation project. My study consisted of discourse analyses on research and policy-making papers leading up to the first national strategy on AIDS. Research documents

¹⁵ Tolerable (good) gay bodies remain nonetheless suspect, and do not assimilate (or disappear) into the national body. Incorporated but distinct and thus a low-level threat, they are always at risk of being recast as bad queers.

comprise papers from medical and legal associations solicited by the government, as well as reports from Parliament. They include the *Report on AIDS in Canada* produced by the House of Commons (HOC) Standing Committee on National Health and Welfare, the Canadian Bar Association's *Report of the AIDS Committee*, the Library of Parliament's *AIDS Legal Issues of Federal Concern*, the *Public Service Policy on AIDS*, and *HIV and AIDS: Canada's Blueprint*.

My archive is supplemented by a review of scholarly work on federal and provincial HIV and AIDS policies, as well as readings from the media and other sources representing the dominant discourse around AIDS and queers. Most scholars have focused on AIDS activism, while much of the small amount of academic work on Canadian HIV and AIDS policy itself has explored what the state did or did not accomplish in practical terms—such as David Rayside and Evert Lindquist's 1992 paper on the growth and empowerment of AIDS community groups in response to state inaction on AIDS—as opposed to the policy discourse analyses I have undertaken in this study.¹⁶ An exception is Ivan Emke's work, which looked at the different, often competing ways that AIDS was framed in Canada in the 1980s in state, media and activist driven discourses. Emke's findings were wide ranging given the broad scope of his project, however, his reading of state discourse revealed it as “interventionist and regulative,” with an emphasis on “individual adjustments.”¹⁷ In relation to this latter notion, I explore the representation of queers as irrational and irresponsible later in this chapter. I also illustrate how dominant discourse around AIDS re-circulated discursive

¹⁶ David Rayside and Evert Lindquist, “AIDS Activism.”

¹⁷ Ivan Emke, “Speaking of AIDS in Canada: The Texts and Contexts of Official, Counter-Cultural and Mass Media Discourses Surrounding AIDS,” (doctoral dissertation, Carleton University, 1991), iii, 183.

formations and tactics deployed in official policy, as well as ways that popular discourse influenced official policy-making.

Putting AIDS into Discourse: Blame it on the Gays

The initial period of the incitement into state discourse in Canada of AIDS and queers can be read in two overlapping waves. Beginning in the early 1980s, the first was characterized by epistemological chaos that overwhelmed medical, scientific, and cultural discourses as AIDS began to overtake people *on the ground*.¹⁸ It included intensifying surveillance, tracking, information gathering and knowledge construction by medical authorities and the state, which initiated its own investigations, and commissioned research and reports. I locate the second wave beginning in 1985-86, when governments were forced to look more seriously at AIDS due to mounting death tolls and increasing pressure from community and activist groups such as AAN, up to the publication of the *Blueprint* in 1990.

Common to state discourse in the first period is a high level of reluctance and ambiguity in regards to acknowledging AIDS and naming queer identities themselves: clearly, state officials wrestled with how to write about the new, frightening and fatal disease that was primarily affecting and killing gay men. This was not only an epistemological crisis, during which commonly accepted understandings of disease epidemics, contagion, medicine, sex, social relationships, and other seemingly fixed domains of knowledge were called into question. AIDS also thrust an ontological crisis upon the state and its institutions, which included how to begin officially speaking about

¹⁸ My thinking around this period as epistemological chaos was inspired by a conversation with Kevin Floyd following a presentation he gave on his forthcoming publication at Carleton University in 2012.

the “gay and lesbian community,” or what state policy documents refer to as “homosexual and bisexual men” and their relation to the growing epidemic.

Besides the ambiguity and tension surrounding the taxonomization and ontologization of HIV, AIDS and queers in state discourse, I identify three overall trends foundational to the emergence of contemporary tactics and technologies of queer quarantine. They developed in an era where biomedical quarantine, though officially ruled out, was repeatedly reintroduced into state and public discourse, thereby constituting a persistent threat should queers not comply with demands placed upon them to change and regulate their behaviour.¹⁹ These trends comprise the construction of the “always already infected” queer, bound up in discrimination and anti-gay attitudes; the surveillance of queers, including epidemiology, testing and contact tracing; and, the responsabilization of queer outlaws, policed through the pedagogy of AIDS awareness campaigns, persistent quarantine talk and the criminalization of sexually active sero-positive queers, all subtended by the trope of the “queer AIDS monster.” I argue that with the arrival of AIDS, the moral weakness previously associated with queers becomes materialized in queer bodies as an acquired immune deficiency that threatens the national body. HIV and AIDS herald a new fear around the proliferation of queers, and the new paradigm poses a differentially embodied risk.

¹⁹ Dr. Richard Schabas, repeatedly made news for suggesting that quarantine measures should be put in place for people with HIV. He also declared that people with HIV should not engage in sexual intercourse. See: Kelly Toughill, “AIDS Ten Years Later.”

Patient Zero, Queer AIDS Monster Made in the USA

Arguably the most influential discursive moment that incited and continued to contribute to the myth that gay men caused the AIDS epidemic was the publication of Randy Shilts's 1987 book *And the Band Played On*, which posited Canadian Gaëtan Dugas, dubbed Patient Zero by American medical authorities, as the one gay man responsible for bringing HIV to North America.²⁰ Describing initial research on GRID, Shilts notes, "at the center of the cluster diagram was Gaetan Dugas (sic), marked on the chart as Patient Zero of the GRID epidemic. His role was truly remarkable."²¹ Central to medical discourse and mainstream media reporting around Dugas is that he was gay, a flight attendant and a foreigner. His sexuality was explicitly stated, but it was reinforced through references to his profession, which was used to frame him in the media, e.g. *Canadian flight attendant Gaëtan Dugas*.²² Dugas became an iconic figure of the "gay lifestyle," which Shilts constructed as including heavy use of alcohol and drugs such as cocaine, Quaaludes, and poppers, and "nonstop partying *at bars and baths*."²³ Gay bathhouses, which by the late 1970s had been constructed as mysterious sites of queer excess, temples of gayness and the site of gay proliferation, now took on the added significance, along with gay bodies, as the locus of disease and the spread of AIDS.²⁴

²⁰ In its review of Shilt's "blockbuster book," the *Toronto Star* called it "THE definitive book on AIDS." See: Marilyn Dunlop, "Blunders Built AIDS Epidemic," *Sunday Star*, November 8, 1987, A19.

²¹ Shilts, *And the Band Played On*, 147

²² For a new exploration of the myth of Patient Zero and the role of flight attendants in the social construction of AIDS, see: Phil Tiemeyer, *Plane Queer: Labor, Sexuality, and AIDS in the History of Male Flight Attendants* (Berkeley: University of California Press, 2013).

²³ Shilts, *And the Band Played On*, 22. My emphasis.

²⁴ See Dunlop, "Blunders." Following Shilts, Dunlop claims that, "public health departments allowed greedy bathhouse owners to keep their establishments open long

In early AIDS discourse, Dugas is continually represented as possessing a “voracious sexual appetite” and the mobility (airline passes) and agency (youth and beauty) to satisfy his desires. In Patricia Wald’s exploration of Dugas as the “Columbus of AIDS,”²⁵ she notes how Dugas’s candid disclosure of his propensity for sex—sexual encounters with 750 men between 1979 and 1981—and the diary of contacts he kept, led to his construction by medical authorities as the first and quintessential “AIDS carrier,” a term which is later recycled in early Canadian AIDS policy research. Dugas is portrayed as not only reckless but also as possessing criminal intent to harm others through his putatively willful transmission of the disease: “Somebody gave this thing to me,” Shilts quotes him as allegedly saying, “I’m not going to give up sex.”²⁶ In English Canada, Dugas’s Québécois identity further informed the construction of Patient Zero as the “French-Canadian” credited with bringing AIDS to North America. By allegedly continuing to have “multiple sex partners and unprotected sex” in bathhouses after he was diagnosed with Kaposi’s Sarcoma,²⁷ he became Canada’s first AIDS monster, albeit made in the USA.

The creation of Canada’s first queer AIDS monster by US authorities and media, while ironic, is not exceptional. In fact, it can be read as an instantiation of a series of American discursive formations that blame various national emergencies on foreign

after it was clear they were a prime source of lethal infection.” Thus the bathhouse space becomes a material locus of both queer contagion and death. Whereas most bathhouses closed in major US urban centres, they did not close in Canada. AIDS organizations took advantage of them to promote safe sex messages. Thus Canadian bathhouses become sites for the quarantining HIV.

²⁵ Wald, *Contagion*, 213-263.

²⁶ Shilts, *And the Band Played On*, 138.

²⁷ Joan Breckenridge, “The Awful Epidemic that was Allowed to Happen,” *Globe and Mail*, Dec 5, 1987, C22.

threats. Canada, as the closest and largest neighbour, is a likely target. Early discourse around the terrorist attacks of September 11, 2001 constructed Canada as the source of the terrorist hijackers. At the same time, the imposition of the Canadian AIDS monster Patient Zero on Canada seems to have been received with some ambivalence. During the Royal Commission of Inquiry on the Blood System in Canada (also known as the Krever Inquiry), officials conceded that they had heard of a Canadian with the initials G. D. whom American authorities had placed at the centre of the epidemic. For reasons that are not clear, Canadian authorities appear to have done little to follow up on the narrative being constructed in the US around Dugas. This may be due in part to a lack of information being exchanged by the two governments or by a reluctance to buy into the Patient Zero theory. Regardless, the Canadian government's lack of attention to Dugas was clearly noted at the Krever Inquiry, where officials were later sanctioned for not following up with contact tracing and the quarantining of queers from giving blood, actions which some critics hypothesized could have stopped the spread of HIV into Canada's blood system.²⁸

The unexplained illness and death of hundreds and then thousands of gay men at the beginning of the 1980s brought about epistemological chaos for medical and government authorities, as well as for urban gay communities and other communities, groups and individuals affected. Not only was it not understood what was causing the variety of illnesses that people were presenting, authorities did not know how the contagion was transmitted and who or what posed the greatest risks. This led to a

²⁸ For a detailed account of the Inquiry, see: Michael Orsini, "Blood, Blame, and Belonging: HIV, Hepatitis C, and Emergence of Tainted-blood Activism in Canada, 1985-2000," (Doctoral dissertation, Carleton University, 2002).

questioning of how we know what we know about contagion and society. As gay men appeared the most at risk, the “knowledge” authorities had gained through their surveillance and mapping of queerness in the 1970s was used in an attempt to prove that queers were responsible for making themselves sick through their “unhealthy” lifestyles. As Patton points out, authorities would have to learn that queers do not comprise a “homogenous population.”²⁹

According to major dailies, AIDS was terrorizing the gay community and mainstream citizens alike. For the scientific and medical communities, order needed to be restored. I read the construction of Patient Zero as an attempt to create an epistemological order through the establishment of a supposedly logical narrative with a *straight* timeline. This narrative locates the origins of AIDS *in one queer body* and offers keys to containing its spread beyond the gay community. Thus, making sense of the chaos around AIDS and blaming scapegoats involve more exercises of mapping and taxonomy and lead to new ways to isolate queers, first by reinforcing their outlaw qualities and then by installing new technologies for the quarantine of queer bodies. As queer bodies are set up as the materialization of disease, they become a *ground zero* in the fight against AIDS. They are to be isolated, surveilled, regulated and kept in a liminal zone of belonging/non-belonging.

Canadian federal and provincial policy making papers reveal much less certainty and much more confusion about HIV/AIDS and queers, as well as many more gaps and silences in dominant Canadian narratives than I had anticipated finding. Policy analysts, committees, and the state as a whole grappled with the crisis to provide care and support

²⁹ Patton, *Sex and Germs*, 26.

for persons with HIV and AIDS without appearing to condone or encourage the proliferation of queers and queerness.

Queers as Always Already Infected

My categorization of this period as the incitement of AIDS into discourse is strategic. I argue that the advent of HIV and AIDS marked a watershed of significant transformations in the technologies of queer quarantine that had been deployed in dominant culture from early gay and lesbian rights organizing from the 1960s until the early 1980s. Before AIDS, technologies of queer quarantine turned primarily around mapping and isolating queer spaces, processes and practices that were chiefly epistemological and driven by fears around the increasing visibility of queers and queers spaces. Discursive tactics were highly moralistic and brought to bear on queer and public spaces that were at risk of contagion or were already “infected” by queer spaces. With the arrival of HIV and AIDS, the regulation of sex and the quarantine of queerness became more complicated as new technologies of quarantine were developed and distributed throughout the state apparatus. As it became increasingly unavoidable for governments to react publicly to AIDS, the state targeted the queer body itself as a threat to the Canadian nation much more intensively and almost exclusively for the first period of the AIDS crisis.

From its very first iterations, GRID, and then AIDS, was inscribed onto gay bodies as a gay disease. Thus, I argue that AIDS and queerness quickly became and remain today inseparable as categories of analysis in the west. The social construction of this “gay disease,” seemingly caused by gay men, transmitted by gay men, and affecting

primarily gay men is well documented by scholars of AIDS historiography.³⁰ Since its arrival, AIDS has been continually represented as a gay disease throughout dominant culture, although this notion makes fewer headlines today than it did 25 years ago. Therefore, while Paris Hilton scandalized a segment of the population in 2012 when she was recorded expounding to a friend that “most homosexual men probably have AIDS,”³¹ in one way Hilton actually got it right: North American gay men continue to be subjectified through a lens of guilt while their bodies are read as *always already HIV-positive* and in need of regulation to manage their monstrous threat to the nation.³² Clearly, I do not intend that AIDS only affects gay men; rather, AIDS discourse in Canada reveals that HIV and AIDS signify queerness and queerness signifies AIDS: one is imagined in relation to the other, and while unstable, these relations inform each other.

From the mid-1980s gay men were targets of “safe sex” messages that positioned all gay men, not only the AIDS monsters, as possible “carriers” of HIV.³³ This expansion of threat to include all queer bodies as a risk to the nation, not just the most spectacularized queer AIDS monsters, is a significant effect of bio-medical discourses around HIV and queers that fed the state’s policy-making apparatus. In my day-to-day experience living through the early part of the AIDS epidemic as a self-identified gay youth, and subsequent to my readings then and now of many hundreds of source documents related to HIV/AIDS policy and cultural representations of the epidemic in dominant discourse in North America, I observe an ever-present sense in dominant

³⁰ See: Crimp, *AIDS*.

³¹ “Paris Hilton Apologizes for AIDS Comment,” *Toronto Sun*.

³² I return to and elaborate on this concept later this chapter and in Chapter 5.

³³ After being isolated, HIV was first called HTLV-III until it became officially known as HIV in 1986.

culture that queers are responsible and blameworthy for AIDS. In this narrative, the moral panic around queerness is reproduced as fear of the contagious queer in whose body a virulent threat to the nation is materialized. Thus, queers are blamed for the epidemic that eventually threatens to destroy them, creating a situation in which they are continually represented as responsible for AIDS and therefore deserving of what they get.

As part of safe sex education messaging, community organizations, such as AIDS Committee of Toronto, devised AIDS-prevention campaigns aimed at encouraging gay youth and gay men to treat everyone in the gay community as though they were already HIV-positive—including themselves. These messages were re-inscribed into government and institutional research and planning documents, such that this language contributed to the expansion of discourses in which queers are positioned fundamentally as infectious and contagious. Consequently, the attributes “infected” and “infectious” are configured throughout state discourse as an identificatory link to gayness, meaning that with the advent of AIDS, queer bodies became re-imagined as *always already infected*. For “HIV carriers,” like the carriers of other diseases such as the plague, mobility was conceived as a key factor in containing the epidemic, hence the development and implementation of practices of quarantine.³⁴ For queers, however, the presumed mobility attached to the “gay lifestyle” as instantiated so forcefully by Canada’s first AIDS monster, Patient Zero, only amplified further the repositioning of queers as vectors of moral contagion now materialized in bodies threatening whole nations. Whereas, according to Foucault, a century earlier sodomitic acts had been transformed through discourse into a new

³⁴ See: Hays, *The Burdens of Disease*.

homosexual species, these queer bodies were now discursively configured as a material threat to the entire human species.³⁵

Furthermore, through the discourse surrounding the development and practice of employing medico-diagnostic tools, i.e. testing for HIV antibodies, the HIV-negative/positive binary was constructed, which has since become a technology for the taxonomy of queers, as well as lenses of subjectification unto themselves. Queers are now, and possibly as long as HIV exists, categorized as HIV-negative or HIV-positive, or they intentionally do not know their status, which positions the latter in a third and liminal space of irresponsibility. Nonetheless, one's HIV status is now ineluctably always part of one's identity. Gay and bisexual men must make continual decisions regarding testing; whether they test or not, their subjectivity is still bound to HIV and AIDS. For some individuals with HIV, the virus over-determines the identity category that marks them as queer and “infected,” such that they now claim they *are* HIV.³⁶

AIDS Policy-Making: Constructing Queers

In the following sections I ask how Canadian state policies on HIV and AIDS reproduce and transform dominant discourse around queer bodies, and how AIDS informs tactics and technologies of queer quarantine. The production of HIV/AIDS research and policy papers can be divided into three discrete periods. The years from 1981 to 1989 represent the early period, characterized by chaos, fear, and crisis. It is during this period that GRID, AIDS, and finally HIV come into being. The period from 1990 to 2000 represents a slow stabilization and optimism. The contemporary period from 2001 to the present can

³⁵ Foucault, *The History of Sexuality*, 43.

³⁶ Private communication with Canadian AIDS Society personnel, 2012.

be referred to as “post-AIDS.” I use this term ironically since people continue to contract HIV every day. Many eventually develop and die from AIDS, HIV-related illnesses, and as a direct result of taking potent anti-HIV medications. What characterizes this period as different from the previous periods and suggests the appellation post-AIDS is the growing disinterest in HIV and AIDS in dominant culture, which is apparent not only in official state discourse (or lack thereof) around HIV and AIDS, but also in popular culture, including in gay and lesbian media and cultural texts. With the invention and wide dissemination of HAART in North America, and in Canada in particular because of the nation’s medicare system, a majority of people who know they are HIV-positive can access treatments that seemingly stop the replication of HIV in the body. Some medical authorities envisage the possibility that many people may live almost as long as they would were they not seropositive. This is good news for people who have tested positive for HIV antibodies. On the other hand, it does not mean that AIDS has gone away. Rates of HIV transmission in gay and bisexual men today rival those at the height of the crisis in the 1990s.³⁷

One of my initial research findings is the lack of federal government policy in Canada referencing homosexuals and taking gays and lesbians into consideration *as*

³⁷ In BC, new HIV diagnoses recently declined among people who inject drugs, but among gay and bisexual men they remained stable, such that in 2012, gay and bisexual accounted for sixty-three percent of all new HIV diagnoses. Perry Kendall, *HIV, Stigma and Society: Tackling a Complex Epidemic and Renewing HIV Prevention for Gay and Bisexual Men in British Columbia*, Annual Report, Province of British Columbia, 2014, accessed September 25, 2014, <http://www.health.gov.bc.ca/pho/>. Available federal sources list the new infection rate for MSM in Canada at just below fifty percent of the total in 2011. Canada, Public Health Agency of Canada, *Summary: Estimates of HIV Prevalence and Incidence in Canada, 2011*, Ottawa: Centre for Communicable Diseases and Infection Control, 2012, accessed September 25, 2014, <http://www.catie.ca/sites/default/files/Estimates-of-HIV-Prevalence-and-Incidence-in-Canada-2011.pdf>.

citizens prior to AIDS. I consider this significant for a couple of reasons. Firstly, in gay and lesbian historiography in Canada, there is little acknowledgement of the fact that while gays and lesbians had been working on equality issues since the early 1970s, it was during the AIDS crisis when the state began to take official notice of queer bodies as threats to mainstream Canadians that it was forced to consider some gay people as citizens with rights. Secondly, while the state became periodically obsessed with homosexuality beginning in the 1950s, assiduously developing ways to surveil, map, police and punish it, they did so without officially speaking about queers as viable human subjects. State discourse around queers that does make it into the public record during this period refers to homosexuals as weak, immoral and mentally ill individuals. This changes little until the need to respond to the AIDS threat leads to the incitement into discourse of queers,³⁸ through which the federal government first recognizes homosexuals as subjects deserving some rights. In terms of official government discourse alone, queers are overwhelmingly interpellated and subjectified via their relation to AIDS; a significant effect being that queers are over-determined by and conflation with AIDS, contagion and death.

Clearly, the advent of AIDS and HIV and the crisis it created in government, health care, and the general population, forced the federal and provincial governments to put sex into discourse in new ways, and more significantly to begin *speaking* of queers publicly. If we acknowledge the significance of discourse in the construction of

³⁸ As I noted in Chapter 3, the 1969 omnibus bill was *read* as going some measure to decriminalize homosexuality, however, the legislation does not mention homosexuals as subjects, nor does it reference homosexual acts. It is through its silence on queers that it is read as decriminalizing homosexuality. Moreover, the term “homosexual” is not used in federal legislation; criminalization was read into certain laws via the use of terms such as “gross indecency” and “buggery.”

subjectivities and lived realities, we can begin to understand how this explosion of speaking and writing about queerness, and the official recognition of gays and lesbians in laws and policies has had a significant effect on the developing subjectivities of queers in Canada from the early 1980s to the present.

The policy response to queers in the pre-AIDS era was usually either silence or criminalization—and quarantine in the case of foreign queers. In this early period of AIDS policy-making—fraught with many tensions around queerness—old and new tactics and technologies of queer quarantine are deployed. A primary tension has to do with the state's acknowledgement of queers, at this point specifically gay men, as an identity category or group of citizens. While the media, as well as community and non-governmental organizations, developed specific ways of speaking about queers, my readings of policy research documents suggest that the state (the federal government and its institutions) had great difficulty in acknowledging the presence of gay men in the population, even though the vast majority of Canadians who were dying of AIDS throughout the 1980s were gay men.³⁹ This is an undeniable reality, and yet the federal government was reluctant to make queers discursively visible. Once gay men and other queers were acknowledged, then they would have to be managed. In other words, the incitement of queers into discourse meant that the government would have to develop technologies to manage and contain the new threats and risks that would come with its acknowledgement of queers. Spending taxpayer dollars to prevent the transmission of

³⁹ I purposely refer to gay men here. Based on my readings I cannot say that the state was conflicted over acknowledging lesbians. There are so few references to lesbians and other queers in this particular discourse that it seems the state generally did not conceive of them. Lesbians and other queer women were the front-line workers dealing with people with AIDS and HIV, and thus, like all front-line workers, remained invisible.

HIV and care for people with HIV and AIDS would entail framing queers as actual citizens deserving of care and protection. It could also be read as implicit support for what dominant discourse was now calling the “gay lifestyle.”⁴⁰

House of Commons Hearings on AIDS: “Uncommonly Rude”

Although the federal government established a national action committee on AIDS to coordinate information on the epidemic with the government, it was not until four years after the advent of AIDS that it appeared to take the epidemic seriously, primarily when it discovered that the national blood supply was at risk, not just queers. In 1985, it mandated the House of Commons Standing Committee on National Health and Welfare to research AIDS in Canada and make recommendations for follow-up. After months of presentations and discussion, which were dominated by a reluctance to speak about homosexuality and ambivalence with regards to AIDS and its “victims,” the committee published its *Report on AIDS in Canada* in May 1986.

My analysis of state discourse around AIDS and queer bodies begins here, as it is with this public report that the state began to speak officially about AIDS and homosexuality. At the same time, it struggled to do so without actually speaking about homosexuals and without presenting homosexuality itself as acceptable. Therefore, rereading the report reveals many tensions, since the “homosexual” had been a subject for decades, bound up as it is with same-sex object desire.

⁴⁰ The idea of supporting queers without condoning their behaviour is a tension that is resolved through queer quarantine: the separation of the sin from the sinner is a way of quarantining queerness as unacceptable while the individual him/herself, the citizen can be accepted.

As the Committee hearings were focused on a new, frightening disease, the media took an interest. It found, however, that the Committee was “uncommonly rude” in its lack of interest in the witnesses called to present in March 1986.⁴¹ Columnist Ian MacGregor’s conclusion was that the federal government had little time or interest in AIDS and the people it affected. My readings of the committee proceedings reveal that members showed up sporadically and had little understanding of the issues. The Committee did make several important recommendations, however, which the government carried forward as it reacted to the developing crisis. At the same time, the *Citizen’s* charge that government was struggling with how to deal with people with AIDS is validated in my analysis of the new discourse around AIDS.

The introduction to the report contextualizes AIDS, offering definitions, epidemiological and surveillance data, and a rationale for the Committee’s work. It does not, however, discuss people, sex or sexuality. The authors make no clear connection between the “attack on the body’s immune system,” the “pandemic” and sexual transmission of the virus. Drawing primarily on emerging AIDS epidemiology, which focused on bodies and the movement of the virus, the government’s first official pronouncement on AIDS is highly interesting in that it marks the beginning of the localization of the queer threat in queer bodies, as well as the beginning of a shift in who becomes seen as an authority in queer matters.

With the shift from queer threats to public space in the 1970s and early 1980s to the queer threat of AIDS to the (national) body, there is also a congruent shift in authorities dispatched to regulate queers and queerness. Responses to the moral panic

⁴¹ Ian MacGregor, “MPs Uncommonly Rude in Failure to Hear About AIDS,” *Ottawa Citizen*, March 7, 1986, A3.

about queers are no longer to be mobilized on the ground in parks and in bars through police raids. With the advent of AIDS, the balance of authority over the queer threat is quickly transferred in dominant discourse from the tug-of-war between mental health professionals and the police to bio-medical authorities, who focused on declaring bodies themselves, rather than morals, minds or spaces as unhealthy/healthy and infected/uninfected.

Authority shifts as well from local figures, such as municipal councilors and zoning officers, to federal and provincial jurisdictions, which must for the first time find ways to put queerness into official discourse. Thus, the House of Commons report positions the federal government and its own Laboratory Centre for Disease Control (LCDC, Health and Welfare Canada) as the Canadian centre of AIDS expertise, further conveyed through the report's emphatic positioning of Canada's global superiority in dealing with "the complex issues of AIDS."⁴² It recommends new funding for a national AIDS centre at the LCDC, as well as a broadened mandate and more funding for the National Action Committee-AIDS.

The *Report on AIDS* also records the unstable epistemology of AIDS. There is no clear sense of what AIDS means for Canada as a nation, which suggests that the question had not yet been duly considered. Moreover, the authors make the fascinating suggestion that because "AIDS was not diagnosed in Canada until two years after being identified in the United States," Canada would have a "two-year period of grace which may assist in reducing its epidemic proportions in Canada if effective action is taken."⁴³ This implies

⁴² Canada, Parliament, House of Commons, Standing Committee on National Health and Welfare, *Report on AIDS in Canada*. 1st Session, 33rd Parliament, 1986, 11.

