TRANS STUDIES

The Challenge to Hetero/Homo Normativities

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States as a beacon of liberal freedom where sexual and gender minorities can find better acceptance than in other parts of the world. These shifts also signal a new period of greater collaboration between the federal government and nonprofit organizations who advocate for LGBT immigrants.

In particular, trans and gender-nonconforming people have gained increased public awareness both from governmental agencies and in popular media. This has resulted in what appears to be a sea change in immigration and foreign policy from 2003, when the Department of Homeland Security issued an advisory that warned security personnel about cross-dressing terrorists (Beauchamp 2009). For example, the new USCIS regulations define transgender in detailed terms and point out the range of possible relationships between appearance, embodiment, and body modification: "Some transgender people dress in the clothes of the opposite gender; others undergo medical treatment, which may include taking hormones and/or having surgery to alter their gender characteristics" (USCIS 2011, 13).

This new atmosphere of acceptance of gender diversity within the federal government has also facilitated a new collaboration between LGBT nonprofits and government, in which trans and gender-nonconforming concerns play a key role. The Chicago-based nonprofit Heartland Alliance recently received funding from the U.S. Office of Refugee Resettlement to start the Rainbow Welcome Initiative, a resettlement program for LGBT refugees and asylum seekers that matches asylum seekers with resettlement service providers in Chicago, San Diego, and Philadelphia. Gender-nonconforming refugees have featured prominently in publicity for the program. Immigration Equality, which ran a long campaign to include lesbians and gay men in family reunification visa categories, has more recently campaigned against placing transgender immigration detainees in solitary confinement or in administrative segregation. The plight of transgender people in U.S. immigration detention is the topic of a short documentary film, Transgression, made in 2012 by an Immigration Equality intern. Transgression tells the story of Norma Ureiro, one of Immigration Equality’s clients and a trans immigrant to the United States whose story of surviving U.S. immigration detention forms the main narrative of the film. It is distributed via YouTube and Vimeo and is reportedly shown in ICE LGBT awareness training sessions.

Within international human rights regimes, transgender has thus become administratively visible as something that renders subjects particularly vulnerable, and which also requires governmental and bureaucratic literacy. Just as the cultural shift toward transgender visibility in the United States is rife with contradictions, so is this administrative shift. The forms of bureaucratic visibility tend to conform to conservative medico-legal definitions of what defines transsexuality even as those medico-legal definitions are being rewritten. As much as trans and gender-nonconforming immigrants have value internationally as subjects...
of human rights within the U.S. geopolitical imaginary, once their value in this imaginary has been exhausted, materially trans and gender-nonconforming immigrants appear to have little worth as bodies in need of housing, income, health care, and sociality. Indeed, this imaginary may still define such “rescuable” subjects as part of a geopolitical racial and terrorist threat that must also be extinguished in the logic of the “War on Terror.” Thus, they are represented as both imbued with and stripped of rights at the same time, a predicament Sima Shakh- sari calls the politics of rightful killing (Shakhshari 2014).

However, the question of which transgender and gender-nonconforming subjects can be said to be “vulnerable,” requiring the nation’s assistance, and which count as threats to the nation is subject to constant rearrangement and thus needs to be interrogated. In this chapter I argue that vulnerability is a biopoliitical category: it accrues from the on-camera tears of transgender immigrant subjects encouraged to testify to their own traumatic histories of family abuse and to the U.S. nation’s freedom and tolerance of diversity. Through a reading of Transgression, I argue that Ureiro’s visual and affective vulnerability as an undocumented immigrant is cinematically produced through its contrast with the redemptive white nonprofit expert and advocate, who stands in for the progressive American nation. Vulnerability here becomes a method to extract value in the form of spectatorial sympathy. This extraction of value serves to conceal the reality, which is that, just as the U.S. government is assisting some transgender subjects to gain asylum and refugee status, other (or the same) transgender and gender-nonconforming bodies are rendered disposable by an immigration reform agenda that seeks to detain and deport “criminals.”

