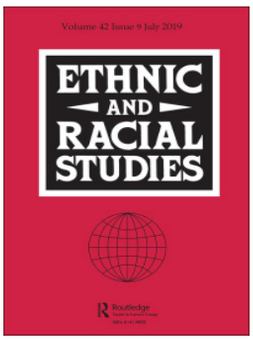

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SPECIAL ISSUE: MOTHERING PRACTICES IN TIMES OF LEGAL PRECARITY: ACTIVISM, CARE, AND RESISTANCE ACROSS BORDERS



# Queer motherhood in the context of legal precarity: experiences of lesbian mothers seeking asylum in Germany

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**ABSTRACT**

This article focuses on the everyday experiences of lesbian asylum claimants in southern Germany who engage in practices of 'mothering from a distance' and/or who decide to have children while their asylum decision is still pending. The aim of this article is to use motherhood as an empirical lens to discuss forms of belonging, stability, and pain at the intersection of gender, sexuality, race, and legal status. The writing of this article draws on empirical case studies featuring two lesbian-identifying mothers from Uganda – Hope and Livia – who are both currently going through the asylum process in Germany. It is argued that experiences around motherhood lay bare the often-invisible emotional journeys of lesbian womxn which have a substantial bearing on their asylum process in Germany. To this end, this article contributes to the nascent scholarship that seeks to amplify the experiences of lesbian womxn within queer asylum scholarship.

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**KEYWORDS** Lesbian; queer motherhood; bordermother; asylum; legal precarity; Germany

## Introduction

"The moment you leave your children behind, half of you is back home and half of you is here. You are thinking about the children all the time – especially if they are young",[1] says Livia, a lesbian-identifying[2] asylum claimant in Germany. Livia fled Uganda in 2018 due to community and police violence, leaving behind her three children aged three, seven and ten. And like Livia, many womxn[3] claiming for refugee protection in Germany based on their sexual orientation have children from previous relationships and heterosexual marriages. For instance,

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about 78% of the 180 lesbian-identifying womxn – primarily from sub-Saharan Africa – who are currently seeking legal support with the Munich-based lesbian support group LeTRa,[4] are mothers.[5] Most lesbian asylum claimants at LeTRa report that they have married to either hide their sexual orientation or because they felt obliged to enter a heterosexual union due to family and/or community pressure. About 20% of LeTRa's clients become new mothers via sperm donors while their asylum claims are ongoing in Germany.

Most women who had children before they fled their country of origin could not afford the high visa and transportation costs to bring them to Germany. As a result, they left their children in the care of relatives, LGBTQI+ allies and, in some rare cases, their biological father. While the womxn make their way through the sluggish asylum process, they remain separated from their children. For many of these womxn, bringing their children to Germany will remain an illusion because German asylum law only allows for family reunification after at least one of the parents has been granted refugee or subsidiary protection status and before the children turn eighteen. LeTRa reports that because asylum claims of lesbian womxn tend to be rejected more easily due to case officers finding their motherhood irreconcilable with their sexual orientation, family reunification often remains unattainable. It is only after refugee protection or subsidiary protection status is granted that lesbian mothers can (finally) start the processes for family reunification for their children under the age of eighteen.[6] This is after having missed important milestones such as birthdays, first school days, graduations, first time falling in love and/or having their heart broken, etc. Even if reunification is granted, family reunification tends to be time-consuming and costly, and most lesbian refugee womxn do not have enough savings to cover the expenses for the mandatory DNA test to prove a blood relationship, visa fees and travel. When or if lesbian asylum claimants will see their children again remains thus uncertain.

This article focuses on the intimate experiences of lesbian asylum claimants with motherhood in a context of extreme legal precarity. I understand legal precarity as a state of being that is created by asylum and migration regimes, and that creates vulnerabilities along the lines of deportation, state violence and the lack of state protection (Suerbaum 2021). For the lesbian asylum claimants featured in this article, such legal precarity tends to translate into experiences of uncertainty as of whether and how they could remain in Germany and when and if they will be reunited with their children. How does lesbian motherhood in the German asylum context emerge as a site where racialized intimacies and forms of belonging are reconfigured? And, to what extent is there a risk that the experiences and needs of lesbian mothers are erased within an asylum system that tends to prioritize heteronormative family constellations and relationships in law and practice?

I will address these questions by firstly, giving a brief overview of the queer asylum and lesbian motherhood literature and secondly, situating these

discussions on non-heteronormative motherhood and deservingness within the context of humanitarian discourse and practice. I will, thirdly, home in on the very personal experiences of motherhood of particularly two lesbian womxn I call Livia and Hope. While Livia is currently parenting her three children from afar, Hope had two children while going through the asylum process in Germany via sperm-donors. She currently raises them in a collective asylum accommodation in Southern Germany. I do not intent to consider these experiences around motherhood as fundamentally different or even complementary. Instead, I use the category of motherhood as an analytical lens to explore the complex emotional terrains that shape the asylum experiences of lesbian womxn and that tend to go unrecognized in queer asylum scholarship, law and policy. I argue that non-heteronormative experiences around motherhood need to be considered when establishing credibility and deservingness in international asylum regimes. This article seeks to contribute to the nascent queer asylum scholarship that examines the experiences of forced migration and everyday life for female-identifying queer asylum claimants and refugees in relation to the larger system of power as rooted in and reproducing colonialism, heteropatriarchy and heteronormative gender and sexuality.