⁴³ Canada. *Report on AIDS*, 9.

once again that the queer threat, which was suddenly materializing as the AIDS threat, was invading Canada from south of the border, reaffirming the idea that threats to Canada come from outside the nation, in particular from the United States. In this pre-September 11, pre-SARS era of early globalization, it would appear that borders are still more than symbolic and can somehow hold back the queer invasion of AIDS contagion from the empire to the south. In spite of this “period of grace” the government took little effective action for another four years.⁴⁴

Thus begins an ambiguous and inconsistent but inexorable explosion of Canadian state writing about queers, often resulting in work that erases them. Despite the government’s putatively superior knowledge of AIDS epidemiology and surveillance at a time when more than 90% of people with AIDS were understood to belong to the “homosexual community,” the *Report on AIDS* effects a general silence on gay men and their relationship to AIDS. The authors do reference a “community” that is “affected by AIDS” but the community is not otherwise defined.⁴⁵ This silence around queers is reflective of Sedgwick’s conceptualization of the secret in the closet.⁴⁶ What cannot be written officially about AIDS is that it is a gay disease; however, it was tacitly understood that AIDS was primarily killing queers.

While the queerness of the community that AIDS primarily affects is discursively quarantined, homosexuality comes out briefly in the report’s discussion of HIV

⁴⁴ The notion of a lag in the course of AIDS between the two countries belies a misunderstanding of the relationship between national borders and epidemiology, and reaffirms Canadian preoccupations with the contagious American threat to sovereignty noted earlier.

⁴⁵ Canada. *Report on AIDS*, 12

⁴⁶ Eve Kosofsky Sedgwick, *The Epistemology of the Closet* (Berkeley: University of California Press, 1990), 67-90.

transmission *risks*. “High-risk groups” are repeatedly codified to designate “*specific sectors of the population*” and “*community-based organizations*.”⁴⁷ In clarifying that AIDS is transmissible “with the greatest potential for spread of the virus by way of sexual activities,” there is fleeting acknowledgment of queers as the authors note, “this information has most effectively reached the male homosexual community (the largest high-risk group) predominantly through their own organizations.”⁴⁸ The effect is significant. AIDS affects “a community,” while queers are the greatest risk to the presumably heterosexual population.

The report also notes that, “community organizations have been successful in raising funds for their own centres,”⁴⁹ which elides the reality: queers had to fundraise themselves since there was no state funding to meet community needs. The wording further underscores the quarantine of queerness from the emerging official story about AIDS organizing. High-risk groups comprise “homosexual and bisexual men,” but successful organizations are simply termed “community” organizations. The identification of queers as risks to the health of nation and the delinking of gays from community and collective work beneficial to the nation is not limited to this report. The linking of queers to failure through their contagion and delinking of gay community organizations from success via their efforts to combat the epidemic is repeated in many of the texts I examined. Thus, the tendency to position queers as threats to a putatively heterosexual nation while at the same time erasing them from the official narratives of action against AIDS and HIV is a significant trend in official HIV and AIDS discourse.

⁴⁷ Canada. *Report on AIDS*, 13, my emphasis.

⁴⁸ *Ibid.*

⁴⁹ *Ibid.*, 12.

The discursive formation of weak morals as a queer character trait that was circulated in secret state documents throughout the Cold War period materialized within the new discourse around AIDS into a weakness of the immune system of queer bodies. It is no longer only queer values but queer bodies that are a threat to the nation.

The *Report on AIDS* also opens up more ground for the development of new technologies of queer quarantine through emerging tactics of surveillance of AIDS epidemiology and by extension queer contagion. Positioned under the headings of reportability and confidentiality, the significance of what is really being spoken about in this document—surveillance—is muted. Yet, there are clear signals about the state’s intent to pursue surveillance of queer bodies. When the Committee began meeting, reporting was not mandatory for AIDS in all provinces. Committee members agreed that “to obtain a correct assessment of the number of people with AIDS and understand the direction the disease is taking in the population, this information is required,”⁵⁰ and called for mandatory reporting across Canada and a consideration of “the necessity of reporting AIDS Related Complex and a redefining of AIDS.”⁵¹ This redefinition of AIDS meant increasing the scope of surveillance and reporting to include bodies suspected of “carrying AIDS” or of being contagious: homosexuals. The Committee recommended that the government standardize provincial public health acts to accomplish this, thus positioning the federal state as the authority on the public surveillance and reporting of AIDS and queers nationally.

One of the most significant questions raised in the Committee’s musing is that “perhaps what is needed, is to know that if contact tracing is used, do the contacts who

⁵⁰ Ibid., 21.

⁵¹ Ibid.

have been *properly counselled as to the meaning of the test* and means of transmission of HTLV-III/LAV go for testing or not? Does the system work effectively at present?”⁵²

This intends that all contacts of HIV positive people should be traced; made to undergo a certain kind of “counselling” and be tested. Contact tracing is a form of surveillance involving coerced or enforced bio-medical testing for the presence of HIV infection in people who are suspected to be at risk of infection/contagion due to their contact with someone confirmed to be HIV-positive. This is not quarantine per se, but a technology of quarantine, a power of isolation aimed at establishing taut discursive and material boundaries between those individuals categorized as “infected” with HIV, therefore contagious, and those who are neither. The implications of contact-tracing here can be read in the American CDC’s cluster research which led to the creation of Patient Zero and the assignation of blame to queers. It suggests further surveillance and regulation of queers and the establishment of a regime to construct an ontology of HIV-positivity, a precursor to today’s increasing criminalization of HIV transmission. Therefore the report intends the intensification of a circle of surveillance to stem the epidemic and isolate the queer outlaws who pose the greatest threat to the heteronormative nation.

The Canadian Bar Association—Ontario Report

The Canadian Bar Association’s (CBA) *Report of the AIDS Committee* was the first official report published in Canada on the legal implications of AIDS. It occupies a foundational space in Canadian legal writing about HIV and AIDS and has been referenced in state policy papers produced subsequently. It is therefore important to my study as it represents an early instance during which queers and AIDS are put into legal

⁵² Ibid., 22.

discourse together. The aim of the CBA report was to provide an analysis of legal issues raised in Canada by AIDS. While it was still early in the crisis when the report was penned, it was clear that AIDS was much more than a problem for medical authorities alone:

From calls for the forcible confinement of all AIDS patients, to the claims that AIDS is retribution for sinful practices, the intensity of the reactions to the disease clearly has complicated what would otherwise remain a most difficult and challenging medical problem.⁵³

Foucauldian-inspired discourse analysis is underpinned by an understanding of discourse as comprising not only what can be said about a subject but, sometimes more importantly, what is not said. The significance of this text, and other official texts on AIDS published in this early period, lies not only in what it declares but in what it elides. What is at issue is not so much AIDS itself but who has AIDS. Moreover, calls for quarantine are not calls for quarantining “AIDS patients” but rather quarantining people who have AIDS or look and act like they might have AIDS: usually queers. Clearly the “sinful practices” referenced here are not the corrupt practices of the political elite. They are the sodomitic acts committed by queers.

By the time this report was published, the sex panic around AIDS and homosexuality had reached a climax in North America. The spectacularized death of Rock Hudson from AIDS, including the revelation that he was gay, further inscribed the contagion of AIDS onto the queer body, and it lent this body a monstrous face. The gaunt face of Hudson, his body aged and wasted by the complications of AIDS, is one of the most enduring images of the time. This image made mainstream Americans and

⁵³ Canadian Bar Association-Ontario, *Report of the AIDS Committee*, Toronto: April 25, 1986, 1.

Canadians pay attention to the epidemic.⁵⁴ Hudson's revelations and death, and the subsequent death of other high-profile queers further formalized the conflation of AIDS with queerness in the press and in dominant culture. The repeated circulation in the media of popularized images of emaciated gay men dying of "gay wasting disease" set off a new fear of looking like one might have AIDS, so much so that in the late 1980s it became trendy for gay men to go to the gym to bulk up and masculinize their appearance. This trend has continued to the present day.⁵⁵

Thus, while the report succeeds at flagging for policy-makers new legal issues evolving around HIV and AIDS, it also puts into official discourse an official version of whom Canadian legal authorities imagined people with AIDS to be and how the threats they constituted should be managed. The report does not say that AIDS is a gay disease—it does not even employ the term "gay" once. It constructs people with AIDS as "homosexuals," who are imagined as promiscuous and subject to uncontrollable sexual urges of the kind embodied by Patient Zero.⁵⁶ It is assumed therefore that homosexuals will wantonly infect others unless they are restrained.

The ways queers were first inscribed in official legal discourse alongside AIDS also had implications on their subjectification. In its initial consideration of persons who

⁵⁴ For explorations of the ways in which the spectacularization of Rock Hudson's death from AIDS impacted the discourse around AIDS and queers, see: Paula Treichler, *How to Have Theory in an Epidemic: Cultural Chronicles of AIDS*, (Durham: Duke University Press, 1999).

⁵⁵ For a discussion on how images of AIDS have affected behaviours and performances of masculinity in the gay community, see: Perry N. Halkitis, "Masculinity in the Age of AIDS: HIV-Seropositive Gay Men and the 'Buff Agenda,'" in *Gay Masculinities*, ed. Peter Nardi (Thousand Oaks, CA: SAGE Publications, 2000), 130-152.

⁵⁶ The report does not need to say that AIDS is a gay disease. This had already been clearly established through the evolution of GRID, and "gay gut," followed by the media's linking of AIDS and homosexuality.

test positive for HTLV-III, the CBA report declares it imperative to ensure “where necessary, that such individuals *do not act unreasonably* and, therefore *expose others* to the risk of infection.”⁵⁷ There is a sustained consideration throughout the document that groups at “high-risk” for AIDS are not acceptable citizens—homosexuals, drug users, prostitutes, and prison inmates, are grouped together as high-risk and criminalized. This is reinforced by recommendations on how to reach “homosexuals,” via the “utilization of existing *interest groups* to reach their *constituents*.”⁵⁸ This section further reads as though suggesting that members of “high-risk groups” get together at local YMCAs or legion halls on weekends. Here the CBA eschews the notion of a “gay community” or gay identity based on a culture formed around same-sex orientation. Instead, queers are individuals with similar deviant agendas. It also recommends the “utilization of community services and law enforcement officers who tend to have contact with these groups in the course of their employment,”⁵⁹ which assumes the criminality of gay men. While research indicates that a minority (about 10%) of sex workers do business via the streets and are in frequent contact with the police, this is not a reality for most sex workers, people using IV drugs or gay men. Thus, the report clearly recirculates dominant stereotypes in this new legal discourse around AIDS, suggesting that since these groups already behave as outlaws in their deviant sex, drug and criminal activities, it is likely that they would infect other “innocent” victims.

Indeed, via its continual re-inscription of dominant and exaggerated stereotypes about so-called high-risk groups, the report fixes queer bodies as hypersexual and hyper-

⁵⁷ CBA, *Report of the AIDS Committee*, 23. My emphasis.

⁵⁸ *Ibid.*, 78.

⁵⁹ *Ibid.*

infectious. But beyond the repetitive claims that queers are sexually promiscuous and irresponsible, it declares sensationally: “as many as 35 percent of homosexual and bisexual men are capable of transmitting the HTLV-III virus.”⁶⁰ No one knows how many homosexual and bisexual men there are and it is scientifically impossible to know who may transmit HIV and under what circumstances. Nonetheless, Dr. Norbert Gilmore presented this exact claim to the House of Commons Standing Committee on Health and Welfare in December 1985. Its inclusion in the report a year later illustrates how statements pronounced by authorities are redeployed as discursive tactics, repackaged and re-circulated within the transforming assemblages of queer quarantine, in this instance, to support the crafting of state policy. While the CBA considered the application of traditional quarantine measures, it recommended against physically quarantining people with AIDS. Qualifying it as a “fundamentally draconian measure,” the authors position this estimate of the extent of HIV infection among homosexuals as if to buttress their finding that conventional quarantine would be “impractical.” Yet, no estimate on the rate of infection in the rest of the population is proffered. Moreover, the majority of the report’s recommendations concern surveilling and regulating people with AIDS and gay and bisexual men, in effect, tactics and technologies for quarantining them from the “general public.” Despite its dismissal of conventional quarantine, the report does at the same time deploy discursive tactics against queerness and suggest the further application of technologies of queer quarantine.

Finally, in speaking directly to the issue of quarantine, the authors suggest that in our society we must be able to rely upon the “rationality” of people not to spread HIV

⁶⁰ Ibid., 76.

and to protect themselves from becoming infected. This argument draws on the notion of the responsibilities of citizenship. But it effects a profound discursive cleavage between queers and “normal” people: since rational people do not spread HIV or let themselves become infected, and since queers are overwhelmingly seen as both the viral agents and the targets of AIDS, they are necessarily constructed as irrational and irresponsible. The continued references to spreading AIDS recall the dangerous and irrational AIDS monster, Patient Zero, blamed for starting the epidemic. The implication here is that if thirty-five percent of queers “are capable of transmitting the HTLV-III virus,”⁶¹ then queers are irrational and cannot be trusted with the responsibilities citizenship entails.

In relation to citizenship rights and responsibilities, the report also considers issues around so-called individual freedoms and the health of the overall community. It raises questions about mandatory testing and contact tracing, and how to determine the right balance of control to exert on individuals and groups in order to isolate AIDS from the general population. In considering protections provided in the *Canadian Charter of Rights and Freedoms*, the *Canadian Human Rights Act*, and the *Privacy Act*, the CBA recommended that “mandatory testing of high risk individuals would be as futile as quarantine.”⁶² The authors also examined reporting, specifically whether people who test positive for HIV antibodies should be identified to health authorities. They recommended setting up anonymous testing facilities as research indicated that reporting discouraged testing: “there are a certain number of individuals in the at risk community who are so distrustful of government (and of the healthcare profession) ... [they] would not come forward to be tested... it appears as if there are a significant number of such

⁶¹ Ibid., 76.

⁶² Ibid., 40.

individuals.”⁶³ The committee’s surprise here reveals its misapprehension of the role of the state, the medical profession and the media in creating dominant cultural understandings of homosexuality as criminal and sick. Not only have state and medical authorities in Canada a long history of treating queers as criminal, which the committee almost acknowledges, but the CBA report itself continues to categorize queers as risks, and as irrational and criminal.

Testing and contact tracing are surveillance tools and powers of isolation. Applied to the individual, together with restrictions on sexual behaviour, they are technologies of queer quarantine that compromise the privacy of individuals with HIV who would have their confidential information made public. In many cases this could mean disclosure to their professional or social networks, creating further isolation. In discussing the (im)practicality of contact tracing in “high-risk groups,” the authors set up oppositional relations of responsibility in regards to AIDS for queers and non-queers. Individuals in high-risk groups (namely queers) “*should act as if they were infected*” (rather than as though everyone else were infected), which puts the burden and blame for AIDS on queers (even when they do not have HIV). The authors surmise that it would be “impractical to trace contacts within certain high risk groups, at least where the patient has been very promiscuous.”⁶⁴ Although they speak of “certain” groups, this ellipsis signifies queers, positioning them as promiscuous and highly dangerous. On the other hand, if the sexual contacts of gay and bisexual men fall within low-risk groups, such as women (or “straight” men), then the CBA considers the latter unaware of *the risks to which they have been exposed* (as opposed to which they have exposed themselves):

⁶³ Ibid., 41.

⁶⁴ Ibid., 51.

“they would be unsuspecting sexual partners, who were acting under the belief that their relationship was monogamous.”⁶⁵ This discourse represents the individuals in low-risk groups, namely heterosexuals, and in particular female partners of infected promiscuous men as victims because they are led to believe that their relationship is private and intimate, in other words, aligned with the heteronormative monogamous norm. Relying on this faulty logic, the authors declare that while contact tracing is “impractical” or even “impossible” for high-risk groups, “contact tracing is a necessary and justifiable initiative in the effort to protect public health.”⁶⁶ Simply put, the report suggests that it is not worthwhile to protect queers *from themselves* but we should impose measures on them to protect heterosexuals from them. This is a discursive tactic of quarantine that isolates putatively contagious queers from a heterosexual public that needs protecting.

Overall, the CBA report qualifies queers as dangerous citizens who need to be coerced into acting responsibly. While the report notes that “there is reason to be encouraged by the efforts of the homosexual community to educate themselves about reducing the risks of infection,” it also notes that “individuals who know themselves to be at high risk have the ethical duty to behave as if infected at all times,” and that as much information as possible about high risk populations needs to be obtained in order to benefit individuals and the community at large.⁶⁷ Thus, while the report prescribes “ethical” behaviour for gay men through its suggestion that they are already infected with HIV, it prescribes no behaviour in terms of ethics, self-monitoring or self-discipline for heterosexuals. Responsibility and rationality are assumed to be natural states of being for

⁶⁵ Ibid., 51-52.

⁶⁶ Ibid., 52.

⁶⁷ Ibid., 41.

heterosexuals, whereas queers are irrational, driven by uncontrollable sexual urges. This construction works as another discursive tactic not only to differentiate queers from straights, but also to diagnose them as *monstrous irrationals*. This rationale allows for placing them under increased surveillance to be studied and further controlled. Since queers fail to follow the prescribed obligations of self-discipline and self-isolation that proper citizens undertake, technologies of queer quarantine are deployed against them to protect the public.

The discursive construction of all queers as always already infected with HIV at this stage in the incitement into official discourse of AIDS and queers has serious implications for queer subjectivities that exceed issues of safe sex, antibody testing, and contact tracing. It re-inscribes the queer body in dominant discourse as the materialization of disease and contagion, as embodying the material effects of immoral sexual acts. HIV antibody testing and sexual contact tracing provide new ways for these bodies to be read, categorized and mapped. It also requires queers to undergo both an epistemological and an ontological shift, that is, one's threat to the heterosexual nation becomes re-imagined by one's potentiality as AIDS monster.

To distance itself from any notion of collusion with queers, the report offers a disclaimer: "We do not believe that providing education as information to these groups encourages or legitimizes their practices or activities, but rather, it encourages safer behaviour which can only benefit the health of all Canadians."⁶⁸ Consequently, the CBA recommends that the state implement AIDS education programs or, if worried about being seen to condone "controversial activities," it should fund them at arms length. In its

⁶⁸ Ibid., 78.

final word on education, the report notes that the public should be educated about high-risk behaviours and their modification and that facts should not be censored in the face of conservative values. This is a fascinating statement for a report that eschews terminology such as “gay” and does not define “high-risk behaviours.” The report illustrates well how anti-homosexual discursive formations, and legal and medical imperatives to quarantine, are re-assembled as tactics of queer quarantine and re-circulated in official discourse where they become embedded in state policy on managing AIDS and queers.

Legal Policy Issues for the State Around AIDS and Queers

Two more years passed during which the state, the federal government and its provincial counterparts, produced no significant policy statements around AIDS. While governments at various levels were by now funding different public programs and NGOs to engage in educational activities, research, treatment and community support, there was no coordinated government effort and no state-led national voice on AIDS. With a sharp increase in AIDS diagnoses and deaths in the late 1980s and the highly mediated case of Canada’s first homegrown AIDS monster, the social, political and legal aspects of AIDS and queers became more complex. William Barrett’s legal report on AIDS is the first official legal work published on AIDS by the government of Canada.⁶⁹

Bartlett’s contribution to the official discourse around AIDS in Canada sees a further projection of the fear surrounding queer contagion onto the queer body: this is first signified by the report’s sustained designation of people with HIV and AIDS as “HIV carriers.” As I noted in Chapter Two, for several decades epidemics were thought

⁶⁹ William C. Bartlett, *AIDS Legal Issues of Federal Concern*, Canada, Library of Parliament, Research Branch, Law and Government Division. Ottawa: May 30, 1988.

vanquished. Now, with the US CDC's creation of AIDS Patient Zero, the term "AIDS carrier" and other terms like "disease spreader" were being deployed. Only now, this language had the effect of emphasizing the queer body as a vessel of mass contagion while dehumanizing the individual. *AIDS Legal Issues* puts these terms into legal policy-making, qualifying the queer threat as a "hidden group of HIV carriers" who "engendered most of the fear."⁷⁰ Indeed, in framing his analysis, Bartlett likens the threat of AIDS to an iceberg. While he is clearly mixing metaphors, the intended images are virulent indicators of how the queer body becomes viewed as a vector of disease threatening an unsuspecting heterosexual nation. Carriers, like ships, also cross borders easily to infect other nations and are thus bound up with conventional notions of quarantine. As a consequence, the figure of the queer as AIDS carrier, originating with medical and legal discourse and popularized in the media, becomes embedded in official policy-making discourse. As a significant cultural metaphor and discursive formation in the quarantine of queers it is not surprising and reappears in provincial AIDS policy, as well.

As Bartlett was writing this report for Canadian parliamentarians, over 90% of AIDS cases were thought to have resulted from sexual activity. However, through its insistence on anal intercourse and conflation of risk activity with risk group, the report conflates anal sex with homosexuals, thereby designating queers as "individuals who pose a risk," and need to exercise "self control," and behaviour modification.⁷¹ Again, these are discursive tactics of quarantine that position homosexuals as not only promiscuous but as possessing character defects rendering them sexually out-of-control. For Bartlett, the question is whether AIDS can be controlled:

⁷⁰ Ibid., 2.

⁷¹ Ibid., 4.

Through public education and private counselling of infected persons (to) *voluntarily* control their own behaviour, or whether the state should try to control the spread of the virus *through the use of powers* such as mandatory testing and the criminal law.⁷²

While health (particularly as administered through hospitals) is provincial jurisdiction, the federal government could legislate in regards to AIDS if it “attained a ‘national dimension’ or one that had reached the level of a national emergency.”⁷³ This means that a crisis affecting queers across the entire nation is not considered to have reached a national dimension: it can only be a national emergency if it is affecting the heterosexual population.

It might surprise researchers interested in Canadian AIDS policy to read that Bartlett’s report was favourable to traditional quarantine measures: “preventive detention based on a threat to the public health, therefore, may be sustained only as a power of isolation (commonly known as ‘quarantine’).”⁷⁴ As many groups and individuals in Canada were calling for the quarantine of people with HIV and AIDS, including those in high-risk groups (gay men) Bartlett suggested the provinces would be faced with decisions on using powers of isolation. While traditional quarantine practices could not be effective, appropriate or even justifiable methods of containing HIV, he claims that quarantine would be an alternative method of isolating people with HIV/AIDS, as it would “allow detention to be based on the potential for *future* harm.”⁷⁵

Quarantine, a primary form of isolation that the state can legally apply for an indefinite period, is generally weighed in terms of putative benefits to society, or to *the*

⁷² Ibid., my emphasis.

⁷³ Ibid., 5.

⁷⁴ Ibid., 11.

⁷⁵ Ibid.

future of the nation. While occasionally invoked in traditional forms, as it was for SARS, it is more often enacted via other legal applications and technologies of governmentality that accomplish the desired goal of quarantining individual (queer) bodies.⁷⁶ Therefore, although political and medical authorities did not apply a widespread quarantine measure to control AIDS—despite some public support and appeals by some community leaders—this report deploys discursive tactics of queer quarantine with particularly harmful implications. Since homosexual and bisexual men are constructed in medical, legal and political discourse as all embodying risk as “AIDS carriers,” this positions them all as posing the potential for future harm. Thus, the threat of quarantine introduced here cast queers as risks to the future of the nation “based on [their] potential for future harm,” and functions therefore as a disciplinary measure under queer quarantine—*Control yourselves or be controlled!* Ultimately, this rationalization of quarantine suggests that queers are in effect quarantinable. In this regard, I also read this report as presenting early reflections on the criminalization of HIV transmission as a form of the power of isolation and new technologies of queer quarantine that continue to be developed and deployed against queers today.

The Homemade Queer AIDS Monster

One of the earliest sensational events that worked to cement the trope of the AIDS monster in Canada was the case of James Thornton. I consider Gaëtan Dugan/Patient Zero to be Canada’s first AIDS monster, but he was effectively made in the USA, and the media did not begin to use monster language so much until it spectacularized the police

⁷⁶ I argue that *Dangerous Offender Act*, for example, is used as a form of quarantine, most spectacularly today in the Steven Boone case, which I explore in Chapter Five.

investigation and court proceedings around Thornton's case. Significantly, Thornton was made into Canada's first "AIDS monster" by national and local media, an act that affected popular discourse around AIDS in Canada at the time and since.⁷⁷ Thornton was convicted in Ontario criminal court in 1988 of common nuisance for having donated blood to the Canadian Red Cross after he had tested positive for HIV antibodies on two occasions. This was the first case in Canada whereby criminal charges were brought against an individual for knowingly attempting to transmit HIV.

Bartlett was writing this report as the criminal case against Thornton was before the courts and uses it to explore how criminal law could be useful in punishing individuals and deterring future HIV transmission. The discursive framing of the AIDS monster, however, attests to the power of popular discourse, in particular the potency of media spectacles, to intersect with the development of national policy discourse. An in-depth analysis of the Thornton case is not within the scope of my study, but I briefly discuss the construction of the Canadian AIDS monster below to highlight the ways it reflects trends in configuring the queer body as the new primary site, temporarily displacing public space, where panic over queer contagion is played out during the early AIDS crisis.

Writing about "the limits of criminal law," Bartlett notes that new criminal cases dealing with AIDS-related issues "caused great concern among the Canadian public," which was amplified by demands that the government use criminal law to safeguard the population.⁷⁸ This was the first case in Canada involving the donation of blood by a

⁷⁷ See, for example: Pete Cooke, "AIDS Monster Gives Blood Just for Fun," *Weekly World News*, August 22, 1989, 9.

⁷⁸ Canada. *AIDS Legal Issues*, 9.

person who knew he was HIV-positive. Contrary to proper procedure, the Ottawa police released Thornton's photo to the media because they believed he was sexually active and that they had "a duty to warn people."⁷⁹ The trial became a media spectacle as the people called for criminal law to be used to stop the spread of the virus and punish AIDS monster Thornton.⁸⁰ Although he stated that he thought that bloodletting was a therapy to help reduce the chances of developing AIDS, he was found guilty of intentionally "endangering the lives, safety or health of the public" and was condemned to 15 months in prison, a sentence he appealed but which was subsequently upheld.⁸¹ Bartlett notes favourably that "others may be deterred from similar conduct" and that "criminal law can thus seek to mold behaviour through fear of punishment" but that it nonetheless cannot hold a person liable for future acts he has not committed.⁸² At this time, the "dangerous offender" designation could not be applied to "behaviour that spreads the AIDS virus."⁸³ For Bartlett, the Thornton case demonstrated the limits of the law; I read it as further evidence of the monsterization of queers. It also points up—as does the Boone case I analyze later—that monsterization is both a discursive tactic and a strategic effect. The Crown may claim in court that someone is an AIDS monster as part of its argument, using a discursive tactic to produce a guilty verdict. But over time, repeated claims of queer monstrosity have resulted in the discursive formation of the queer AIDS monster, a

⁷⁹ Joan Breckenridge, "Use of Blood Donor's Photo Assailed," *Globe and Mail*, March 18, 1988, A12.