Documentary film has become a particularly important form for the production and circulation of knowledge and affective imaginaries about gender-nonconforming people both in the United States and in the global South. If we can group these documentaries as a genre, the generic conventions pivot on an affective axis in which the triumph of hope over despair forms the most significant narrative arc. Documentary films about gender-nonconforming subjects tend to mobilize the conventions of ethnographic realism (Nichols 1994, 73), which work to exoticize documentary subjects as outsiders while simultaneously rendering them recognizable for a “mainstream” audience (Aizura 2014). Thus, it is important to interrogate the terms of representation under which they appear as vulnerable “Third World” victims, positioning the act of watching as an exercise in gaining familiarity and sympathy. Transgression is no exception; indeed, it draws on such cinematic conventions to form its narrative. Similar to other trans-themed documentaries such as Paper Dolls (2006) and Les trave- tis pleurent aussi (2008), Transgression’s spectatorial gaze is assumed to be that of (white, cisgendered) others who, in as far as they do not inhabit the world of the protagonists, must have it translated for them (Aizura 2009; 2014). Thus, documentary in this genre is ideologically structured to produce indignation in the spectator at the trans subject’s helplessness, simultaneously reproducing the terms of a liberal humanist ethnographic gaze that displaces racialized trans subjects’ agency onto “us,” the viewers, who are incited to “do something.”

Particularly in documentaries featuring racialized, gender-nonconforming subjects, such generic conventions cast the protagonists as bodies whose vulnerability to violence and displacement makes them candidates for increased protection. This protection inevitably takes the form of a homonationalist desire to save LGBT people from the global South from the putative “barbarism” of their own cultural backgrounds (Puar 2007, 15–16). For example, Paper Dolls represents the country of origin of its protagonists, the Philippines, as very conservative and religious despite the presence of a large and visible gender-nonconforming, as well as gay, population in Manila, Quezon City, and other metropolises (Benedicto 2008; García 2009). The pattern is so ubiquitous as to seem clichéd.

In relation to the current project, it is also important to note how documentaries circulate. Like other documentaries in this genre, Transgression is distributed online through the free video playback websites Youtube and Vimeo. This not only enables its circulation as a pedagogical tool in an increasing number of queer- or Transgender-Studies-themed college classes in the United States. It also enables its use for multiple training scenarios (including for ICE itself). The documentary does not address whether Ureiro herself was consulted about this form of distribution—which might be particularly pertinent given the traumatic and intimate details Ureiro provides about her life.

INTERROGATING TRANSGENDER EXCEPTIONALISM

That transgender bodies are at the forefront of neoliberal state attempts to dis-tinguish between vulnerable, disposable, and threatening populations is not a new insight. Toby Beauchamp’s observation that “gendered and racialized bod-ies are central both to perceptions of safety and security” (2009, 365) gains even more relevance when we examine how transgender and American nationalism have played off each other in U.S. public discourse over the last two years, in a manner that provides an important background to Transgression but also inter-sects with it. In August 2013, Chelsea Manning (previously known as Bradley Manning) was sentenced to thirty-five years in prison for leaking classified documents. Immediately following sentencing, Manning requested that media refer to her using female pronouns and the name Chelsea. Despite some evidence that Manning had identified as trans all along, this seemed to shock mainstream America, and a veritable volcano of media coverage erupted. Claims that Man-ning’s identification as transgender was an attempt to be placed in a women’s
prison competed with speculation that Manning released the files because she was transgender and thus already pathologically "sick." Meanwhile many media outlets flatly refused to honor Manning's request. Even some transgender commentators joined the fray. Blogger Autumn Sandeen described Manning's actions in releasing classified documents and her coming out as trans as similarly self-serving and without honor (Sandeen 2013, n.p.). Writer Jennifer Finney Boylan wrote a column in the Atlantic criticizing Manning for having disobeyed a military order. But Boylan thought that Chelsea Manning could redeem herself by serving the remainder of her sentence in a dignified way: "By comporting herself with dignity and accepting responsibility for her actions, she can show that a trans woman is a human being capable of reinvention and redemption" (Boylan 2013).

