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Immigrant Sexual Citizenship: Intersectional Templates among Mexican Gay Immigrants to the United States

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Abstract

Existing literature on sexual citizenship has emphasized the sexuality-related claims of *de jure* citizens of nation-states, generally ignoring immigrants. Conversely, the literature on immigration rarely attends to the salience of sexual issues in understanding the social incorporation of migrants. This article seeks to fill the gap by theorizing and analyzing *immigrant sexual citizenship*. While some scholars of sexual citizenship have focused on the rights and recognition granted formally by the nation-state and others have stressed more diffuse, cultural perceptions of community and local belonging, we argue that the lived experiences of immigrant sexual citizenship call for multiscalar scrutiny of templates and practices of citizenship that bridge national policies with local connections. Analysis of ethnographic data from a study of 76 Mexican gay and bisexual male immigrants to San Diego, California reveals the specific citizenship templates that these men encounter as they negotiate their intersecting social statuses as gay/bisexual and as immigrants (legal or undocumented); these include an “asylum” template, a “rights” template, and a “local attachments” template. However, the complications of their intersecting identities constrain their capacity to claim immigrant sexual citizenship. The study underscores the importance of both intersectional and multiscalar approaches in research on citizenship as social practice.

Keywords

Sexuality/Sexual orientation; Immigrant; Undocumented; Asylum; Cities; Rights

Increasingly since the mid-1990s, scholars, activists, and non-governmental organizations have embraced the concept of “sexual citizenship” (Evans 1993, Alexander 1994, Berlant 1997, Freitas 1998, Weeks 1998, Bell and Binnie 2000, Richardson 2000a, Phelan 2001, Plummer 2001, Seidman 2001, Stychin 2001, Cossman 2002, Lister 2002, Finnis 2004, Bell and Binnie 2006, Langdridge 2006, Canaday 2009, Payne and Davies 2012). The term has called attention to a diverse assortment of political, social, and cultural claims and struggles

that link notions of sexual rights and duties to membership in nations or other political communities. Much more often than not, analysts and advocates of sexual citizenship have invoked the term with reference to individuals whose national *legal* citizenship is not at issue. Very commonly, the term has been used to examine the predicament of lesbian, gay, bisexual, and transgender (LGBT) individuals who are *de jure* citizens of a nation-state but who in certain respects may be “second class citizens” on account of their sexual and gender identities. Only recently have scholars of sexuality begun to link the pursuit of sexual citizenship to that of legal citizenship through a consideration of migration, globalization, and transnational processes in relation to sexuality (Stychin 2003, pp. 93-113, Binnie 2004, pp. 86-106, Manalansan 2006, Howe 2007, Asencio and Acosta 2009, Canaday 2009, Cantú 2009).

At the same time, mainstream works on immigration typically lack any meaningful discussion of sexuality. It is mostly a new development, and still a relatively rare one, for the literature on migration to imagine immigrants as fully sexual beings (Hondagneu-Sotelo 1994, Cruz and Manalansan 2002, González-López 2005), attend to how sexual identity historically has structured access to immigration (Luibhéid 2002, Coleman 2008, Luibhéid 2008, Canaday 2009), or consider how sexual aspirations might factor into motivations to embark on a new life in a new country (Parker 1999, pp. 179-221, Carrillo 2004, Luibhéid and Cantú 2005, Cantú 2009, Carrillo 2009). Nor have immigration scholars had much to say about how sexuality affects migrants’ claims to belonging or practices of social incorporation upon arrival in their host countries (Herdt 1997, Manalansan 2003, González-López 2005, Manalansan 2006).¹ These absences are unfortunate given the increasingly discernible place of sexual rights within present-day immigration policies and politics worldwide—for example, in the growing appreciation across industrialized nations that persecution on the basis of sexuality may justify the granting of asylum (Cantú *et al.* 2005, Randazzo 2005, Reddy 2005, Lidstone 2006, Carrillo 2010), or in debates over what sorts of committed relationships will count when pursuing the immigration policy goal of “family reunification” (Human Rights Watch/Immigration Equality 2006, Luibhéid 2008)

By theorizing and analyzing *immigrant sexual citizenship*, we propose to bridge the gaps between sexuality studies and immigration studies while advancing the understanding of citizenship more broadly. Drawing on field work conducted with self-identified gay and bisexual Mexican male immigrants living in San Diego, California, we identify and analyze the specific citizenship templates that these men encountered as they became incorporated, to greater or lesser extents, into San Diego gay life and U.S. society as a whole.² We argue that it is precisely the intertwining of their statuses and lived experiences as gay or bisexual men and as immigrants that defines, enables, and constrains their citizenship. In this case, sexual and legal citizenship concerns are not merely additive but in fact help to constitute one another. The product of that intersection is the emergence of new possibilities to exercise rights and achieve social inclusion but also substantial obstacles placed in the way of those very same goals.

¹For a partial exception see Smith (2006, p. 100).

²The study’s focus on male immigrants means that our conclusions should not be presumed to be applicable to the sexual citizenship of immigrant women. On the problems with generalizing concepts of sexual citizenship from men to women, see Richardson (2000a).