⁸⁰ See: Joan Breckenridge, "AIDS-Carrier Charged Over Blood Donation," *Globe and Mail*, March 17, 1988, A10.

⁸¹ Canada. *AIDS Legal Issues*, 10.

⁸² Ibid.

⁸³ Ibid. This has since changed; see Chapter Five.

significant effect of juridical technologies of queer quarantine deployed against the queer body.

Thornton was considered negligent through what the law termed “wanton and reckless disregard” for the health and safety of other individuals. Criminal common nuisance does not mean that anyone is actually being hurt; rather, it is the endangerment or the intent to harm that counts during the commission of “an unlawful act.”⁸⁴ When Bartlett was writing, Thornton had not yet been convicted, so Bartlett may not have imagined that in future the non-disclosure of HIV-positive status would be criminalized under the law with courts finding individuals guilty of sexual assault and attempted murder. AIDS-specific offences were, however, being created at that time in some American states and in Australia. In some cases, this involved making “sexual activity involving infected persons (...) criminalized, regardless of whether the other party assumes the risk or not.”⁸⁵ Bartlett wondered how enforceable sexual prohibitions could actually be, especially between consenting adults. On this question he is prescient for he sees that owing to the high HIV transmission rate (ninety-seven percent) that was thought to be due to sexual activity in Canada at the time, in order to stop AIDS, one needed to focus on “identifying the *prohibited* behaviour” in order to be “successful in *molding* behaviour.”⁸⁶ This “prohibited” behaviour is queer sex, specifically anal sex between men. As AIDS education campaigns targeting gay men attest, the molding of behaviour was to include technologies of queer quarantine such as the use of barriers to the exchange of semen (e.g. condoms), monogamy, and abstinence.

⁸⁴ Ibid., 12.

⁸⁵ Ibid., 13

⁸⁶ Ibid.

Bartlett points out, as others will in the years that follow, that “fear of criminal prosecution could deter people from undergoing the necessary tests” to determine if they have been exposed to HIV and need to undertake specific health protection measures. It is important to note how authorities and scholars alike usually misread this consideration, if it is *read* at all. The “people” in question is not synonymous with the public. This is an elliptical reference pertaining specifically to queers, since queers are the “group” most considered at risk for HIV infection and transmission and needing to be tested. The state has a long history of harassing, oppressing and prosecuting queers for sexual outlaw behaviour, however, it is not only the fear of prosecution that keeps “people” from taking the tests. There is also fear of being outed as gay by a positive test or of being assumed to be gay because one has taken the test in the first place. In spite of claims that Canadian society is accepting of homosexuality, untold numbers of men continue to identify as heterosexual (or bisexual), maintaining so-called straight appearances, including marriage to women and raising children in seemingly traditional family units while engaging in secretive homosexual acts with other bisexual and gay men. For some men, the fear of what a gay identification would do to them is a significant if not over determining factor in the decision of many men to eschew testing. What are the ramifications in terms of the closet and therefore in terms of queer quarantine? What does not seem to be explored in the literature in terms of the closet and coming out is the connection between the closet and the monster. Building on Sedgwick’s concept of the beast in the closet,⁸⁷ I suggest that as demonstrated in my previous arguments, queerness is haunted by the perverse and the monstrous. In the global north where some queers may not necessarily fear for their

⁸⁷ Eve Kosofsky Sedgwick, *The Epistemology of the Closet*.

lives or live in visibly oppressed ways if their sexual orientation is known, many queers fear association with the monstrous, the perverse and pedophilia-connoting images that are bound up in dominant conceptions of queerness and avoid these monsterizing effects by not coming out.

An Offence to Do “Anything”

The perceived potential for queers to threaten others with HIV by intentionally trying to infect them led the government to explore whether the *Criminal Code* was adequate to deal with these questions or whether AIDS-specific legislation should be introduced. While the HOC did not plan to introduce legislation, MP Rob Nicholson tabled a private member’s bill to create an AIDS-specific offence. Given its first reading on May 2, 1988, the bill did not specify the type of conduct to be prohibited but declared that it would become “an offence to do ‘anything’ which exposed someone else *to the risk of transmission* of the HIV virus (sic).”⁸⁸ It did, however, specify that the act of exposing someone to risk would have to be done knowingly.

Bartlett notes, “the bill could perhaps be made clearer” although he was referring to the notion of intent, not the acts themselves that would fall under “anything.”⁸⁹ He does acknowledge that the bill “does not describe the specific behaviour which poses a danger,”⁹⁰ but at that time, ninety-seven percent of sexual transmissions of HIV were *allegedly* occurring through queer sex acts. As my conceptualization of queer quarantine reposes on the conflation of queers with disease, and the ultimate goal of quarantine is to eradicate disease and protect the uninfected public, the offence-to-do-anything bill,

⁸⁸ Canada. *AIDS Legal Issues*, 19, my emphasis.

⁸⁹ Ibid.

⁹⁰ Ibid.

through its targeting of queer sex acts with prohibition, provides a salient example of a technology of queer quarantine.

In considering the open-ended category of “anything” as signifying queer sex acts, it is also helpful to recall Sedgwick’s theorization of the epistemology of the closet: in this case “anything” is conceptualized as meaning queer or perverted sex acts since these acts are unspoken or secret; the unspoken secret about sex being that the secret always conceals homosexuality. Moreover, the epistemology of HIV transmission is predicated on the surveillance of homosexual acts and ontological evidence originally manufactured by the US CDC and promulgated by the media and popular discourse. The discursive deployment of “anything” thus interpellates homosexual acts at the same time that it secretizes them. In other words, the strategic effect of the bill’s discursive tactic is to quarantine homosexual acts in the closet through a move that simultaneously calls the acts into being and puts them *under erasure* in the Derridean sense. While the HOC did not end up passing the bill, debates and discussions around it contributed to the official discursive framing of queers as national threats.

When the first reading of Nicholson’s “Offence to do ‘Anything’ Bill” was held in the HOC in Ottawa, the first Canadian AIDS conference was gearing up in Toronto. This was a turning point in policy-making and AIDS action, but it still took *two more* years, a new government, and many more AIDS deaths before the state presented its national AIDS strategy.

Inscribing AIDS and Queers in Public Service Policy

The internal government policy on AIDS for federal public servants was released on May 24, 1989. Developed by the Treasury Board Secretariat (TBS), it also included

representatives from other federal departments, and the Federal Centre for AIDS. It is not customary for the government to establish policies for specific diseases. The AIDS epidemic and the fear that it generated, however, warranted a specific policy to address not only employee risk and discrimination but also most significantly to “help dispel misconceptions regarding the transmission of Acquired Immunodeficiency Syndrome (AIDS) in the workplace (sic).”⁹¹ It took the federal government a long time to release this policy, although it accomplishes little more than regrouping some twenty existing federal policies under one new policy objective with a set of AIDS-specific guidelines. Since early 1982, the LCDC had been monitoring the progress of the epidemic in Canada, as well as the increasing research directed into epidemiology and treatment for AIDS. Government and non-government organizations alike had also begun to develop research papers, guidelines and prevention programs since the mid-1980s.⁹² The policy’s origin was more politically oriented than based in material need given what its application entailed. Once the newly appointed Minister of Health and Welfare, Perrin Beatty, was in place, the government was in a hurry to show that it was developing the national AIDS strategy. The release of a policy to the federal workforce would demonstrate that it was making progress on the file. The release accompanying the policy, however, like the policy itself, is vague in identifying specifics about that progress.

My analysis reveals little change in how the state officially put AIDS and queers into its first policy on AIDS. Overall, for an *AIDS policy*, it reflects a high degree of

⁹¹ Canada, Treasury Board Secretariat, *Public Service Policy on AIDS, 1989*, accessed October 28, 2014, <http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=12094§ion=XML>.

⁹² Among these reports was a set of recommendations published by the Royal Society of Canada following a request for advice by Health and Welfare Canada in 1987. *AIDS: A Perspective for Canadians*, Ottawa: Royal Society of Canada, 1988.

silence around the term “AIDS” itself. Thus, it begins by referring to employees who might develop AIDS as “*unfortunate enough to contract this disease,*”⁹³ clearly a value-laden statement further reinforcing rather than reducing the us/them binary. Nonetheless, the TBS positioned its new policy as a model for other governments “in preventing discrimination and educating people about infection-control procedures.”⁹⁴ Pronouncing itself again as expert authority in issues relating to HIV and AIDS, the state claims its policy superior to that of other jurisdictions, eliding the reality that its responses are at best vague.

Most fascinating is that in spite of the “numerous health specialists” and other departmental representatives who reviewed it, no one caught the egregious error in the policy objective: “To help dispel misconceptions regarding the transmission of the Acquired Immunodeficiency Syndrome (AIDS) in the workplace.” When the policy was published it was well known that AIDS is not transmissible. This gaffe, made in an attempt to “dispel misconceptions” speaks to the haste in which the government published the policy in its desire to demonstrate that it was on top of the crisis. The introduction to the guidelines accompanying the policy directives also incorrectly refer to the “spread of AIDS,” whereas the research papers the government commissioned on AIDS are precise about epidemiology and the use of terminology.⁹⁵ This inattention underscores what scholars have argued forcefully in the past: dominant culture’s conception of AIDS is ineluctably cathected to the images of the tortured faces of gay men dying from AIDS spectacularized by western media in the 1980s. Science cannot

⁹³ TBS, *Public Service Policy*, 2.

⁹⁴ Ibid.

⁹⁵ This is clear from the research papers and reports that I examined during the course of my research.

separate the panic over the “spread of AIDS” from the panic about the proliferation of queers because they are deeply imbricated in one another.

The public service policy guidelines do refer to sexuality in their considerations of HIV transmission; however, they specify “sexual activity” and not body fluids other than blood. This is not surprising given that the policy is targeted to the federal workplace. In this context it is actually surprising that sex is mentioned at all. The policy is clear that discrimination based on AIDS diagnosis or HIV infection will not be tolerated, however, since amendments to the Human Rights Act were still three years in the future, the policy is silent on the conflation of AIDS, homosexuality and discrimination based on sexual orientation that foregoing research reports raise. Finally, there is no reference to homosexuality under any terms in the document. In my analysis, this silence raises a red flag, as I explain in my discussion of the *de-gaying* of the official history of AIDS in the next section, where I review *HIV and AIDS: Canada’s Blueprint*.

HIV and AIDS: Canada’s Blueprint

On June 28, 1990, Minister Perrin Beatty finally announced Canada’s national AIDS strategy, summarized in the policy document: *HIV and AIDS: Canada’s Blueprint*.⁹⁶ Coming ten years after gay men started becoming ill and dying from the mysterious “gay plague,” this national policy statement on AIDS was long overdue. While historically, the *Blueprint* represents a turning point in the Mulroney government’s long-standing reluctance to face AIDS and acknowledge queers, analytically, it serves to buttress my thesis that the incitement of AIDS into discourse compelled the state to begin officially

⁹⁶ Canada, Department of Health and Welfare, *HIV and AIDS: Canada’s Blueprint*, Ottawa: Supply and Services Canada, 1990.

recognizing and speaking about queers in ways that it had never conceived of doing before. Moreover, official discourse on AIDS also reveals the inception of new technologies for the identification, surveillance, and quarantine of queers. Finally, constitutive of the overall project of AIDS discourse in the global north, it further demonstrates the inseparability going forward of queer subjectivity from AIDS and HIV.

While there are six parts to the *Blueprint*, the text neatly divides into three themes: the history of HIV and AIDS in Canada, the current situation, and the plan going forward. The discursive trajectory of the *Blueprint* reads as a rhetorical device suggesting movement from old ideas centred on an imported and “cruel disease” to the current tipping point of negotiated collaboration, and then ultimately, to a future resolution. The middle section, focused on the period in which the paper was authored, reveals much tension around the state’s navigation of gay identities, since it was forced to deal with the reality of material bodies, queer, “infected” bodies, which it read as biopolitical threats. Given the apparitional way that queers are recorded in official discourse, and despite the extension of certain rights to gays and lesbians, the notion of a viable queer subject continued to be a site of tension for the state and dominant culture overall.

The Minister Speaks About AIDS

Despite a succession of research reports and policy-making papers following the *Report on AIDS in Canada*, in which state officials struggled with issues regarding AIDS and homosexuality, it took over four years for the government to release its draft plan for a national strategy on HIV and AIDS. Responding to increased public pressure to act, which reached a visible apogee with the Epp effigy burning, Health Minister Beatty’s introduction to the *Blueprint* aims to demarcate the previous decade of inaction from the

future, in which he presages a Canada “free from AIDS.” Future historians, according to Beatty, would see that “in the 1990s, HIV infections and AIDS started to become a thing of the past.”⁹⁷ Remarkably, in this first national strategy, AIDS is already effectively displaced *from here* through rhetoric that globalizes and historicizes it. In the same moment that he invokes it, Beatty casts AIDS out of the present, relegating it to the past. This redeployment of AIDS occurs repeatedly in subsequent policy statements, and becomes almost jingoistic in its employment in federal and provincial plans for a future *free from AIDS*. Given the sustained conflation of AIDS with queerness, such that one cannot be imagined without the other, Beatty’s message frames but one of an assemblage of tactics used in official state discourse and dominant culture to *de-gay* official AIDS discourse and quarantine queerness. In other words, it projects the desire for a national future *free from queers*.

In line with this de-gaying process, the *Blueprint* sets out a version of the history and current situation of HIV and AIDS, in which queers are curiously absent. This is a fascinating turn for a disease that began its ravages in the west as GRID. According to the *Blueprint*, HIV “first appeared in North America in the late 1970s,” “appearing” in the “nation,” where, the plan notes, two thousand Canadians had already died from AIDS.⁹⁸ “These people,” the document states, “are our family members, our friends;” at the same time, the state’s own epidemiological surveillance statistics tell us that “these people” were primarily queer.⁹⁹ The awkward wording testifies to the tension involved in selling the *Blueprint* as a platform for action while responding to queers as though they were

⁹⁷ Ibid., 1.

⁹⁸ Ibid., 8.

⁹⁹ The phrase “these people,” is very similar to “you people,” which is often read as a term of derogation.

rights-deserving citizens. When doing little publicly about AIDS, state discourse overtly conflates AIDS and homosexuality, but in rallying citizen support for funding for AIDS education, research, and treatment, the state quarantines queerness from official discourse.¹⁰⁰ Legal research papers leading up to the official policy clearly note that the state should avoid letting its AIDS funding initiatives be construed as support for homosexuality.¹⁰¹

The *Blueprint* also points to the compassion of Canadians, exemplified by how many “have responded to the challenges of HIV infection and AIDS with courage and commitment and creative enthusiasm.”¹⁰² Of course, a majority of these Canadians were also gay and lesbian Canadians, but this queerness is erased from the government’s history of AIDS. The compassionate values of these (invisible gay and lesbian) Canadians are set against the fear, ignorance, bigotry and discrimination of others, characteristics which the *Blueprint* deems unacceptable for a “civilized society,” thus invoking a civilized/uncivilized binary, and suggesting the superiority of Canadians over other less civilized nations (to the south).¹⁰³ Significantly, Beatty’s message appeals to the conservative and patriotic values upon which the success of his mission is conditional: “the spread of HIV in Canada and around the world can be stopped only if

¹⁰⁰ I suggest that this is a principal reason why the public heard throughout the 1990s that HIV was going to affect increasingly more heterosexual individuals.

¹⁰¹ Canada, *Report of the AIDS Committee*; Canada, *AIDS Legal Issues*.

¹⁰² Canada, *Canada’s Blueprint*, 1.

¹⁰³ *Ibid.* For recent scholarly explorations of the deployment of technologies in defining the Canadian identity apart from the United States, see: Jody Berland, *North of Empire: Essays on the Cultural Technologies of Space* (Durham, NC: Duke University Press, 2009). Through Puar’s conceptualization of homonationalism and its attendant functions in assigning moral supremacy and authority to the global north we can see how this early discourse builds into the homonationalist discourse common today.

we, as a national and global society, work together.”¹⁰⁴ This message reinforces the notion of a common national purpose, and reads as a call to defend the nation against the vectors of (queer) contagion from beyond Canadian borders. According to the Minister, “preventing the spread of HIV” is achievable through a “partnership of all Canadians,”¹⁰⁵ however, the Canadians most affected by AIDS, are completely silenced.

De-Gaying as a Technology of Quarantine

The quarantining of queerness through a *de-gaying* of AIDS realities on the ground is clearly established from the beginning of the *Blueprint*. Five years after actor Rock Hudson’s admission that he was dying of AIDS led the media to cast the last photos of an aged and gaunt Hudson as the public face of AIDS,¹⁰⁶ Minister Beatty’s strategy re-imagines the “face” of AIDS in Canada: “mostly young, productive members of society.”¹⁰⁷ This redesign is significant. While HIV and AIDS surveillance data may indeed identify the majority of the “victims” of AIDS as young, productive members of society, up until this point, both state and dominant discourse had constructed homosexuals as the primary “AIDS carriers.” The “gay lifestyle,” replete with secrecy, drug use, promiscuity and “high risk” anal sex, is not represented in the national imagination as productive, and not merely because queers do not “reproduce.” Queer bodies, indeed, queer AIDS monsters, threaten the potency of the heterosexual nation’s

¹⁰⁴ Canada, *Canada’s Blueprint*, 1.

¹⁰⁵ Canada, *Canada’s Blueprint*, 7.

¹⁰⁶ Ken Plummer writes, “Hudson’s body image became the icon of ‘dying from Aids’ (sic)—contrasted as it often was with his earlier wholesome and handsome ‘beefcake’ body.” Kenneth Plummer, *Telling Sexual Stories: Power, Change, and Social Worlds* (New York: Routledge, 1995), 130. See also: Paula Treichler, *How to Have Theory in an Epidemic*, 74-77.

¹⁰⁷ Canada, *Canada’s Blueprint*, 7.

future. By qualifying people with HIV and AIDS in Canada as mostly young, productive members of society, the *Blueprint* emphasizes the neoliberal imperative of economically productive citizens and the values of youth and able-bodiedness over the immoral, perverted and hedonistic qualities previously associated with queers. At the same time, this redesign does not work to alter how queers are conceived because the new faces of AIDS presented in the *Blueprint* are not gay.

While AIDS and HIV are primarily constructed in dominant culture as affecting mainly homosexuals, and while official discourse most often supports this construction, by this period, state research and policy documents reveal an ambiguous relationship with queers by simultaneously countering the stereotypically negative construction through an active de-gaying of AIDS in order to achieve specific target objectives, namely support for unpopular policy and increased funding for AIDS research. This tactic lends a *now you see them, now you don't* queer apparitionality to state discourse, which has the effect of erasing queers from official AIDS historiography, while at the same time building foundational support for the emergent project of homonationalism under neoliberal terms.

After constructing images of a nation composed of young, able, and productive bodies, the *Blueprint* describes the HIV epidemiology through metaphors that configure a national body under threat from vectors of (queer) contagion. And yet, while queerness and contagion are often conflated, rereading the *Blueprint* for discursive tactics of queer quarantine produces some further salient examples of the de-gaying of AIDS discourse at key moments in the document. For example, out of the 12 testimonials employed to personalize AIDS in the *Blueprint*, only two are given by individuals who belong to an identifiable minority group. These two individuals are both clearly heterosexual

intravenous drug users, while the remaining ten are presented as straight white men and women. Heterosexual intravenous drug users represented only between one and five percent of new HIV infections in 1989/1990,¹⁰⁸ and a much smaller percentage of AIDS diagnoses. It could be argued that the authors aimed to connect with audiences beyond the “gay community” in order to disseminate the message that anyone was susceptible to HIV infection, however, this does not adequately explain the obvious erasure of queers from the strategy when they represent ninety percent of those directly affected: by this point, AIDS had killed over two thousand people.

De-gaying is also a primary discursive tactic in the *Blueprint's* discussions of the history of AIDS. We read that, “clusters of healthy young gay men in Los Angeles, San Francisco and New York were developing rare forms of cancer and unusual lung infections... Early in 1982, AIDS became a new fact of Canadian life.”¹⁰⁹ While there is no further mention of gay men in this section, the logic of the narrative is that HIV and AIDS appeared first in gay men in the US and then was imported to Canada by gay men. The only mention of queerness in Canada is that “AIDS groups developed within the gay community to provide support and be advocates for persons affected by AIDS.”¹¹⁰ The document then gives a chronological history of AIDS-related developments in Canada, although the history of the contamination of the national blood system with HIV is also curiously absent from this version of the official Canadian AIDS narrative.

¹⁰⁸ Benedikt Fischer et al., “Injection Drug Use and Preventive Measures: A Comparison of Canadian and Western European Jurisdictions Over Time,” *Canadian Medical Association Journal* 162.12 (June 13, 2000): 1709-13.

¹⁰⁹ Canada, *Canada's Blueprint*, 12.

¹¹⁰ *Ibid.*

Under the heading “Working Together,” the *Blueprint* fills almost a dozen pages inscribing the contribution of Canadian organizations and associations to the fight against AIDS, and while it was understood then that the majority of individuals infected with HIV and killed by AIDS were gay men, a trend not altering significantly, the authors of the document mention the “gay community” only twice in these dozen pages. Moreover, the intended meaning of the term is neither qualified nor contextualized. By clearly outlining the role of gays and lesbians in working to resist AIDS, government discourse around HIV and AIDS might have helped to mitigate the ignorance and anti-homosexual thinking surrounding gay people and AIDS at the time. Instead, the primary focus is surveillance and control of queer bodies, and state run public awareness and education programs that forget them.

Finally, when it is noted that AIDS has been “*associated with the gay community*” and therefore “generated anxiety, misinformation and prejudice,” anti-homosexual attitudes and heterosexism are not mentioned. Rather, we read that HIV and AIDS “challenged strongly-held personal values” and “Canadians faced ethical and legal questions.”¹¹¹ This reluctance to call these personal values anti-homosexual underscores the ways that the *Blueprint* deploys, what I call, following Mackey, a certain “Canadian innocence” masking the nation’s anti-homosexual foundations.¹¹² While the *Blueprint* points out that “the emergence of AIDS gave Canadians a new impetus to tackle such difficult social realities as discrimination and human rights,”¹¹³ it is reluctant and thus unable to name the discrimination: the anti-homosexual reality remains closeted. The

¹¹¹ Ibid., 14, my emphasis.

¹¹² Mackey, *The House of Difference*

¹¹³ Ibid.

document rightly acknowledges that AIDS was a catalyst for the incitement into discourse in Canada of discrimination, human rights, and the theme of healthy sexuality, but at the same time it is wholly unable to articulate how these issues impact queers. In describing the biomedical, psychological, and social effects of HIV and AIDS, it invokes the social stigma of AIDS but does not link it to anti-homosexual values. Anti-gay sentiment was a serious problem in AIDS care then as now. As a consequence, one can only infer the *Blueprint* is referring to gay men and anti-homosexual sentiments because of the obvious absence of terms like “homophobia.” Thus the queerness of AIDS is effectively shunted back into the closet by the same political discourse that purports a compassionate response to AIDS. In the middle of the AIDS crisis, in “The Face of HIV Infection and AIDS in Canada,” the government of Canada does not mention, not even once, gay men or the gay community, who represent the overwhelming majority of Canadians killed by, affected by, and concerned by HIV and AIDS. Clearly queers are conflated with disease in dominant culture. I am not suggesting that this should be furthered by presenting the face of AIDS as only a queer issue; however, there is a difference between anti-sexual discourse conflating queers with disease and a reality on the ground that official discourse seems incapable of nuancing at this point. Official discourse blames gay men for AIDS and casts them as always already infected with HIV and a risk to the national future. And yet when presenting facts about who we have lost to AIDS and who has cared for the sick and worked to educate people and prevent new infections, official discourse is silent on gay and lesbian Canadians. This de-gayng is a discursive tactic of queer quarantine whose effects continue to manifest today in the unrelenting march of new HIV infections in gay men across the nation. The *Blueprint*

links queers to the history of disease, but there is little room for them in future free from AIDS.

“Working Together”: Surveillance and Quarantining Irresponsible Queers

A key issue raised in this policy document is the importance of working with, learning from, and providing support to “the people closest to those affected by HIV” and those “affected by HIV.”¹¹⁴ A large section of the document is entitled “Working Together.” While government data tell us that in 1990, 80% of people with HIV and AIDS were gay men, the *Blueprint* avoids mentioning this fact. I suggest that this erasure is not accidental; rather, it helps to permit a rhetorical sleight-of-hand whereby “working together” comes to stand for another technology of queer quarantine that positions queers as irresponsible. The *Blueprint*’s guiding principles include the need for inclusiveness, responsibility, but especially equal rights and the rights of society: “the right to live their lives without discrimination.”¹¹⁵ At the same time, the vague notion of society’s right to protect itself is reaffirmed in reference to “cases where the public health is jeopardized by irresponsible actions.”¹¹⁶ This is no doubt a harbinger for the ongoing struggle today around the criminalization of HIV transmission and points up a new site of tension where biomedical issues meet those of biopolitics and the social responsibility of the citizen.

Significantly, the *Blueprint* stresses that “prevention programs are needed to encourage people to act responsibly at all times” but that responsibility is not just about changing behaviour to stop the transmission of HIV. It is also about encouraging

¹¹⁴ Ibid., 35.

¹¹⁵ Ibid., 39.

¹¹⁶ Ibid.

behaviours that support people who are “HIV-infected.”¹¹⁷ In other words, the new discourse around AIDS policy evokes the requirement for Canadians to acknowledge their relationship to AIDS and to act responsibly for the overall health of the nation.

Thus the *Blueprint* recommends socio-behavioural research as being “essential for designing effective messages, choosing the media and the location of the delivery, and developing the support systems which will reinforce responsible behaviour.”¹¹⁸ The sustained emphasis on responsible behaviour, which Kinsman read as a tactic of responsabilizing gays and lesbians in his review of Ontario AIDS education and prevention programming in the 1990s, is notable not only in the *Blueprint*, but also throughout all official state AIDS discourse beginning with the *Report on AIDS in Canada* in 1986.¹¹⁹ Kinsman’s initial conceptualization of responsabilizing/irresponsibilizing strategies is useful in helping to theorize a particular tactic of quarantine and subjectification that participates over time and across various jurisdictions in the larger assemblage of technologies of queer quarantine, deployed under shifting circumstances to contain as well as cast out queerness in spaces and conditions where queers cannot be adequately sanitized or assimilated as proper homonationals. Since the *Blueprint* aimed to create a space at the table for *all citizens*, it speaks, albeit in a closeted fashion, to the citizenship of gay men who are responsible; if they are not, and pose a threat to society, as noted above, the state has the right to revoke their citizenship and concomitant freedoms. This is done through “strategies designed to encourage

¹¹⁷ Ibid., 40

¹¹⁸ Ibid., 45.