These perspectives on Manning demonstrate the strength of nationalist transgender discourses that assume recognition can only be won through supporting a fantasy of U.S. global imperialism. The performance of honor and dignity called for by Sandeen and Boylan echo the nationalist military exceptionalism that positions the United States as the global enforcer of freedom and equality (especially for "minorities"). I call these discourses "transgender exceptionalism." The term transgender exceptionalism tracks the nationalist logic in which the U.S. nation fantasizes its own superiority, tolerance, and exceptionality in relation to transgender life, pitted against other nations and "cultures" deemed intolerant, barbaric, transphobic, or homophobic. As Puar recounts in Terrorist Assemblages, homonationalism traced how the United States temporarily suspended its "heteronormative imagined community to consolidate national sentiment and consensus through the recognition of some, though not all or most, homosexual subjects" (Puar 2007, 3). Puar refers to exceptionalism here as "a process whereby a population comes to believe in its own superiority and its own singularity" (2007, 5). By 2014, however, it is clear that the subjects recognized in order to sustain the fantasy of a cohesive national imaginary are not just "homosexual," but all shades of queer—and in particular, transgendered.

At the Homonationalism and Pinkwashing conference in New York in April 2013, Jasbir Puar referred to such moves as a new iteration of homonationalism: "transgender homonationalism."

Additionally, it is important to be clear on why there is a need to distinguish between homonationalism and transgender exceptionalism. This is not to assert a categorical difference between sexuality and gender and thus between homo and trans (indeed, this distinction itself is specific to a Euro-American homonationalist imaginary). Rather, it means tracing how "transgender" and other categories to catalogue gender-nonconforming practices have always attached differently to rights discourses and affective modalities than the category of "lesbian and gay" does, and to acknowledge their different institutional and historical lives. Within the assemblages of transgender exceptionalism, strategic value is attached to gender-nonconforming bodies as the repositories of future rights and future privileges in their status as mascots for the newly homo-friendly liberal democracies of the global North. Affective vulnerability becomes a form of currency through which trans of color bodies become recuperable for the exceptionalist project. This will become particularly clear in my reading of Transgression.

**VICTIMHOOD AND VULNERABILITY IN TRANSGRESSION**

Directed by Daniel Rotman, Transgression is a short documentary film that focuses on transgender immigrants and their experiences in the U.S. immigration system as they seek asylum. The film was made after Rotman spent a summer fellowship interning at the New York–based nonprofit Immigration Equality. On returning to studies at Harvard the next year, he entered a documentary-making competition sponsored by the Harvard Law School. Transgression's main protagonist is Norma Ureiro, one of Immigration Equality's clients and a trans immigrant to the United States whose story of surviving U.S. immigration detention forms the main narrative of the film. Through subtitles, Transgression relates what it deems the most important details of Ureiro's life. Originally from Mexico (we are not told where), she crossed into the United States in the early 2000s. In 2006 she was detained by immigration authorities and eventually deported. Soon after, she crossed the border again. Once in the United States, she was arrested and placed again in immigration detention. During this second round of detention, the film informs us by subtitle, Immigration Equality took on her case. At the end of the film it is still not clear whether Ureiro has been granted refugee status or if she won legal status in some other way.

On the face of it, Transgression is about the indignities of immigration detention for transgender detainees. An enduring indignity for trans people who get incarcerated is being placed in gender-segregated detention according to birth-assigned gender; very few, if any, prisons actively allow trans women to be housed with women, or trans men with men. Transgression, however, focuses on how trans immigration detainees in the United States are often put in solitary
confinement, euphemistically called administrative segregation. Ostensibly
administrative segregation is intended to protect trans or gender-nonconforming
detainees from other detainees, but it means they have to endure worse treat-
ment than the general detention center population. This might include a single
hour of exercise per day (the remaining twenty-three hours are spent in a cell),
and extremely limited access to visitors and legal counsel. Like other nodes of
the prison industrial complex, immigration detention centers tend to see trans
inmates as “disruptive,” refusing them access to hormones or gender-appropriate
clothing and responding punitively when inmates request such privileges (Gehi
2012, 374; Spade 2011, 147). Additionally, older forms of silencing and othering
women of color in general can be seen in full force here. Thus my reading draws
on and extends woman of color feminist critiques of the constitution of “Third
World women” in America feminist theory, such as Aihwa Ong’s observation
that non-Western women are “wrenched out of the context of [their] society
and inscribed within the concerns of Western feminist scholars” (1988). I also
benefit from Chandra Mohanty’s incisive critique of how “Third World women”
are represented as the victims of particular socioeconomic systems’ Western
feminist discourse, which renders them powerless and elides an understanding
of non-Western women as historical agents (1991, 56–57). While Transgression
presents a slightly different case, it reproduces a similar ideological economy
of representation in which U.S.-based lesbian and gay human rights discourse
objectifies racialized gender-nonconforming subjects in the service of the
LGBT movement.