Our findings therefore lend support to the move to embrace intersectionality in research on sexual citizenship (Grundy and Smith 2005, p. 390, Sabsay 2012).³ Our approach also aligns with calls for the grounded and contextual study of sexual citizenship as practice, rather than seeking to resolve the nature of the concept at the level of social theory (Brown 2006, p. 875). Finally and importantly, our findings lead us to adopt multiscalar approaches to citizenship that explore linkages between citizenship at the levels of both the nation-state and the city (Yuval-Davis 1999, Desforges *et al.* 2005, Grundy and Smith 2005). While some scholars have treated sexual citizenship exclusively in terms of rights and recognition conferred (or not) by the state (Canaday 2009), and others have depicted it in more amorphous terms as forms of identification and solidarity often experienced in local settings (Roque Ramírez 2005), we find that immigrant sexual citizenship traverses geographic scales (Marston 2000) and binds together questions of status, rights, and identity (Joppke 2007). Our analysis identifies templates and practices of citizenship that distinctively link the dynamics of local connections with the specificities of national membership.

We begin by locating our conception of immigrant sexual citizenship within the existing literature in citizenship studies. After introducing our case study in greater detail, we turn to our ethnographic data to analyze the citizenship-related practices and “citizenship discourses” (Shafir and Peled 2002, p. 11) of the men who participated in our research. We describe the practical intertwining of legal and sexual citizenship in three distinct citizenship templates that these men encountered: an “asylum template,” by means of which gay and bisexual immigrant men learned how to assess and assert their eligibility for asylum as protection from antigay persecution in Mexico; a “rights template,” which consisted of a language for protesting injustices experienced as immigrants or as sexual minorities; and a “local attachments template,” through which these men “learned the ropes” of gay life in San Diego and simultaneously “learned rights.” We conclude by emphasizing that these templates of citizenship, while often enabling, at other times proved constraining due to tensions stemming from the intersections between sexuality- and migration-related concerns as they played out in these men's lives.

Theorizing immigrant sexual citizenship

What the sociologist Diane Richardson noted in 2000 remains true today: “the idea of sexual citizenship is work in progress” (Richardson 2000b, p. 86). Among Latin American researchers, for whom the term also is in vogue, sexual citizenship similarly is “*un concepto en construcción*,” offering many possibilities but also, perhaps, bearing intrinsic limitations (Cáceres *et al.* 2004, p. 5, see also Amuchástegui 2007). The term sexual citizenship has proven productive despite—or perhaps because of—the lack of agreement about either its definition or its practical implications. The concept has been used variously to describe *sexual rights* claimed by citizens that may or may not be recognized by the state (Scheper-Hughes 1994, p. 993, Weeks 1998, p. 35, Richardson 2000b, pp. 98-115); the claims to *equal treatment* of groups such as sexual minorities (Brandzel 2005); the *heteronormative*

³Following Anthias (2013, p. 4), we assume “that ‘intersectionality’ does not refer to a unitary framework but a range of positions, and that essentially it is a heuristic device for understanding boundaries and hierarchies of social life.” See also McCall (2005). As we explain below, *intersectionality* refers in this case specifically to the intersection of sexual and immigrant statuses and secondarily to other relevant categories such as race, class, gender, and HIV status.

presumptions and functions of citizenship more generally (Alexander 1994, Bell and Binnie 2000, Johnson 2002, Canaday 2009); the state's *policing of boundaries* between “good” and “bad” sexuality (Johnson 2002, p. 320, Seidman 2005, p. 225); and state-sponsored project of *subject formation* via the inculcation of specific norms related to sexuality (Cruikshank 1999, Decena 2008).

As we have noted, sustained discussions of sexual citizenship have been relatively rare in the literature on immigration. However, it is not hard to find examples of how each strand of sexual citizenship identified above has implications for the study of immigrants. A rights-based conception of sexual citizenship can be invoked to describe the claiming or granting of asylum on the basis of a right to freedom from persecution on the basis of one's sexual identity (Carrillo 2010). A focus on group-based claims to equality characterizes recent efforts in the United States to extend to gay binational couples (where one partner is a citizen or permanent resident and the other is a foreign national) the same rights to family unification currently enjoyed by heterosexual binational couples (Human Rights Watch/Immigration Equality 2006, Luibhéid 2008). The heteronormative character of citizenship is made evident by the history of immigration policies aimed at the exclusion of “sexual deviants”—policies that likewise establish boundaries between “good” and “bad” sexual citizens (Luibhéid 2002, Coleman 2008, Canaday 2009). Finally, processes of subject formation are evident in the efforts by countries such as Sweden and the Netherlands to instruct immigrants from certain regions of the world to embrace, as a prerequisite to belonging, an openminded pluralism with respect to variations in sexual identities and practices (Bredström 2005, Fassin 2010).

Drawing on these different strands of meaning in the sexual citizenship literature and recognizing their applicability to the case of immigrants, we seek to go further by describing *immigrant sexual citizenship* as a fully intersectional construct. While studies of intersectionality more typically have focused on what is sometimes called the “race-class-gender trinity,” scholars such as Dhamoon (2011, p. 234; see also Anthias 2013, p. 4) have argued that “the privilege assigned to this trinity is not intrinsic to the study of categories” and that an intersectional analysis can in principle take up the dynamics among and mutual constitution of a diverse range of social categories. In this article our specific and limited goal is to theorize and analyze the intersection of sexual and legal citizenship (that is, the intersection of the identities of *gay and bisexual* with the identities of *legal and undocumented immigrant*). Secondly (and not surprisingly), our analysis also reveals additional intersections between those categories and the categories of race, class, gender, and HIV status, and we note those intersections as they arise.⁴

