

Neoliberalism and LGBT Asylum: A Play in Five Acts

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Act I

A small US organization boasts a signature appearance in regional Pride parades.¹ Under a banner reading, “Still hiding in 75 countries. Please help. Donate online,” a group of people march with paper bags over their heads, blocky brown visages disturbed only by peep holes. They are intended to represent Lesbian, Gay, Bisexual, and/or Transgender (LGBT) asylum seekers.²

The spectacle is organized by a local church-affiliated group, set up over a decade ago to provide material support specifically and only to LGBT asylum seekers. In the early years, the people wearing bags at Pride mostly fit that description; they were people receiving organizational support. Five years in, at a pre-Pride planning meeting, new arrival Mariah asked if she could wear a rainbow mask instead of the bag. Mariah explained that, while she didn’t want to risk a stray viral photograph outing her to people back home, she still wanted to “celebrate Pride” by wearing something joyful. Mariah privately told me she found the bag demeaning but thought it would be wise to adopt a conciliatory tone at the meeting. It was a prudent approach.

The organization leader, Jennifer—who walked every year unmasked, very much the public face of the group—did not appreciate Mariah’s suggestion or the enthusiastic response it prompted among other asylum seekers at the meeting. Jennifer, a white US citizen who felt called by her faith to help LGBT asylum seekers, said rainbow masks would water down the organization’s message—a hard truth that the public “needed to

hear.” Jennifer recapped the facts as she saw them for those present: LGBT asylum seekers have to hide their identities, because their own immigrant communities are not safe; many do not feel proud and suffer from internalized shame; the organization relies on donations to continue its lifesaving work. She concluded with her catchphrase: “Pulling on heartstrings opens purse strings.” An uneasy compromise was reached: each person marching, except, of course, Jennifer, could choose to wear either a bag or a mask.

In the event, none of the LGBT asylum seekers or asylees marching in Pride wanted to wear a bag. Fretful that their signature message would be lost, Jennifer asked volunteers to don the paper bags. A surreal performance ensued: under the same somber banner, half a dozen white US citizens marched in silence, their faces mostly covered by brown paper bags, projecting an image of dejected, defenseless LGBT asylum seekers. Meanwhile, actual LGBT asylum seekers danced and posed for photos, wide smiles visible below facial features obscured by glitter. A few wore the flags of their home countries around their shoulders, a self-determined and politically potent assertion of national and personal pride.

After the march, Jennifer told Beyoncé, a trans asylum seeker from Trinidad, that her “provocative” dancing had “sent the wrong message.” If she wanted to do that in the future, Jennifer explained, she should join another Pride parade contingent. Reliant on the organization for housing and financial support while she awaited a decision on her asylum claim—or a work permit, if that arrived first—Beyoncé understood Jennifer’s warning.

Act II

A variety of organizations work specifically with LGBT asylum seekers in the United States, from small, local, all-volunteer groups to national nonprofits with salaried staff and million-dollar turnovers. The messaging these groups promote is more or less refined, depending on PR budget. It is also more or less the same: LGBT asylum seekers are among the “most vulnerable” immigrants,³ “voiceless,”⁴ and “living in the shadows,”⁵ until they are granted “safety” and “freedom in the United States.”⁶ They are shunned by their families and immigrant communities, which are inherently homophobic.⁷ They are “innocent” victims,⁸ persecuted for “who they love”⁹—their political agency at most a secondary issue. They are reliant on donations and aid from their US “brothers and sisters” but are eager to

contribute to US society,¹⁰ as indicated by their professional credentials, admirable work ethic, and desire for monogamous marriage.¹¹

At least, this is what I have gleaned from the hundreds of fundraising emails, flyers, videos, newspaper articles, and social media campaigns I have studied over the past decade. Taken together, they solidify limited imaginings of who an LGBT asylum seeker is or can be—and of who they are not. Asylum adjudicators working for the state rely on stereotypes to grant or deny claims.¹² Nongovernmental organizations (NGOs), ostensibly resisting these constructions, paradoxically create new ones, embedded in wider homonationalist discourses that promote a clear victim/savior binary—and frame the United States itself as a benevolent protector of (deserving liberal) subjects.¹³