¹¹⁹ See: Gary Kinsman, “‘Responsibility’ as a Strategy of Governance: Regulating People Living with AIDS and Lesbians and Gay Men in Ontario,” *Economy and Society* 25.3 (August 1996): 393-409.

change in attitudes and behaviour” which would be two-pronged: to make good gays responsible in their sexual practices and to make the general public responsible for the curtailment of homophobic attitudes and behaviours.¹²⁰ I argue that these strategies are aimed at reinforcing the requirement of queers to relinquish their outlaw status in order to receive equal rights and freedoms as citizens.

In reflecting on my analysis of research and policy documents from the early period of government research and policy writing on AIDS and HIV in Canada, I have concluded that common to all these texts is a high level of reluctance and ambiguity in regards to naming queer identities themselves. In all of the government documentation I read for this part of my study, there are numerous indications that the state wrestled with both whether to and how to write about the new, mysterious, frightening and fatal disease that was primarily affecting and killing gay men. This was not only a time of epistemological crisis, in which commonly accepted understandings of disease, contagion, sex, medicine, social relationships, and other apparently fixed domains of knowledge were called into question. A significant issue for the state and its institutions was how to begin officially speaking about “homosexual and bisexual men.”

Besides the ambiguity and tension surrounding the taxonomization and ontologization of queers in terms of AIDS and HIV, I have also identified several other significant discursive trends in these documents, which I argue are foundational to the emergence of contemporary technologies of queer quarantine. These discourses comprise: queer surveillance, which includes epidemiology, testing and contact tracing; the construction of the “always already infected” queer; discourses around

¹²⁰ Canada, *Canada's Blueprint*, 45.

discrimination/homophobia; the responsabilization of queers; calls for quarantine and enhanced criminalization; and the construction of queer AIDS monsters.

Pre-AIDS queers were read as risks to the nation because of their perceived threats to traditional and conservative values and morals. This is exemplified by the national, spectacularized anti-homosexual reaction to the murder of Emanuel Jaques and by the Toronto bathhouse raids. I argue that in the time of AIDS, discursive practices related to HIV/AIDS education and prevention worked to produce the queer body as a viral agent.¹²¹ In other words, new discursive technologies of queer quarantine represent queer bodies and queer sex as biomedical risks to the national body. HIV is positioned as both a threat to queer bodies and as a queer threat to the integrity of the national body; this tactic has the result of re-constituting HIV and AIDS as a foreign threat to both the national body and to individual heterosexual bodies. This threat is always imagined as queer, coming from outside the nation's borders, via the United States, and beyond the limits of normal bodies and sexual behaviour, via homosexual anal sex.

Rereading state discourse during this formative period of AIDS discourse, also helps us to understand the ways in which current discourse around the criminalization of HIV transmission and more importantly the criminalization of queer bodies suspected of “infecting” innocent victims with HIV has been fixed over time. Official state discourse is inevitably and deeply imbricated in processes and practices of queer quarantine, which continue to position queers as molesters, murderers and monsters, as significant material threats to the future of the nation. In other words, we can trace through official state

¹²¹ For a discussion of metaphors of the body as contagious under epidemics, see: Suzanne E. Hatty and James Hatty, *The Disordered Body: Epidemic Disease and Cultural Transformation*, (Albany: State University of New York Press, 1999), 238-239.

discourse the discursive echoes of what Sedgwick so aptly called our culture's "desire that gay people *not be*."¹²²

¹²² Sedgwick, *Tendencies*, 164.

Chapter 5: Futures

Homosexuality is “contagious” not just as a method for passing queer germs, but as a model for responding to erotic desires. The social fear that homosexuality will “spread” is always displaced into concern for the “innocent”—children, immature or unwitting adults—never directly for the concerned citizen him/herself.¹

A major theme at the outset of the 2011 Ontario election campaign period was provincial education, and for much of the electorate, election issues soon became focused on children. The principal parties promised increased spending, with the Liberal incumbents promoting full-day kindergarten, a first for North America.² In 2009, the Liberals had introduced a new education policy on diversity, equity and inclusivity in schools that it began implementing in 2010.³ Although that policy was not a focus of the Liberal campaign, controversies over its implementation, specifically around recommendations for establishing GSAs and the Toronto District School Board’s (TDSB) guide to anti-homophobia and anti-heterosexism, quickly turned the policy into a 2011 campaign issue.⁴ Moreover, the Liberals had introduced a new province-wide sex-education

¹ Patton, *Sex and Germs*, 12.

² “Ontario Liberals Launch 2011 Platform,” Canada News Wire, September 5, 2011, accessed November 13, 2014, <http://www.newswire.ca/en/story/835463/ontario-liberals-launch-2011-platform>.

³ Ontario, Ministry of Education, *Realizing the Promise of Diversity: Ontario’s Equity and Inclusive Education Strategy*, Toronto: 2009, accessed November 8, 2014, <http://www.edu.gov.on.ca/eng/policyfunding/equity.pdf>.

⁴ TDSB, *Challenging Homophobia and Heterosexism: A K-12 Curriculum Resource Guide*, Toronto: TDSB Equitable and Inclusive Schools, accessed November 13, 2014, http://gsanetwork.ca/sites/default/files/resources/Challenging_Homophobia_and_Heterosexism:_A_K-12_Curriculum_Resource_Guide/Challenging%20Homophobia%20and%20Heterosexism-A%20Resource%20Guide_0.pdf.

curriculum in 2010 but withdrew it after critics complained that grade three children are too young to learn about sexual orientation.⁵

The 2009 education policy came under further scrutiny when the Conservatives, led by Tim Hudak, distributed a flyer in the Greater Toronto Area that quickly caught the eye of the *national* press. The flyer featured the image of a pre-teen child writing on a classroom chalkboard with his back turned to the viewers. The image was surrounded by quotes purportedly taken from school curriculum, with “Cross-dressing for six year-olds [*sic*],” written at the top so that it appeared to be the title of the flyer. Sporting a short haircut and a short-sleeved plaid shirt, the child was to be read as male, a schoolboy who should be safely and securely engaged in the learning process. Beside the boy, surrounded by quotes in red and white, the ad copy read: “The 219-page guide, titled “Challenging Homophobia and Heterosexism,” recommends schools not to inform parents.” “Not to inform parents,” the only black text on the page, suggested that this vulnerable boy had a secret he was not supposed to tell his parents.

The flyer caused much controversy around both the education policy and the Conservative campaign, which was called “anti-gay” and “homophobic.”⁶ It also caused confusion around the Liberal diversity policy. The ad suggested that “cross-dressing for six year-olds [*sic*],” “gender-bending” fairy tales, and gay pride parades, were mandated by the 2009 education policy, however, it was the TDSB’s guide to anti-homophobia that

⁵ Maria Babbage, “Tories Doggedly Sticking to Wedge Politics in Dying Days of Ontario Election,” *St. Albert Gazette*, October 4, 2011, accessed November 13, 2014, <http://www.stalbertgazette.com/article/GB/20111004/CP02/310049836/-1/SAG0802/tories-doggedly-sticking-to-wedge-politics-in-dying-days-of-ontario&template=cpart>.

⁶ “Hudak Accused of Being Anti-Gay Over Flyer Critical of Anti-Homophobia Campaign,” *National Post*, October 4, 2011, A12.

proposed classroom discussions about gender roles and celebrating diversity with pride parades.⁷ When confronted about the “anti-gay” ad, the Conservatives responded, “the real issue was that teachers were specifically told not to consult about the issue with parents.”⁸ Around the same time, the Institute of Canadian Values (ICV) initiated its “Stop Corrupting Children” campaign,⁹ featuring advertising and public demonstrations against the Ontario education policy and later Bill 13, known as the ASA.

The issue is not that Hudak’s campaign material was homophobic, a claim I explore below, but that there is a deep-rooted and expansive body of discourse that already sets up children as innocent and asexual on the one hand and queers as always already invested in the sexual corruption and molestation of children on the other. Thus, the Conservative campaign can use such rhetoric because it appeals to people. It works not only because it “makes sense,” but also because it relies on affect. Both the Conservative and the ICV campaigns are based on public fears around homosexuality and children, fears that are reinforced through the idea that children are being forced to do (queer) things hidden from parents. As technologies of queer quarantine, these ads work to place queers outside of acceptable family values and represent them as threats to children and the future. Although they have been criticized, these tactics re-entrench the power relations that re-produce and preserve these anti-queer discursive tactics for future deployment.

Moreover, such ad campaigns and the discourse in which they are embedded are generally read as issues separate from the Canadian war on queers that Kinsman and

⁷ TDSB, *Challenging Homophobia and Heterosexism*, 56.

⁸ Ibid.

⁹ *Stop Corrupting Children*, Institute of Canadian Values, accessed July 30, 2014, <http://www.canadianvalues.ca/SCC/>.

Gentile document in their study of the government's anti-homosexual security campaigns. I argue that they are not. To read these campaigns as only anti-gay, or as localized homophobia, or as dealing only with the threat of homosexuality making its way into sex education curriculum in Ontario is to overlook a fundamental concern here. There is more at stake in the Conservative ad than cross-dressing six-year-olds and gender-bending fairy tales. For Hudak and many other Canadians, liberal policies would "keep parents in the dark." This ad is a warning to Canadians about the threat that queers pose to the national future. Queers are once again conflated with child molesters and pedophiles as the ad featuring the threatened schoolboy suggests. The gay agenda, according to this popular discourse, aims to corrupt the nation's children and steal their future, here via the dismantling of gender norms, which are deemed foundational to the family and the future of the nation. Certainly, this discursive tactic is not new, however, I suggest that its deployment in official discourse now when queers can march, marry, and militarize, is significant precisely because many gays and lesbians *think they have all the rights they need*. There is much at stake for queers, too, and not in the least because, as Lee Edelman convincingly argues, liberals only *appear* to offer a place to the queer.¹⁰ In an era that some activists and scholars call *post-queer*,¹¹ where the "post" does not refer

10. Lee Edelman, *No Future: Queer Theory and the Death Drive* (Durham, NC: Duke University Press, 2004), 28.

¹¹ The usefulness of both queer as identity category and queer theory continues to be debated. For some queer youth, post-queer signifies a time/space where identity politics is no longer an issue, where all identities are acceptable, and an end to binaries such as gay/straight, yet the practicality of this utopian view is questionable. Many scholars rightly point to the anglo male white imperialism of queer theory and the continuing proliferation of new sexual identities as primary challenges to the utility of queer. As Adam Green points out, theorizing how sexual identities are formed has not helped us to alter their construction and the social relations that shape them. See: Adam Green, "Gay But Not Queer: Toward a Post-Queer Study of Sexuality," *Theory and Society* 31 (2002):

to the past but to what comes next, queers are still very much a social threat to the nation, if not more so now. Since gays and lesbians have “arrived” in some regions in the West in terms of rights, such that Ontario can argue about the appropriate age to begin teaching students about sexual orientation, the question, “*What’s next?*” looms large and frightening for many Canadians. If queerness, like the vast body of activism and critical studies it has spawned, can be loosely defined by what Michael O’Rourke calls queer theory’s “very undefinability, its provisionality, its openness, and its not-yet-here-ness,”¹² then in today’s post-queer terms, queers must be considered suspect, constructed as threats to the nation, and continually re-assessed in terms of the levels of risk we pose to its future.

The “future of parental rights” is at stake, declared Willowdale candidate Vince Agovino in a letter sent to his constituents accompanying by a copy of the ad.¹³ In other words, queers threaten the nation’s future via its children. The fear of queerness is channelled through the discursive formations of the innocent child and the child-molesting monstrous queers who want to corrupt them and carry them off. Liberal

521–545. On the other hand, Bobby Noble has characterized post-queer as accounting for the incompleteness and continual state of becoming of “trans-bodies as archive, witness, risking political incoherence.” See: Jean Bobby Noble, *Sons of the Movement: FtMs Risking Incoherence on a Post-Queer Cultural Landscape* (Toronto: Women’s Press, 2006), 89. Exploring the failures of prevention to reduce HIV infection rates in gay men, Gary Dowsett suggests “we need to embrace the multiplying subject positions in which same sex activity can take place, while noting the material and relational riches that the ‘post-queer’ historic density called ‘gay’ still offers.” See Gary Dowsett, “Dangerous Desires and Post-Queer HIV Prevention: Rethinking Community, Incitement and Intervention,” *Social Theory & Health* 7.3 (2009): 229.

¹² Michael O’Rourke, “The Afterlives of Queer Theory,” *Continent* 1.2 (2011): 103.

¹³ Steve Ladurantaye and Karen Howlett, “Hudak Defends Ontario Campaign Flyer Described as Homophobic,” *Globe and Mail*, October 3, 2011, accessed July 31, 2014, <http://www.theglobeandmail.com/news/politics/hudak-defends-ontario-campaign-flyer-described-as-homophobic/article555711/>.

defenders of diversity and gay rights also point to the child, claiming a desire to protect the gay kids from bullying and suicide: for them the problem is homophobia, whose elimination would herald a world where sexual orientation would be moot. I argue that homophobia, used here as synonymous with hatred or fear of homosexuality as I discussed in Chapter One, is a facile screen behind which lies a complex assemblage of discursive practices aimed at quarantining queerness and producing what the liberal screen keeps us from openly avowing: a future free of queers.

In this chapter I undertake an examination of queer quarantine deployed in discourse around the child and the nation's future. Following Edelman, I posit that since the ultimate aim of policy is protecting the child, the machinery of queer quarantine always has its eye on the future. In the following sections I explore contemporary discursive tactics of queer quarantine deployed both spatially and against queer bodies, and demonstrate how they are framed by the imperatives of futurity, in particular, the queer concept of "reproductive futurism."¹⁴ Since the "Child remains the perpetual horizon of every acknowledged politics," and "queerness names the site of those not 'fighting for the children,'" there is only one "right" side of politics: and that is the side that protects the child, not queerness.¹⁵ Reproductive futurism insists, therefore, that political discourse is limited "to preserving the absolute privilege of heteronormativity."¹⁶ There is no future for queers, not even when one legislates in favour of diversity and presages the day when sexual orientation will not matter anymore. I offer a critical analysis of the ways that futurity and nation building are invoked and deployed in the

¹⁴ Edelman, *No Future*, 28.

¹⁵ *Ibid.*, 3

¹⁶ *Ibid.*, 2

diagnosis and isolation of queers and queerness. This project can help us to understand processes and practices of queer quarantine at work in dominant cultural practices that both combat and extend homophobia through their aims to protect the child.

I also draw upon Judith Halberstam's concepts of "straight time" and queer time, Michael Ralph's "surplus time," and Sedgwick's convincing assertion that dominant culture desires a future without queers. Halberstam's work demonstrates the importance of straight time to heteronormativity and how queers trouble conservative values based on time-held traditions through their disruption of rituals, life cycles, and accepted practice.¹⁷ The admission of queer kids in schools likewise threatens established institutional spaces and the formative practices that lead supposedly to economically productive heteronormative futures. Ralph conceptualizes "surplus time" as a condition specific to inner-city African American men, arguing that surviving in an environment where one is not expected to live long into adulthood causes existential angst with particular effects on African American subjectivity.¹⁸ I suggest that a similar reading can be applied to queers, specifically to the condition often called "post-AIDS," whereby the medically extended lives of gay men living with HIV have led to new forms of state and institutional (including academic) surveillance and disciplining of queer bodies across time. Sedgwick argues that despite the removal of homosexuality from the DSM-I in 1973, modern psychological practice wages a continuing war on effeminate boys. Since effeminate boys tend to grow up to be gay men, this is further evidence of society's

¹⁷ Judith Halberstam, *In a Queer Time and Place: Transgender Bodies, Subcultural Lives* (New York: New York University Press, 2005), 1-21.

¹⁸ Michael Ralph, "'Flirting with Death,' but 'Still Alive': The Sexual Dimension of Surplus Time in Hip Hop Fantasy," *Cultural Dynamics* 18.1 (2006): 61-88.

desire for a world without queers.¹⁹ I build on these arguments in my exploration of the impulse to quarantine queer threats to the nation's future.

It is not coincidental that at the same time Catholic schools boards were banning GSAs from school space, CBS was re-entrenching its outright ban on queer blood, and Correctional Services of Canada (CSC) was holding the so-called "poz vampire," Steven Boone, indefinitely in solitary confinement at the Ottawa Carleton Detention Centre (OCDC). These three events, which together constitute the archive I analyze in this chapter, represent a confluence of contemporary fears around (queer) kids, (queer) blood, and the (queer AIDS) monster/molester, which threaten the future of our national viability by corrupting our kids and poisoning our veins.

While Ontario's ASA, tabled as Bill 13 in late 2011, ostensibly sought to reduce bullying in schools, public debate centred on specific clauses that legislated the right of public school students to form a GSA in their school and to use the name "Gay Straight Alliance," even if the school objected. Catholic authorities decried Bill 13 as trampling on their rights and freedoms. They objected to the term "gay" because according to the Catechism of the Catholic Church, "homosexual behaviour is '*intrinsically disordered*' and 'under no circumstance can it be approved.'"²⁰ I offer readings of official and dominant discourse around the ASA and related debates and public hearings to reveal this screen of homophobia as tactics of queer quarantine.

¹⁹ Sedgwick, *Tendencies*, 154-164.

²⁰ Charles Lewis, "Church Rejects Ontario's Gay-Straight Club Decision, Accuses Government of 'Micromanagement,'" *National Post*, May 28, 2012, accessed November 13, 2014, http://life.nationalpost.com/2012/05/28/church-rejects-ontarios-gay-straight-club-decision-accuses-government-of-micromanagement/#__federated=1.

CBS's recently renewed deferral on blood donations from gay men/MSM has also created much controversy over its conflation of queer with tainted blood. Blood is highly symbolic in human cultures and has strong associations with concepts of race and nationality. As Dorothy Nelkin reminds us in her discussion around the meanings of blood in the contexts of AIDS, "pure blood contains associations that extend well beyond the properties of a biological substance to include references to social relationships and moral as well as physical contamination."²¹ My analysis of policy research, public opinion survey data, and the CBS blood donor policy itself demonstrates a continued conflation of queers with contagion, specifically HIV, Hepatitis C, and syphilis. These discourses position gay men in particular as always already infected, and queer blood as bad blood that must not be allowed to mix with the nation's "healthy" blood supply.

Finally, the long-standing Steven Boone HIV non-disclosure case represents the return of the queer AIDS monster at a new level of spectacularization. In this instantiation, he is refigured as the "poz vampire," which is a term taken from Boone's online fantasy chats. The term is sometimes used in relation to certain "bug chasing" or "bug swapping" fantasies and activities engaged in by a minority of gay men with HIV who pass their "strain" of HIV on to willing recipients and are then thusly joined to them for life.²² Medical therapies such as HAART, have often rendered HIV infection a chronic and manageable illness. Medications also work to reduce viral loads in HIV-positive bodies to undetectable levels, such that a new identity category has developed

²¹ Dorothy Nelkin, "Cultural Perspectives on Blood," in *Blood Feuds: AIDS, Blood, and the Politics of Medical Disaster*, ed. Eric A. Feldman and Ronald Bayer (New York: Oxford University Press, 1999), 275.

²² For a scholarly exploration of "barebacking" and "bug-chasing" cultures, see: Tim Dean, *Unlimited Intimacy: Reflections on the Subculture of Barebacking* (Chicago: University of Chicago Press, 2009).

with individuals self-identifying as “undetectable.” Thus, for those desiring a future free from queers as the post-AIDS un-dead, queers living with HIV could be read as existing in a kind of surplus life.²³ I read the trials and subsequent solitary confinement of Boone at the OCDC for over a year as representative of surplus queer life multiply condemned through HIV/AIDS and the desire of dominant culture to stem the proliferation of queerness.

Queer Kids: Quarantining Queerness in Schools

Historical Relationship Between Schools and Queers

Gay-straight alliances are primarily understood to be “safe spaces” created by students, queer and non-queer, in public schools across Canada and the United States “to provide support to LGBTQ students in difficult personal circumstances or in hostile school environments, and to advocate for LGBTQ students.”²⁴ Students first established GSAs in the United States in the late 1980s and early 1990s based on the model of gay rights associations and gay social clubs set up earlier at colleges and universities. They are thus considered to be an American import to Canada.²⁵ While the public debate that erupted around GSAs in Ontario in 2010 was new for Canada, especially given its culmination in the enshrinement of GSAs in provincial legislation, it is not as though GSAs themselves were new. On the contrary, the history of the GSA is inseparable from earlier forms of

²³ Here I am extending Ralph’s concept, noted above, and raise it again later in the chapter.

²⁴ Fetner, “Safe Spaces,” 189.

²⁵ Sheen Andola, “The Performative Power of Naming: The Use of ‘Gay-Straight Alliance’ in Debate Over Ontario’s Accepting School (sic) Act (Bill 13),” (MA thesis, Department of Law and Legal Studies, Carleton University, 2013); Tina Fetner et al., “Safe Spaces: Gay-Straight Alliances in High Schools,” *Canadian Review of Sociology* 49.2 (2012): 188-207.

gay organizing. Therefore discourses around these recent events should be considered in a wider context in order to understand the near hysteria that unfolded in some sections of the public domain and the significance of the debate going forward.

Controversy over establishing GSAs and other types of clubs and associations in schools to support queer kids can be traced back to the late 1970s in Toronto. As a result of their increasing acceptance and visibility in society and in response to a growing backlash against queers, gay and lesbian organizations sought out alliances with other community groups and social institutions. As David Vienneau wrote in *The Toronto Star* in 1980, “Homosexual groups have been asking the board for about 18 months to create a ‘gay liaison committee’ to help students, staff and teachers who are homosexual or think they may be understand their sexuality.”²⁶ Gay groups wished not only to establish links with the Toronto Board of Education (TBE) and its schools to provide GSA-like support to students but also to the many gay and lesbian teachers and staff who faced serious discrimination and threats of dismissal if their queerness became public.

In his study of the construction of gay teachers in 1970s Toronto as “preying on children,” Michael Graydon argues that the increasing sex panic in Toronto around queers, which coincided with appeals to introduce discussions of homosexuality into basic sex education curriculum in schools, fostered public fears that “gay teachers were the *dangerous* effect of gay rights.”²⁷ As gay and lesbian rights groups gained visibility and made connections in Toronto, schools seemed to be a logical instrument for helping create more positive images of gays and lesbians in Canadian culture. Graydon’s study

²⁶ David Vienneau, “Trustees to Debate Link with Homosexuals,” *Toronto Star*, July 31, 1980, A16.

²⁷ Graydon, “Kids Not Rights,” 313.

focuses on a particular reading of media reports and letters to the editor published in Toronto's major dailies to show how "conditions of possibility" allowed for newspapers and evangelical Christians to work together to create "the spectre of homosexual teachers using rights protection to access classrooms, turning them into sites of homosexual seduction and promotion."²⁸

The discourse around queers and schools became contentious in the summer of 1980, as the TBE debated setting up a gay liaison committee. Trustees opposing the idea of a liaison with "homosexuals" were given a prominent voice in the *Toronto Star*, as were letters to the editor decrying the possibility of school links to queers. Notions of queer contagion and the corruption of children abounded in the backlash against the TBE with even the board's chairperson suggesting that some homosexuals "advocate a very promiscuous, decadent lifestyle" and declaring that she was "worried that's what will *seep into* the schools."²⁹

As discussed in Chapter 3, *The Body Politic's* 1977 article on so-called "man-boy love" featured an anonymous teacher engaging in clandestine sexual relations with pre-teen boys in the Toronto school system. This article had the long-lasting effect of further cementing the conflation of not only gay teachers with pedophilia, but also queers with sexual predation, especially following so closely on the Jaques murder that August.³⁰ In

²⁸ Ibid.

²⁹ "He'll Fight Homosexual Link: Trustee," *Toronto Star*, Tuesday, August 5, 1980, A3, my emphasis.

³⁰ While the scope of this dissertation precludes me from analyzing the "Men Loving Boys Loving Men" article in depth—I suggest that it (and its 1972 predecessor) are worthy of their own study—I argue that the characterization of the article by scholars (Graydon, Warner, Kinsman) as "neutral" is to underestimate its significance in firing up the backlash against queers. The article was read as actively promoting pedophilia even though its author did not suggest that pedophilia was "acceptable." One cannot be neutral

its 1980 report on school trustee Alex Chumak's fight against the TBE's proposed networking with homosexual groups, the *Toronto Star* wrote that Chumak "was particularly concerned that a liaison committee could be used to promote views of the kind expressed in the magazine *Body Politic*... the magazine printed an article on pedophilia—"Men Loving Boys Loving Men"—in 1977 which led to criminal charges against its publishers."³¹ Years after the publication of that article, it continued to be referenced in dominant culture and the media, with *The Body Politic* being called "the official voice of Toronto's gay community,"³² thereby suggesting that all queers endorsed "man-boy love." As Graydon notes, citing Claire Hoy, popular columnist for the *Toronto Sun*, the problem with queers gaining equality was that they would have access to schools and convert children to homosexuality: "kids not rights, is their craving."³³

The issues regarding the Toronto school system's linkage to a gay association were "resolved" in September 1980, when the TBE, deferred the issue and engaged a subcommittee to research whether there was discrimination against "homosexuals" in Toronto schools. The TBE also declared that there would "be no discrimination against homosexuals nor any promotion of homosexuality in the school system."³⁴ The contentious issue was not really resolved since "the board subcommittee, which was set up originally (sic) to look into establishing links with the homosexual community, voted

about pedophilia in a society whose policies are based on protecting the child and promoting the future. Therefore, failing to stand against pedophilia is always read as acting against the child. The Tom Flanagan child pornography issue last year is a case in point.

³¹ "He'll fight homosexual link," *Toronto Star*.

³² Ibid.

³³ Graydon, "Kids Not Rights," 314.

³⁴ "Board Passes Motion on Homosexuality Issue," *Globe and Mail*, September 19, 1980, 5.

[days earlier] to disband itself.”³⁵ Finally, within a few months following the February 1981 gay bathhouse raids, the Toronto Board of Education placed new restrictions on what could be said in the classroom about homosexuality. Effectively, nothing could be said, thus further debate was silenced.³⁶

In reflecting upon the recent boisterous debate about GSAs in Ontario schools, we must therefore understand that it is imbricated within the larger, longstanding array of discourses concerning the relationship between “homosexuals” and schools, discourses that for the most part have constructed, maintained and re-circulated particular tropes, namely the innocent (asexual) child and the homosexual teacher as sexual predator. Certainly much has changed over the last 30 years concerning the ways that school boards and schools in Canada deal with queer issues, queer teachers and queer kids. Much of these changes have resulted from the efforts of those who have struggled against the systemic and institutionalized oppression of queers during the 1980s and 1990s in particular.

