Migration Industries and Transnational Governance of Queer Migration: Bureaucratization of Sexuality and Gender in Turkey

By

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Statement

I hereby state that the thesis contains no material accepted for any other degree in any other institution. The thesis contains no material previously written and/or published by another person, except where appropriate acknowledgment is made in the form of bibliographical reference.

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Abstract

This thesis scrutinizes the construction of transnational governance of queer migration, which is operationalized within the borders of Turkey and spread to the Global North. Based on a 25-month-long ethnography in four cities, the thesis lays bare the intertwined transnational and local bureaucratic governance mechanisms via which queer asylum seekers are deemed "deserving" of refugee status and rights, not just in Turkey but across the Global North. The thesis tells how Turkey has been refashioned as an open-air detention center for 4 million refugees, gaining the title "the country hosting the world's largest refugee population." Turkey's own political and legal approach to (queer) refugeeness and the Global North's determination to exclude refugees of the Global South have made Turkey a transnational zone for processing asylum applications. The thesis conceptualizes Turkey's approach to queer refugeeness as "legally unrecognized but bureaucratically managed, " creating a political and legal vacuum to be filled by transnational and international organizations. In a bid to do so, the Global South countries pour billions of euros into Turkey, creating what has been conceptualized as a migration industry but with a uniquely different main actor - the local NGOs of Turkey. Funded exclusively by transnational and international organizations of the Global North, these NGOs emerge as the nexus of the multi-layered and simultaneously operating sets of values. Local NGOs are deeply embedded in the social and political life of Turkey – thus subjected to and experienced in navigating the neoliberal and neoconservative gender politics of the Turkish state. Yet, they must also adopt and translate the Global North-oriented narratives of sexual orientation and gender identity into projects to be executed in the cities of Turkey. To capture and conceptualize the multi-layered and simultaneously operating sets of values that determine one's refugee status based on sexual orientation and gender identity, the thesis coins the term "transnational matrix of deservingness."

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Introduction

In October 2017, I landed a volunteering position at Red Umbrella Sexual Health and Human Rights Association (Red Umbrella), an LGBTI+ NGO in Ankara working with transgender sex workers. I wanted to volunteer for Red Umbrella because they had been conducting interviews with queer Syrian refugees for their report "Syrians under Temporary Protection in Turkey and Sex Work," published in 2017. One month after I started volunteering, Red Umbrella received an invitation for a roundtable workshop from a local NGO in Istanbul, the Women's Solidarity Foundation (WSF). WSF specified the workshop's purpose as an open forum to discuss how civil society actors in Turkey can support and collaborate with queer refugees in Turkey. Knowing my research interests, Red Umbrella allowed me to accompany their representative for the workshop. This workshop was the first instance where I observed the high degree of influence that NGOs could exert upon transnational refugee governance.

Representatives from 33 organizations arrived in Istanbul for the workshop. The high number of organizations who sent representatives was not the only impressive fact about the workshop. The organizations were also diverse in their area of operation or organizational structure. There were representatives from transnational organizations such as the United Nations High Commissioner for Refugees (UNHCR), nationwide NGOs that work with refugees, such as Association for Solidarity with Asylum Seekers and Migrants (ASAM), long-established LGBTI+ NGOs, such as KAOS GL, Lambda Istanbul, and Pembe Hayat, as well as recently mobilized groups and networks such as Genç LGBTİ Association İzmir or Zeugmadi- Gaziantep LGBT.

The roundtable moderator, a well-known trans activist Zühre initiated the discussion by stating that refugees and queer citizens are mistreated and discriminated against in similar ways. She mentioned that landowners refuse to rent out to refugees and trans citizens. The ones willing to rent out were overcharging both groups for run-down, uninhabitable flats. Zühre provided other examples to explain how refugees and queer citizens share similar vulnerabilities in Turkey. Then she went on to argue that since queer refugees face a combination of racial and gendered discrimination, they have heightened vulnerabilities that require the attention of civil society actors. She explained how queer refugees are discriminated against not only by the locals because they are refugees but also by other refugees because they are queer. With her intersectional approach to the conditions of queer refugees in Turkey, Zühre created a pivotal moment of solidarity, at least discursively, which imprinted itself on the rest of the conference. For four hours, every participant shared their encounters with queer refugees, their observations about problems that queer refugees face, and possible ways in which attending NGOs and groups could establish a solidarity network with queer refugees.

The ways in which they have interacted with queer refugees showed a variety of forms and contents. The attending NGOs talked about their projects which aimed to provide services for refugees: translation, legal and healthcare consultancy, childcare services for working parents, and so on. They explained that their service delivery efforts had calumniated into multi-service centers funded by international and transnational organizations. ASAM's representatives mentioned that they have - what they call – "LGBT teams" that specialize in providing services to queer refugees. Others talk about their projects which centered on rights advocacy for refugees as well as queer refugees: conducting field research on the living conditions of queer refugees and writing reports

and sharing them with the public, or making regular visits to queer refugee communities, listening to their grievances, and conveying them to the UN bodies. NGOs without projects utilized their existing resources to help queer refugees. They provided safe spaces in their offices for queer refugees to come together and self-organize. They hired Arabic and Farsi interpreters during seminars and panels at the Istanbul Pride Week. They help newcomers with making initial contact with queer refugee communities. They organized events meant to bring queer refugees together, socialize and have fun since queer refugee-friendly safe spaces did not exist in small cities.