Immigrant sexual citizenship concerns the claims to rights and assumption of responsibilities demarcated by the intertwining of (1) varying degrees of exclusion or incorporation into the political community of the host country on account of legal citizenship status and (2) multiple dimensions of exclusion or incorporation that stem from sexual practices, identities, norms, and attributions. Struggles around immigrant sexual citizenship fully reflect the precarious position of immigrants more generally, who—especially if they are

⁴For an example of an intersectional analysis applied to immigrants, see Chun et al. (2013).

undocumented, but even if they are legal non-citizen migrants—may be treated by native citizens as threatening and undeserving, may lack the “right to have rights” (Somers 2008), and may be denied basic assurances of health and safety (McNevin 2006, Varsanyi 2006, Willen 2012). But in addition, the politics of immigrant sexual citizenship in the United States are a product of a complex and non-trivial history of the imbrication of sexuality into immigration concerns. For example, in the early twentieth century, individuals deemed to be gender or sexual deviants were routinely excluded at U.S. ports of entry by medical inspectors (Canaday 2009, pp. 31-32). Later, the 1952 McCarran-Walter Immigration and Nationality Act barred entry of “aliens afflicted with psychopathic personality, epilepsy or mental defect,” which was interpreted by Congress and the Immigration and Naturalization Service to include “homosexuals and sex perverts” (Luibhéid 1998, Luibhéid 2002, Coleman 2008). Although homosexuality was declassified as a mental illness by the American Psychiatric Association in 1973, the formal exclusion of homosexuals from the United States continued until 1990 (Canaday 2009). Subsequently in the United States, the links between legal and sexual citizenship have been somewhat less obvious or automatic in their construction. But the intersection of concerns remains consequential not only for particular groups such as the one studied here, but also for broader debates about immigration policy, which feed on an undercurrent of anxieties about the kinds of foreign undesirables who may threaten “American values” (Coleman 2008, p. 1110). (Indeed, it has been noted that much anti-immigrant discourse appears to invoke sexualized preoccupations about the “penetration” of the nation's borders by dangerous outsiders, perhaps via the “back door” (Chapin 1998, p. 412, see also Stychin 2003, p. 99).)

Treating legal and sexual citizenship in intersectional terms calls attention to the fact that citizenship is not an “either/or.” In place of a static notion of citizenship as something one either fully possesses or fully lacks, we consider it in terms of ongoing struggles that reflect “constantly shifting relationships of power” (Rasmussen and Brown 2002, p. 179, see also Mouffe 1993). In addition, an intersectional approach yields the particular advantage of circumventing or transcending the tension between “national/political” and “local/culturalist” conceptions of sexual citizenship. In her agenda-setting book *The Straight State*, Canaday treats U.S. sexual citizenship strictly as a status conferred by the federal government and explicitly argues: “States and localities can certainly make life better for LGBT people, but they cannot bestow equal citizenship upon them. Only the national government can do that” (Canaday 2009, p. 262). By contrast, a growing literature on urban sexual citizenship has tracked the more general trend within citizenship studies to consider cities as strategic sites of “insurgent citizenship” and urban citizenship as a distinctive arena for the construction and negotiation of difference (Holston and Appadurai 1999, Rose 2000, Isin 2002, Varsanyi 2006, Isin 2007). Geographers have been particularly attentive to the significance of space, place, and scale in the study of sexual citizenship (Brown 1997, Brown and Knopp 2003, Bell and Binnie 2006, Brown 2006, Cooper 2006). But across the disciplines, a growing number of studies have examined the dimensions of sexual citizenship in cities and towns (Provencher 2007, pp. 149-91), as well as in public spaces, “sex zones” (Hubbard 2001), and “countersites and landscapes of queer contact” (Shah 2005, p. 281).

Much of this literature on local or urban sexual citizenship is vague about the distinction between citizenship and other forms of cultural affinity or social belonging. For example, Roque Ramírez, describing “queer cultural citizenship” among Latinos in San Francisco, focuses his analysis on various cultural works and argues that citizenship in this case “takes meaning precisely in nonjuridical realms” and can intervene in “the social space of language” (Roque Ramírez 2005, p. 182). As skeptics such as Joppke (2007, pp. 37-38) observe, such conceptions of citizenship “are unintelligible to someone who thinks of citizenship in terms of nationality law.” But rather than opt for either national or local conceptions of immigrant sexual citizenship, our approach follows that of other scholars who examine citizenship as a multiscalar concept (Yuval-Davis 1999, Desforges *et al.* 2005)—including Grundy and Smith (2005), who apply a multiscalar approach specifically to LGBT issues. To be sure, geographic scales are social constructions and should not be reified (Marston 2000, Isin 2007). But we argue that the particular intersection of legal and sexual citizenship issues found in our case lends itself to a traversing of scales and a coupling of “local” and “national,” as well as “cultural” and “political” concerns.

Thus our analysis of immigrant sexual citizenship in multiscalar terms allows us to round out our conception of citizenship along the lines suggested, in fact, by Joppke (2007), who calls for simultaneous attention to the dimensions of status, rights, and identity. Our work also builds on that of scholars who understand citizenship not just as social practice, but as practice that is often modeled and learned. While studies of pedagogies of citizenship often examine processes of formal education such as citizenship classes, we follow those who emphasize more informal, everyday sorts of teaching and learning, occurring across varied domains of social life, about how to enact the practices of citizenship (Basok 2004, Brooks and Holford 2009, Pykett 2010). We therefore focus our analysis on specific “templates” of sexual citizenship that gay and bisexual immigrant men encounter upon arrival in the United States and acquire through interactions with fellow immigrants and U.S.-born gay men, as well as with lawyers, immigration and customs officials, and other bureaucrats.⁵ First, however, we describe our data and methods.