This form of objectification is evident from the opening of the film. The first
frame shows Ureiro’s face in deep close-up. The background behind her is dark.
She is silent, but her eyes are red and she has tears on her face; it is clear she has
been crying. Framed in the same deep close-up, Ureiro says in Spanish, “They
put me back again. Alone in a dark cell, it’s like a segregation they use to punish
people for fighting or other things. They put me in that box.” Off camera, an inter-
viewer asks in Spanish, “From the first day? And how long were you there for?”
Consistent with this opening, in which the spectator first encounters Ureiro as
the tearful and traumatized brown victim, Transgression renders Ureiro’s role to
be the object of spectatorial pity (or at best, sympathy). Other white experts—
staffers from Immigration Equality—take on the roles of explaining and
interpreting Ureiro for an audience assumed to have no solidarity with, or ex-
perience of, the events that befall trans undocumented immigrants or trans people
of color.

Following the first minute in which Ureiro tells her story, for example, we hear
a brief explanation of Immigration Equality’s interest in transgender immigra-
tion detention from Victoria Neilson (who was then the legal director at Immi-
gration Equality). Senior staff attorney Aaron C. Morris explains administrative
segregation. In contrast to the darkened and anonymous room in which Ureiro
is filmed, Morris and Neilson are both interviewed in crisp light rooms. Mor-
ris is filmed at a desk, presumably his own office. “They’re very vulnerable, very
vulnerable to sexual assault. They’re very vulnerable generally.” The content of
what Morris is filmed saying can be taken as informative and instructive, not to
mention politically sensitive. However, his words also perform the epistemologi-
cal violence of U.S. neoliberal multiculturalism. Transgender immigrants are a
population, a “they,” a new intersectional identity among others about whom the
arbiters of diversity must be educated and informed in order to develop policy
that “includes” them in the national polity. Indeed, the first fact viewers hear
about transgender immigrants is a generalized vulnerability that renders them
irrevocably other, unknowable except through their vulnerability.

Morris continues, “They’re placed with the other population, sometimes
they’re placed with the criminal population, sometimes they’re actually placed
with sex offenders . . . . So DHS [Department of Homeland Security], in an
taste to make it safe for the trans person, will often pull them out of the gen-
eral population and isolate them.” Here Morris paints transgender immigrants as
the innocent victims of a harsh immigration system—but also, crucially, what he
calls the “criminal population.” This is undoubtedly true. However, it is impor-
tant to interrogate Morris’s performance of a discursive division between inno-
cent trans detainees and “criminals.” When Morris cautions that transgender
immigrants might be placed in detention with sex offenders, he neglects to men-
tion that trans detainees are likely to be understood by the law as criminals and,
given the number of states that count sex work as a sex offense, as sex offenders.4

By distinguishing transgender immigrants from criminal populations, Morris
misses a crucial opportunity to point out that trans women of color, including
many immigrants, are profiled and criminalized by the police as sex workers. My
argument here depends on a more nuanced reading of the conditions of immig-
ration detention than Morris offers in the film. Although doing so risks my
becoming the white interlocutor who argues over the facts with another white
interlocutor, erasing trans immigrants’ subject position once again, nonethe-
less it is important to offer some statistical and scholarly evidence here to shift
focus to the criminal justice system’s own criminalization of transgender people
of color.