The advent of AIDS transformed the ways that sex and queer sex were discussed in official and popular discourse. There was, for example, much debate about the inclusion of information on gays and lesbians in sex education curriculum in schools. In 1985, after several high school students murdered gay school librarian Kenneth Zeller in a violent gay bashing, TBE trustee Olivia Chow was instrumental in making changes to

³⁵ Ibid.

³⁶ See: John Campey et al., “Opening the Classroom Closet: Dealing with Sexual Orientation at the Toronto Board of Education,” in *Sex in Schools: Canadian Education and Sexual Regulation*, ed. Susan Prentice (Toronto: Our Schools/Our Selves Education Foundation, 1994,) 82, 85-86.

school curriculum, adding coursework on human sexuality and sexual orientation.³⁷ In 1992, in *Haig v. Canada*, the Ontario Court of Appeal ordered that sexual orientation be read into the Canadian Charter of Rights and Freedoms as a prohibited ground for discrimination.³⁸ This landmark decision, and the increasing visibility of queers in certain sectors of society fostered an environment in some schools that allowed students and teachers to begin coming out as gay. In the 1990s, some students established GSAs, mainly in schools in Toronto and surrounding areas.

Despite the protections put in place to prevent discrimination and anti-homosexual acts against gays and lesbians on many jurisdictional levels, from the Canadian Charter of Rights and Freedoms to the Ontario Human Rights Code to the introduction of Ontario's *Safe Schools Act* in 2000, the quarantining of queerness continues in Canadian culture, society and institutions.³⁹ In the mid-to-late 2000s media attention began to focus on "homophobic bullying" in schools in the US, especially following a series of highly publicized gay teen suicides. This also led to the creation of the widely known *It Gets Better Campaign* in 2010. Throughout this period, GSAs have

³⁷ Campey, "Opening the Classroom Closet," 87-88.

³⁸ Mary C. Hurley, *Sexual Orientation and Legal Rights: A Chronological Overview*, Canada, Library of Parliament. Ottawa: 2005, accessed November 13, 2014, <http://www.parl.gc.ca/content/lop/researchpublications/prb0413-e.htm>.

³⁹ The Ontario Student Drug Use and Health Survey of grade 7-12 students led by the Centre for Addiction and Mental Health has found that almost one in three students has been bullied in school. See: Centre for Addiction and Mental Health, *Ontario Student Drug Use and Health Survey*, accessed November 8, 2014, http://www.camh.ca/en/research/news_and_publications/ontario-student-drug-use-and-health-survey/Pages/default.aspx. A 2009 survey by EGALÉ Canada found that sixty-four percent of lesbian, gay, bisexual, transgendered and queer students felt unsafe at school. See: EGALÉ Canada Human Rights Trust, *Youth Speak Up About Homophobia and Transphobia, The First National Climate Survey on Homophobia in Canadian Schools, Phase One Report—March 2009*, accessed November 8, 2014, <http://egale.ca/all/phase1/>.

become a useful tool for students (and teachers and school administrative staff) to deal with this unending problem and provide support for queer students while attempting to bring about attitudinal shifts in the surrounding community.

Introducing the Accepting Schools Act, 2012

On November 30, 2011 the newly elected liberal government led by Premier Dalton McGuinty tabled Bill 13, officially known as the ASA. The bill aimed to amend the province's *Education Act* and build on the *Safe Schools Act, 2000*, by defining bullying and providing guidelines and tools to reduce all forms of bullying in schools and to deal with it effectively when it occurs. Bill 13 was passed by the Ontario legislature on June 5, 2012 by the minority Liberal government with backing from the NDP; the Conservative opposition voted against the bill. Bill 13 became law just in time for the 2012-13 school year.

The bill aimed to strengthen the Ontario Education Minister's and school officials' abilities to respond to what has been perceived as a growing problem of bullying in schools, largely due to US-based media attention on school violence and the Canadian national media's focus on youth suicides publicized at the time.⁴⁰ The last-minute addition of an amendment to the bill a week before the vote, however, led to an intensified wave of criticism. This amendment allows students to use the title "gay-straight alliance" for their group if they so choose; school officials cannot deny them the

⁴⁰ According to *The Globe and Mail*, "the widely publicized suicides of two young people in Ontario—15-year-old Jamie HUBLEY and 11-year-old Mitchell Wilson—were uppermost in Premier Dalton McGuinty's mind when he introduced the legislation last November." Karen Howlett, "Anti-Bullying Bill Passes, Clearing Way for Gay-Straight Alliances in Ontario Schools," *Globe and Mail*, June 5, 2012, accessed July 31, 2014, <http://www.theglobeandmail.com/news/politics/anti-bullying-bill-passes-clearing-way-for-gay-straight-alliances-in-ontario-schools/article4231542/>.

right to form GSAs and to use the standard name, even in Catholic schools. The Conservative opposition, which had been supportive of anti-bullying legislation, thereby ended its support of the Liberal-government-sponsored Bill 13.⁴¹

Issues around Bill 13 were further complicated because it was tabled in the legislature at the same time as Bill 14, also known as the *Anti-Bullying Act*. Conservative MPP Elizabeth Witmer, the former education critic for the opposition, introduced Bill 14 as a private members bill, with backing from the Conservatives. Both bills were debated in December 2011 and again in March and April 2012. Bill 14 made it to second reading and was then transferred to the Standing Committee on Social Policy where both it and Bill 13 received public hearings in May 2012 where after amendments were made to incorporate parts of Bill 14 into Bill 13. Bill 13, the ASA, received royal assent on June 19, 2012.

When it was introduced in the legislature, Bill 14 was presented as “the first and only bill that focuses solely on bullying.”⁴² Among the principal differences from the ASA is that while it provided a definition of cyber bullying amongst all the other acts it listed as bullying, Bill 14 gave no clear examples of the social causes of bullying. It made no references to race, class, gender, sexuality, homophobia or even discrimination as causes of bullying or violence. Indeed, the bill reflected much of today’s dominant discourse around bullying, to produce a discursive tactic aimed at quarantining queers

⁴¹ Ibid.

⁴² Elizabeth Witmer, Ontario, Legislative Assembly, November 30, 2011, accessed November 6, 2014, http://ontla.on.ca/web/bills/bills_detail.do?locale=en&BillID=2549&detailPage=bills_detail_debates.

and erasing other categories of difference such as gender and race. Simply put, not all forms of harassment, discrimination and violence are forms of bullying.

In the years leading up to the anti-bullying measures, the Ontario government and the Ministry of Education in particular focused on hate crimes and hate propaganda, releasing a report on youth violence in 2008.⁴³ Yet the discourse around anti-bullying in schools rather simplistically uses the term bullying to represent all types of verbal and physical attacks against students. This causes the erasure of the social causes of harassment and discrimination. Indeed, there were only three mentions of “harassment” in the Conservative’s Bill 14 but the conflation of bullying with harassment led to the situation where harassment was defined as a form of bullying and bullying was defined as a form of harassment in the terms of reference.⁴⁴ The Conservatives’ insistence on a general notion of bullying at the expense of specific forms of harassment and discrimination also puts the focus on the individuals doing the bullying, rather than on the social problems that encourage it: racism, poverty, anti-homosexual cultural attitudes and practices, and ableism. I argue that the creation of bullying as a hot-button topic functions as a discursive tactic to silence the social inequalities and power relations that cause different kinds of violence, thereby creating bullies that need punishment rather than highlighting systemic inequalities that need redress. The ambiguous, catchall notion of

⁴³ Roy McMurtry and Alvin Curling, *Review of the Roots of Youth Violence*, Toronto: Ontario Ministry of Children and Youth Services, 2008, accessed November 6, 2014, <http://www.children.gov.on.ca/htdocs/English/topics/youthandthelaw/roots/introduction.a.spx>.

⁴⁴ Ontario, Legislative Assembly, *Bill 14, An Act to designate Bullying Awareness and Prevention Week in Schools and to Provide for Bullying Prevention Curricula, Policies and Administrative Accountability in Schools*, accessed July 31, 2014, http://www.ontla.on.ca/web/bills/bills_detail.do?locale=en&BillID=2550&isCurrent=false&ParlSessionID=40%3A1.

bullying produces a situation where authorities focus on the symptoms rather than the causes of the problem. Thus, I read the deployment of the concept of bullying as a tactic of queer quarantine as it forces attention away from queers and anti-homosexual violence, effectively quarantining queerness from the bullying discourses, to recast the problem as behavioral and locatable in individual kids who bully.

In the ASA, bullying is more clearly defined and acts of bullying are differentiated from harassment and violence. In the preamble, the ASA's goal is set out as, "creating a positive school climate and preventing inappropriate behaviour, such as bullying, sexual assault, gender-based violence and incidents based on homophobia, transphobia or biphobia."⁴⁵ Thus, "incidents based on homophobia" are set out separately from bullying, as are other criminal acts based in social inequality, such as sexual assault and gender-based violence. This means that it includes "sexual orientation" but also other identity categories for which there is documented evidence of bullying, such as size, strength, race, disability and gender. Therefore, the ASA is not a bill about gay students, nor is it primarily about GSAs, for only one short section refers to them. Moreover, the Act does not promote GSAs over other organizations: it clearly states that student-led organizations promoting anti-racism, gender equality and equality of persons with disabilities are permitted. GSAs are specified primarily because there is a documented history of some Ontario schools, particularly Catholic schools, refusing to allow them. The ASA does not establish students' rights to form and name clubs promoting gender

⁴⁵ Ontario, Legislative Assembly, *Bill 13, An Act to Amend the Education Act with Respect to Bullying and Other Matters, Accepting Schools Act, 2012*, accessed July 31, 2014, http://ontla.on.ca/web/bills/bills_detail.do?locale=en&BillID=2549.

equality or anti-racism activities because there is no historical evidence demonstrating a need to do so.

My discourse analysis reveals that “gay” is used only four times in the Act; “queer,” surprisingly, is used once. “Gay” is used once to define the G in “LGBTTIQ,” set out in the preamble, and three times in the revised *Section 303.1*, where it is used in “gay-straight alliance.” “Queer” is mentioned once in the definition of “LGBTTIQ” along with “questioning,” as in “queer and questioning.” Since there is no terms of reference in the Act, it is assumed that we all share the same understanding of the terms “gay,” “LGBTTIQ,” and “gay-straight alliance.” Thus, queer terms are only used in these specific instances, where they reference GSAs not other people, organizations or activities. Therefore, the raging debates about creating “special rights” for gays, forcing schools to have GSAs, and promoting gay students to the exclusion of all other bullied students are misplaced. I suggest that ASA opponents either misread the act or wished the ASA to be free from queers.⁴⁶ In other words, they sought to quarantine the queer visibility the ASA would permit. For many Canadians, any mention of queers in relation to schools and children is unacceptable.

The preamble to the ASA also states that the provincial government views schools as fulfilling crucial functions in fostering a productive national future: “Education plays a critical role in preparing young people to grow up as productive, contributing and constructive citizens in the diverse society of Ontario.”⁴⁷ For supporters of the ASA, a diverse society can include some “good” gay people. In the midst of house debates in the

⁴⁶ Indeed, several presenters noted during their public deputations against the ASA that they had not actually read Bill 13 prior to making their presentation.

⁴⁷ Ontario, Legislative Assembly, *Bill 13*.

Ontario legislature in the spring of 2012, Liberal MPP Peter Tabuns rose to the defense of the ASA, and quoting a report published by EGALE Canada noted:

By simply existing, GSAs present students ‘with the idea that LGBTQ identities have a place in the school, and society at large. Directly engaging LGBTQ youth and their allies within school, as well as those who are ambivalent regarding’ those ‘themes, is an excellent means towards addressing school climate, isolation and promoting social connectedness.’⁴⁸

Tabuns was addressing what became the central issue around legislating the permission for students to establish GSAs in their schools. Ostensibly, the ASA focuses on preventing bullying and youth suicide and for supporters of GSAs, having a place in school for LGBTQ youth provides a measurable remedy to politically and legally unacceptable youth suicides. For opponents to the bill, a place for homosexuals in schools is a serious threat to childhood innocence and the rights of parents/citizens to guarantee the safety of the child and the reproductive future of the nation. As “school” is so tied discursively to nation building, permitting a visibly queer space within it runs contrary to the ideology of reproductive futurism.

Much has been written on the subject of GSAs in the last few years in Canada and the United States, particularly on the benefits of GSAs for queer kids but also for the beneficial changes that they can bring to some school cultures under certain conditions.⁴⁹ I have chosen to examine at the 2012 ASA in Ontario, as well as the legislative debates and the public hearings around it for the three reasons. First, this is the first instance where gay-straight alliances are put into official government discourse, and in particular

⁴⁸ Peter Tabuns, Ontario, Legislative Assembly, March 26, 2013, accessed November 6, 2014, http://ontla.on.ca/web/bills/bills_detail.do?locale=en&BillID=2549&detailPage=bills_detail_debates.

⁴⁹ For a discussion of the GSA conceptualized as a “safe space,” see: Fetner et al., “Safe Spaces.”

into legislation, anywhere in Canada.⁵⁰ As such, the legislation and the debates afford the opportunity to examine the ways that GSA are first constructed in official discourse. Gay students are also put into official discourse for the first time, and positioned as subjects deserving of some rights. Secondly, as the ASA focuses squarely on children and schools, it is a fitting site for the investigation of developing discourse around queers and the future of the nation. Finally, while the subject has been much debated in the media, little scholarly work has been published on the ASA. To date, Sheen Andola's work is the only scholarly paper dealing with the ASA. Andola's study focuses primarily on the issue of applying the name "gay-straight alliance" to school clubs, and explores the ways that discourse produced during the public hearings reflects both the specific expectations of the Act's supporters and "the opposition's ambivalence" to it.⁵¹ He explores the way supporters and detractors used similar key words and tropes in their struggle over the legislation of GSAs, such that while the religious right considered GSAs an attack on "family values," supporters of the legislation presented GSAs as "promoting family values." Andola argues for "the name GSAs as a site of agency and resistance" for queers.⁵² Based on my readings of the legislative debates and public hearings, I argue that tactics aimed at the quarantine and eradication of queerness from public space and national futures function despite *and through* the passage of this legislation.

⁵⁰ While the ASA is the first legislation in Canada around the rights of students to establish GSAs in schools, GSAs have been legislated in the United States, for example, in New Jersey.

⁵¹ Andola, "The Performative Power of Naming," 3.

⁵² *Ibid.*, 17.

The Gay-Straight Alliance Debates

The controversy around GSAs in schools in Ontario increased in 2010 after the Ministry of Education set out the province's education strategy on equity and inclusivity in 2009 to create welcoming schools for the diverse population of students in the Ontario school system.⁵³ The strategy aims to move teachers and students into a climate "beyond tolerance to acceptance and respect" for all student diversity including gay and lesbian students.⁵⁴ As this policy was being implemented during its four-year rollout by school boards across Ontario, in November 2010, the Ottawa-Carleton School Board faced challenges from parents and the media especially regarding a series of survey questions asking for information about student sexual orientation.⁵⁵ Critics argued that students are too young and innocent to declare a sexual orientation, however, this argument suggests public fear that students might willingly assume queer identities. As *Xtra!* reported following a 2011 Toronto Catholic District School Board meeting to discuss the equity and inclusive education policy it was drafting under pressure from the government, parents "demanded that any reference to "sexual orientation" be removed from the

⁵³ Ontario, Ministry of Education, *Realizing the Promise of Diversity*, 2.

⁵⁴ In its critique of the strategy, the Institute of Marriage and Family Canada notes the government failed to define what it means by acceptance versus respect, thus opening itself up to protracted public criticism. See: Peter Jon Mitchell, *Ontario's Equity and Inclusive Education Strategy Reviewed*, Institute of Marriage and Family Canada, February 2012, accessed July 31, 2014, http://www.imfcanada.org/sites/default/files/Equity_in_Education.pdf.

⁵⁵ "Ottawa Students Asked About Sexual Orientation," *CBC News*, November 4, 2010, accessed July 31, 2014, <http://www.cbc.ca/news/canada/ottawa/ottawa-students-asked-about-sexual-orientation-1.924925>.

document. The sense is that if students start talking about their identity, they will begin having sex.”⁵⁶

Only a few months earlier, Catholic organizations had made public complaints following the McGuinty Liberal minority government’s introduction of a new province-wide sex-education curriculum. Under the 2009 provincial equity and inclusivity policy, the new curriculum included the notion of same-sex families, but because of the complaints from the Catholic authorities, the government sent the curriculum back for revisions.⁵⁷ The primary issue for the opponents of the policy was the proposed establishment of GSAs in schools. The possibility of official gay “clubs” created the loudest opposition across the province, particularly from the Catholic school boards and the Catholic faith community. In their opinion, the Liberal government was handing schools over to homosexuals.

As GSAs became more popular and received more publicity, citizens increasingly opposed them because, according to parents, GSAs “would open the door to sexual promiscuity and disease,” and “children will be so confused.”⁵⁸ Some Ontario Catholic school boards banned GSAs outright. The McGuinty government responded by declaring that Catholic Boards must implement student groups for gay and lesbian students but that *they would not have to use the name GSA*.⁵⁹ This caveat was included in the proposed

⁵⁶ Andrea Houston, “Toronto Catholic Parents Attack the Board’s Equity Policy,” *Xtra!* April 29, 2011, accessed October 29, 2014, <http://dailyxtra.com/toronto/news/toronto-catholic-parents-attack-the-boards-equity-policy>.

⁵⁷ Kate Hammer, “Halton Catholic School Board.”

⁵⁸ Houston, “Toronto Catholic Parents Attack.”

⁵⁹ Kate Hammer and Karen Howlett, “Catholic School Trustees Fear Fallout Over Gay-Straight Alliance Furor,” *Globe and Mail*, June 4, 2012, accessed July 31, 2014, <http://www.theglobeandmail.com/news/politics/catholic-school-trustees-fear-fallout->

legislation when Bill 13 was initially tabled but it was amended in May 2012. The amendment allows students to create gay-straight alliances and to call them GSAs or another similar name they choose. It does not mandate the creation of GSAs, nor does it establish GSA activities; however, it does establish the GSA mandate, which is to promote awareness and understanding of, and respect for, people of all sexual orientations and gender identities. Finally, it is important to understand that despite providing for the establishment of GSAs, the ASA does not require schools to establish GSAs, does not force students to participate in them, and does not establish sex education curriculum.⁶⁰

The ASA was originally introduced as Bill 13 on November 30, 2011 in a discursive environment charged with the effects of at least three highly publicized teen suicides in Ontario, which had been linked to bullying and homophobia.⁶¹ In one case, 15-year-old James Hubley, the son of an Ottawa city councilor, wrote his final thoughts to his family and friends on Twitter.⁶² James Hubley was “openly gay” at his Kanata high

over-gay-straight-alliance-furor/article4230933/; T. Baluja, “Schools Must Obey Equity Policy, McGuinty Says,” *Globe and Mail*, March 22, 2011, A17.

⁶⁰ Ontario, Legislative Assembly, *Bill 13*.

⁶¹ Mitchell Wilson, 11, of Pickering killed himself on September 6, 2011, the first day of school, and Christopher Howell, 17, of Hamilton, committed suicide on September 8. Both boys lived with physical disabilities and endured harassment at school and in the community. See: Kennedy, Brendan, Disabled Pickering Boy Took His Own Life After He Was Mugged and Bullied, *Toronto Star*, September 26, 2011, accessed November 8, 2014, http://www.thestar.com/news/gta/2011/09/26/disabled_pickering_boy_took_his_own_life_after_he_was_mugged_and_bullied.html; “Family and Friends Mourn the Tragic Loss of Teenager,” *Hamilton Spectator*, accessed November 9, 2014, <http://www.thespec.com/news-story/2215877-family-and-friends-mourn-the-tragic-loss-of-teenager/>.

⁶² “Ottawa Teen Details Final Suicidal Thoughts on Blog,” *CTV News*, October 17, 2011, accessed July 31, 2014, <http://www.ctvnews.ca/ottawa-teen-details-final-suicidal-thoughts-on-blog-1.712337>.

school, and had suffered anti-homosexual abuse and attacks for years. His suicide notes outline this anti-gay abuse as the cause of his decision to kill himself.⁶³ When James Hubley was referred to in most media reports, he was termed “openly gay” rather than simply “gay.” This inflection, I argue, not only emphasizes the public nature or visibility of his queerness as abnormal and renders it suspect. It also gestures towards his supposed guilt, much as slut shaming renders rape survivors guilty of “asking for it” by their dress or behavior. Therefore, we can imagine the anti-homosexual musings: *If only he had not been so open about it.*

A different tactic, but one echoing the “de-gaying” deployed in the federal HIV/AIDS strategy discussed last chapter, is traceable throughout official government discourse around the anti-bullying legislation. It is recorded early in the debate via Conservative MPP Lisa MacLeod’s opening remarks to the legislature on November 23, 2011, a week before Bill 13 and Bill 14 were tabled. Noting that it would have been James Hubley’s sixteenth birthday that day, McLeod declared that he was bullied “because he was a figure skater,” “because of his sexuality,” and “because he was different.”⁶⁴ She did not say that he was “gay” and focused her speech on the youth suicides prevention without referring to homophobia or systemic violence, at the same time noting that both kids and parents “expect us to work together to prevent suicide.”⁶⁵ In this version of the obituary, rather than blaming the victim for being “openly gay,” the

⁶³ “Ottawa Teen Who Killed Himself Was Bullied,” *CBC News*, October 18, 2012, accessed July 31, 2014, <http://www.cbc.ca/news/canada/ottawa/gay-ottawa-teen-who-killed-himself-was-bullied-1.1009474>.

⁶⁴ Lisa MacLeod, Ontario, Legislative Assembly, November 23, 2011, accessed October 29, 2014, http://www.ontla.on.ca/web/house-proceedings/house_detail.do?Date=2011-11-23&Parl=40&Sess=1&locale=en.

⁶⁵ *Ibid.*

subtleness of MacLeod's oblique reference to Hubley's sexuality discursively quarantines his visible gayness or outness. Instead of blaming bullying on social inequities, this discourse blames Hubley for the attacks he suffered, "because *he* was a figure skater," and "because *he* was different."

From the introduction of the anti-bullying bills on November 30, 2011 and throughout the legislative debates, official discourse was principally focused on the bills as measures to prevent youth suicide; they were generally not positioned as supporting gay and lesbian kids, and certainly not presented as helping kids to become queer. This is further evidenced by remarks made the same day by the Minister of Health, Laurel Broten, referencing youth suicide and declaring, "It is incumbent on each and every one of us—government, teachers, parents, peers, the whole community— to find the pathway to [...] ensure that every student is safe and included and welcome in Ontario's schools.." ⁶⁶ Broten makes no reference to sexuality, gender, gays and lesbians, or anti-homosexual attitudes or violence.

An exception to this general de-gayng occurred during the March 29, 2012 debates, which included two main speakers from the Liberal benches, Cheri Dinovo and Glen Murray, both of whom spoke passionately about LGBTQ issues, with Murray speaking in particular about his experience as a gay man, MPP and father. ⁶⁷ Otherwise, throughout the remaining proceedings dealing with Bills 13 and 14, references to gays

⁶⁶ Lauren C. Broten, Ontario, Legislative Assembly, November 23, 2011, accessed October 29, 2014, http://www.ontla.on.ca/web/house-proceedings/house_detail.do?Date=2011-11-23&Parl=40&Sess=1&locale=en.

⁶⁷ Cheri Dinovo, Ontario, Legislative Assembly, March 29, 2012, accessed October 29, 2014, http://www.ontla.on.ca/web/house-proceedings/house_detail.do?Date=2012-03-29&Parl=40&Sess=1&locale=en; Glen Murray, Ontario, Legislative Assembly, March 29, 2012, accessed October 29, 2014, http://www.ontla.on.ca/web/house-proceedings/house_detail.do?Date=2012-03-29&Parl=40&Sess=1&locale=en.

and lesbians or even the use of the word “gay” in reference to GSAs are almost entirely absent. Therefore the majority of speakers, and all but one of the Conservative members, avoided referencing queers. Despite the subject matter of the proceedings, and the debate about GSAs and queer kids taking place outside the legislature, notably in the media, there was an almost complete erasure of queers in official discourse in the Legislature. In my discourse analysis, I examined the Hansard for each debate on the bills, meticulously searching for, counting, and comparing the uses of various terms and phrases.

Surprisingly, in debates comprising up to 10,000 words, there are no direct references to gay kids or homosexuality, even in debates focused squarely on GSAs. Presenters spoke elliptically, for example, referring to “certain” students or emphasizing “all children.”

Lisa MacLeod’s summation of the public hearings provides a good example of this discursive tactic:

Many people felt that legislating the name of *one group for anti-bullying over others* was divisive and problematic, created a perception of a “hierarchy of targets,” given special status by being named. To do so *will only suggest certain children are more important than others*, and I do not support that notion.⁶⁸

The few exceptions to the outright quarantine of queerness in the legislature reveal interesting features that reflect a sustained conflation of queerness with negative attributes. Another speech by Lisa MacLeod in which she utters the word “gay,” offers a salient example: “We must remember why we are here: to make Ontario a better place for all Ontarians—not just some, but all; not just the strong, *but also the weak*; not just

⁶⁸ Lisa MacLeod, Ontario, Legislative Assembly, June 4, 2012, accessed October 29, 2014, http://www.ontla.on.ca/web/house-proceedings/house_detail.do?Date=2012-06-04&Parl=40&Sess=1&locale=en. My emphasis.

the straight, *but also the gay*.”⁶⁹ This statement reveals that the conflation of queer with sickness and character weakness is enduring. It is so embedded in dominant discourse that even well meaning speakers reproduce and recirculate such tropes, in some cases perhaps unintentionally.

An overall effect of the general silence around gay and lesbian students in the legislative proceedings is that there were no actual debates in the Legislature. Speakers were split along party lines: those supporting Bill 13, spoke about anti-bullying measures for all students; those contesting the bill, decried the injustice of giving a “special status” to “certain children.” The public hearings on Bill 13 and Bill 14, however, were almost exclusively focused on GSAs. The few supporters, primarily from organizations representing gays and lesbians, explained that GSAs benefit schools and students. The majority of the deputations opposed Bill 13 and GSAs. In fact, so many groups and individuals wanted to present in opposition to the Bill that they could not all be heard before time ran out. Presentations supporting the legislation tended to cite research on GSAs and homophobia, and included personal narratives from students; deputations contesting the bill were organized around three main discursive formations: children as the future of the nation, children as innocent, and queers as sexual deviants and corrupters of children.