## Queer asylum and lesbian motherhood

In general, queer asylum and migration scholarship tends to foreground the experiences of gay men – pushing the experiences of lesbian womxn to the margins. At the time of writing, no research addresses questions of motherhood in lesbian asylum claims. While queer migration scholarship has contributed tremendously to the increasing visibility of LGBTQI+ persons within particularly Western asylum systems (i.e. Luibhéid and Chávez 2020; Juss 2015; Millbank 2009; Morgan 2011; Raboin 2017; Rehaag 2017; Dustin and Held 2018; Tschalaer 2020a – just to name a few), female – and nonbinary-identifying queer asylum claimants and refugees only make transient appearances and the unique experiences of lesbian womxn remain, with some exceptions (Akbari and Vogler 2021; Bennett and Thomas 2013; Berg and Millbank 2009; Neilson 2005; Lewis 2013; Held and McCarthy 2018; Luibhéid 2019; Tschalaer 2021; Sarı 2019; Shuman and Bohmer 2014), untold (unlike transwomen). The scholarship that does foreground the challenges female – and nonbinary-identifying queer asylum claimants and refugees face within neoliberal international asylum regimes, point to the institutional homonormative biases where the construction of victimhood and deservingness tends to be contingent either on the male gay or heterosexual female experience of pain and suffering (Akbari and Vogler 2021; Tschalaer 2021; Luibhéid 2019). These studies argue that female – and nonbinary-identifying queer asylum claimants and refugees face challenges when trying to establish credibility around persecution, sexual orientation and gender identity in the context of the asylum assessment.

I come to the writing of this article through my Eu-funded research project on queer asylum in Southern Germany, which I conducted between 2018 and 2020. In the context of this research, I closely collaborated with the NGO LeTRa in Munich, which offers legal and social support for lesbian womxn – predominantly mothers originally from sub-Saharan countries such as Uganda, Tanzania and Kenia – while they are going through the asylum process. The lesbian womxn that come to LeTRa have fled abusive and coerced heterosexual marriages, state persecution and intra-community and police violence. The great majority of these womxn come from middle – and upper-class background and identify as either Christian or Muslim. LeTRa reports that lesbian mothers are at high risk of being rejected for refugee protection because decision makers tend to find their motherhood irreconcilable with their sexual orientation. According to LeTRa's internal statistic, about 95% of their clients receive a rejection after their first asylum interview. While there are a few studies in the area of queer asylum and migration scholarship that recognize the intersections between heterosexual marriages/children with institutional credibility assessments in lesbian asylum cases in Europe and the US (Bennett 2014; Bennett and Thomas 2013; Tschalaer 2020b, 2021; Lewis 2010; Sarı 2019; Neilson 2005; Luibhéid 1998, 2019; Akbari and Vogler 2021), none of these studies shed light on how lesbian asylum claimants experience motherhood while going through the asylum process. I would like to make the claim that the erasure of non-heteronormative experiences around motherhood and the knowledge gap such erasure produces, further contributes to the legal precarity of lesbian asylum claimants.

It is important to note that the erasure of lesbian motherhood is not confined to the field of asylum and migration alone. Scholars working on gender, sexuality and intimacy (Gabb 2018; Hequembourg and Farrell 1999) point out that even in so-called liberal societies, the imagination and – to some extent – possibility of lesbian motherhood, is still absent (Gabb 2018, 1008). In Germany, a study by the Robert Bosch Foundation from 2019 found that 21% of Germans disagree that gay men and lesbian womxn should be parents.[7] This is despite the long-term advocacy of lesbian activists for the legitimacy of lesbian motherhood in tandem with LGBTQI+ struggles for same-sex marriage, adoptive rights and the legalization of assisted reproductive technologies. And while new legislations on the parental rights of lesbian couples are currently being discussed at the federal level, non-biological mothers still need to go through a formal adoption process that could take years.[8] The way race contributes to the erasure of non-heteronormative motherhood, however, remains understudied (Moore 2011). It is exactly these intersections of race, motherhood and legal precarity that needs further scrutiny in queer asylum scholarship.

## Non-heteronormative motherhood and deservingness

The motherhood experiences of lesbian asylum claimants discussed in this article are about courage, belonging and resilience. For lesbian asylum claimants, parenting is a process and a practice that includes re-shaping and re-negotiating idealizations around motherhood and family, as determined by their gender, sexuality, race and legal status. A few scholars explore these intersections, focusing mostly on queer parents and not single mothers (Averett 2021; Dominguez 2020; Nakamura 2020; Mizielinska 2022). This scholarship positions queer parenting in a context of legal precarity as a practice that challenges the cis-heteronormative imprint of immigration law and policy. They argue that queer parenthood in the immigration context creates unique but also vulnerable parenting positions that allow for the configuration of new family constellations. These family constellations, however, tend to be informed by a Western understanding of the nuclear family. The way single lesbian mothers racialized as Black who are claiming asylum destabilize idealizations around motherhood – as rooted in a Victorian model of femininity and womanhood – and in so doing disrupt silences, stigma, and otherness of Black lesbian same-sex sexualities (Hammonds 1994), goes under researched.