The large majority of arrests that result in immigration detention happen
through police profiling and brutality. Gender-nonconforming people are more
likely to be targeted by the police as criminals, whether they are engaged in crim-
inalized activity or not. Pooja Gehi points out that wearing tight clothes or “too
much” makeup is seen as reasonable cause for a solicitation arrest (2012, 370).
The case of Monica Jones in Phoenix illustrates how a black trans woman ask-
ning for a ride from a stranger resulted in a wrongful charge of manifestation of
prostitution (Ludwig 2014). While another expert from Immigration Equality mentions later in Transgression that prison guards are responsible for some of the worst offenses, Morris’s words here downplay how the carceral state itself poses a threat to the lives of gender-nonconforming immigrants in the form of violence perpetrated by prison guards, wardens, prosecutors, immigration judges, and the entire apparatus of immigration regulation itself. By framing Ureiro as vulnerable from the detention center population itself rather than from the guards, Morris depicts the Department of Homeland Security as a neutral party attempting to “make it safe for the trans person” by placing them in “administrative segregation” rather than making the institution responsible for housing trans women with the male prison population.

It is easy to understand these moments of elision as unintentional or perhaps strategic. However, the epistemological and ontological violence made by such elisions is real. Morris’s statement about trans women immigrants being vulnerable from the “general population,” sex offenders, and criminals asserts an implicit distinction between the civilized and tolerant Morris (and by proxy, the entire LGBT nonprofit industrial complex) and the ignorant, barbaric, and trans/homophobic undocumented immigrants who make up the “general population” in a detention center. This has two effects. First, it invokes a racist fantasy of detention centers as filled with violent and macho Latino men who pose a threat to Ureiro herself (and, by implication, the nation). Second, it not only erases the possibility of solidarity between immigration detainees in an abstract sense but also conceals the history of solidarity and common goals between queer and trans immigrant organizing and the broader movement against immigration regulation in the United States and internationally. Many ongoing grassroots campaigns against deportation and detention by immigrant justice groups in the United States work with queer, trans, and gender-nonconforming immigrants or have organized LGBTQ-focused campaigns for immigration reform. These networks include significant numbers of organizers who work inside detention centers.

BEACONS OF HOPE: EXCEPTIONALIST MYTH

Transgression also offers a subtext to the criticism of solitary confinement in U.S. detention centers by presenting the United States as a liberal place in which Ureiro finally feels free and safe. This subtext is ambivalent. On one hand, the United States looks punitive because of its abuse of transgender detainees; on the other hand, the United States is presented as a bastion of democratic tolerance.

The middle part of the film focuses on Ureiro’s retelling of how her family regarded her sexual and gender non-normativity. Once again, Ureiro’s statements are given “context” and made legible by Morris, who states at the beginning of the section, “For our clients who come from very repressive environments, very conservative, very often religious environments, it’s very common that a transgender person is disowned by their family.” The film cuts back to Ureiro offering a lengthy testimony of violent abuse, ending with her statement, “There are no human rights there . . . to them we don’t exist.” The film immediately cuts to a shot of the Statue of Liberty, with the subtitle “Norma crossed into the U.S.” The subtext is pretty clear: the United States was a logical destination for Ureiro because of the values of democracy, freedom, and tolerance symbolized by the statue. (Indeed, almost every film about immigration in the United States depicts the Statue of Liberty as a symbol of hope for immigrants.) In particular, the directors encourage us to imagine that, in the United States, attitudes toward trans people are not as discriminatory and phobic as in Mexico. Ureiro can be thus excused by more conservative viewers for crossing the border illegally because of the implication that she could not survive in Mexico. Again, the cinematic tone is central here: Morris is filmed with bright light in his office while Ureiro is filmed here in extreme close-up in a dark room—in fact, it is reasonable to assume that the film’s opening shots of Ureiro crying are taken from this segment of her interview. The silent, bright shot of the Statue of Liberty in an expanse of blue sky opens up the frame and provides a moment of respite for viewers after they hear Ureiro’s story, symbolically underscoring the exceptionalist myth of the United States as more tolerant than elsewhere.