NGO staff and volunteers told me that this rhetoric “works” for their organizations, prompting donations and media attention. It rarely “works” for individual LGBT asylum seekers—at least not beyond the context of their asylum claim. After receiving a decision on their case, most of my interlocutors disavowed the identity as swiftly as possible, eager not to be associated with neediness, abjection, or an uncritical embrace of a rainbow flag. Not incidentally, most organizations’ service provision ceases at the same juncture.

Reticence to be known as an “LGBT asylum seeker” can prove challenging for NGOs reliant on willing participants to tell their stories—to “pull on heartstrings.” Some people do embrace the identity categorization, of course, or agree to speak at events as a way to “give back” to organizations that have helped them. Others see it as a politically important position from which they might highlight anti-LGBT persecution back home or promote immigrant rights in the United States. Perceptions and narratives are difficult to control, however.

Mikel was repeatedly invited to speak at events organized by think tanks, NGOs, and local government offices, contacted through the small LGBT asylum support group that provided him with a monthly stipend. Mikel had founded an important human rights organization back in his home country and had grown accustomed to “invited expert” status. He was, therefore, irked whenever his US event bio simply read: “LGBT asylee.” He told me he stopped talking at events, because: “Nobody ever saw me as me.” Audiences wanted to hear his trauma—not his analyses. Mikel was also frustrated with the lack of compensation provided for his time or contributions. While other invited speakers received

honorariums or counted their time as salaried work hours, Mikel was offered only platitudes about “making a difference” and “promoting the support group.”

At the time, Mikel worked a minimum-wage job. He had applied for positions at various LGBT organizations, his CV full of relevant (overseas) experience. He was not invited to any interviews. His friend Joni, a prominent African trans rights activist, applied for an unpaid internship at the high-profile LGBT asylum legal specialist organization that had supported his claim a year prior. NGO staff had talked effusively about Joni’s expertise when courting him to appear (unpaid) in a promotional video, so Joni was confident in his application. The rejection email said he was “not the right fit.” Victims cannot take saviors’ jobs.

Act III

I got involved with the LGBT Freedom and Asylum Network (LGBT-FAN) in 2012. The group was founded by people affiliated with faith organizations but soon grew to include a broader cross-section, including more asylum seekers and asylees. I joined because I saw it as an entry point for interrupting dominant narratives.

We organized a congressional briefing in early 2014, with LGBT-FAN’s leadership deciding to prioritize policy change and lobbying efforts. Our speakers advocated for a rollback in detention and investments in alternatives to detention (ATD),¹⁴ a ban on shackles in immigration hearings, the right to legal representation in asylum hearings, an end to the one-year filing deadline, better competency training on LGBT experience for immigration officers, and quicker access to welfare services and employment permits for asylum seekers.

Important issues all, but ones more established organizations were already making—and to far larger audiences. We were a small, unfunded network lacking sufficient resources to support or create high-profile policy action. Some members aspired toward one day becoming an influential NGO. Others—myself included—felt LGBT-FAN should sidestep the trappings and traps of the nonprofit industrial complex and focus on simpler goals: connecting existing groups spread across the country; organizing horizontally with people seeking asylum; sharing news, information, advice, questions, referrals, campaigns, etc. As we put more energy into this low-profile work, the makeup of LGBT-FAN members changed; reformist voices drifted away as more radical actors signed up.

This shift was precipitated by another internal debate: “How could we disrupt those limited, dominant narratives?” At least, that was the conversation we aspired toward. In reality, many people attracted to LGBT asylum seeker support networks did not want to disrupt those discourses. They were motivated by them.