The Trayectos Study

As part of a larger project called “*Trayectos*,” we used qualitative methods with a sample of 76 gay and bisexual Mexican male immigrants to San Diego, California.⁶ San Diego was selected because it is a major gateway for immigration from Mexico and because it has a large and well established gay community. A team of ethnographers conducted in-depth, semi-structured interviews in 2003-04. Follow-up interviews also were conducted approximately one year afterward with 56 of the participants. Transcripts of interviews were

⁵To be sure, the manner of acquisition of these templates upon arrival in the United States is also influenced by life prior to migration and the kinds of sexual citizenship experienced in Mexico. For the men in our sample, these experiences varied considerably, depending on their places of origin (urban vs. rural) and their patterns of sexual socialization, among other factors (Carrillo & Fontdevila 2011). Recent rapid social and cultural changes in Mexico with regard to laws, norms, and mores governing sexuality further complicate this picture beyond our ability to discuss here (Carrillo 2002, 2007).

⁶The sample for this analysis includes seven participants who lived across the border in Tijuana full-time or part-time during the time of the study but who were recruited and interviewed in San Diego. It made sense to retain these men in the analysis because of their histories of living or working in San Diego.

read and summarized, discussed as individual cases, and coded; these codes were entered into a searchable database using the software program QSR N6.0.⁷

On the basis of interview data along with exit surveys completed at the close of each interview, we can characterize our sample of immigrant men as follows: Among them, 67 self-identified as gay or homosexual, six as bisexual, and three as transgender.⁸ Ranging in age from 20 to 57, the men were mostly in their twenties and thirties. They came from 15 of the 31 states in Mexico, plus the Federal District (Mexico City). About two thirds came from urban areas and one third from small towns and rural areas. The sample was reasonably educated, with 38 of the men having graduated high school and an additional 26 having pursued education beyond high school.

Careful consideration of research ethics was essential in a study of this kind. In the process of obtaining informed consent from our participants, we presented a detailed explanation of our commitment to confidentiality and the specific measures we were taking to ensure it.⁹ In response, participants were candid during interviews about their immigration status. At the time of their initial interviews, five participants in this sample had become U.S. citizens, 10 were permanent residents, two had valid work permits, 22 had entered the United States with visas (but many among them had overextended their stays or were working while on a non-working visa), two were in the middle of an immigration process (one awaiting the results of an asylum case), and 35 were undocumented.

The “asylum” template

The prospect of receiving asylum on the basis of persecution linked to sexual orientation was the most straightforward model that we encountered of how sexual citizenship and legal citizenship might become intertwined.¹⁰ Many of our participants were aware of gay-related asylum as an abstract possibility, and in that sense it functioned as a general template of intersectional immigrant sexual citizenship, directly linking together a claim to legal residency and a claim to rights as a sexual subject. However, realizing such claims was extraordinarily difficult for a number of reasons, including, as we will describe, complications arising from the legal construal of sexual and gender vulnerability. Thus in part because of the particular way in which the statuses of “gay” and “asylum-seeker” were brought together in this template, a model of belonging that seemed enabling in principle proved largely unavailable in practice for this group.

⁷Relevant data for this article were obtained in three ways: through database searches for interview transcript material coded with selected codes (such as codes for discussing being undocumented, or discussing same-sex marriage); through database searches for use of selected Spanish or English terms, such as “*ciudadan/-citizen-*,” “*derechos/rights*,” and “*asilo/asylum*”; and through analysis of selected participants treated as life histories or “cases.”

⁸The three participants who identified themselves as transgender on their exit surveys nonetheless made clear, by their participation in the study and in their interview comments, that for them the categories of *transgender* and *gay* were not mutually exclusive.

⁹These included asking participants to avoid mentioning information during the interviews that could identify them; maintaining all interview materials in locked file cabinets; obtaining signed confidentiality agreements from study personnel; and obtaining a Certificate of Confidentiality from the U.S. National Institutes of Health, which guarantees that our research records cannot be subpoenaed by a court.

¹⁰Because asylum claims often invoke putatively universal human rights, some scholars have taken them to be evidence of the forging of new sorts of “postnational” or “global” citizenships that transcend or penetrate national boundaries (Soysal 1994, esp. p. 158). However, it remains the nation-state that actually grants or denies asylum claims, and that is our focus here.