Livia, for instance, sees her identity as a mother not as lodged within the epistemic triangle of biological reproduction, heterosexual marriage or the gendered concept of caring. Instead, Livia conceives her own motherhood as a transformative process which she likens to a *resurrection*.[9] She contends that; "*In Africa, if you don't have children, you are not resurrected. When you die, you die completely. But if you have children, they think and talk about you … . Otherwise, when you die, everything of you is gone …* ". Livia's account resonates with pre-colonial conceptualizations of motherhood on the African continent as, for instance, theorized by Nigerian sociologist Oyewumi (2003). As Oyewumi (2003, 7) points out, prior to the forceful imposition of heteronormative gender binarism and patriarchal power structures during colonization that has pushed non-heteronormative kinship practices underground, motherhood was seen as being rooted in the spiritual and in the empowerment of womxn in terms of "matripotency" (supremacy of motherhood). And as queer African scholars point out, it is precisely such spiritual space, within which pre – and postcolonial practices and idealizations around sexualities and gender identity mix and hybridize.

For instance, Nyanzi (2014) asserts that in contemporary Uganda, same-sex loving womxn reference pre-colonial indigenous performances of homosexuality in their contemporary understanding of the fluidity of gender identity and sexual practices. In so doing, they adamantly reject colonial notions of sexuality which do not acknowledge that womxn have respectable sexualities and can legitimately contribute to kinship structures (Tamale 2014;

Massaquoi 2008; Tushabe 2017). Ugandan queer scholar Tushabe wa Tushabe (2017, 178) notes that for lesbian-identifying womxn in Uganda, their same-sex love stems from their desire for a life of human connection and social ties of family and community and as a path towards freedom. Livia's account of motherhood as a social connection and form of memory, could be read from such a very perspective. However, as Ugandan feminist and human rights activists Tamale (2014) writes, patriarchy uses heteronormative idealizations around gender and sexuality – with its heteropatriarchal kinship and family structures – to silence those who are located outside such erotic heterosexual hierarchy.

The European Union's asylum and migration system is rooted in specific power dynamics created by colonialism, imperialism, racial capitalism and heteronormative gender and sexualities. Consequently, more fluid conceptualizations of motherhood, as articulated by Livia and theorized by decolonial African feminists and queer scholars, tend to be silenced. I am conducting the final revisions of this article in March 2022, at a time when an unprecedented number of single Ukrainian mothers with their children are seeking safety from the Russian invasion within the European Union. Under the existing Marshall law in the Ukraine, cis – men must join the military resistance against Russia. As a result, the images of Ukrainian mothers who are fleeing the country with their children is dominating the frontpage of most major newspapers in the Global North. The political and social response from the European Union and the United States is positive: These mothers with their children deserve protection. It is the proximity in terms of race, sexuality and geo-political location that led journalists in Europe and the United States to capture the stories of fleeing mothers, which could be any of "us".[10] The images portraying mostly women racialized as white correspond neatly with what Shome (2011) has termed global motherhood, a phenomenon that centres white femininity and the visualities and myths that are spun in this context. This includes expected performance of race, femininity and womanhood. It is precisely the reproduction of such global motherhood as performed by Ukrainian refugee mothers that spark "politics of care". Such "politics of care", as theorized by Miriam Ticktin (2011, 11), constitutes a phenomenon where the universally recognizable suffering body as a victim – pure and morally legitimate – becomes the primary subject of care. Then it is not their fault they had to flee.

Lesbian mothers racialized as Black, on the contrary, chose to leave their children behind in their pursuit of sexual freedom. In so doing, they relinquish their status as morally legitimate subjects of suffering that are recognizable within larger systems of care. Indeed, their non-heteronormative biographies, coupled with their conscious decision to pursue a better life without their children by their side, risk removing them from the morally legitimate framework wherein their suffering is recognized as universal, triggering politics of

care. In this sense, mothers racialized as non-white are most likely recognized as in need of protection when corresponding with idealizations around white Eurocentric womanhood and motherhood. For instance, as the anthropologist Amal Hassan Fadlalla (2009, 1112) argues in the context of the war in Darfur that universal and humanitarian solidarities of compassion in the Global North employ images of mothers and children that reflect neoliberal logics of "deservingness" as shored up with white heterosexual kinship structures. Such logic erases global systems of violence rooted on colonial violence and heteropatriarchal imperial aspirations that have destroyed kinship structures and communities in the Global South.

Indeed, the rejection and/or invisibility of lesbian motherhood within Germany's asylum system reflects what Gilroy (2004) has termed a "brand of ethical imperialism" where intimacies and pain become best intelligible within a universal Western framework of code of conduct around the good mother (read: heterosexual, white and upper/middle-class mother) (Tschalaer 2021). And as Bacchetta, El-Tayeb, and Haritaworn (2015, 769) so poignantly state, the queer liberal course in Western Europe has done nothing to contest how racialized queer intimacies are inscribed as deficient on account of their failed masculinities, femininities and heterosexualities.

## A note on methodology: from one mother to another

I come to the research of queer asylum as a cis-gender heterosexual-identifying LGBTQI+ ally who is racialized as white and as a mother of two. The data presented in this article derives from my EU-funded research project on queer asylum in Germany, which I conducted between 2018 and 2020.[11] The project examined the legal experiences of LGBTQI+ asylum seekers within Germany's asylum system. As part of my research project, I conducted twenty in-depth interviews with LGBTQI+ refugees and people seeking asylum on their experience with the bureaucratic aspect of Germany's asylum process. Facilitated by several LGBTQI+ refugee organizations in Munich and Cologne, I also conducted eight in-depth interviews with womxn identifying as lesbians from Kenya, Tanzania and Uganda – six of these womxn are mothers seven interviews with male-identifying gay persons from Lebanon, Iran, Somalia, Iraq and Syria; four interviews with trans – and gender non-confirming individuals from Pakistan, Syria and Iran and one interview with an intersex person from Iran. I further draw on the analysis of 150 asylum cases that were publicly available in the online archives of the Administrative Courts in Germany as well as frontline news reporting. I use this data to firstly, examine the manner in which constructions around victimhood for gay, trans, bi, intersex and non-binary people seeking asylum risk being rooted in Eurocentric regimes of gender and sexuality, and, secondly, to formulate specific policy recommendations that address the injustices inherent in existing EU

policy.[12] The data used for the writing of this article examining everyday experiences with motherhood of lesbian asylum claimants, however, derives primarily from semi-structured interviews.