At one LGBT-FAN affiliate meeting, for example, attendees balked at calls to support a policy proposal that would allow undocumented people to obtain a driver’s license. One person exclaimed, “I don’t think of asylum seekers as ‘immigrants!’” At events, we were frequently asked, “What can we do about people pretending to be gay to get asylum?” These statements and concerns were antithetical to our published aims but dominated popular imaginaries. At our own meetings, we spent as much time correcting stereotypes as developing new projects.

We set out to do both with our 2015 publication *Stronger Together: A Best Practices Guide to Supporting LGBT Asylum Seekers in the United States*.¹⁵ Its foremost purpose was to elevate LGBT asylum seekers and asylees as the best source of advice and knowledge about their own experiences and needs. It was further designed to provide accurate information about the asylum process in plain language for a broad audience, to encourage service providers to embrace sustainable and ethical practices, and to promote collaboration—not competition—between organizations.

In producing the publication, we wanted to put politics into practice: individuals with direct experience of seeking asylum were credited as they chose to be and recognized as experts throughout. Our modest funding was split evenly between four author-researchers, regardless of their titles or immigration status. The research process itself facilitated connection-building across organizations, allowing us to create a directory of service providers, expand our email listserv, and create forums where challenging but necessary and productive conversations have played out, including between radical queer no-borders activists, liberal NGO staff, unfunded ministry-based organization volunteers, and people with diametrically different experiences of seeking asylum.

Working with two high-profile NGO funders was instructive: our budget was as small as the hours dedicated to discussing logo sizes and placements were long. Undoubtedly, we depended on these backers for resources and visibility. The actual content of our project appeared of little concern to them, however; one of the NGO’s in-house magazines included the xenophobic broadside in its article on *Stronger Together*: “All

too often, they cannot find refuge with . . . others who have resettled in this country; anti-LGBT attitudes abound in many of those communities.”

LGBT-FAN ran out of steam in 2017. We lacked the continuous funding and volunteer time needed to maintain up-to-date resources and manage websites, inboxes, and social media accounts. Moreover, the advent of Trump prompted many of our members to reevaluate their priorities. LGBT-FAN did important work but was a product of its time. Times change.

Act IV

In 2014, two Ivy League undergraduate students contacted LGBT-FAN about a website and smartphone app they were developing, intended to connect LGBT asylum seekers with suitable service providers. They invited us to be the “established partner” required to enter a \$100,000, university-sponsored enterprise competition. LGBT-FAN agreed in principle, but the proposal was not prizewinning.

A few months later, one of the now graduates contacted us from an .org email tied to the heavily branded, already launched website of ASLink.¹⁶ The email asked for all our data on New York service providers and introductions to LGBT asylum seekers. Concerned that ASLink was plowing ahead (and soliciting donations) despite little apparent knowledge of, or even contact with, its target population, we declined.

Venture funders, social innovation accelerators, and a few foundations responded otherwise, and ASLink’s profile has grown slowly but steadily in subsequent years. Its team members seem well-intentioned. Its listings have likely helped people find resources. In its current guise, however, it promotes a deeply distorted image of LGBT asylum seekers (and adjacent populations). It perpetuates savior/victim tropes, asserts elite-led technological solutions to sociopolitical problems, and erases the work and realities of immigrant-led, solidarity-focused advocacy and service provision.

It’s the same old story—with a modern twist.

ASLink publicity materials say it is a “lifesaving resource.” It does not, however, provide direct services or informed referrals. It simply catalogues already existing companies and organizations that ASLink volunteers either locate online or that request inclusion in the database. For-profit businesses seeking paying clients are welcome to self-nominate.

“Verification” that a resource is “LGBTQ+ and immigrant-friendly” involves: “researching and often directly communicating with each

resource.” Volunteer data managers are responsible for this task. Requirements for the data management intern position include having “obtained or pursuing a bachelor’s or graduate degree” and being able to work, unpaid, 10:00 a.m.–5:00 p.m., Monday–Friday for three months. An extraordinarily privileged few people fit this profile. Neither Mikel nor Joni, despite their relevant experience, would qualify.