Among our participants, one received asylum between the first interview and the follow-up, and another submitted a claim during that interval. A third participant previously had had his asylum claim rejected; he had been deported but had returned to the United States without documentation. Although the ability to petition for asylum by citing persecution based on one's sexuality has existed in principle in the United States since 1994,¹¹ achieving success in such a claim is an uphill battle, as those of our participants who mentioned or expressed interest in asylum mostly seemed quite well aware. Crispín,¹² a 23-year-old from Mexico City with a junior-high-school education, provided a long list of the obstacles in explaining why he had not submitted an asylum claim even though it had occurred to him to do so. First, “you have to have a really compelling personal story in order to qualify”: An ordinary or insufficiently graphic tale of discrimination in Mexico would be unlikely to suffice; the best cases were those involving torture or sexual abuse at the hands of authorities such as the police. Second, once one petitions for asylum, one cannot easily leave the country while the claim is in process without voiding the petition, and some attorneys advise never returning to the country of origin, even once asylum is granted, as it can lead to revocation. For Mexican immigrants in California accustomed to the routine of crossing the border regularly to visit family members, this barrier was daunting, and a number of participants cited it. Third, legal expenses could be substantial. Crispín had gone so far as to speak with a lawyer, but “[the lawyer] was asking \$1,000 just to file [the case] and I told him, ‘wow!’”¹³

But an additional and consequential barrier, perceived by a number of our participants, concerned the assumption made by some immigration judges that conventionally masculine appearing gay men did not merit asylum because they could effectively avoid harassment in their native countries simply by passing as heterosexual. Immigration attorneys and advocates have noted this reasoning on the part of judges, particularly since a 2002 case involving a gay Mexican asylum-seeker named Jorge Soto Vega, who had been beaten and threatened with death by the police in his hometown. The judge in that case had stated: “It seems to me that if he returned to Mexico in some other community, that it would not be obvious that he would be homosexual unless he made that ... obvious himself” (Human Rights Watch/Immigration Equality 2006, 70). The issue has attracted national attention, with one lawyer telling a *New York Times* reporter: “Judges and immigration officials are adding a new hurdle in gay asylum cases that an applicant's homosexuality must be socially visible” (Bilefsky 2011).¹⁴

Several of our participants had gotten the word about which kinds of gendered self-presentations or bodily performances were likely to translate into successful asylum claims and which were not. The receipt of such advice was a concrete example of the importance of pedagogy in the acquisition of citizenship templates. For example, Cuauhtémoc, a tall,

¹¹Binnie (2004, p. 98) has pointed to the 1990s as a pivotal decade for the spread across a number of countries of such asylum claims put forward on sexual grounds. In the United States, a Cuban citizen was granted asylum in 1989 on the basis of his argument that in his home country he was persecuted for being a homosexual. Five years later, Attorney General Janet Reno ruled that the case must be treated as a precedent by immigration judges (Human Rights Watch/Immigration Equality 2006, p. 44n96).

¹²All names of participants are pseudonyms. Except where otherwise indicated, all statements from participants have been translated from Spanish to English using verbatim transcripts. (Spanish words retained for context appear in italics.)

¹³To this list of obstacles, Crispín might have added the legal requirement of applying for asylum within one year of arrival (Human Rights Watch/Immigration Equality 2006, p. 44).

¹⁴More generally, on the necessity for gay asylum applicants to produce an “authentic” homosexual identity that will be legible to immigration courts, see Lidstone's (2006, pp. 62-97) insightful analysis of the Canadian case.

stocky, undocumented bisexual man, described being told by legal advisers in San Diego's gay community that he had little hope of asylum because "I don't look that effeminate..." [The adviser] said, 'you can't use that argument to tell me that you can't go back to your country'..." Conversely, the one person in our sample who had been granted asylum, Ulises, identified as transgender. A 43-year-old with some college education from a small town, Ulises had adopted a feminine persona since childhood and had begun injecting hormones in high school. Our only other participant who had an actual asylum claim pending, who identified as "*homosexual*," described being perceived as effeminate as a child, and said that his testimony had emphasized "the discrimination [I suffered] due to my appearance, my way of talking, of walking."

In short—leaving aside all the other barriers to successful pursuit of an asylum claim on sexual grounds—asylum presented itself as a viable option only to those whose sexual otherness was, or could be made to appear, demonstrably legible as "feminine" (and hence vulnerable) through embodied performance. For that subset of sexual, gender, and national outsiders, asylum was a potential means of bringing together the practical dimensions of sexual and legal citizenship, and such individuals could articulate their sexual citizenship in direct relation to the nation-state and its juridical framework. But other gay immigrants who lacked legal residency status in the United States and who might have wanted to avail themselves of the option of asylum found that the template's particular intertwining of legal requirements and sexual identity expectations left them without a credible claim.

The "rights" template

A second citizenship template that was available for acquisition by the immigrant men in our study was one that juxtaposed or bridged conceptions of one's rights as an immigrant to the United States and one's rights as a gay person living there. However, this model of intersectional citizenship also proved difficult to actualize for a number of reasons, and in practice most of our participants tended to treat these different bundles of rights as separate concerns.

A discourse of immigrant rights was certainly familiar to them. Participants spoke openly about rights ("*derechos*") they sought or perceived as infringed in the United States, including a right to access medical care, a right to come and go across the border, and a right to decent treatment despite one's status as an immigrant. They complained that "as an illegal, you don't have rights and services"; they criticized Mexican-Americans for flaunting rights that immigrants lacked; and they insisted that local police officers (as opposed to immigration officials) had no right under the law to stop people and ask them for proof of their legal status. One participant described how he spoke up for himself when hassled by an immigration enforcement official at a freeway checkpoint. Another perceived a distinctive culture of rights among white Americans ("*güeros*") that involved the aggressive defense of an expressive individualism; he interspersed English words into his Spanish to make his point about it:

...They have their rights here. Their clothing. Expressing themselves as persons. *El "no being afraid"...* *Todo el tiempo "out there."* Fighting for your word. Fighting for your right (Emilio, 24 years old, high school graduate, from a small town).