When I started my research on queer asylum in Germany, it quickly became apparent that unmarried gay men with no children constitute the most visible cohort within the queer asylum context. Against this background, lesbian womxn – and particularly lesbian mothers are easy to be overlooked. They are less likely to participate in networking-events organized by NGOs, make themselves available for interviews and to speak at conferences and workshops because, as they tell me, they do not feel that they belong. Others cite caring responsibilities toward their young children as a reason to abstain from joining LGBTQI+ refugee meetings and events. In response to this relative invisibility of lesbian mothers within queer asylum scholarship, activism and policy, I dedicated the second year of my research project to researching the experiences of lesbian womxn who are affiliated with the NGO LeTRa in Munich. However, at that time, I did not (yet) recognize to what extent motherhood – as an emotional and social practice – structures their experiences around the asylum process. In this respect, I, a white cis-woman with middle class European background, initially reproduced some of the same stereotypes in that my questions pivoted mostly around their siloed experiences as lesbians without taking into consideration how motherhood shapes these very experiences.

This article is particularly inspired by the motherhood experiences of Livia and Hope, with whom I developed long-lasting relationships. While our everyday realities differ in many aspects – Livia and Hope being caught up in everyday navigations of legal precarity against the background of an increasing hostile environment and me busy settling my family in the UK after we left New York for a prestigious fellowship that enabled this research project – motherhood would often constitute common ground in our conversations. While I recognize that parenting within safe societal and political structures is not the same as parenting in a context where fear from being outed and violence – resulting in extreme forms of isolation – and from deportation is omni present, the fact that we are all mothers has opened up a space for personal exchange and reflection. Within such space, the positionality of Livia and Hope was no longer boiled down to their identity as lesbian asylum claimants vis-à-vis my own identity as a researcher. Instead, this social space allowed for an exchange on experiences and practical aspects concerning motherhood on topics such as developmental milestones, breastfeeding, introduction solid food, sickness, schooling, teething, etc.

While these exchanges allowed for establishing common grounds in my relationship with Livia and Hope, the power dynamics that structure our experiences as mothers along lines of race, sexuality, legal status and

economic, however, cannot be erased. I am thus aware that my conversations with Livia and Hope must necessarily be analyzed in consideration of my own positionality as a privileged migrant in the UK who is racialized as white and who is in a heterosexual marriage with two children. To minimize the risk of deepening these power structures and taking authority over their experiences as mothers, I have written this article in consultancy with Livia and Hope through regular conversations about the arguments I am making here.

## Leaving children "behind" – Livia's story

In the narratives of asylum-seeking lesbian mothers, the decision to leave their children "behind" is complex and often associated with feelings of deep loss, pain and guilt. Livia grew up in a family with strong Christian family values in Uganda. She discovered that she was attracted to womxn in High School – at a time when homophobic politics and societal attitudes in Uganda were on the rise. On the political stage, homosexuality is framed as a threat to Ugandan "family values" and "traditions". These homophobic deliberations culminated in the internationally famed Anti-Homosexuality Bill (AHB).[13] Even though Section 145 and 146 of the Ugandan Penal Code, a piece of legislation inherited from the British colonial rule, already criminalize consensual same-sex acts, the Parliament of Uganda passed the AHB to strengthen and expand on these laws in 2014 in an attempt to protect the "traditional family" and "culture of the people of Uganda" from the foreign threat of queer sex (Rao 2020, 3; Nyanzi 2013, 955). While the AHB was later ruled as invalided on procedural grounds by the Constitutional Court of Uganda, political and societal anti-LGBTQI+ sentiments remained in place and the fight for LGBTQI+ rights in Uganda is far from over.

Afraid of potential state persecution and communal violence, Livia was keen to hide her sexuality underneath the surface of a heterosexual marriage. She was married twice. Her first husband, with whom she has one child, divorced her after he found out about a secret long-term same-sex relationship during their marriage. Afraid of being outed by her ex-husband and to protect herself and her young son from social stigmatization and persecution, Livia entered a second marriage from which she has two children. From the start, the marriage was violent and when her husband found out about her intimate relationships with womxn, he handed her over to the police. Livia spent three days in police detention, and she is a survivor of corrective rape.[14] After her mother released her from police detention on bail, Livia lived a quiet life focusing on her role as a single mother. Careful to not risk exposing her children and herself to homophobic hate crime, she remained single for two years and practiced motherhood in heteronormative terms and in an "assimilative" manner – to speak with queer scholar Róisín Ryan-Flood (2009). This allowed her to remain in the "closet" until she met her

new partner two years later. They eventually moved in together as "friends". Soon, neighbours raised suspicion and eventually, a neighbourhood mob raided their apartment, injuring both womxn.