When the film returns to the subject of violence in immigration detention, however, a similar subtext is present. Ureiro tells the story of her deportation, subsequent recrossing and rearrest, cut with disturbing music and a number of shots of prison bars, which fade to unsettling black. The film eventually arrives at the moment in the story when Immigration Equality takes on her case. Ureiro is now filmed sitting on a park bench in New York with her small dog; it is as if Immigration Equality’s decision to step in representationally delivers her from the dark room, tears, and vulnerability into everyday life (and the symbolic freedom of the banal everyday that every American is assumed to desire: walking the dog). Morris explains in voiceover that Ureiro’s case is not isolated, and that “trans women are regularly abused.” Viewers are soon shown who is responsible for this abuse through a close-up shot of a highlighted newspaper article, “Transgender People Murdered as World Resists Change” (Curtis 2011). A line from the article is highlighted and enlarged: “Their research indicates there have been at least 681 reports of murders in 50 countries since 2008.” The clear implication here, given the plotting of the narrative of Ureiro’s move to the United States, is that transphobic violence is most prevalent in “backward” nations that are resistant to progressive (that is, liberal democratic) change. The point is made again as the film cuts to another newspaper headline, “Hate Crimes against Gay,
Transgender People on the Rise.” While the headline is shown for only a couple of seconds, not enough time to read the entire article or place it, the inclusion of this particular newspaper headline undercuts the exceptionalist narrative: it is a 2011 article from the Los Angeles Times, which explains how transphobic and homophobic violence in the United States—not the rest of the world—is increasing (Romney 2011). When this headline fades to black, the film takes a beat and then brightens into a shot of another American emblem of free enterprise and liberalism, the Empire State Building. Ureiro explains in voiceover that, “The U.S. was another world to me; something totally different. I could feel the difference. I could feel free.”

It is not to question the personal truth of Ureiro’s words here that I make this critique. Rather, it is to point out the discursive economy of exceptionalist representation that constructs how Ureiro’s story can be told and how it can be received. The transgender person of color whose experience forms the relatable “human” side of this documentary is only present to provide her experience. She is not asked about the politics of immigration or transgender politics; nor is she asked to talk about her thoughts on how the immigration detention system should be changed practically for trans detainees. Indeed, by the end of the film, the narrative about inhumane immigration detention has fallen to the wayside and spectators are left with the narrative of Ureiro being saved by Immigration Equality. For Immigration Equality, this narrative is, of course, strategic: it is designed both to elicit sympathy for Ureiro and to position Immigration Equality itself as a nonprofit organization that is truly committed to transgender immigrants.

On further investigation, even this seemingly clear fact requires questioning. A subtitle toward the end of the film reads, “After immigration authorities detained her again, Immigration Equality took on her case.” Transgression glosses over the process of Ureiro’s legal representation during her detention and release, so it is never concretely clear how Immigration Equality assisted her. The impression the film gives is that the Immigration Equality legal team worked with Ureiro to get her out of detention and then later on fighting for legal status. However, the reality may have been very different. According to people close to the case, when Ureiro was in immigration detention, Immigration Equality claimed it did not have the resources to assist her in getting released. Immigration Equality took on Ureiro’s case only after she had been released. The labor of helping Ureiro get out of detention and caring for her while she was inside fell to community activists, friends, and individual volunteer attorneys rather than Immigration Equality. Since Transgression has been released, Ureiro has not spoken at screenings of the film. Given numerous critiques of the LGBT non-profit world (INCITE! Women of Color Against Violence 2009; Mananzala and Spade 2008), this is hardly surprising. But it might also direct us to look toward trans/queer abolitionist and grassroots political models in which getting all trans immigrants who are criminalized or locked up out of incarceration is prioritized above policy directives that understand individuals only as cases whose political mileage is more important than their material consequences. Further, it should warn us to think of trans immigrants and trans people of color more generally as political agents who need to be involved, consulted with, and paid for representative projects that are made about them.