Participants were also acquainted with a language of gay rights. Yet, even though a substantial percentage of them had migrated to the United States partly or primarily with the goal of living a freer and less restrictive sexuality,¹⁵ they were generally less inclined to adopt gay rights frameworks as their own. Some participants spoke in abstract terms of sexual freedom as a human right:

I am not ashamed of being gay...I don't believe in being proud of being gay. Instead I see it as something normal. It's like a woman is a woman, a man is a man; I am a gay. It is like everyone has the right to seek what makes one happy (Fidel, 32 years old, high school graduate, from an urban background).

And a few spoke more concretely of specific rights related to sexuality: a right to condoms for self-protection, a right to be present at a partner's hospital bedside, or a right not to be beaten up for being gay. But such comments were rare, perhaps because many of the participants saw sexuality as ultimately more of a private concern. Indeed, some participants explicitly distanced themselves from highly visible and confrontational gay rights frameworks that failed to resonate with them. One referred to himself as not one of those who goes around "holding up a sign all the time [saying] "Rights For All!" Or as another put it: "But participating in parades, or belonging to a group only to go around defending the rights of gays, that's not for me."

However, other, less directly "political," yet public manifestations of gay freedom in the United States attracted positive attention. The clearest example was the freedom to walk hand-in-hand ("*andar de la mano*") with another man in public, which was remarked on favorably by many of the participants, and which scholars have cited as an important marker of sexual citizenship (Johnson 2002). In addition, 37 of 50 participants who were asked about the issue of same-sex marriage declared themselves in favor, and 20 of them voiced that support using a language of rights or social equality or both. For example, Bernardo, a 37-year-old high school graduate from Tijuana who was a permanent resident, made clear that he personally was not interested in marriage but argued that those gays who did want it "are human beings just like everyone else and they have that right [to petition] the government." Participants also invoked more concrete rights and benefits that accrue to married people automatically, such as inheritance rights, hospital visitation rights, and access to health insurance.

In short, these men were generally invested in a conception of immigrant rights and were interested in, though sometimes more ambivalent about, a U.S.-based notion of gay rights. However, only occasionally did our participants find reasons to directly connect issues involving their rights as immigrants and as gay men. For example, Valentín, a 27-year-old with a high school education from a rural area, complained vociferously about how his employers at a restaurant "began to look down on" him once they discovered that he "didn't have papers": not only did they cut his pay and reduce his hours, but also his sexuality became an issue for the first time, as they began to badger him with requests to identify who

¹⁵Although many gay Mexicans have found it quite possible to enact their same-sex desires in Mexico (Carrillo 2002, 2007), many of our participants complained of the inability to "be myself" ("*ser yo mismo*") there. Twenty-seven of the 76 participants (36%) described a desire for greater sexual freedom as a motivator for migration, 21 (28%) mentioned a desire to be with a particular sexual partner in the United States, and two (3%) mentioned a sexual interest in Anglo men. (These are overlapping groups.)

else at the restaurant was gay. Valentín reflected bitterly on the tightly interwoven factors that posed barriers to his advancement in U.S. society:

It's a circle. You're illegal: okay, take away the illegal. Fine, but you're Mexican: okay, take away the Mexican. Fine, but you're gay: no, take away the gay. But no, you still don't speak English. If I take away those four points, then I can live well in this country. But no: I'm Mexican, I'm gay, I don't speak English, and I don't have papers to work.

While Valentín perceived anti-immigrant sentiment and homophobia to be mutually reinforcing barriers, most of the participants did not draw tight connections between issues of immigrant's rights and gay rights. Indeed, it was noteworthy how few of the participants, when asked about same-sex marriage, brought up a marriage-related issue that cut across the two domains and that presumably might have been highly salient for them, given that many of them hoped to stay in the United States but lacked legal authorization to do so. Despite the fact that many of the participants were involved in romantic and sexual relationships with U.S. citizens, only seven of them even mentioned the ability to become a permanent resident or citizen as a benefit that might accompany the extension of marriage to gay people. Of these seven, most made brief references that betrayed little investment in the topic.¹⁶ Only two participants linked marriage to immigration via a discourse of rights. Toribio, who had entered the United States on a tourist visa, expressed this as the perspective of his American partner:

He wants to marry me because he want [sic] me to stay in the country. He wants me to have the same rights. He wants me to be taken care. He wants everything that he has worked for ends up [going to] me [sic]. And I want to marry him because I love him (Toribio, 32 years old, some college education—chose to be interviewed in English).

Aurelio, a 26-year-old from a border city who was undocumented, described same-sex marriage as a right that “we should demand because we are human beings”; he invoked his previous relationship of four years with a partner who was a U.S. citizen, observing that if they had married, he would have the “right to be here.” Aurelio asked rhetorically: “Why do married heterosexuals have the right for their spouse to be with them? Why not me?”

In short, the participants were familiar with a discourse of rights, but only certain circumstances seemed to prompt an intersectional consideration of gay rights and immigrant rights. This is not altogether surprising, given a tendency to construe sexuality as a “private” matter, and given the historical bifurcation between the immigrants’ rights movement and the LGBT movement in the United States (Henneman 2006). But the result is that the rights template had limited utility for the pursuit of immigrant sexual citizenship—much like the asylum template, though for different reasons. We now turn to a third template which saw greater uptake by our participants, though again not without constraints in its practical employment.