Livia feared for her own safety and that of her children, who were now at risk of social ostracization and violence because their mother was a known lesbian. In the interest of her children's future and her own safety, while also lacking the means to afford the high cost for her children's visa, she asked her sister to look after her children until she could start building a new life in Europe. Like most lesbian mothers claiming asylum, Livia prefered to leave her children in the care of a relative or LGBTQI+ allies but not the biological father. The latter, often means the complete rupture of the relationship between mother and child/ren because the father does not want *his* child/ren to be under the "bad influence" of a lesbian.[15] Another reason that led Livia to leaving her children behind, was her fear of getting caught under the international child abduction laws, which prevents a parent who does not have sole custody to remove the children from a country without the consent of the other rightful custodian.[16] All along, Livia planned to reunite with her children once having received refugee status in Germany. Little did she know how long that process could take.

Livia is currently stuck in Germany. Having arrived in 2017, her asylum claim received a rejection because the decision maker did not believe that she was a lesbian because she was married to a man twice and has three children. So far, Livia has not been deported because she appealed the asylum decision and is awaiting her court date. While waiting, she is legally considered an asylum claimant. For the first three years in Germany, Livia lived in a refugee camp where she shared a room with three other women. In summer of 2020 she moved into a shared apartment due to verbal and sexual harassment in the camp. To maintain regular contact with her children via mobile phone video calls was often hampered due to the poor WIFI connections in the refugee camp. The pain caused by the absence of her children sits deep. "Here where I stay there are many children. There many children going to school", she said. "I wish they [my children] were here, and I could get them ready for school. I wish this would happen soon".[17]

Like many migrant womxn throughout the world who have left their children behind to work towards better futures for themselves and their children (Abrego and Schmalzbauer 2018; Alexander 2018; Dreby 2010; Nicholson 2006; Madziva and Zontoni 2012; McCallum 2019), Livia parents from a distance as a "bordermother". Alexander introduces the concept of "bordermothering" to make the connection between legal precarity and parenting. According to Alexander, "bordermothering" suggests first, that border crossing – or the flight – constitutes an act of parenting and second, that there are varied articulations of what it means to be a "good mother" (Alexander 2018, 423). And as Parreñas (2001) reminds us, the necessity for migrant womxn to

"mother from a distance" is often rooted in structural organizations of transnational mobility rooted in neoliberal immigration policies and politics that risk separating children from their parents before and after having arrived in the reception country. As it was the case with Livia. These separations are painful and traumatizing and reveal how intersecting forms of systemic violence shape the experiences around motherhood in the everyday life for lesbian identifying asylum claimants. For instance, Amira, also a lesbian from Uganda and a "bordermother" who participated in my research, left her son behind with his father and stepmother eight years ago. At that time, her son was just eight years old. For Amira, who is still waiting for her decision after all this time, the long separation with no guarantee for reunification is deeply traumatizing. "I am not happy I don't know why in my heart. I never be happy. I'm not happy. Like sometimes I want to go take my life. To finish my life. Because I am tired", she says discouraged.[18]

Like Amira, Livia's life as a "bordermother" in Germany is dominated by the deep-felt loss of her children and her concerns regarding their well-being. Living in one of the world's richest countries, Livia is expected to substantially contribute to her children's accommodation, clothing and school and medical expenses from her monthly allowance (ca. €354) she receives as an asylum claimant. The pandemic, however, has made international money transfer difficult and at times even impossible. This was particularly worrisome for Livia when both her children had to be hospitalized with ulcers and ringworm in 2021 and she did not know if there were enough funds available for the necessary treatment. LeTRa's psychologist points out that due to Covid-19, boarding schools had to close and quite a few of her clients' children are currently on the street without medical care, steady food provision or adult support. Being ostracized by their relatives, the survival of these children often hinges on their mother finding them shelter with LGBT-allies. This contrasts with many sub-Saharan communities where kinship and family ties are fostered and strengthened by letting children grow up with sisters, mothers, or aunts (Owusua Dankwa 2021, 176). Being cut off from family and kinship structures, also means that communication has in many cases been very difficult during the pandemic and, in some cases, became even inexistent.

While living in a collective accommodation, Livia felt that there were not enough safe spaces where she could share her painful experiences as a bordermother. She was afraid that staff and other asylum claimants would ask questions about the whereabouts of her children which could potentially out her as a lesbian. Such outing, she feared, would further contribute to the risk of her becoming a target of sexual and physical violence.[19] This is unlike the experiences of heterosexual mothers who are fleeing violence and war and whose heteronormative motherhood in the sense of Shome's (2011) "global motherhood" constitutes an integral part of their perceived

vulnerability and thus deservingness of refugee protection. Such "politics of care" that relies on the recognition of a universally suffering body and mind – a characteristic of a Western neoliberal and colonial economy of humanitarianism – thrives on the erasure of non-heteronormative gendered experiences of femininity and womanhood. In this context, motherhood of lesbian womxn on the move emerges as a terrain where epistemologies beyond hetero – and male-dominated homosexual logics could be crafted – contributing to a more sensitive approach to lesbian asylum claims in Germany and elsewhere.