CONCLUSION

Transgression offers a pertinent illustration of the symbolic burden placed on trans women of color, many of whom are also immigrants, to represent consistently as victims of the most heinous crimes of transphobic violence. Trans women of color are indeed overrepresented in statistics counting violent crime toward trans people, as well as rates of arrest and incarceration. (Admittedly, the recent emergence of hate crimes as a juridical category has ushered in a new biopolitical era when such statistics became countable.) However, the way Ureiro is presented in Transgression as a mere victim, rather than as the agent of her own political power, is hardly unfamiliar. The Transgender Day of Remembrance (TDOR), which tallies a global list of transgender people murdered each year and commemorates their deaths with vigils and memorial services annually on November 21, offers another salutary example. Implicitly or explicitly, the statistics quoted on each nation-state imprint a shocking transnational sensibility on proceedings (nothing exemplifies this more ironically than watching mainly white midwestern college students at a 2009 TDOR vigil in Indiana struggle to pronounce the “foreign” names of those on the list). Yet TDOR vigils often end in calls for nation-bound legislative recompense such as national hate crimes laws, which would not help most of the people on the list of dead—not to mention that many seem to be vulnerable as sex workers or undocumented immigrants who are also subject to criminalizing anti-sex-work laws or the violence of numerous security agencies (Lamble 2008; Namaste and Soleil-Ross 2005, 90–91). A similar effect can be seen in writing on the global feminization of labor. As Neferti Tadiar (2009) puts it, writing on feminist critiques of globalization, “immigrant female domestic and/or sex workers . . . come to embody the material consequences of the gendered, racialized, and sexualized aspects of the normative logics of the capitalist economy.”

In order to sustain the critique I make in this chapter beyond a cinematic analysis, it is necessary to think through the positioning of those who represent and are represented within the assemblages of transgender exceptionalism—and this includes academic research and, unavoidably, this current work. In my own capacity as a transgender immigrant to the United
States who escapes the worst regulation and criminalization through whiteness and economic privilege, it is essential to question the investment of many Trans Studies scholars in a rights-and-respectability model that relies on U.S. exceptionalism. Immigration is not about distributing rights among the most worthy, responsible, or deserving. Rather, it is a complex of regimes that deploy contradictory mechanisms to optimize labor flows, filter particular populations into and out of territories, secure those populations, and manage popular political discourses around protecting nation-states from, or opening up nation-states to, immigration. Positionality and representation are always close at hand here: in these contradictory systems, immigrants must comply with various exhortations to "be visible" or to "represent" themselves within particular discourses in order to gain access through the next doorway and in particular to gain legal status. The symbolic and material debt incurred in such an exchange ensures the pliability and self-surveillance of the immigrant herself. Globally, trans and queer racialized immigrants are continually asked to "tell their stories" in order to put a "human face" on an "abstract problem," to solicitation for various nonprofit groups, and most often to negotiate the border in the form of immigration regulations, asylum processes, and refugee claims. Immigrants themselves must be perfectly aware that this is an exchange; it is in their interests to calculate accordingly the value, and the copiousness, of their tears. The abstraction of trans people of color into subjects of suffering and vulnerability also prevents the formation of a political model that might understand how the privileges and freedoms of those who are documented—or not sex workers, or not transgender—are cospasubstantial with and intimately connected to those who are exhorted to speak.

NOTES

1. These initiatives include a training module on LGBT refugee and asylum claims, which the "US Leadership" memo claims is now taught in basic training for all new officers who adjudicate asylum cases.

2. The term prosecutorial discretion refers to the process by which an ICE agent can now decide if an immigration detainee receives deferred action (or, not deporting someone) rather than being deported, on the basis of having family relationships or belonging to a vulnerable category of personhood. Prosecutorial discretion is used in a small number of cases, but the number of cases closed via prosecutorial discretion appears to be rising. See "Rebound Seen in New ICE Prosecutorial Discretion Closures," Transactional Records Access Clearinghouse, http://trac.syr.edu/immigration/reports/308/#pd, accessed October 4, 2013.

3. A transgender man called Aren who came to the United States from Iran via Turkey was interviewed about his participation in the resettlement program in Philadelphia for a press release by the Nationalities Service Center, the host organization in Philadelphia. The same person took part in panels about transgender refugee resettlement at the Philadelphia Trans Health Conference in 2012, a measure partially used to publicize this new program and the


6. Several states require adults convicted of prostitution-related offenses to be listed on sex offender registries. Until 2012, Louisiana required people convicted of "crimes against nature by solicitation" to be listed on sex offender registries. In California, the passing of Prop 35 in 2012 means that people convicted of sex work and trafficking offenses (often sex workers themselves) are now listed on California's sex offender registries. See Gira Grant 2012.

7. This is consistent with Lionel Cantu's observation that in the "Western queer imaginary Mexico and its men are locked in a spatio-temporal warp of macho desire"; this fantasy is both threatening and desired. See Cantú 2009, 114.


REFERENCES