¹⁶In addition, two participants who *opposed* same-sex marriage (one calling it a “farce” and the other citing the Bible) both observed in passing that they might change their minds if it brought legal status to themselves or a partner.

The “local attachments” template

Like most *tijuanaenses*, Bernardo, a 37-year-old high school graduate, grew up crossing back and forth across the border between Tijuana and San Diego. One day, on the advice of a friend, he crossed a different border into a new territory:

...a friend of mine told me, because I didn't know very well how to get there ... “you take the University Avenue exit, and it will take you I don't know where”; and there I was looking for the damn University Avenue until I finally found the exit... First I went the wrong way, east instead of west, and I said, “¡Ay no! [laughter], this doesn't look like a gay area [*de ambiente*].” And then I said, “Okay, I'll go the other way to see if...,” and no sooner said than done I started seeing the stores and everything, the flags and things like that, and I said, “oh yes, this is it...”

Bernardo had found his way to Hillcrest, San Diego's LGBT neighborhood, and the rainbow-striped flags that told Bernardo he had arrived also marked the borders of the “gay nation.” Like Bernardo, many of our participants constructed an attachment to the United States as immigrant sexual citizens that was expressed concretely with reference to Hillcrest or other gay spaces— geographic connections to what Desforges and coauthors (2005, p. 441) have called the “landscapes” of citizenship. This sense of belonging mattered fiercely to them, even when they encountered racism and anti-immigrant sentiment from white gay men within the boundaries of those spaces. Perhaps ironically, at a historical moment when the overall salience of so-called “gayborhoods” may be in decline for U.S.-born gay men (Ghaziani 2010), immigrants may sometimes find these that these spaces offer distinct opportunities to learn and enact their sexual citizenship at the scale of the local. Indeed, in the case of immigrant sexual citizenship, we think it plausible to suggest that local attachments are especially significant, insofar as they may serve as intermediate points of linkage between experiences, emotions, and encounters that are highly personal, physical, and intimate and abstract notions of one's relationship to a remote and often threatening nation-state.

The men in our study arrived in San Diego with widely varying knowledge about the city's gay life. Marcelo, an experienced participant in Mexico City's extensive gay world, quickly set out on his own to determine where gay venues were located in San Diego. Félix, a frequent border crosser from Tijuana and one of the few in our sample who chose to be interviewed in English, also “figured...out on my own” that Hillcrest was the place to go, and he described going online to find information about gay youth organizations on the internet. But these men with plenty of cultural capital were the exceptions. Most of our participants arrived with much more limited information and resources. Indeed, several of them, living with family members in heavily Mexican and Mexican-American suburbs located between San Diego and the border, did not learn until months after arrival that San Diego even had a gay neighborhood.

For the bulk of our participants, there were two crucial pathways to the development of a gay life in the United States. First, support groups (*grupos de apoyo*) surfaced as a regular topic in our interviews. Typically these were groups organized by community-based organizations to serve Latino LGBTs or Latino gay men; in some cases, they had a more

specific focus, such as the needs of HIV-positive Latino men. The groups provided these men with access to services of various kinds and offered them the opportunity to overcome isolation, make friends, and meet potential romantic and sexual partners. Along with “Latin nights” at local gay bars and discos, they were important in the construction of gay Latino identity and in the creation of a sense of possibilities in San Diego for gay and bisexual men of Mexican descent. In effect, they served as practical workshops of immigrant sexual citizenship.

In addition to the support groups, individual friends—sometimes drawn from the groups, sometimes from other places such as work—were equally central as vehicles and transmitters of sexual citizenship. Friends “showed them the ropes” of San Diego gay life, conveying local knowledge about the rights and responsibilities of community belonging:

...I had a friend...named F. who...showed me Hillcrest, showed me all the places. He took me here and there and he told me, “You know what?”—not to corrupt me but to warn me, right?—“I’m going to take you now to every place where you can go [because] I won’t always be with you, ... soon you will be independent. And you will meet someone, and they will want to take you to a place, and I don’t want them to take you to a place that you don’t know...” (Armando, 21 years old, community college or vocational school graduate, from a small town).

Local knowledge was not simply of a practical nature: its conveyance often reflected an ethic of protection and cooperation (which scholars such as Davis (2007) have deemed an important component of sexual citizenship), as well as a commitment to the promotion and defense of sexual rights. Troy, a 26-year-old high school graduate from Tijuana, recalled being taken aside by an employee the first time he entered a San Diego bathhouse:

... he says to me, “I can tell you’re a first-timer. Come, I’ll show you the whole place.” He says, “we’re going to become friends, so let me ask you for something.” He grabbed my hand and he said, “Never, I mean *never*, when you come to this place, never fail to use a condom.” That’s what he said to me. And his words really stuck in my mind... I can tell you that since then I’ve used condoms with everyone....

In other, more abstract ways, participants appeared to progress naturally from “learning the ropes” to “learning rights.” When Heriberto, a 30-year-old from a small town, was taken by a friend to Hillcrest, shown around, and told that there he could hold another man’s hand publicly (“*andar de la mano*”), he was absorbing lessons simultaneously about sexual rules and sexual freedom. Many participants came to see gay spaces in San Diego as protected zones within which their “citizenship” rights were respected. “I feel very comfortable in a gay and lesbian area, like we have a right to everything...,” said Narciso, a twenty-year-old undocumented man, with an elementary school education, from a small town in a rural area.