Today, Livia is determined to not only shine a light on the challenges and concerns that lesbian mothers face when going through the asylum process in Germany but to also create a support system for lesbian asylum-seeking mothers. At LeTRa, she set up a support group for lesbian mothers that offers support and mentoring opportunities while at the same time amplifying the visibility and voices of lesbian mothers on the move.[20] In so doing, Livia hopes to contribute to a paradigm shift in asylum decision making where asylum claims made based on their sexual orientation are assessed through a fine-tuned lens that zooms in on motherhood as a complex social, political and emotional terrain and as integral to non-heteronormative biographies of queer womxn. This also means the decolonization of human rights language in the asylum context to recognize the experiences around sexuality and gender that remain vulnerable to persisting colonial erasure, as Tushabe wa Tushabe (2017, 183) so eloquently phrases it.

## New motherhood as a form of resilience – Hope's story

While the great majority of lesbian mothers have children within heterosexual marriages in their country of origin, a small number become mothers while their asylum cases are pending. Hope, an asylum claimant from Uganda, is one of these mothers. Hope left Uganda in 2017, after having survived an abusive forced marriage that caused two miscarriages and an assault by a mob on her and her girlfriend at that time. Hope came to Europe via Italy, where she first fell into the hands of a sex trafficking ring before escaping to Germany with the help of one of her "client". She claimed asylum in Germany in 2018. Hope's asylum application was denied because the decision-maker assessed the risk for persecution in Uganda as low, suggesting her to relocate to a different district.[21] Hope did not have children at the time of her asylum interview and motherhood was thus not central in her asylum claim (unlike in Livia's). But, after having suffered two miscarriages, Hope had a strong desire to have children. Already in our first interview in 2018, Hope was adamant that she wanted to be a mother and that she could not imagine a future without having children. She told me that having children would give her a reason to live and to imagine a future

beyond her legally precarious status as an asylum claimant. "I want to lead a normal life and have a real family. I wanted to belong somewhere … . I saw womxn in my support group [LeTRa] having children alone or with other womxn. So, I decided to have children too."[22]

As she tells me, her desire to become a mother and her determination to make this happen stems from her desire to create of space of belonging and love. To create a community wherein the focus moves away from "the lesbian womxn" as an all-encompassing identity to the mother–child relationship. Like Livia, motherhood for Hope is not tied to a sexual relationship to a man. Rather, as Nigerian feminist Oyèrónké Oyéwùmí (2003) argues in the West African context, women's position in society is largely determined by her status as a mother and not wife. To this end, the structuring power of motherhood is central to Hope's decision to have children – despite living in a situation of legal precarity. "Why should I not have children just because I am a lesbian?", Hope rhetorically asked me once in a conversation. "I love children and ideally, I would have at least four. I am a proud lesbian and a proud mother!", she adds laughingly. For Hope, the mother–child relationship opens a space of belonging and togetherness. Rejected by her parents, siblings and former husband and having broken all ties with her same-sex partner for safety reasons back in Uganda, Hope felt alone when she arrived in Germany. "It hurts if your parents reject you. It really does. Am I not still their daughter – their child? Has their love for me just vanished?", Hope asks. In this sense, for Hope, having children opened up what Sarah Willen's (2014, 86) has termed an "inhabitable space of welcome" – a small zone of familiarity, belonging, comfort and tenderness – in the shadows of harsh laws, policies and asylum practices, rooted in neoliberal forms of state violence.

Like many other lesbian womxn with a desire to have children and who are affiliated with LeTRa, Hope decided to look for a sperm donor. The Rainbow Family Centre in Munich, which collaborates with LeTRa, organizes regular information sessions for gay couples on how to have children via sperm donors which they find in online sperm banks such as "Spermaspender.de" or "co-eltern.de" or within the LGBTQI-refugee community. Using a sperm donor from the LGBTQI+ refugee community in Southern Germany, a gay refugee from sub-Saharan Africa, Hope gave birth to a healthy baby girl in the fall of 2019. Hope chose a donor with refugee and sub-Saharan background because she felt that he would understand her situation as a lesbian refugee and that he was familiar with her background. I only recently learnt that because the father has refugee protection status in Germany, Hope can no longer be deported despite her asylum claim having been denied in 2018. This is because in Germany, the right of the child to their parents overrides asylum law (Castañeda 2008; Suerbaum 2021)[23] and Hope's daughter automatically received a residence permit due to her father's refugee status.

Hope's second daughter was born in May 2021 and is fathered by a gay man also from sub-Saharan Africa, whom she met at the CSD (Community, Solidarity and Diversity)-parade. Both fathers visit their daughter on a monthly or bi-monthly basis but do otherwise not play a major role in the upbringing of the girls. I did not feel that it was appropriate to ask whether her choice was strategic so she could gain a right to residency in Germany as I acknowledge that these decisions are very complex, multilayered and personal. A psychologist at LeTRa, however, acknowledges that for lesbian asylum claimants to use a sperm donor that is either German or has legal status in Germany can be a strategic decision to secure their residency through the birth of the child.[24]

With her residency status in Germany still being pending, Hope currently raises her two little children in a one-room accommodation in a refugee centre where she and the girls share bathrooms and kitchen with others (hygiene can be poor in these spaces see: Gewalt et al. 2018). In the refugee centre, the small family spends most of the time in their room. There, Hope is still in the closet. Out of fear of being outed, she decided not to become part of the mother solidarity networks in the centre where womxn share childcare responsibilities as "other mothers" (Hondagneu-Sotelo and Avila 1997, 551). Despite the deep gratitude she feels towards her daughters, Hope feels isolated. "I am alone. I don't have anyone with whom I could share my worries and joys regarding my children".[25]