Lauren Broten set the tone of the discourse around students as the embodiment of the future with her remarks in December 2011:

The students in our schools today are people who will, in future, be treating our illnesses, growing our food, fixing our cars, teaching our children and creating our

⁶⁹ Lisa MacLeod, Ontario, Legislative Assembly, March 26, 2012, accessed October 29, 2014, http://www.ontla.on.ca/web/house-proceedings/house_detail.do?Date=2012-03-26&Parl=40&Sess=1&locale=en. My emphasis.

laws. We will look to them to keep our economy strong and competitive, come up with innovative ideas to protect our environment and keep us on the cutting edge of technological change. They are our future.”⁷⁰

Notably in line with Edelman’s concept of reproductive futurism, Broten’s remarks set the notion of the child as future within the neoliberal imperative of economic prosperity, technological innovation, and law and order. When children and the nation’s future are spoken of in the debates and hearings on the bills, there is no mention of gay kids.

Following Edelman, we could say that the future is kid stuff, but *definitely not queer*.

Moreover, the nation has historically been constructed in dominant discourses as heterosexual. Writing in 2000, about the significant reliance of both nation and citizenship on hegemonic masculinity and heterosexuality, L. Pauline Rankin warned of “an escalation of the heterosexist nature of pan-Canadian nationalism in our increasingly globalized, neo-liberal society.”⁷¹ Thus, the hysterical public response to the legislation permitting GSAs in schools, with its focus on traditional family values and keeping children safe from sexual confusion is a salient instantiation of this sort of heterosexist nationalism at work.

While the nation is heterosexually aligned, children, its heirs and future leaders, are generally cast as sexually innocent. Despite contemporary conceptualizations of human beings of all ages as sexual beings, the dominant cultural imagining is that the innocence of children should be protected so that they will “naturally” become heterosexual over (straight) time. Therefore, to counter the threat of GSAs in schools,

⁷⁰ Lauren C. Broten, Ontario, Legislative Assembly, December 7, 2011, accessed October 29, 2014, http://ontla.on.ca/web/house-proceedings/house_detail.do?Date=2011-12-07&Parl=40&Sess=1&locale=fr.

⁷¹ L. Pauline Rankin, “Sexualities and National Identities: Re-Imagining Queer Nationalism,” *Journal of Canadian Studies* 35.2 (2000): 179, 192.

public opposition fervently deployed the trope of the innocent child under attack from the so-called gay agenda. Referring to Pierre Trudeau's famous statement about the state remaining out of the bedrooms of the nation, one presenter opined:

Today, this TDSB gender and sex curriculum ensures there is a place for the state in the children's bedrooms of the nation; furthermore, what's done in private between adults is the concern of the Education Act and should be taught explicitly to children. I appeal to you: Should this be? Why are Mr. Trudeau's values passé now? If the state needs to stay out of the bedrooms of the adults, how much more should it stay out of the bedrooms of our children?⁷²

The suggestion is that the government legislation of GSAs and its revised sex education curriculum facilitate the queering of innocent children. "Normal" children are considered both innocent and asexual. Catholic Bishops in Ontario had earlier sent a letter to school boards exhorting them "to consider groups other than gay-straight alliances, which 'imply a self-identification with *sexual orientation that is often premature* among high-school students."⁷³ Since for dominant culture gay kids cannot be asexual, the GSA is read as an inherently sexualized space, and thus a space for the sexualization and corruption of innocent (heterosexual) children. This type of logic led to the following question during the legislative hearings: "Are children in school going to be groomed into alternate lifestyles and sexuality by the education system?"⁷⁴ Ultimately, the impulse to quarantine the contagious threat of queerness to schools resurfaces in discursive formations similar to those deployed 30 years prior through the invocation of queers as child molesters:

⁷² Gillian Lea, Ontario, Legislative Assembly, May 15, 2012, accessed October 29, 2014, http://www.ontla.on.ca/web/committee-proceedings/committee_transcripts_details.do?locale=en&Date=2012-05-15&ParlCommID=8963&BillID=2549&Business=&DocumentID=26339#P107_20636.

⁷³ Hammer, "Halton Catholic School Board." My emphasis.

⁷⁴ John G. Gots, Ontario, Legislative Assembly, May 15, 2012, accessed October 29, 2014, http://www.ontla.on.ca/web/committee-proceedings/committee_transcripts_details.do?locale=en&Date=2012-05-15&ParlCommID=8963&BillID=2549&Business=&DocumentID=26339#P107_20636.

One of the concerns of people I have talked to is that there will be—as the program for sexual orientation, whatever that portion is—a planned program of recruitment and initiation. What that means is gays coming alongside non-gays and encouraging them to try the gay lifestyle (...) to the point of initiating a person against their will.⁷⁵

While the debate over including GSAs in the ASA was won by those siding with gay and lesbian students, at least in the Ontario legislature, it is certainly is not over in terms of overall public discourse around queers in schools. As MPs did not actually debate the deputations, they posed few questions of the many presenters who spoke against GSAs and queers. In particular, they asked no questions and made no comments in response to presenters who linked gay kids and gay teachers to child molesters.

In addition, I argue that as a technology of governmentality, the legislation around GSAs, while perhaps affording some gay and lesbian students who are *out* more safe space in which to gather, can also be read as a technology of queer quarantine itself. Although the government has not mandated them, it has legislated the GSA as the remedy for “homophobic bullying.” And although it has not prescribed the function of the GSA, it has set out its objectives. This officialization of GSAs in law, normalizes them, fixes them as part of the educational apparatus of the state that aims to normalize all kids, directing them into performing productive roles in the future of the nation under neoliberal terms. While it is not the scope of this study to theorize the impacts of GSAs on schools and students, we could ask going forward, in what ways are GSAs *queer*? In other words, do they really trouble systemic gender and sexual norms in the ways that so many Canadians fear, or to return to O’Rourke’s definition of queer, are they spaces of

⁷⁵ David Blair, Ontario, Legislative Assembly, May 15, 2012, accessed October 29, 2014, http://www.ontla.on.ca/web/committee-proceedings/committee_transcripts_details.do?locale=en&Date=2012-05-15&ParlCommID=8963&BillID=2549&Business=&DocumentID=26339#P107_20636.

“undefinability,” “provisionality,” “not-yet-here-ness”? I suggest that while they can offer various kinds of peer support to some out gay kids, they cannot be queer in these terms. GSAs function to normalize “good” gay students, raising them alongside their heterosexual peers under the heteronormative conditions of the state governed educational institution. Moreover they act to quarantine the queer outlaw along with all the benefits of queer that queer kids have to offer. Kathryn Bond Stockton argues that the fruit of the queer child is in her growing sideways.⁷⁶ I suggest that state intervention in legislating GSAs is a disciplinary technology of queer quarantine compelling (good) gay kids to grow “straight” and (bad) queer kids to stay in the closet, isolated and at risk, or to disappear altogether. Enacted within legislation that aims for the protection of the child, the GSA must adhere to the imperative of reproductive futurism, and there is no future for queer under those terms.⁷⁷

Queer Blood: Quarantining Queers from the National Blood System

In different ways, the preoccupation with blood and the law has for nearly two centuries haunted the administration of sexuality.⁷⁸

Around the same time that the Catholic School Board in Ontario was working to maintain its quarantine against queerness within the separate school system, CBS and its stakeholders were at work to ensure that queer blood would be kept out of the Canadian

⁷⁶ Kathryn Bond Stockton, *The Queer Child, or Growing Sideways in the Twentieth Century* (Durham, NC: Duke University Press, 2009).

⁷⁷ While it is also not within the scope of this study to suggest queer alternatives to GSAs, I will venture, following Stockton and Edelman, that a queer version cannot be legislated but could evolve rather through resistance by queer kids to the officialized GSA, growing sideways in extra-curricular ways. This is another area for future investigation.

⁷⁸ Foucault, *The History of Sexuality*, 179.

national blood system. In this section, I undertake a focused re-reading of the revised deferral policy for MSM, which the CBS implemented in 2013, despite opposition from several important national organizations including the Canadian Federation of Students (CFS). My reading concentrates on the ways in which concepts of time, in particular futurity, are deployed in regards to queer men and the so-called deferral period. Given the CBS policy's connection to my analysis on HIV/AIDS in Chapter Four, I am also interested in the ways queers are constructed in official discourse surrounding the CBS policy. I argue that the exclusion of MSM from donating blood can be read as a disciplinary technology of queer quarantine, and suggest that the policy, arguably unjustified by medical science, is in large part rooted in the haunting legacy of the queer AIDS monster and the unceasing construction of queer bodies and queer blood as always already infected. As queers embody threats to the future of the nation via its blood supply, these threats are too symbolically charged for CBS to alter the MSM deferral policy to any significant degree.

Canadian Blood Services and the Lifetime Ban on MSM

In this section, I do not explore the history of HIV/AIDS and the Canadian blood system; however, I offer some background notes to contextualize the current case study. Little discussed in the policy-making documents produced in the lead-up to the publication of the *Blueprint* in 1990, HIV had a major impact on the Canadian blood system, Canadian health policy, and people who rely on blood products and blood transfusion services. Thousands have suffered and died as a result of HIV and other viral agents such as Hepatitis-C entering the national blood supply. Viruses were unknowingly passed on to clients through blood transfusions over many years before the gravity of the problem

became clear in the mid-to-late 1980s. Approximately 2000 Canadians were infected with HIV in this way until testing and screening procedures were implemented in 1985.

There is a small body of scholarly work on the tainted blood scandal in Canada. It focuses primarily on the outcomes of the Krever Inquiry in terms of human rights, and medical policies and practices, and the state responsibilities.⁷⁹ Margaret Somerville and Norbert Gilmore's oft-cited chapter in *Blood Feuds* documents the systemic failings that led to the tragedy.⁸⁰ While Journalist André Picard's bestselling book on the scandal and the subsequent Krever Inquiry is well known in Canada,⁸¹ Orsini's study is arguably the most critical scholarly work produced to date on the subject. Through his appraisal of Canadian "blood activism," Orsini documents the history of the scandal and the resulting collective action, particularly the creation of the collective identity of "tainted blood victims," and raises important questions about the responsibility of the state in terms of protecting citizens from risk.⁸²

In the mid-1980s, authorities discovered that the national blood supply system was fatally compromised, resulting in the infection of thousands of blood product recipients with HIV and Hepatitis C. The Canadian Red Cross Blood Transfusion Service

⁷⁹ See: Paul J. Schmidt, "Blood, AIDS, and Bureaucracy: The Crisis and the Tragedy," *Transfusion Medicine Reviews* 25.4 (2011): 335-343; Kumanan Wilson, "The Krever Commission—Ten Years Later," *Canadian Medical Association Journal* 177.11 (2007): 1387-1389.

⁸⁰ Margaret Somerville and Norbert Gilmore, "From Trust to Tragedy: HIV/AIDS and the Canadian Blood System," in *Blood Feuds: AIDS, Blood, and the Politics of Medical Disaster*, ed. Eric A. Feldman and Ronald Bayer (New York: Oxford University Press, 1999), 127-60.

⁸¹ André Picard, *The Gift of Death: Confronting Canada's Tainted-Blood Tragedy* (Toronto: HarperCollins, 1998).

⁸² Michael Orsini, "The Politics of Naming, Blaming and Claiming: HIV, Hepatitis C, and the Emergence of Blood Activism in Canada," *Canadian Journal of Political Science* 35.3 (September 2002): 475-498; Orsini, "Blood, Blame and Belonging."

(CRCBTS), then responsible for the national system, began asking individuals to refrain from donating blood if they were at risk for HIV and AIDS. Once Health Canada began overseeing the blood supply system, the CRCBTS implemented donor selection criteria, which resulted in a lifetime ban on blood donations from all MSM who had engaged in any sexual activity with men since 1977. It was this screening process, set up by the Red Cross to prevent MSM from donating blood, which James Thornton circumvented in Ottawa in 1988. In 1992, CBS was created to replace the CRCBTS and undertake the management of the Canadian blood system under the authority of Health Canada. The lifetime ban on MSM was directly incorporated into CBS screening policies.

In 2006, CBS began conducting a review of its policies, and commissioned the University of Ottawa to review the MSM deferral policy. The following year, the McLaughlin Centre for Population Health Risk Assessment at the University of Ottawa produced its report for CBS on the MSM lifetime deferral from donating blood and related issues. It reviewed screening procedures, concerns about the deferral policy, alternative approaches to the MSM deferral, and estimates of residual risk, specifically the risk for HIV transmission after screening procedures are applied. In their evaluation of a possible one-year deferral, the authors concluded it “would represent an unethical type of risk transfer, from one *social group* to another, and therefore would be unacceptable.”⁸³ The language of the report re-affirmed the notion of risk determined by group rather than by activities, and places MSM in opposition to CBS clients. There is no clear evidence that moving to a five-year ban would increase risk to blood product recipients, however, the authors recommended

⁸³ William Leiss et al., “MSM Donor Deferral Risk Assessment: An Analysis using Risk Management Principles: A Report for Canadian Blood Services,” Ottawa: University of Ottawa, 2007, 3, my emphasis.

maintaining the current policy. CBS decided to uphold the lifetime ban on MSM blood donors but did agree to study future possibilities for a 5-year deferral.

In 2011, after several other nations, including Australia, Hungary and Sweden, reduced their deferral periods for MSM donors to one year, CBS came under increased pressure to revise its policy. In particular, the CFS, which represents 600,000 students nationwide, organized the “End the Ban” campaign, holding demonstrations across the country to draw public attention to the discriminatory policy.⁸⁴ In 2012, CBS responded to increasing pressure, commissioned a survey, and produced the report I examine below in advance of its adoption of the current 5-year ban for MSM.

In May 2013, CBS announced the adoption of the revised policy. Acknowledging that for many stakeholders, the change “does not go far enough,” it declared the change “a first and prudent step forward on this policy.”⁸⁵ The control measures CBS uses are based on principles of precaution, meaning that the outright ban on MSM donors was instituted before scientific research was applied to confirm the controls needed to maintain the system’s safety. This policy revision reflects a first attempt to mitigate the bad publicity caused by opponents of the MSM donor ban.

Much has been written about the MSM donor ban and it is generally understood that it discriminates against gay men. The CBS itself acknowledges the discrimination but argues that it is necessary to protect the health of Canadians. The judge who presided

⁸⁴ Megan Dolski, “New Blood Donation Rules Take Effect in Canada Two Decades After Tainted-Blood Inquiry,” *Globe and Mail*, July 22, 2013, accessed October 30, 2014, <http://www.theglobeandmail.com/news/national/new-blood-donation-rules-take-effect-in-canada-two-decades-after-tainted-blood-inquiry/article13353123/>.

⁸⁵ Canadian Blood Services, *Changes to Blood Donor Guidelines*, May 22, 2013, accessed October 30, 2014, http://www.blood.ca/CentreApps/Internet/UW_V502_MainEngine.nsf/page/MSM?OpenDocument.

over the 2010 case against Kyle Freeman concurred. CBS sued Freeman for lying on his screening form and donating blood despite having engaged in sex with men.⁸⁶ Judge Aitken ruled that Freeman was liable and ordered him to pay damages to CBS; he also ruled that the Charter of Rights and Freedoms does not apply to the CBS. Fiddler et al. also concluded that since the objective of CBS's precautionary principles is to maintain the safety and the reputation of the Canadian blood supply, its consultations with groups opposed to the MSM ban together with its maintenance of the screening policy "publicly reaffirm the dedication of the blood operator to managing blood risk at all costs."⁸⁷ Despite the discriminatory practice, they conclude the ban on MSM donations "effectively manages reputational risk."⁸⁸ Thus, I do not aim to establish that the MSM deferral policy is discriminatory; this is well established. I apply my discourse analytical framework to official documents produced by and for CBS to show how the discourse itself continues to deploy discursive formations as tactics that aim to quarantine the queer.

Blood System Stakeholders Versus Queers

As part of its review of the MSM policy, CBS engaged Ipsos Reid to survey its key stakeholders in Spring 2012. Respondents were divided into the following categories: the general public, active blood donors, members of the CFS, and members of the

⁸⁶ See: Jeffrey Simpson, "The Act of Donating Blood is a Gift, Not a Right," *Globe and Mail*, September 17, 2010, accessed October 30, 2014, <http://www.theglobeandmail.com/globe-debate/the-act-of-donating-blood-is-a-gift-not-a-right/article4389066/>.

⁸⁷ Jay Fiddler et al., "Blood Donation and Institutional Trust: Risk, Policy Rhetoric, and the Men Who Wave Sex With Men Lifetime Deferral Policy in Canada," *Canadian Review of Sociology* 48.4 (November 2011): 386.

⁸⁸ Ibid.

Community Based Research Centre (CBRC). The CBRC is a non-profit organization that brings together research to help inform queer health initiatives and programming across the country. This group, like the CGS, criticized the medically unfounded MSM exclusion policy. CBS was concerned that CBRC and CFS actions “may be contributing to the small percentage of new, young donors recruited overall.”⁸⁹ Although CBS used the survey as a risk assessment tool, it is also a technology deployed with the aim of creating “knowledge” to justify maintaining the ban on queer blood while attempting to increase overall blood supply. CBS acknowledges that it “has consistently failed to meet targets for new donor recruitment,” and with new donors comprising less than ten percent of overall blood donations, coupled with the aging national population, “failure to engage younger donors will become an increasing problem for CBS.”⁹⁰ The survey showed that while the MSM exclusion did not have a significant effect on public donations, sixty-six percent of CFS members said they would be less likely to donate blood because of the ban on MSM. In order to mitigate the negative publicity created by opponents, CBS sought to appease CFS and CBRC members by demonstrating movement on the MSM ban. It also needed to maintain the confidence of its user base and demonstrate compliance with the mandate it received following the Krever Inquiry: “Safety of the blood supply system is paramount.”⁹¹

⁸⁹ Canadian Blood Services, *Report on Donor Selection Criteria Relating to Men Who Have Sex With Men*, Ottawa: March 7, 2012, 16, accessed October 30, 2014, [http://www.blood.ca/CentreApps/Internet/UW_V502_MainEngine.nsf/resources/MSM/\\$file/Report-on-Donor-Selection-Criteria-Relating-to-Men-Who-Have-Sex-with-Men1.pdf](http://www.blood.ca/CentreApps/Internet/UW_V502_MainEngine.nsf/resources/MSM/$file/Report-on-Donor-Selection-Criteria-Relating-to-Men-Who-Have-Sex-with-Men1.pdf).

⁹⁰ Ibid. This would be increasingly problematic, since CBS aims to increase its donor base by 50,000 new donors through 2015.

⁹¹ Canadian Blood Services, *Krever Report*, accessed November 14, 2014, http://www.bloodservices.ca/CentreApps/Internet/UW_V502_MainEngine.nsf/page/FAQKrever?OpenDocument.

The primary issues that the CBS sought to elucidate through the Ipsos Reid survey thus included “perceptions of safety,” as well as “intentions to donate and trust in” the organization.⁹² The Executive Summary notes that CBS policy “was based on scientific evidence that some MSM are in the highest *risk group* for HIV/AIDS infection.”⁹³ Given that queers are read as “unsafe,” I suggest the MSM deferral is based in large part on dominant cultural perceptions of queers as “unsafe” and posing a group threat to the public and its confidence in the blood system.

Ipsos Reid found that maintaining the lifetime ban on blood donations from gay men would negatively impact future donations by post-secondary students but not the general public and current donors. Yet, it did not find overwhelming support across stakeholders for a significant policy change. More than half of the general public did not show clear support for change, with the largest percentage of those, forty-five percent, saying that they did not know what they thought. A further forty-five percent of the donors who were critical of changing the policy cited the risk that gay men posed to the blood system; and, fifteen percent of the general public reported “they are against gay people donating blood.”⁹⁴ My readings of the survey report reveal that gay men, as a group, and the symbolic power of blood, not blood itself, are the focus of the safe/unsafe binary. Gay men and MSM are presented as unsafe for the blood supply system/general public/nation, and thus a risk to the future.

⁹² Canadian Blood Services, *Ipsos Reid Survey*, Ottawa: 2012, 1, accessed October 30, 2014, [http://www.blood.ca/CentreApps/Internet/UW_V502_MainEngine.nsf/resources/MSM/\\$file/2012-Ipsos-Reid-Survey-Results.pdf](http://www.blood.ca/CentreApps/Internet/UW_V502_MainEngine.nsf/resources/MSM/$file/2012-Ipsos-Reid-Survey-Results.pdf).

⁹³ *Ibid.* My emphasis.

⁹⁴ *Ibid.*, 2.

Calculating Queer Risks

There are two issues for the CBS going forward from the five-year MSM deferral: a) switching to a “gender neutral” screener with “behaviour-based donor selection questions,” and b) the risk of emerging pathogens. Several nations have switched to gender-neutral screening. The UK and Australia have moved to a one-year deferral, while South Africa and Japan enforce a six-month deferral. Japan’s deferral applies to all individuals who have at least one new partner during the previous six months, regardless of gender or type of sexual activity. While the CBS states that it has medical research to support its position, research today demonstrates that the ban is not medically justifiable, with top HIV/AIDS specialists calling for a change in the CBS policy on MSM exclusion. In its own discussion of risk modelling, the CBS notes, “with a one year deferral, one additional HIV infection unit would be released into the Canadian blood supply every 500 years.”⁹⁵ Moreover, in the 2012 MSM policy change report, the CBS states that since the window period for HIV is now less than ten days, “window period risk would be more than adequately covered by a one year deferral for risk factors.”⁹⁶

Implementing a gender- and sexual orientation-neutral policy like the one used in Japan, CBS claims, “would result in excessive loss of currently donating *safe donors*.”⁹⁷ It explains that up to fifteen percent of its (presumably heterosexual) donors will have

⁹⁵ CBS, *Report on Donor Selection Criteria*, 15.

⁹⁶ *Ibid.*, 8. In 2006, after extensive research, the “American Red Cross, America’s Blood Centres and the AABB recommend to the FDA changing deferral to 1 year for MSM-FDA chose to uphold the indefinite ban stating it was *the best way to keep the nation’s blood supply safe*.” Canadian Blood Services, *Chronology of events related to the MSM Policy*, accessed October 30, 2014, http://www.blood.ca/centreapps/internet/uw_v502_mainengine.nsf/page/Chronology-of-events-related-to-the-MSM-Policy?OpenDocument. My emphasis.

⁹⁷ CBS, *Report on Donor Selection Criteria*, 16.

had more than one sexual partner in a given year. It would lose these donors if a gender- and sexuality-neutral policy were implemented. CBS also cites a Quebec study predicting only a one-percent increase in donors if a one-year MSM deferral were introduced.⁹⁸ Clearly, CBS does not want to lose the fifteen percent of its heterosexual donors who would be considered promiscuous. Therefore, while CBS uses the term “safe” to describe promiscuous heterosexual donors, it considers all gay men and MSM both promiscuous and unsafe.

Risk modelling theorizing potential threats to the safety of the blood system due to residual risks demonstrates that “these risks are now extremely low due to current policies and practices, including better process control and computerization.”⁹⁹ Residual risks represent the possibility of a donated blood product turning up a false negative test result and “quarantine release errors,”¹⁰⁰ which could occur if donated blood products were accidentally released before test results were received. Since apparently no recipient of blood has been infected with HIV since new measures were introduced almost thirty years ago, it is theorized that residual risks are virtually nil. Therefore, this disciplinary technology of queer quarantine is justified not by medical research but by the public’s continued perception that gay men are not safe, their bodies and blood present a risk of contagion to the nation’s blood supply. The conflation of emerging pathogens with queers further links the impulse to quarantine to dominant cultural fears about queer proliferation and makes the quarantining of queer blood a national imperative for CBS.

⁹⁸ Marc Germain et al., “The Risks and Benefits of Accepting Men Who Have Had Sex With Men as Blood Donors,” *Transfusion* 43 (January 2003): 25-33. It is important to remember that these types of studies rely on “the prevalence of HIV among MSM” (p. 25), which can only be estimated, not known.

⁹⁹ CBS, *Report on Donor Selection Criteria*, 15.

¹⁰⁰ *Ibid.*

Queer Threats to the Nation's Blood

According to the CBS report, “the MSM population remains a high risk group for both prevalent and incident HIV infections in Canada, accounting for approximately half of new infections.”¹⁰¹ While the statistics are correct and hold true, what is important about this statement for my reading is its context and the choice of the words “population” and “risk group.” Situated under the headings “MSM Population” and “Known infectious risks,” this section of the report positions MSM as infectious risks to the national blood supply. Furthermore, the term population is used to indicate all “men who have had sex with men.”¹⁰² The report also deploys the term “high risk group,” even though risk group is an obsolete term that has been widely replaced by risk activity in official discourse around epidemiology and infectious agents.

The report also makes sweeping generalizations about MSM populations in Canada, including that they have a “high frequency of risk taking behaviours,”¹⁰³ and that the HIV sero-prevalence rate in “MSM populations in Canada” is ten to twenty percent.¹⁰⁴ This is impossible to measure: no one knows how many MSM there are. Similar claims are made regarding the annual sero-conversion rate for MSM, listed as one percent. These statements are reminiscent of the anti-gay declarations linking queers with disease presented to the Standing Committee on Health and Welfare thirty years ago. While CBS claims that studies tend to focus on “highly sexually active” MSM, it does not explain what the term means, and then adds that the MSM population is also at

¹⁰¹ Ibid., 11.

¹⁰² Ibid. Although the report acronym list defines MSM as men who have sex with men, in the report itself, the term is broadened to include the past: men who have had sex with men.

¹⁰³ Ibid., 12.

¹⁰⁴ Ibid.

greater risk for hepatitis B and hepatitis C than the “general population.”¹⁰⁵ This wording separates queers from the general population, making them a group apart. Finally, the report declares, “syphilis is also more prevalent in the MSM population, with frequent and wide-spread outbreaks being reported in MSM in Canada in the last 10 years.”¹⁰⁶ The only reference given to substantiate this claim is a broken link to the PHAC website for information on syphilis.¹⁰⁷ This text clearly positions gay men and MSM as sexually risk-taking and as repositories of sexually transmitted infections.

Besides labelling queers as sexual risk takers, CBS also depicts them as irrational liars. It cites an American study from 2005 showing 1.2 percent of male blood donors in the US were allegedly MSM even though, as in Canada, MSM are required to abstain from donating blood. After using survey results to extrapolate on how many life partners MSM donors might have (thereby imagining further risks to the blood supply),¹⁰⁸ CBS suggests that such generalizations are unreliable anyway “since these individuals were not truthful in answering the donor health assessment questionnaire.”¹⁰⁹ CBS also cites a similar study in the UK, and claims that in anonymous surveys of Canadian donors, around 0.8 percent of male donors acknowledge having engaged in MSM activity prior to donating blood. Although it avows, “failure to admit risk factors and to accept the donor selection criteria is complex,”¹¹⁰ it does not provide data about the failure of other

¹⁰⁵ Ibid.

¹⁰⁶ CBS, *Report on Donor Selection Criteria*, 12.