While ASLink interns remotely e-verify resources, low-profile organizations and networks continue to provide vital everyday support to LGBT asylum seekers and adjacent populations regardless of immigration status. These groups do not always advertise and rarely with search engine optimization in mind. They establish reputations over time and through word of mouth. While some announce that they are (read: aim to be) “LGBT-friendly,” others let it be known through tacit, coded, colloquial, or non-English terminology. Low-maintenance Facebook pages, increasingly popular in place of websites, are made and named for local community members—not ASLink data managers. The ASLink “verification process” thus privileges those private businesses and large NGOs with the time, staff, and savvy to maintain attractive websites and answer cold calls and emails with tick box questions.

For already overstretched groups, answering non-pressing emails is a markedly low priority. One queer immigrant group leader told me they had received but not replied to ASLink emails, explaining: “They kept trying to talk to me ‘before we can list your organization’ but I was legit too busy—I was running multiple campaigns and at immigration prisons at the time. . . . They were very entitled. They didn’t know enough about the actual infrastructure or lived experience of asylum seekers but posed like they did.”

Unsurprisingly, the ASLink catalogue disclaimer reads: “We make no representations regarding the viability or capabilities of any such providers. . . . Asylum seekers who contact any providers do so at their own risk.” That’s the small print. A recent press release more boldly asserts: “Without [ASLink’s] information on where it is safe to go for help, LGBT asylum seekers face increased risk of homelessness, homophobic or transphobic service providers, or no option besides giving up on their asylum claim and facing deportation.”

Framing the population it designs to help as incapable, unresourceful, and wholly reliant on its own digital catalogue for survival justifies ASLink’s existence. It also erases long-standing resource creation, information-sharing, and community-building projects led by LGBT asylum

seekers and other queer immigrants. Without such work there would be little to catalogue.

ASLink recently announced plans for a new “product”: a forum for people seeking asylum to share information and advice. It states that this will be an “online safe space” but does not explain how the safety of users—people ASLink itself defines as “vulnerable”—will be ensured. Elsewhere in the United States, immigrant rights advocates are issuing stern warnings about digital security culture,¹⁷ while Immigrations and Customs Enforcement (ICE) officers are creating puppet accounts specifically to “infiltrate” digital spaces.¹⁸ Such realities do not appear to trouble ASLink.

Its announcement emphasizes that it is the message board infrastructure—not the anticipated contributions of LGBT asylum seeker users—that is “invaluable.” “Without [our forum]” the announcement boasts, two hypothetical Mexican trans women living in San Francisco “would likely never meet.” It’s a bizarre claim, given San Francisco’s renowned—albeit under threat—Latinx communities, resources, networks, and spaces. Moreover, there are already apps for that: LGBT immigrants (like millions of others) already use established social networking platforms to share information and advice—and to build trust on their own terms.¹⁹

Following a tech start-up model wherein web presence signifies existence and success is measured in “growth,” “unique visitors,” and “reach,” ASLink has forgone ground-level research and long-standing network-building in favor of rapid geographical expansion.²⁰ Convinced of their project’s utility and their own positionality as lifesavers, a leadership team well-versed in social enterprise marketing has attracted high-profile support by leveraging cultural capital—whiteness, citizenship, family name, alma mater—that is beyond the reach of many small immigrant-led projects, especially those prioritizing political action over large NGO- and social enterprise-led “solutions.”

In the niche of the LGBT asylum seekers’ rights movement, there should be space for complementary high- and low-tech resources, for recognition of mainstream and grassroots projects, and for multivocal and collaborative work. In a competitive funding environment, however, the neoliberal NGO imperative to be “the first,” “the only,” “the biggest,” etc. consumes that space.²¹ Its leaders refuse to acknowledge the shoulders upon which they stand—and appear content to stamp down. ASLink has sought to corner the market through such branding. In doing so, it has elevated its visibility far beyond its capability.