Yet as much as the “local attachments” template proved liberatory and enabling for gay Mexican immigrants to San Diego, it also posed obstacles that stemmed precisely from the intersectional nature of their status as immigrant sexual citizens. That is, at moments their participation in gay life jeopardized their legal status as immigrants in the United States, or else their status as immigrants limited their capacity to participate as sexual citizens of San

Diego's gay community. Some participants bitterly described having discriminatory statements and behaviors directed at them by white gay men on account of their race, nationality, accent, or immigrant status, in ways that clearly lessened their sense of community belonging. One participant, Justo (a 32-year-old, high school educated man), spoke of the fear prompted in him by the experiences of two undocumented gay friends of his, both of whom were deported after their “extremely jealous” American boyfriends reported them to immigration authorities: “If they get angry, they can simply pick up the telephone and get me in trouble.” Several undocumented participants described problems gaining entry to gay bars because of a lack of proper identification; many others simply could not get to gay venues easily in an automobile-dependent city like San Diego, because they feared that a routine traffic stop could result in deportation if they were found to be driving without a license. (Indeed, one participant arrived late for his interview with us, visibly shaken because he had been stopped by the police on the way.) Finally, several participants who were HIV positive noted a distinctive paradox that trapped them. On the one hand, living in the United States meant that they acquired access to life-saving antiviral medication, which was provided even to those without legal status. But on the other hand, under an exclusionary policy that was in place at the time of our interviews and was lifted only in 2010, a negative HIV test result was a prerequisite for legal residency, and therefore—barring receipt of a humanitarian waiver that was difficult to obtain—it was impossible for them ever to regularize their immigration status. (The waiver policy reinforced their second-class sexual citizenship status, as it required proof of a close relative who was a citizen or legal resident, but in the absence of marriage equality a same-sex partner did not qualify (Human Rights Watch/Immigration Equality 2006).) These HIV-positive men, several of whom had become infected while living in the United States, lived in constant fear of running afoul of the law and risking deportation that, they perceived, could mean a death sentence.

For many, the dilemmas of immigrant sexual citizenship meant living a life of trade-offs. As Cresencio, a 42-year-old, high school educated man from a large working-class suburb of Mexico City, expressed it:

Here I'm not as free as there..., because here one always has to be watching out for *la migra*.... In Mexico I was very free, I could walk wherever I wanted and as I pleased. But I was free in some aspects [of my life] but a prisoner in others. And here I'm free in those other respects—that is, in my sexuality—but I'm not free in all the rest.

These poignant predicaments suggest the practical limits of the “local attachments” template in securing a stable sense of belonging for those living at the intersection of two stigmatized social identities.

Conclusion

As reflected in the experiences and discourse of our participants, immigrant sexual citizenship is best conceived in both intersectional and multiscale terms, as a bundle of practices, attributes, and possibilities that encapsulates questions of legal status and sexual belonging, and that joins everyday interactions within urban gay neighborhoods to policies

of the nation-state. Because these men's capacities to claim belonging as immigrants cannot be fully grasped without reference to their sexuality, and because their status as sexual citizens is intertwined with their legal status, we conclude that immigrant sexual citizenship is more than just a summation of two separate statuses: it is a hybrid formation composed of mutually constitutive elements. Indeed, our analysis has suggested that the intersection of sexual and immigrant statuses with additional ones—including *performed gender* and *social class* (in the case of the asylum template) and *race*, *class*, and *HIV status* (in the case of the local attachments template)—further complicates the lives of these men. Therefore our analysis points the way toward an even more thoroughgoing intersectional account that links legal and sexual citizenship with a diverse array of social attributes and identities.

In describing Mexican gay and bisexual immigrant men's encounter with and acquisition of specific templates of citizenship, we have emphasized both the enabling and constraining consequences. That both should be present is not surprising, yet what is striking in this case is how particular tensions built into the intersection between the identities of *immigrant* and *gay* seem especially to engender these dual and contradictory effects. These tensions are unlikely to be resolved anytime soon. However, recent efforts at greater rapprochement between the LGBT and immigrants' rights movements in the United States suggest the possibility of political development that could have ramifying effects for the self-understandings and lived experiences of gay immigrants. Historically, struggles on behalf of immigration rights and gay rights have had little to do with one another. Yet "queer contingents" marched in several of the massive immigration rallies held in U.S. cities in 2006 and called attention to a host of relevant issues, including the status of binational same-sex couples and the treatment of HIV-positive immigrants (Keen 2006, p. 1). By 2010, in part through the efforts of advocacy groups such as Immigration Equality, some members of the U.S. Congress long associated with the defense of immigrants were calling for the inclusion of immigration rights for same-sex binational couples as part of comprehensive immigration reform legislation. That position was formally endorsed by the Congressional Hispanic Caucus and 30 national Latino organizations in 2012, and it is also backed by the administration of President Barack Obama (Johnson 2012, National Hispanic Leadership Agenda 2012, p. 29).

To the extent that future political developments strengthen the emergent connections between immigration advocacy and LGBT advocacy, it will be all the more important for the academic literatures on immigration, sexuality, and citizenship to be in closer conversation. Of course, such political developments may also result ultimately in new possibilities for the day-to-day enactment of immigrant sexual citizenship beyond the patterns we have described here.

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