¹⁰⁷ Accessed October 30, 2014, <http://www.phac-aspc.gc.ca/publicat/epiu-aepi/std-mts/infisyph-eng.php>. As I can find no information on the PHAC site to support this claim, I have written PHAC for clarification but have not received an answer.

¹⁰⁸ It not clear here if CBS is using American data to theorize risks to the Canadian blood supply or if it is referring to the situation in the US.

¹⁰⁹ CBS, *Report on Donor Selection Criteria*, 12.

¹¹⁰ Ibid., 15.

deferred groups to recuse themselves from donating. Accordingly, CBS characterizes the “MSM population” as a high risk and offers that unlike the “general population,” queers lie about their behaviour. The implication that some queers wilfully lie and break the rules in order to donate infected blood can be traced back to fears around contagious queers intentionally infecting others, as Gaëtan Dugas and James Thornton are imagined to have done. This subtext functions as a disciplinary discursive tactic of quarantine suggesting that queers are devious and that some of them possess monstrous intentions. Thus the haunting figure of the queer AIDS monster looms over the blood system and the future of the nation.

Emerging Queer Threats to the Future

Since the early 2000s and the advent of SARS, microbiologists and specialists in the field of contagion, have focused on assessing risk factors for the emergence of new infectious diseases. This is also the case in terms of blood services and blood safety.¹¹¹ The term “emerging pathogens” is used in the blood safety context to refer to “infectious agents whose incidence has increased or threatens to increase in the near future.”¹¹² Emerging pathogens can be currently known but threaten to expand or they can be new and unknown, suddenly appearing in a given population like HIV and SARS, which are notable past examples. Scientists develop and update theories that are used in risk management processes, including models used to determine risks to the blood supply from emerging infectious agents. One might expect that the maintenance of the ban on

¹¹¹ See: Chintamani Atreya et al., “FDA Workshop on Emerging Infectious Diseases: Evaluating Emerging Infectious Diseases (EIDs) for Transfusion Safety,” *Transfusion* 51 (2011): 1855-1871. See also: Susan L. Stramer et al., “Emerging Infectious Disease Agents and Their Potential Threat to Transfusion Safety,” *Transfusion* 49 (2009): 1S-29S.

¹¹² CBS, *Report on Donor Selection Criteria*, 9.

queer blood in Canada would be due to the development of new strains of HIV in the so-called gay community; however, while new strains of HIV have developed in Africa, they have not been identified in MSM, “although *in theory*, they may occur in any HIV infected group.”¹¹³

Little known to most Canadians, including those who are aware of the ban, a principal rationale for excluding MSM from donating blood in Canada is the CBS fear of emerging pathogens that have yet to manifest: “The MSM population remains at higher risk for emerging agents that are sexually transmitted.” CBS theorizes that since HIV/AIDS appeared first in Canada predominantly (but not exclusively) in the gay community, the tainted-blood crisis of the 1980s originated with gay men (only) donating blood infected with HIV and Hepatitis C, which then made its way into the blood system. Deploying disputable statistics to suggest that the MSM population poses a higher risk for emerging pathogens like HIV, the CBS maintains that a new, deadly pathogen could irrupt in the gay community at any time (or may already have developed but not yet have been detected) and thereby threaten the national blood system.¹¹⁴ The theorization around emerging pathogens becomes clearer in the following justification of the five-year deferral on MSM blood donations:

Individuals who have had no MSM partner for five years would be expected to be at lower risk for an emerging pathogen because by definition, the pathogen was not present at all or to the same extent five years ago. Additionally, the study by the REDS group, mentioned above, suggests that individuals with a remote history of MSM are not representative of the entire MSM group. Individuals with

¹¹³ Ibid., italics mine.

¹¹⁴ Note the McLaughlin Report’s discussion of emerging pathogens in 2007: “Furthermore, there is a concern about unknown pathogens that may be transmitted in a similar way to that of known pathogens. It is prudent therefore to continue to select donors for donation through application of criteria that reduce the chance of infectious blood being collected.” Page 6, citing King et al.

MSM behaviour more than five years prior to donation were much more likely to have had a limited number of sexual partners. Many of these individuals may have experimented with MSM behaviour, or had one MSM experience as an adolescent or young adult, but now identify themselves as heterosexual. Therefore, it is highly unlikely that an emerging sexually transmitted pathogen would first occur in individuals who have had no MSM behaviour for many years.¹¹⁵

CBS assumes that a new threat to the national blood system will most likely come from within the MSM population because an emerging pathogen is not likely present itself in individuals with a “remote history” of MSM. Since it is assumed to be highly unlikely for a new pathogen to develop in heterosexuals, CBS believes that a new deadly threat to the national blood system will emerge amongst MSM. The proliferation of queerness thus poses an unacceptable risk to the nation’s blood supply now and into the future, with gay men and MSM always already in the process of becoming agents of new but as yet undiscovered contagion.

The overall message is that queers, specifically MSM, are officially categorized as infected and contagious for at least five years after their last (homo)sexual contact. Furthermore, CBS implies that MSM cannot be considered “safe” so long as they continue to engage in homosexual acts. This accounts for the vast majority of adult gay men. Since gay men can only be considered safe if they totally abstain from sex for five years, the only “safe” gay men are non-sexual gay men, which means virtually no gay men.

I suggest that the continued exclusion of gay men and MSM from donating blood in Canada is largely based on the imagined fear of queer contagion. CBS officials try to justify the MSM deferral through rhetoric around managing risk: a) the risk that queer

¹¹⁵ CBS, *Report on Donor Selection Criteria*, 12. CBS’s theorization is based on an US study of American MSM and the US blood donation system conducted in 2005.

blood infected with HIV will get through the viral testing process and end up being given to a recipient, and b) the risk that a new or existing sexually transmittable pathogen will enter the system via MSM if they are permitted to donate blood. I argue that these fears draw upon historical queer sex panics around HIV and AIDS, given the tainted-blood scandal, and the continued representation of queers in dominant culture as sex addicted, promiscuous, dirty and diseased. The panic around queer blood is further amplified by official discourse, which, through its allusions to the figure of the queer AIDS monster, continues to present queers as a threat to national futures, suggesting that some queers aim intentionally to infect the national blood system, while other queers seek to corrupt the nation's children. As I demonstrate in the final section of this chapter, even the courts and the prison system are not immune to these imagined threats of queer contagion.

Sex, Toxicity and Deceit: Quarantining the Queer AIDS Monster

*Friday May 7, 3pm: An Ottawa man is in police custody on nine counts of aggravated sexual assault for failure to disclose a sexually transmitted infection to a partner. The man appeared in court May 6, as of May 7 he is still in police custody.*¹¹⁶

The day after the arrest of the then unnamed accused, on May 7, 2010, Ottawa Police Services undertook what they claimed was “an extraordinary measure—to ensure that all sexual partners are informed that medical follow-up is warranted.”¹¹⁷ They released the accused individual's identity to the public, not only by publishing his name in a news release on their website but by including his photo, and sending a copy by email to a long

¹¹⁶ Noreen Fagan and Neil McKinnon, “UPDATE: Nine More Aggravated Sexual Assault Charges Laid Against Accused,” *Daily Xtra!* May 7, 2010, accessed November 14, 2014, <http://dailyxtra.com/ottawa/news/update-nine-aggravated-sexual-assault-charges-laid-accused>.

¹¹⁷ Ibid.

list of individuals associated with the police, the committee on police relations with the gay community, and others within the community. The email was circulated rapidly and widely, with the photo of the accused in a yellow prisoner jumpsuit subsequently published by media outlets nationally and duplicated throughout the Internet. It was thus through “an extraordinary measure” allegedly aimed at protecting the public that the police initiated the creation of the “poz vampire,” Canada’s most notorious queer AIDS monster this century.

The case, which I refer to hereafter as the Steven Boone case, quickly became spectacularized in national media and continues to this day. Hundreds of articles have been filed in the media on Steven Boone, his three trials, and his convictions for attempted murder. While the attention focused on this particular case has contributed to the discourse around the criminalization of HIV non-disclosure in Canada, there is to date little scholarly work that references the Steven Boone case and no work focusing specifically on the discourse produced around it. The criminalization of HIV non-disclosure was first put into discourse many years ago; however, I am interested in the official production of discourse around Steven Boone, particularly since this case developed at the same time as the GSA debates in Ontario and modification to the MSM blood donor ban, which served to reaffirm the toxicity of queer blood. In the remaining pages, I trace some of the ways in which tactics of queer quarantine have been deployed to reproduce the queer body as toxic, reanimate the queer AIDS monster, and literally isolate Steven Boone in a state of multiple queer quarantine.

Although the scope of my analysis does not include an exploration of the history of the case, I provide a brief explanation due to its complexity. According to police, the

investigation into Steven Boone began on April 13, 2010, after a man complained to them that he had acquired HIV through sexual relations with Boone, who had not informed him of his HIV-positive status. After investigating, Ottawa Police arrested Boone on nine counts of aggravated assault and broke protocol by issuing his photo, thereby violating his right to privacy. Police warned of “a serious public health threat” and claimed: “he [Boone] has had multiple partners and we are very concerned (···) it's very alarming and serious.”¹¹⁸ This is the same tactic Ottawa Police used when it released the photo and personal details of James Thornton in 1988. The media record shows that the police-created hysteria around this arrest had the effect of setting into motion a series of processes to identify, classify and ontologize Boone, who quickly became known in the media and popular discourse as the “HIV vampire.”¹¹⁹ In the media release, Police declared: “Mr. Boone has had multiple sexual partners over the past months, *approaching them* using the internet (sic) for the most part.”¹²⁰ I contend that the wording of this initial media release contains within it the seeds that led to Boone being cast as an insatiable,

¹¹⁸ Ibid., citing Chief Inspector John McGetrick.

¹¹⁹ The media uses the terms “poz vampire” and “HIV vampire” interchangeably in their references to Boone. I do not analyze the cultural significance of metaphors of vampirism in connection with HIV and AIDS here. A small body of scholarly work addressing this question already exists. Much of it draws on work by Watney and Treichler to explore the use of vampires and vampire metaphors in American pop culture subsequent to the advent of AIDS. See: Xavier Aldana Reyes, “‘Who Ordered the Hamburger with AIDS?’ Hematophilic Semiotics in Tru(e) Blood,” *Gothic Studies* 15.1 (May 2013): 55-65; Marty Fink, “AIDS Vampires: Reimagining Illness in Octavia Butler’s ‘Fledgling,’” *Science Fiction Studies* 37.3 (November 2010): 416-432; Edward Guerrero, “AIDS as Monster in Science Fiction and Horror Cinema,” *Journal of Popular Film and Television* 18:3 (1990), 86-93.

¹²⁰ Ottawa Police Services, Media Release: Steven Boone, May 7, 2010. The media release was posted on the Ottawa Police Services website for four years but has recently been removed.

aggressive sex criminal and subsequently grew into the discursive formation of the queer AIDS monster.

In early 2010, when Steven Boone engaged in what his lawyer, Ian Carter, termed “charged-up sexual talk” with other men on the Internet, it is hard to imagine he could foresee how his “private” online chats, which included “talk of infection for arousal purposes,” would become the focus of a search warrant by police.¹²¹ In a matter of months Boone’s fantasy talk became the object of intense scrutiny by police investigators and Crown prosecutors who were intent on Boone being convicted of attempted murder. And this is in fact what did happen.¹²²

After he was arrested at a Tim Horton’s coffee shop on Bank Street in downtown Ottawa, Boone was quickly charged with three counts of attempted murder, nine counts of aggravated sexual assault and other charges. Although he was to be offered bail, investigations across Ontario in Kitchener-Waterloo also led police there to charge him and another man with three counts of aggravated sexual assault, as well as other crimes. Given the charges mounting against him, the Crown moved to have Steven Boone deemed a danger to the public. He was remanded into custody until both trials took place. As the case became a media spectacle other “potential victims” came forward, and eventually police laid charges of attempted murder in a third case in Ottawa, one which I argue was key to early constructions of Boone as a potential child molester.

¹²¹ Bradley Turcotte, “Boone Found Guilty of Attempted Murder in HIV Trial,” *Daily Xtra!* October 31, 2012, accessed August 3, 2014, <http://dailyxtra.com/ottawa/news/boone-found-guilty-attempted-murder-in-hiv-trial>.

¹²² As such, the case forces us to reflect on the ways that private sexual fantasy has become public through the Internet and to question the use of sexual fantasy against individuals in court. The Steven Boone trials could provide an interesting case for further research on this issue.

On October 31, 2012, at the end of the first trial in Ottawa, Boone was found guilty of three counts of attempted murder, as well as “administering a noxious substance—his semen.”¹²³ He was not sentenced pending the outcome of the two other trials. In January 2013, despite the fact the judge in the second Ottawa trial believed that Boone “plotted to infect” another man,¹²⁴ he was acquitted of the charges against him because there were too many inconsistencies in the testimonies against him to render a clear verdict. Finally, in the trial held in Kitchener-Waterloo, Boone and another man, Noel Bowland, were convicted of two counts of aggravated sexual assault. The court found Bowland to be “a clear follower in his relationship with Boone,”¹²⁵ and sentenced him to 18 months in jail; media attention continued to focus on Boone. At this point, prosecutors initiated proceedings to have Boone declared a dangerous offender, which if accepted by the court, would have him incarcerated indefinitely. Because he was not sentenced in respect of the Ottawa convictions, the judge moved to have the proceedings regarding the dangerous offender status dealt with at the same time as the sentencing.

On May 29, 2013, Boone was moved to “administrative segregation,” which is effectively solitary confinement, at the Ottawa Carleton Detention Centre (OCDC) because he was believed to be engaging in sexual activity with other inmates. Sex is prohibited in institutions administered by Correctional Services Canada (CCS). During

¹²³ “HIV-Positive Man Guilty of Attempted Murder,” *CBC*, November 1, 2012, accessed November 14, 2014, <http://www.cbc.ca/news/canada/ottawa/hiv-positive-ottawa-man-guilty-of-attempted-murder-1.1236403>.

¹²⁴ “‘Poz-Vampire’ Acquitted of Attempted Murder,” *Star Phoenix*, January 4, 2013, accessed November 14, 2014, <http://www2.canada.com/saskatoonstarphoenix/news/story.html?id=867b7bb0-fcb7-4bef-800c-bde4c79c9a58>.

¹²⁵ Brian Caldwell, “Jail for Two Men Who Didn’t Disclose HIV Status,” *Waterloo Region Record*, May 8, 2013, A1.

the following year, as preparations to proceed with the request for dangerous offender status moved very slowly, Boone was kept in administrative segregation. His appeals to be returned to regular inmate accommodations and to share a cell were denied by the judge in January 2014. In June at a hearing to set a date for sentencing and to deal with the dangerous offender issue, Boone's lawyer, Ian Carter, removed himself from the case. At the hearing on July 2, 2014, Judge Warkentin found that it was lawful for CSC to continue to keep Boone in solitary confinement and set dates for sentencing preparations in the fall. Boone remains in segregation today, more than a year after first being isolated from the rest of the inmate population, an act that his lawyer has characterized as two punishments for one crime.

The Embodiment of Toxicity

I read the state's use of administrative segregation and its threats to apply a dangerous offender designation to Boone as tactics and technologies of queer quarantine. I argue that the deployment of these measures draws on discursive constructions of Boone as contagious threat not only to public health, but also to the inmate population at the OCDC. Therefore, I began with a brief exploration of the state's representation of Boone as the embodiment of contagion and monstrosity.

The Crown could hardly have been more direct in its opening arguments at the beginning of Boone's Ottawa trial with its conflation of HIV and poison. In order to establish that Steven Boone intended to infect his sexual partners with HIV, prosecuting lawyers declared, "Mr. Boone used *sex*, his own *toxicity* and *deceit* to perpetrate his

crimes.”¹²⁶ As I discussed in the previous chapter, an effect of queer quarantine is the construction of queer bodies as *always already infected*. Some people with HIV have internalized this notion of contagion so deeply that they identify as the virus or the epidemic of HIV itself. Here, the likening of queers to disease is exaggerated even further through Boone’s representation as the embodiment of toxicity per se. As this projection enters official discourse around HIV non-disclosure and queers, I argue that it further fixes queerness as contagion in terms of both queer bodies and queer desires as being infectious and contagious. The Crown’s discursive production of Boone as a poison both dehumanizes and criminalizes him. It also isolates him as forever contagious: everyone with whom he comes in contact is at risk for infection. This contagion is exemplified through the way his conflation with poison sticks to his body: two years following the first trial, a letter Boone sent his former sexual partner in jail becomes read as “a poisonous note.”¹²⁷

As of the October 31, 2012 conviction, whereby Boone was found guilty of three counts of attempting “to administer a noxious substance,”¹²⁸ the legal and discursive precedents have been set. Queer semen can now be read as poison. Regardless of the technical discussions about viral loads and undetectable status, gay men are presented as the embodiment of HIV and AIDS. As notions of queer semen and queer bodies as

¹²⁶ Joe Lofaro, “HIV Trial Verdict: Steven Boone Guilty of Attempted Murder,” *Metro*, October 31, 2012, accessed August 3, 2014, <http://metronews.ca/news/ottawa/424190/hiv-trial-jury-finds-steven-boone-guilty-of-attempted-murder/>.

¹²⁷ Tony Spears, “‘Poz Vampire’ Steven Boone Wants Out of Segregation to Get Sex,” *Ottawa Sun*, December 11, 2014, accessed November 9, 2014, <http://www.ottawasun.com/2013/12/11/poz-vampire-steven-boone-wants-out-of-segregation-to-get-sex>.

¹²⁸ “HIV-Positive Man Guilty of Attempted Murder,” *CBC*.

noxious substances move throughout dominant discourse they continue to present grave implications for queers via evolving tactics and technologies of queer quarantine in the future.

Moreover, I argue that Boone's threat to public health is not only reflected in his embodied toxicity but also in his construction by the legal system and the media as contagious and intentionally seeking to infect others with his semen. As I noted above, however, this contagion is not based solely in his sero-positivity; it is ultimately bound up with his queerness and therefore, according to traditional constructions of queerness, a calculated, intentional agenda to convert others to HIV and to homosexuality. This is evidenced by continual references in the court proceedings, witness and CSC testimony, and legal decisions to Boone having insatiable sexual desires and engaging in "bug swapping" activities. Crown prosecutor Louise Tansey-Miller claimed that Boone was, "aroused by, and deeply committed to, achieving his goal of spreading HIV."¹²⁹ Boone's alleged commitment to his "sick desire" of "spreading HIV to infect healthy men" is likened to an agenda,¹³⁰ and this discursive slippage between the so-called "gay agenda" and queer contagion is only further amplified by constructions of Boone as seeking sex with young men and "boys" in order to infect them or convert them to HIV-positive status. Throughout the four-year long case, the media has continually referred to Boone's sexual partners as "boys." This also includes mainstream gay media, such as *Xtra!*, which in its reporting on the first trial reported, "One 17-year-old male tested positive after a sexual encounter with the accused, although it cannot be known *if the accused infected*

¹²⁹ Megan Gillis, "Hooked on Spreading HIV: Crown Says Accused Had Sick Desire to Infect Healthy Men," *Ottawa Sun*, October 12, 2012, 4.

¹³⁰ *Ibid.*

*the boy.*¹³¹ Furthermore, both Crown prosecutors and the media focused much attention on the disability of one of Boone's partners, the alleged victim at the centre of the second trial in Ottawa. The man, who was twenty-one years old at the time, has a developmental disability and was consistently referred to by media in terms that compared him to a child: "Boone is set to stand trial on separate charges of attempted murder, attempted aggravated sexual assault, breach of probation and sexual assault on *a developmentally delayed man in his 20s who functions at the level of a 13-year-old.*"¹³² The *Sun* even went so far as to repeatedly characterize the alleged victim as: "a 21-year-old man with the mind of a child."¹³³ Indeed, the representation of Boone as a danger to boys throughout the trial has become deeply imbricated in discourse around the case. Crown prosecutor Meaghan Cunningham, for example, in discussing the likelihood of HIV transmission when an HIV-positive man has a low viral load, likened the threat of infection to a lightning strike using a metaphor that draws on this discursive tactic:

We all know the chance of being struck by lightning is very small," she said. "However, we all get out of the swimming pool and *pull our kids off the soccer field* when it starts, even though the risk is very, very small. We act because the potential consequence is so severe."¹³⁴

If Steven Boone is HIV and infection with HIV is like a lightning strike, then Boone threatens our kids. Through repeated references to his insatiable appetite for sex, such as, "Accused had '4 or 5' partners a week,"¹³⁵ sustained construction of his sexual partners

¹³¹ Turcotte, "Boone Found Guilty," italics mine.

¹³² Ibid. My emphasis.

¹³³ "Witness: Steven Boone Forced Oral Sex on Me," *Ottawa Sun*, November 13, 2012, accessed August 3, 2014, <http://www.ottawasun.com/videos/1967301179001>.

¹³⁴ Turcotte, "Boone Found Guilty."

¹³⁵ Megan Gillis, "Accused Had '4 or 5' Partners a Week: Roommate," *Ottawa Sun*, October 23, 2012, accessed October 31, 2014,

as “boys,” and insistence that his sexual relations were part of an agenda to infect and convert “healthy men,” discourse produced by the courts, the CSC and the media functions to characterize Boone as a queer child molester with monstrous intent to corrupt and murder boys with his semen. This is in addition to the fact that Boone did, according to evidence presented in court, refer to himself at least once in his online chats as a “poz vampire.” Although Boone’s lawyer argued that the transcripts of the chats are the product of a “rich fantasy life,”¹³⁶ the media seized on the opportunity to stylize Boone as a vampire. Thus, the “poz vampire” is brought to life as the newest in a line of queer AIDS monsters, which can be traced back through James Thornton to Gaëtan Dugas, who threaten the future to the nation through both its boys and its blood.

The Multiple Quarantine of Steven Boone

The Steven Boone case has most certainly contributed to the developing discourse around the confinement of prisoners with HIV and those who are queer. Although sexual activity is not usually spoken about officially since it is not permitted in the Canadian prison system, this case puts questions around queer sexual acts in prisons back into official discourse. But this is more than just a question of the solitary confinement of one gay inmate living with HIV; this case has significance for transforming technologies of queer quarantine.

Pursuant to the findings of the 1995 Commission of Inquiry into Certain Events at the Prison for Women in Kingston (also known as the Arbour Commission), in which Supreme Court Judge Louise Arbour declared that segregation over a long term

<http://www.winnipeg.sun.com/2012/10/23/boone-likely-infected-teen-with-hiv-expert-testifies>.

¹³⁶ Turcotte, “Boone Found Guilty.”

constituted cruel and unusual punishment, CSC was instructed to stop such practices.¹³⁷ CSC continues, however, to justify the solitary confinement of prisoners for various reasons, such as for the safety of the inmate in question, the safety of other inmates, or in the case where a prisoner requests his or her own segregation.

Since his arrest in Ottawa on May 6, 2010, Boone has been constantly in police custody, in detention centres, and in solitary confinement. Given the number and severity of the charges he faced, in two separate locations in Ontario, he was not offered bail following his arrest. During the first two years of Boone's detention at the OCDC, he allegedly participated in consensual sexual encounters with other inmates. With one man in particular, he is understood to have had an ongoing relationship.¹³⁸ This man has since been transferred to another establishment, allegedly to receive psychiatric treatment.¹³⁹ Only this inmate, referred to as M.D., provided corroborating evidence of the relationship. No other inmates cooperated with investigations into Boone's alleged sexual activities. Therefore it can only be substantiated that Boone had consensual sexual activities during the time he was involved in a relationship with M.D. The CSC and the courts have used this sexual relationship, as I explain below, as evidence of Boone's monstrous intentions to infect heterosexual men with HIV. The logic constructed around

¹³⁷ Shauna Bottos, *Profile of Offenders in Administrative Segregation: A Review of the Literature*, Research Branch, Correctional Service Canada, Ottawa: September 2007, accessed October 31, 2014, <http://www.csc-scc.gc.ca/research/b39-eng.shtml>; Louise Abour, *Commission of Inquiry into Certain Events at the Prison for Women in Kingston*, Public Works and Government Services, Ottawa: 1996, accessed October 31, 2014, http://www.justicebehindthewalls.net/resources/arbour_report/arbour_rpt.htm.

¹³⁸ *R. v. Boone*, 2014 ONSC 370 (CanLII), January 16, 2014, Paragraph 14, accessed November 9, 2014, <https://www.canlii.org/en/on/onsc/doc/2014/2014onsc370/2014onsc370.html?searchUrlH ash=AAAAAQAFYm9vbmUAAAAAAQ>.

¹³⁹ *Ibid.*, Paragraph 13.

the queer AIDS monster is that no one is safe around him, not even other prisoners. He is just as “toxic” in prison; therefore, even fellow inmates must be protected from him.

During his last trial in Waterloo, Ontario, which took place in Winter 2013 he was housed at the Maplehurst Correctional Complex in Milton, Ontario for some time before being sent back to the OCDC. Upon arrival at the OCDC on May 29, 2013, he was placed in solitary confinement where he remains up until the writing of this chapter. As he is scheduled for sentencing in Ottawa in late fall 2014, it is now assumed that he will remain in administrative segregation until that time. Despite legal requirements that call for detainees to be given notice to appeal their isolation every five days, according to Boone, this requirement has not been fulfilled. He has thus been held continuously in solitary confinement and the only explanations he has been given are “for liability reasons” and “you should know the reasons.”¹⁴⁰

Two options were given to Boone that would, according to the CSC and the presiding judge, reduce the psychological harm Boone faced due to his complete segregation from other prisoners. The first proposal was to house him in the medical ward, known as the Pod-A medical area, of the OCDC where he would have a single cell for the night but be able to socialize in a common area during the day.¹⁴¹ This option, however, “involved some loss of privacy as there are observation windows in these medical cells.”¹⁴² The other option was to move him to Cambridge facilities, where he would have a single cell but also be able to socialize with other inmates during the

¹⁴⁰ Ibid., Paragraph 22.

¹⁴¹ Ibid., Paragraph 25.

¹⁴² Ibid.

daytime. Boone rejected both options and requested that he be released from solitary confinement and be allowed to have a cellmate like the other inmates at the OCDC.

The two options to move Boone are revealing because they offer him freedom to socialize during the day but would see him sequestered at night, ensuring his isolation from others. The logic surrounding this confinement is that if he had a cellmate, he would engage in sexual activity with that person at night. This decision is based on the logic of “straight time,” which assumes that sexual activity takes place at night in a bed(room). It is imaginable, however, that sex acts of various kinds occur in prisons and other detention centres at various times of day under diverse conditions allowing prisoners to interact out of view of the surveillance system of the prison. The judge’s decision does not say why Boone declined the offers to move; rather, it indicates that the offers permitted socialization with others under surveillance and that he rejected them, requesting a return to normalized inmate conditions where prisoners have cellmates. The decision does not state that he wanted a cellmate for sex; the judge alludes to this throughout her decision. Following the December 2013 hearing, the media conflated queerness once again with sex addiction and predation, claiming, “‘Poz Vampire’ Steven Boone Wants Out of Segregation to Get Sex,” and, “Jail hasn’t curtailed the sex life of [the] predatory HIV-positive man convicted of trying to infect others with the dread disease.”¹⁴³

Finally, an application to suspend the “administrative segregation” of Steven Boone was heard mid-December 2013. In his January 2014 decision on the OCDC’s request to maintain Boone’s segregation from other inmates at OCDC, Mr. Justice Robert J. Smith, wrote that:

¹⁴³ Tony Spears “‘Poz Vampire.’”