Notably few people with direct experience of seeking asylum remain involved in ASLink. Its #YouBelong social media campaign uses stock photos as stand-ins for LGBT asylum seekers ostensibly endorsing the project. None of the four people featured have publicly identified as LGBT; three of them live outside the United States.²² Their faces have been commodified without their consent or knowledge to provide a dubious sheen of diversity and “authenticity” to ASLink, an action with profound ethical implications and racist overtones.²³

A white, elite-educated, nonimmigrant director is (once again) very much the public face of the project. She is steadily building her profile as “a social entrepreneur and LGBT advocate”—increasingly cited as an “informed” voice on LGBT asylum and racking up personal achievement awards. For financial year 2018–2019, the ASLink fundraising priority was an executive director salary. When the job advert goes live, Mikel and Joni need not apply.

Act V

Academics are quick to critique—too slow to self-reflect.

I am a queer woman legally protected against discrimination where I live and work. I am a white British citizen. Given my family ties, I face a relatively smooth—if expensive—pathway to legal residency in either the United States or a European Union member state. This is not mere privilege. It is luxury. My own cultural and professional capital has been fortified by LGBT asylum seekers (among many others) letting me into their lives and allowing me to write about their insights and experiences. Through this, I too have become an “expert” voice.

It is reassuring to think that I am a different sort of anthropologist; a different sort of NGO volunteer; a different sort of writer. Or that my words jam the gears of rhetorical juggernauts promoting and justifying colonial, racist, xenophobic, elitist, homonormative, neoliberal norms. But I also recognize: I have been complicit in every act.

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Notes

- 1 These reflections are based on extensive ethnographic fieldwork carried out in sites across the United States from 2012 to 2018. I use pseudonyms and have omitted identifying information throughout, with the exception of LGBT-FAN, an organization to which my name is publicly tied. The views contained within this chapter are entirely my own and are not representative of LGBT-FAN or any other organization with which I am or have been affiliated.
- 2 I use “LGBT” here for consistency, while recognizing the importance of more inclusive acronyms that include queer (Q), non-binary (NB), asexual (A) and more (+) non-normative sexual and/or gender identities. The majority of organizations herein discussed either have used in the past or continue to use “LGBT.”
- 3 Andre Banks, “Urgent: Get Her to Safety,” September 28, 2015, email sent to All Out public listserv in New York.
- 4 *Rainbow Bridges: A Community Guide to Rebuilding the Lives of LGBTI Refugees and Asylees* (San Francisco, CA: Organization for Refuge, Asylum, and Migration, 2012), accessed March 27, 2020, <https://www.refworld.org/docid/524d3e9d4.html>.
- 5 Crosby Burns, Ann Garcia, and Philip E. Wolgin, “Living in Dual Shadows: LGBT Undocumented Immigrants,” Center for American Progress, March 8, 2013, accessed March 27, 2020, <https://www.americanprogress.org/issues/immigration/reports/2013/03/08/55674/living-in-dual-shadows>.
- 6 Gene Robinson, “LGBT Asylum Seekers Need America More Than Ever,” *Daily Beast*, June 29, 2014, accessed March 27, 2020, <https://www.thedailybeast.com/lgbt-asylum-seekers-need-america-more-than-ever>; the same article was also published by the *Daily Beast* under the headline “A Harrowing Escape from Anti-Gay Africa.”
- 7 Aaron Nicodemus, “Beatings, Persecution Fuel Bids for Residency,” *Worcester Telegram*, July 21, 2009, accessed March 27, 2020, <https://www.telegram.com/article/20090721/NEWS/907210416>.
- 8 Fern Remedi-Brown, “Boston Pride Still Not Safe,” *Guardian Liberty Voice*, June 15, 2014, accessed March 27, 2020, <https://guardianlv.com/2014/06/boston-pride-still-not-safe>.
- 9 Maria Inés Taracena, “LGBT Global Persecution Leads to Asylum Seekers in Southern AZ,” *Arizona Public Media*, May 27, 2014, accessed March 27, 2020, azpm.org/s/19678-headline.
- 10 *Rainbow Bridges*.
- 11 Caroline Dessert, “Tamara’s Journey: A Story of Hope,” December 15, 2015, email sent to Immigration Equality public listserv in New York.
- 12 Michael Kimmel and Cheryl Llewellyn, “Homosexuality, Gender Nonconformity, and the Neoliberal State,” *Journal of Homosexuality* 59, no. 7 (August 2012): 1087–94; Deborah A. Morgan, “Not Gay Enough for the Government: Racial and Sexual Stereotypes in Sexual Orientation Asylum Cases,” *Law & Sexuality* 15 (2006): 135–61.
- 13 Siobhán McGuirk, “(In)credible Subjects: NGOs, Attorneys, and Permissible LGBT Asylum Seeker Identities,” *Political and Legal Anthropology Review (PoLAR)* 41, no. S1: (September 2018): 4–18.