Parenting during covid-19 and in isolation proved particularly challenging as she was temporarily cut off from the solidarity networks at LeTRa whose staff and clients offered childcare support from time to time. Consequently, motherhood also proved to be a solitary experience for Hope. "I face everything alone. I feed them, look after them 24/7 and make sure they remain healthy during the corona-virus pandemic. It's not easy but I love being a mom", she says with a big smile. "The girls are my place of happiness, belonging and arrival. I have now a purpose in my life again. I am someone. I am loved and I will be remembered". Once again, motherhood in the lesbian asylum context emerges as a form of resilience and empowerment and as a space where imaginations of a future become possible. So, while Livia's trajectory as a "bordermother" described above is a more a common one in the lesbian asylum context, Hope's newly gained motherhood while going through the asylum process tells us something about strategies of place-making and resilience through the creation of a sense of belonging when heteronormative state practices tend to otherwise deny those.

## Conclusions

In this article I shed light on the intimate experiences of lesbian asylum claimants who are mothers and who live in a situation of legal precarity. In my analysis, motherhood emerges as a complex lens that offers insight into

the very intimate experiences of lesbian mothers seeking asylum, which tend to remain invisible within larger discussions on queer asylum (Luibhéid 2019; Tschalaer 2021; Akbari and Vogler 2021). Mothers fleeing together with their children from war, poverty, and oppression via dangerous land and sea routes feature widely in the mainstream media and dominate the gendered humanitarian discourse. Indeed, the increased visibility of mothers with children as enhanced by news and social media outlets in the context of the war in the Ukraine, further shapes idealizations around vulnerability and deservingness in the asylum context. The vulnerabilities of lesbian mothers, however, who have left their children behind and who travel on their own remain by and large hidden within institutional asylum and migration contexts. Indeed, the Munich-based lesbian support organization LeTRa reports that the asylum claims of ninety-five percent of their clients gets rejected on credibility grounds because they are mothers and because they have been married and/or in a heterosexual relationship. I argue that the invisibilities of the narratives around motherhood offered by lesbian womxn, and the way motherhood is connected to belonging and resilience, contribute to the institutional failure to offer adequate protection to queer womxn. This article is an attempt to scratch the surface of these emotional terrains and shed light on some of the intricacies of lesbian motherhood with the hope to render their biographies more legible within institutional as well as social contexts.

In Livia's case study, I discussed the emotional journeys of lesbian mothers who have left their children back in their country of origin. I argue that these womxn suffer from emotional trauma in the shape of shame, stigma and loss, which substantially shapes their experiences with seeking asylum. In general, lesbian womxn travel alone and without children. In a context where according to my research participants womxn tend to arrive in Germany together with their family, including children, being single and "childless" at a certain age might be seen as "unusual" by other asylum claimants/refugees.[26] Lesbian womxn thus often avoid social contact out of fear of being outed as a lesbian and because they often find it very difficult to be constantly surrounded by families, particularly if they had to leave their own children behind. This can create extreme forms of isolation. Lesbian mothers who have left their children behind, are also more likely to live in poverty. The great majority of mothers who are parenting from a distance financially support their children back in the country of origin, sending most of their allowance to their children. As a result, there is often not much left to pay for food and rent (if applicable), transportation, health and personal items.

The second case study of Hope sheds light on the situation of lesbian womxn who decide to become mothers upon their arrival in Germany. I argue that motherhood in this context creates a space within which dreams and hopes about the present and the future can be carved out and

cultivated. To have children, or to build a family, far away from the place they once called home and where familial ties are in most cases severely damaged, if not entirely ruptured, allows for rebuilding a relationship of familial trust and love. Indeed, motherhood in this context fills a gaping void where the daily monotony risks collapsing with the aspirations for the future. To this end, children can offer a sense of direction and contribute to womxns' motivation to build a new life for themselves and their children in the sense of what Willen (2014) terms an "inhabitable space of welcome".

In this respect, I argue, motherhood for lesbian womxn constitutes an important part of who they are as womxn and as lesbians. Indeed, these narratives lay bare the complex emotional terrains lesbian motherhood creates and how such contributes to processes of legal and social in – and exclusion. It is thus vital that these alternative experiences and images around motherhood inform the decision-making in lesbian asylum cases by acknowledging motherhood as an intrinsic part of lesbian biographies and by taking into the consideration the ways motherhood can be experienced, lived, and expressed in the asylum context.

## Notes

1. This quote has previously been cited in: "Fighting for asylum, as a lesbian and a mother". Available at: https://www.opendemocracy.net/en/beyond-trafficking-and-slavery/fighting-for-asylum-as-a-lesbian-and-as-a-mother/?utm_source=fb&fbclid=IwAR1gv_FwFpuFt3RV_nPZoaK_Cfr-7hdkoM9Yvk1VsB_oRJW7BqCcSGZdxvA (last accessed 2 May 2022).
2. I use the term lesbian for research participants who have self-identified as being a lesbian.
3. I use the term womxn instead of woman/women to indicate that some research participants who identify as gender fluid or trans find it easier to be read as female in the asylum context as they feel that they become more recognizable within the rather narrow legal framework. The term womxn has been introduced in the 1970s by Black feminists as a more inclusionary term that allows for reclaiming the female identity in intersectional terms and as not defined as in relation to men.
4. For more information on LeTRa see their website available at: https://www.letra.de/en/ (last accessed 18 March 2022).
5. Personal Zoom-interview with, Sara Schmitter, psychologist at LeTRa. 27 May 2021.
6. For the guidelines on Family Reunification see: https://www.bamf.de/EN/Themen/MigrationAufenthalt/ZuwandererDrittstaaten/Familie/familie-node.html (last accessed 1. July 2021).
7. Bosch Stiftung. 2019. Available at: https://www.bosch-stiftung.de/de/projekt/zusammenhalt-vielfalt-das-vielfaltsbarometer-der-robert-bosch-stiftung (last accessed: 14. June 2021).
8. Germany's new coalition assembled under the new chancellor of Germany Olaf Scholz, serving since December 2021, plans on implementing sweeping reforms in the area of LGBTQI+ rights, including the automatic parental right for lesbian