The Deputy Superintendent testified that the applicant has been placed in segregation in order to protect other inmates from his manipulative sexual behaviour and possible infection with HIV. The Superintendent is aware of incidents of sexual activities between the applicant and other inmates while he was being held at the OCDC. The Superintendent denied that the applicant's sexual orientation or the fact that he is HIV positive was the reason he was placed in segregation. I accept his evidence in this regard.¹⁴⁴

In the decision, which denied Boone's request to be released from segregation, the judge stated his rationale for his maintaining Boone's solitary confinement:

I find that if the applicant is placed with a cellmate there is a very high risk that the applicant would manipulate the cellmate into having sexual intercourse and a high risk that this cellmate would contact (sic) HIV putting any such cellmate in a dangerous situation if placed with the applicant.¹⁴⁵

Contrary to the opinion of the Superintendent and the Ontario Superior Court Judge, I contend that Steven Boone's incarceration in "administrative segregation," indeed the whole case, including the attempted murder conviction, has everything to do with his sexual orientation and his HIV sero-positivity. But for his queerness and his HIV-positive status, Steven Boone would not be in the predicament he is in in the first place.¹⁴⁶ The more persuasive evidence of this, however, lies in a reading of the judge's decision itself. This latest in a series of legal decisions against Boone continues to rely on strategies of queer quarantine re-circulated throughout discourse in which Boone is always already recast as a queer sexual predator and a toxic queer body: a queer AIDS monster. Although he is only known to have engaged in one sexual relationship while incarcerated, in official documents that include court proceedings and decisions against him, it is alleged he had multiple sexual encounters with other inmates and used the language of predation.

¹⁴⁴ *R. v. Boone*, 2014 ONSC 370, Paragraph 2.

¹⁴⁵ *Ibid.*, Paragraph 8.

¹⁴⁶ If he were not gay, he would not likely be seeking sex partners in jail; if he were not HIV-positive, the legal system would have a more difficult time confirming his "toxicity." I have discussed, queers are considered always already infected.

Moreover, throughout the more than three-year ordeal, Boone is positioned as manipulative, cunning and deceitful, able to dominate other young men and “boys.” In her ruling following the Kitchener-Waterloo trial, Justice Bonnie Warkentin wrote that Boone “bragged about *his ability to manipulate young men* into having unprotected sex with him,”¹⁴⁷ and is described “as someone who is manipulative and who finds it quite easy to find willing sexual partners.”¹⁴⁸ These statements by Justice Warkentin are picked up and re-circulated by Justice Robert J. Smith in his decision on Boone’s continuing segregation. While they do not call him a sexual predator outright, official legal discourse around Boone links him directly to the trope of the queer child molester by continually positioning him as taking advantage of weaker young men and boys. This connection is broadened by the notion that in the prison setting he has a captive audience of supposedly *heterosexual* men vulnerable to his sexual advances. Of course, this draws upon and plays into fears of the queer AIDS monster/molester seeking to corrupt innocent straight boys.

The second trope that keeps Steven Boone in queer quarantine is that of the poisonous HIV-infected body and the putative desire of queers, in the fashion of the first queer AIDS monsters, Patient Zero/ Gaëtan Dugas and James Thornton, to willfully infect not only other gay men but the overall heterosexual population with HIV and further the AIDS epidemic. Deploying language familiar to those who have read official HIV/AIDS discourse produced by medical authorities and the state for three decades, the

¹⁴⁷ *R. v. Boone*, 2013 ONSC 79 (CanLII), January 3, 2013, Paragraph 33, accessed November 9, 2014, <https://www.canlii.org/en/on/onsc/doc/2013/2013onsc79/2013onsc79.html?searchUrlHas=AAAAAQAFYm9vbmUAAAAAQ>.

¹⁴⁸ *Ibid.*, 35

court documents and decisions for this case continually refer to Steven Boone in terms of his being a high risk to others. In other words, his body is read as toxic and given his putative propensity for manipulative, unprotected anal sex, it is assumed that anyone made to share a cell with him would certainly be at high risk for HIV infection. This is underscored by the way Boone, as a gay man, is characterized as constantly in search of partners to satisfy his insatiable need for sex. Justice Warkentin's January 2013 decision, *R. v. Boone, 2013 ONSC 79*, is cited in Justice Robert J. Smith's January 2014 decision, where he notes that Boone "bragged about his ability to infect others with HIV by lying to them about his HIV positive status."¹⁴⁹ This is hauntingly reminiscent of Randy Shilts's depiction of rumours about Gaëtan Dugas allegedly turning up the lights in his cell-like room in a San Francisco bathhouse to point to his Kaposi sarcoma lesions and declare to his sex partners, "I've got gay cancer...I'm going to die and so are you."¹⁵⁰ Separated by much time and space, these two episodes are nonetheless cathected via fear inducing tactics of quarantine that represent queer bodies as always already infected with HIV and queers as possessing uncontrollable desires for anal sex and to pass their infectious queerness on to others.

Thus, Steven Boone remains multiply quarantined. Quarantined because of his queerness, and as a person living with HIV, he is also doubly quarantined within the prison system itself, where he is confined to "administrative segregation" because his "toxicity" and "ability to manipulate" is perceived as threats to the prison population. Today, the Steven Boone case stands as a testimony to the perceived threats of the queer AIDS monster to the future of the nation via its children and its blood. These threats are

¹⁴⁹ *R. v. Boone, 2014 ONSC 370*, Paragraph 33.

¹⁵⁰ Randy Shilts, *And the Band Played On*, 165.

imagined to be so dire that Steven Boone remains quarantined in solitary confinement even though he has not yet been sentenced for the crimes he was convicted of committing in Ottawa in 2012. Moreover, if the superior court accepts the request by Crown prosecutors to classify Boone as a dangerous offender, he will be literally quarantined indefinitely. In the meantime, the highly charged discourse around the “poz vampire” should be read as a warning to queers about the effects of discursive tactics and technologies of queer quarantine. Since queerness is always already discursively linked with sickness and monstrosity, the liminal figure of the “poz vampire” serves to remind us that for the state, its institutions and dominant culture, queer men are potential queer AIDS monsters.

From the outset, the Steven Boone case added much momentum to the sex panic around HIV non-disclosure, with one result being a chilling effect on talk between gay men and MSM about HIV, as well as on their desire to get tested for HIV.¹⁵¹ At the same time, I argue that the strategic effects of the tactics and technologies of queer quarantine deployed during the ASA debates on GSAs, through the repositioning of the ban by the CBS on queer blood, and as a result of the queer quarantine of Steven Boone, have yet to be felt.

The simultaneous unfolding of these three events suggests that the machinery of queer quarantine continues to be deployed on several levels in dominant culture in aid of reproductive futurism. Writing in the aftermath of AIDS, Jonathon Dollimore noted, “homosexuality is seen as death-driven, death-desiring, and thereby death-dealing.”¹⁵²

¹⁵¹ Fagan and McKinnon, “UPDATE: Nine More,” *Daily Xtra!*

¹⁵² Jonathan Dollimore, *Death, Desire, and Loss in Western Culture* (New York: Routledge, 1998), xi.

The fear of queerness as inherently death provoking continues to haunt the national imagination, and can be traced through the means in which dominant culture deploys tactics and technologies to quarantine queerness, from national institutions charged with citizen formation and reform—schools and prisons—to symbols of national health, such as the national blood supply system.

Chapter 6: Conclusion

This study set out to explore *queer quarantine*, the term I use to describe a phenomenon comprising processes and practices legible in discourse that are aimed at assessing, diagnosing and managing queer threats to the national body. My conceptualization of queer quarantine draws upon the longstanding conflation of queerness with disease, and builds a case for reading the isolation, containment and casting out of queerness as a specific assemblage of discursive tactics and technologies aimed at quarantining the queer in ways that exceed our traditional understandings of quarantine. In theorizing queer quarantine, I offer analytical tools for examining both the historical and contemporary threats that queers are imagined to pose to public space, healthy bodies, and the future of the nation, thereby providing a more robust accounting for the causes and effects of so-called homophobic policies and practices that continue to be deployed in statecraft and dominant culture. The study thus serves two primary aims: building a case for my conceptualization of queer quarantine and, at the same time, demonstrating how, as a conceptual framework, queer quarantine can be used as a new model of analysis to identify and explain some of the ways that the Canadian state in particular and dominant culture more generally continue today to marginalize and oppress queerness, and this, despite the apparent gains and “acceptance” that gays and lesbians have achieved in Canadian society.¹

¹ I use “gays and lesbians” here intentionally. I remain suspicious of the notion that queers have become acceptable citizens and are viewed as equally viable and valuable subjects as non-queer folk. I agree that there have been many significant advances in gay and lesbian rights, legally, institutionally, and in terms of public visibility. Miriam Smith and Tom Warner have documented many of these gains in the Canadian context. Jeffrey Weeks offers a global exploration of these transformations and what they could mean in

A growing tendency over the last decade in the global north suggests that authorities, experts, human rights activists and the media expound the virtues of western culture's acceptance of gays and lesbians, while pointing out the anti-homosexual oppression and violence perpetrated in the global south. These acts are used to demonstrate a putative lack of civility and modernity inherent to the non-western "other," and thereby provide the global north with further justification to proclaim its superiority over the other via its benevolent embrace of gays and lesbians as "equal citizens" in the 21st century. Momin Rahman's work explores this project in terms of the global north's preoccupation with constructing Muslim cultures as incompatible with western values. He argues, "we are living within a discourse of Islamic otherness that positions Islam against homosexuality because homosexuality has become deployed as *the* marker of the superiority of western modernity."² Indeed, as I prepared to write this final chapter, the *Globe and Mail's* health reporter pursued this clash-of-cultures notion in an article purportedly about AIDS but seemingly aimed at bashing Muslim Africans. Putting forth the absurd notion that AIDS *furthered* the cause of LGBT people in Canada, the author claims that the reason for the plight of gays and lesbians in "large parts of the developing world," is that while western society learned about the compassionate and caring side of

future in his recent work: Jeffrey Weeks, *The World We Have Won: The Remaking of Erotic and Intimate Life* (New York: Routledge, 2007). As Weeks concedes, however, these gains are differentially applied and unequally accessible. Thus, my study explores demonstrates some of the ways that western culture continues to quarantine the queer.

² Momin Rahman, *Homosexualities, Muslim Cultures and Modernity* (New York: Palgrave Macmillan, 2014), 2.

the gay community in Canada due to AIDS activism, in Africa “there was denial and inaction” encouraged by “homophobia,” which continues apace today.³

I have argued, drawing on Puar’s theorizations of homonationalism,⁴ that this preoccupation with anti-homosexual violence against queers by non-western others provides Canadians with a means to avoid confronting their own anti-homosexual values and violence. Taking a cue from Sedgwick’s conviction that western culture’s war on effeminate boys originates in “our culture’s desire that gay people not be,”⁵ I have posited that despite its “acceptance” of gays and lesbians, our culture harbours a desire for a future without queers that can be traced in official and popular discourse as tactics and technologies of queer quarantine.

A combination of three factors drove my study. Politically, I am frustrated by the depoliticized complacency of the queer community in regards to the ongoing epidemic of HIV in MSM, and the community’s contribution to the global north’s self-aggrandizement as inherently superior to others in terms of its treatment of queers. As an intellectual, I am inspired by the work of Kinsman and Gentile, who have charted vast terrain in the history of the regulation of queers in Canada. Their mapping of the Canadian state’s security war against queers from the 1950s through to the 1970s incited me to ask in what ways this war continues today, especially considering the argument that frames my study and the popular idea that waging a war far afield often helps to obscure the war at home. Personally, my rich life experience as an outsider has led me to

³ André Picard, “How the Advent of AIDS Advanced Gay Rights,” *Globe and Mail*, August 15, 2014, accessed October 5, 2014, <http://www.theglobeandmail.com/life/health-and-fitness/health/how-the-advent-of-aids-advanced-gay-rights/article20083869/?page=1>.

⁴ Jasbir Puar, *Terrorist Assemblages*.

⁵ Sedgwick, *Tendencies*, 164.

observe and reflect on the discursive and material ways in which we as a culture construct others, then oppress and exclude them. My experience with *quarantine talk*, expressions in popular discourse likening queerness to disease and suggesting that they be contained or exiled, especially incited me to begin this work.

British and American scholars in particular have explored historical links between homosexuality and disease;⁶ however, my research into notions around quarantine talk has revealed a lack of scholarly attention to linkages among queers, disease *and* quarantine. My study has aimed to fill this gap by exploring the construction of queerness and queers as disease in Canada and theorizing how this conflation functions as a significant driver in the regulation of queerness whereby the management of queer threats is understood as a *queer form of quarantine*, especially under our culture's homonationalistic tendencies and the rise of western exceptionalism.

Following Douglas and contemporary scholars of quarantine and contagion, I have argued that there exists in our culture an *impulse to quarantine*. Starting with traditional notions of quarantining suspect bodies and spaces over time in order to eradicate disease, I extended or “queered” conventional understandings of quarantine. Since queerness is culturally conflated with disease, we can read in discourse around queers discursive tactics and technologies deployed with the aim of quarantining the proliferation of queerness, which is imagined as threatening the integrity of the heteronormative imperatives and thus the very future of the nation.

I undertook analyses of three different archives of source material, set across three different time periods—pre-Aids, AIDS crisis, “post-AIDS”—and three levels of

⁶ See: Weeks, *Sex, Politics and Society*; Weeks, *Sexuality*; Patton, *Sex and Germs*; Hall, *Sex, Gender and Social Change in Britain*.

government—federal, provincial and municipal. The first analysis explored the threats of queer space in 1970-80s Toronto, the second revealed the quarantining of queer bodies in early federal HIV/AIDS policy making, and the third featured an analysis of queer futurity and queer proliferation by juxtaposing case studies of Ontario's 2012 anti-bullying legislation, the CBS ban on MSM blood donations and the criminal cases against Steven Boone, convicted of attempted murder for not disclosing his HIV-positive status. I used a combining methodologies approach to reveal the complex ways in which various tactics and technologies of quarantine are linked across time. My analysis located a particular emphasis on queer space in official discourse around queers in the 1970s prior to the arrival of AIDS, where I read a decisive shift to a focus on queer bodies. In the third archive, my examination of the three contemporary case studies revealed a turn in state and dominant cultural discourse to preoccupations with the future of the nation and its children.

The chronological structure allowed me to trace linkages across time and to show the development of tactics and technologies of queer quarantine and how they transform over time in relation to new and changing circumstances. The spatial analysis revealed that as queer spaces became publicly visible in the 1970s, they were constructed as contagious sites for queer proliferation. It also revealed a surprising lack of attention by authorities (e.g. the police) to the regulation of queer space until the 1977 Emanuel Jaques murder, at which point, the conflation of queers with child molesters was renewed and nationally amplified. My analysis traced trends in discursive tactics of queer quarantine to the 1981 gay bathhouse raids and the subsequently produced Bruner Report, which demonstrates a particular obsession with mapping queer space.

I also explored a particular discursive formation of queer quarantine I call the queer AIDS monster, a trope that has undergone several transformations from its beginnings as a “stranger in our midst” in the 1950s to its current apparition as the queer AIDS monster/HIV vampire. This figure emerges spectacularly at specific points time, as Patient Zero/Gaétan Dugas, the US CDC-created “carrier” of the gay plague in 1982, as the AIDS monster who donated HIV-positive blood to the Red Cross in 1987, and as Ottawa’s present day HIV vampire. As I discussed in Chapter Three, pre-AIDS queers were read as risks to the nation because of their perceived threats to traditional and conservative values and morals. In Canada, the concretization of the conflation of the homosexual as child molesting monster was exemplified by the national reaction to the anti-homosexual hysteria around the 1977 rape and murder of Jaques and the 1981 Toronto bathhouse raids. Shortly thereafter, initial configurations of AIDS as a gay plague, first stylized by medical authorities as GRID, led to a complex conflation of queers with moral and somatic decay. Despite the gains achieved by the gay rights movement in Canada since the 1980s, recent political and public hysteria in regards to gay-straight alliances in Ontario schools, queer blood and the media’s deformation of Steven Boone into an HIV vampire over the past two years, has revealed that the monsterization of queers continues. In Boone’s case, I argued that his discursive configuration as the HIV vampire not only extends the trope of the queer AIDS monster to today but also acts as a lynch pin that has secured his double quarantine in the OCDC where he is not only kept from the public but held in interminable solitary confinement so that he is unable to “infect” his fellow inmates.

Contributions

My findings confirm the possibility and usefulness of tracing the development and deployment of discursive tactics and technologies of queer quarantine in official discourse around queers historically and today. To the degree we can say that queer quarantine manifests itself as an assemblage of processes and practices deployed against the proliferation of queers to preserve the future of the heteronormative nation, employed within a discourse analytical framework, queer quarantine can also be used as an analytical tool to provide a new model for examining the regulation and oppression of queers, demonstrating that tactics and technologies of quarantine are deployed and operate throughout all levels of state and cultural responses to queers.

My study contributes to the literature on queer cultural studies in Canada, in particular to literature focusing on the regulation of queers through its documentation of specific cases in state policy making around queers. While Chapter 3 challenges some of the views expressed by scholars who have previously explored the murder of Jaques and the 1981 Toronto bathhouse raids as separate cases, this study is the first to document and analyze both events in the context of the City of Toronto's evolving policies towards downtown space and the larger context of the evolving dominant discourse around queers during the period. Chapter 4 documents the trend of discursive tactics and technologies of quarantine embedded in early HIV/AIDS policy making, revealing how these tactics are recycled across time. Chapter 5 responds to current views on the GSA legislation debate and documents both the CBS blood donor ban on MSM and the criminal cases against Steven Boone as examples of queer quarantine, read in terms of space (the hysteria over GSAs), the body (the CBS quarantine of MSM) and time (Boone's ongoing quarantine in

solitary confinement).⁷ Given its highly interdisciplinary nature, my study also contributes to the literature on quarantine and contagion by offering a new way of conceiving of quarantine applications beyond the conventional uses epidemic control. New scholarly work, particularly in post-colonial studies, explores the ways traditional quarantine measures were applied to control undesirable populations. However, my study presents a unique way of exploring quarantine as a model for revealing quarantine applied discursively and materially against queers.

This study presents a new conceptual framework or model for exploring the regulation and oppression of queers and queerness in Canada over time. It suggests that the application of a discourse analytical framework that seeks to trace connections amongst discursive constructions of queer space and queer bodies as diseased and contagious can prove useful in revealing an assemblage of tactics and technologies of queer quarantine.

I draw on Foucault's conceptualization of discourse as power/knowledge relations, as well as his understandings of governmentality and biopolitics. I conceptualize queer quarantine as the assemblage of processes and practices, both discursive and material, that are deployed in the work of surveilling, assessing, diagnosing, managing, isolating and eradicating queer threats to public space, healthy bodies, and national futures. *Discursive tactics* of queer quarantine are those statements, rules, etc., which, spurred by the impulse to quarantine, and drawing on extant discursive features, aim to carry out the work of queer quarantine in a particular manner. I employ

⁷ As I write this, Steven Boone has been held in administrative detention at the OCDC for over 17 months. The Ottawa court has still not sentenced him for his attempted murder convictions.

this term in order to signify objectives that aim to quarantine queerness, its presence or its visibility, within the social and cultural realm. *Technologies of queer quarantine* is crafted from Nikolas Rose's concept of technologies of government,⁸ developed in his elaboration of Foucault's governmentality, to signify knowledge-making and regulatory practices that result from the impulse to quarantine and are shaped through discursive features and tactics of quarantine.

My conceptualization of queer quarantine and a number of my findings have crystallized through my reflections on my experience and on my relationship to the project, which highlights the significance of standpoint in regards to queerness and its influence on the production of theory and knowledge. Reflecting on my experience of quarantine talk caused me to question how it might relate to metaphors of disease and the application of traditional quarantine. These experiences helped inform my conceptualization of the difference between tactics and technologies of quarantine and their significant culture-wide effects. Reflecting on my relational standpoint to queerness has not always produced illumination and clarity. My understandings of my own subjectivity and the meaningfulness of identity categories have shifted during the course of this study and leave me less certain as to the usefulness of our current identificatory practices.

My study also makes a significant interdisciplinary contribution through the wide range of literature I have drawn upon from disciplines including history, anthropology, sociology, geography and cultural studies. Weaving together concepts and theories from these fields as well as from queer theory, feminist theory, contagion studies,

⁸ Nikolas Rose, *Powers of Freedom*.

epidemiology, and applied linguistics, I apply a detailed discourse analysis to several complex case studies across a forty-year period. The result is a multi-scalar study exploring the ways that my conceptualization of queer quarantine can be employed to provide new readings of state and dominant cultural responses to queer threats as they transform over time.

Areas for Further Research

While my study has answered my research questions about queer quarantine, my findings have also prompted new questions, which open possibilities for further research. For example, it was my intention from the outset of the study to focus on the tactics and technologies of quarantine targeting all queers, however, much of my analysis in this study has ended up applying to discourse around particular cases involving gay and bisexual men seemingly to the exclusion of other queers, particularly lesbians, racialized queers and trans people. A principal reason for this is that historically, official discourses around queers have tended to focus on gay men.

Chenier's work on the medicalization and criminalization of sexual deviancy in Canada demonstrates that, historically, men have been configured as sex criminals while women and children have been characterized as victims of circumstance.⁹ An exception to this would be found in the treatment of female prostitutes in law and dominant discourse;¹⁰ however, discourses around queer threats to society have emphasized male homosexuality. The privilege and agency of white middle class gay men also led to the development and visibility of predominantly gay male communities and as gay male

⁹ Elise Chenier, *Strangers in Our Midst*, 89.

¹⁰ See, for example: Debra Brock, *Making Work, Making Trouble*, 2009.

space proliferated in public space it became the target of police and other regulatory action. In many of today's high-profile queer issues, the discursive lens is directed at gay men. The ongoing CBS ban on MSM blood donations is effectively a quarantine of gay and bisexual men. In the recent the Ontario anti-bullying legislation debate, which became a struggle over the creation of safe space for LGBTTIQ kids in Ontario schools, the discourse around GSAs ended up being mainly about (gay) boys. In MP speeches and public depositions alike, it was suicides committed by boys due to bullying that were used to support the legislation, and threats to boys' masculinity and sexual orientation by the "gay agenda" that others referenced in their opposition to Bill 13.

My findings suggest that there is a predominance of tactics and technologies of quarantine assembled particularly against gay and bisexual men, but this does not mean that queer quarantine as a conceptual model only reveals oppression of gay and bisexual men. On the contrary, rather than narrowing the applicability of queer quarantine, the outcomes of this first study underscore the need for more research here. Arguably, in many cases, although other queer identities are not referenced specifically in discourse, they are often implied. This silencing of other queer identity groups, however, should also be explored. Dominant discourse around the perceived threats posed by queer teachers, for example, is generally more focused on gay male teachers, who have been historically conflated with pedophilia and are more likely to be referenced in public debate. There has, however, been a recent rise in media sensationalized cases of female teachers engaging in relationships with their students. Sheila Cavanagh's study of this cultural phenomenon traces a new form of sex panic over white female teachers. While she did not study lesbian teachers exclusively, her research reveals a particular hysteria

around female teachers as preying on vulnerable children and youth.¹¹ Thus, I suggest that the conceptual framework of queer quarantine be applied to the study of queer educators and public policy issues focusing on queer women, to determine how discursive tactics and technologies of queer quarantine are applied similarly and differentially to queen men and women.

My study also found limited references to racialized queers, queers with disabilities, queers of different faiths, and trans people in the many sources I evaluated in putting together my study. It cannot just be assumed that tactics and technologies of queer quarantine explored in this study necessarily apply in the same way to racialized queers and trans people. Research could be pursued using the conceptual framework of queer quarantine to analyze discourse around transgender rights in regards to issues such as provincial health coverage of transgender surgeries in order to determine the continuities and discontinuities in tactics of queer quarantine between different groups of queers across different regions.

In particular, I have found the work I undertook in relation to HIV and AIDS policies and programming to be the most fascinating in terms of applications for queer quarantine. My findings confirm the usefulness of applying my framework to read instances of queer quarantine throughout official discourse, however, new questions arise, such as what the impacts of certain tactics and technologies of queer quarantine, including the trope of the queer AIDS monster, have on the ground and what their influence in the unrelenting rate of new HIV infections amongst MSM might be. I am particularly interested in pursuing these questions in further research into the

¹¹ Sheila Cavanagh, *Sexing the Teacher: School Sex Scandals and Queer Pedagogies* (Vancouver: UBC Press, 2007).

relationships between queer quarantine and HIV and AIDS, not only in Canada, but also in the global south. If the conceptual framework for queer quarantine and the queer AIDS monster is transferable to other regions in the world where deaths from AIDS continue daily, could it be a useful application for analyzing and improving social policies and cultural practices related to HIV/AIDS education and treatment not only in Canada but elsewhere and for all queers?

Overall, my research findings demonstrate that queer quarantine can be used as a model for identifying and mapping the historical and present day deployment of tactics and technologies against queer spaces and queer bodies in a continuing war against the proliferation of queerness. Moreover, I suggest that a particular usefulness lies in its ability to provide more granular results than an analysis that looks for expressions of “homophobia,” which can be difficult to define.

Queer quarantine as a model demonstrates clear connections of queer oppression with quarantine by demonstrating a historical and present conflation of queers with disease and showing ways in which the impulse to quarantine is manifested against queerness in multiple ways in official discourse and dominant culture across time. My analysis of the debates around GSAs and the anti-bullying legislation in Ontario showed that homophobia is typically blamed on individuals or on collective attitudes and values, with changes in individual behaviour and beliefs prescribed as the means to stemming anti-homosexual violence. Queer quarantine suggests, however, that anti-homosexual violence is occurring through official and popular discourse at all levels. Queers continue to be equated with disease and child molesting monsters not only in Russia, Iran and Uganda, but also in Canada. Thus a practical implication for policy makers and those

involved in the critique of social polices and practices involving queer issues is to be vigilant in identifying and eradicating the ongoing conflation of queers with disease and child molesting monsters at the level of language and discourse. Queer quarantine strongly suggests not only that the acceptance of queers is not universal in Canada but also that dominant cultural values continue to be underpinned by a desire for a future without queers.

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