- 14 As noted by Marzena Zukowska, “ATD” programs and terminology emerged from grassroots community-based initiatives to find alternatives to mass incarceration for asylum seekers and others facing immigration prisons but has in recent years been co-opted by both for-profit companies and a federal government invested in expanding the prison infrastructure; see Marzena Zukowska, “The Cost of Freedom,” this volume, 181–91.
- 15 Siobhán McGuirk, Max Niedzwiecki, Temitope Oke, and Anastasia Volkova, *Stronger Together: A Guide to Supporting LGBT Asylum Seekers* (Washington, DC: LGBT Freedom and Asylum Network, 2015), accessed March 27, 2020, https://assets2.hrc.org/files/assets/resources/LGBT_Asylum_Seekers_FINAL.pdf.
- 16 ASLink is a pseudonym. Unless otherwise noted, attributed quotes are taken from the organization’s publications and promotional materials.
- 17 Malkia Cyril, “Fed Up with Facebook, Activists Find New Ways to Defend Their Movements,” Tech Crunch, April 10, 2018, accessed March 27, 2020, <https://techcrunch.com/2018/04/10/fed-up-with-facebook-activists-find-new-ways-to-defend-their-movements>.
- 18 Amanda Holpuch, “Facebook Urged to Tackle Spread of Fake Profiles Used by US Police,” *Guardian*, April 22, 2019, accessed March 27, 2020, <https://www.theguardian.com/technology/2019/apr/22/facebook-law-enforcement-fake-profiles-ice>; Rachel Levinson-Waldman, “How ICE and Other DHS Agencies Mine Social Media in the Name of National Security,” Common Dreams, June 5, 2019, accessed April 1, 2020, <https://www.commondreams.org/views/2019/06/05/how-ice-and-other-dhs-agencies-mine-social-media-name-national-security>.
- 19 Multiple sources within immigrant rights movements have informed me that WhatsApp (or Signal) is preferred for messaging, due to its end-to-end encryption, and that Facebook remains the go-to site for finding networks and sharing information.
- 20 In private conversation, an activist who identifies as undocuqueer described ASLink’s “expansion” into Mexico as “nonprofit imperialism.”
- 21 Lori A. Brainard and Patricia D. Siplon, “Toward Nonprofit Organization Reform in the Voluntary Spirit: Lessons from the Internet,” *Nonprofit and Voluntary Sector Quarterly* 33, no. 3 (September 2004): 439, accessed March 28, 2020, <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.615.4234&rep=rep1&type=pdf>.
- 22 Using a reverse image search and contacting the credited photographers, I found that the people featured in the ASLink #YouBelong campaign are: a Muslim mother of three living in Italy photographed by a local “street photographer”; a Dutch model whose portfolio images frequently appear in “Hottest Men’s Haircuts” articles; a university student posing for her aspiring photographer friend in the US Midwest; an unnamed man in Lima, Peru. These faces are now all coded online as LGBT asylum seekers living in the United States.
- 23 Nancy Leong, “Racial Capitalism,” *Harvard Law Review* 126, no. 8 (June 2013): 2151–2226, accessed March 28, 2020, https://harvardlawreview.org/wp-content/uploads/pdfs/vol126_leong.pdf.