couples. More information available at: https://www.pinknews.co.uk/2021/11/25/germany-lgbt-rights-coalition-olaf-scholz/ (last accessed 19. March 2022).

9. Livia is a devoted Christian and the word 'resurrection' as used in the quote above echoes the Bible verse John 11:25-26 where it is said: "Jesus said to her, 'I am the resurrection and the life. The one who believes in me will live, even though they die; and whoever lives by believing in me will never die'".
10. Sabrina Taverise. "I don't have a Right to Cry: Ukrainian mothers share their Stories of Escape." New York Times. Published March 20, 2022. Available at: https://www.nytimes.com/2022/03/20/world/europe/ukraine-women-escape-stories.html?action=click&module=RelatedLinks&pgtype=Article (last accessed 20. March 2022).
11. See project website available at https://cordis.europa.eu/project/id/793497 (last accessed 26. March 2022).
12. The research has received ethics approval from the Research Ethics Committee at University of Bristol. All research participants have signed a consent form where they had the option to choose whether they wish to remain anonymous or not.
13. The text of the Bill is available at: https://www.refworld.org/pdfid/530c4bc64.pdf (accessed 4. November 2021).
14. Corrective rape initially described the rape by straight men against lesbians to correct their sexual orientation that is considered as against traditional norms of gender and sexuality. The terms is now more widely used to refer to rape against any member of a group that does not conform to hegemonic sexual orientation expectation and where the purpose was to 'correct' sexual behavior. See: Doan-Minh, S. (2019). Corrective rape: An extreme manifestation of discrimination and the state's complicity in sexual violence. *Hastings Women's LJ*, *30*, 167.
15. This contrasts with the general statistics in Germany according to which 78% of refugee womxn arrive with their children. See: Bundesamt für Migration und Flüchtlinge. 2019. Geflüchtete Frauen in Deutschland – Freizeitverhalten und Soziale Kontakte. Available at: https://www.bamf.de/SharedDocs/Anlagen/DE/Forschung/Kurzanalysen/kurzanalyse2-2021-iab-bamf-soep-befragung-gefluechtete-frauen.pdf?__blob=publicationFile&v=8 (last accessed June 21, 2021).
16. See Article 3 of the Hague Convention on the Civil Aspect of International Child Abduction. Available at: https://www.hcch.net/en/instruments/conventions/full-text/?cid=24 (last accessed 17. January 2021).
17. This quote has previously been cited in: "Fighting for asylum, as a lesbian and a mother." Available at: https://www.opendemocracy.net/en/beyond-trafficking-and-slavery/fighting-for-asylum-as-a-lesbian-and-as-a-mother/?utm_source=fb&fbclid=IwAR1gv_FwFpuFt3RV_nPZoaK_Cfr-7hdkoM9Yvk1VsB_oRJW7BqCcSGZdxvA (last accessed 2 May 2022).
18. Personal interview with Amira, 25. March 2019.
19. As I argue elsewhere, the phenomenon of isolation in asylum accommodations applies to LGBTQI+ more generally (Tschalaer 2022).
20. Zoom-interview with Livia, 2. June 2021.
21. This line of argument where lesbian womxn are sent back to Sub-Saharan countries such as Uganda or Tanzania assumes that these womxn could make themselves invisible by opting for a heterosexual lifestyle such as marriage and/or move into another district. Then while womxn may experience

state-sponsored persecution, lesbian womxn are often target of non-state violence on the parts of the family and/or community. While the Court of Justice of the EU decision in the case of X, Y and Z states that asylum applicants "cannot reasonably be expected to conceal their homosexuality in the country of origin", non-state violence is generally difficult to prove, which contributes to the asylum rejection of lesbian womxn (see also: National Center for Lesbian Rights (o.J.): The Challenges to Successful Lesbian Claims. Available online: https://www.nclrights.org/wp-content/uploads/2013/04/Resources_Challenges_Lesbian_Asylum_Claims.pdf (last accessed 30. June 2021).

22. Phone Interview with Hope on 26. May 2021.
23. See: Federal Office for Migration and Refugees. "Family Asylum and Family Reunification". 14. November 2019. Available at: https://www.bamf.de/EN/Themen/AsylFluechtlingsschutz/FamilienasylFamiliennachzug/familienasylfamiliennachzug-node.html (last accessed 27. June 2021).
24. Email exchange with Sara Schmitter, psychologist at LeTRa, 22. March 2022.
25. Phone interview with Hope, 26. May 2021.
26. While statistics on the number of mothers arriving in Germany are not available, a Red Cross report from 2020 states that around 43% of asylum seekers in the UK are women and children. The report is available here: https://www.redcross.org.uk/about-us/what-we-do/how-we-support-refugees/find-out-about-refugees (last accessed January 19, 2022).

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