Inspired by the breadth and depth of those NGOs' engagement with queer refugees, I researched NGOs' role in transnational refugee governance deeper. Their influence turned out to be pervasive in every step of the migratory movement from countries of origin to Turkey and from Turkey to a third country. NGOs lay at the nexus of capillaceous transnational formal and informal ties. Undergoing refugee status determination (RSD) procedure in Turkey proves to be a matter of transnational governance because of Turkey's geographical limitation on the Convention Relating to the Status of Refugees (the Refugee Convention, for short). The geographical limitation means that only people escaping from events happening in Europe[1] are eligible for refugee status defined by the Refugee Convention. Asylum seekers fleeing from other geographies can apply for different liminal statuses, which fracture the rights of refugees and differentially redistribute them based on country of origin, ethnicity, sexual orientation, gender identity (SOGI), and so on — one right which all liminal status excludes is permanent residency. Conditional refugees are allowed to stay

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[1] Article 3 of Law on Foreigners and International Protection states that Europe consists of the member states of the Council of Europe. Also, the same article states that the President of Turkey can decide on which country to be accepted as "European".

in Turkey with a strict understanding that, in the long run, they must resettle in a third country or return to their country of origin.

The geographical limitation has also created a parallel tracks system (Zieck, 2010) in which the United Nations High Commissioner for Refugees (UNHCR) has had the mandate to conduct RSD interviews and grant conditional refugees in close cooperation with Turkish officials, as well as to mediate the resettlement process and prove other various protection options for them.[2] That is, while in countries with centralized refugee governance, UNHCR possesses mediatory and advisory functions, in Turkey, it has had the mandate of determining who is deserving of refugee status, resettlement, and services. With its mandate over RSD and resettlement in Turkey, UNHCR has utilized its own conceptualizations of what counts as a well-founded fear of persecution and its criteria for resettlement. UNHCR's mandate has catalyzed transnational refugee governance enacted in localities of Turkey, inviting in the potent influence of local as well as international and transnational actors. For example, UNHCR's resettlement scheme can function only if third countries, such as the USA, Canada, Australia, or the Nordic countries, provide quotas. While UNHCR decides whom to submit for resettlement, each third country conducts its own RSD procedure within Turkey's borders.

The most striking example of how potent their influence can be is the bureaucratically tolerated existence of queer asylum seekers and refugees in Turkey. No law or social policy in Turkey recognizes sexual orientation and gender identity (SOGI) as a ground for protection against

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[2] UNHCR withdrew from conducting RSD interviews in September 2018, yet still retains its mandate over resettlement. The effects of the withdrawal will be discussed in Chapter2.

discrimination. The state's commitment to erase SOGI as a legal category has only gotten stronger, as was demonstrated by the President of Turkey's decision to withdraw from the Istanbul Convention in 2020. The anti-discrimination clause of the Convention became one of the most attacked targets in the campaign against the Convention. The fact that the clause included SOGI has been distorted into anti-LGBTI+ rhetoric, claiming that the Convention attacks family values and normalizes LGBTI+ identities.

Despite the legal silence over SOGI and renewed efforts to completely erase what little reference to SOGI exists in legal texts, queer asylum seekers can claim conditional refugee status, register with the Provincial Directorates of Migration Management (PDsMM), and remain in Turkey until they are resettled. But how can they be granted such protection when the very reason they seek it – persecution based on their SOGI – is not recognized by law as a ground for extending it in the first place? This contradiction is possible because UNHCR officials followed UNHCR's directives to recognize SOGI as a basis for well-founded fear of persecution (UNHCR, 2002, 2012) while registering asylum seekers and conducting RSD interviews. Upon getting their registration papers from UNHCR, they could also register with PDsMM. Hence, LGBT refugeeness in Turkey is a de facto construct of UNHCR's sphere of influence in Turkey, making queer asylum seekers deserving of refugee status, resettlement, and services in a country where they have no legal ground for seeking asylum based on SOGI.

In addition to the fact that SOGI of asylum seekers are legally unrecognized, but their existence within Turkey's borders is bureaucratically tolerated, UNHCR also employs protection mechanisms that identify queer asylum seekers and refugees as vulnerable groups who need fast-

tracked RSD and resettlement to a third safer country. While national legal and policy documents and national authorities remain silent concerning SOGI in the context of asylum, UNHCR has constructed a bureaucratic reality in Turkey where queer asylum seekers can have access to not only refugee status and rights but also protection mechanisms which, *in some 'deserving' cases*, expedite their RSD procedures and resettlement. UNHCR acknowledged that queer asylum seekers face further discrimination in Turkey because of their sexual orientation and gender identity. Double discrimination of racism and homophobia/transphobia prevents queer asylum seekers from having sustainable livelihoods and makes them vulnerable to psychological and physical violence in Turkey. They are discriminated against in the formal and informal job markets. They cannot benefit from existing refugee solidarity networks as they are discriminated against within refugee communities. Hence queer asylum seekers have difficulty finding accommodation and accessing vital information. (Baklacıoğlu & Kıvılcım, 2015; Kara & Çalık, 2016; Kıvılcım, 2017).

To address such vulnerabilities, UNHCR expedites their RSD so that they will, at least, receive normative legal protections. UNHCR also expedites their resettlement so they can be moved to a safer third country as soon as possible. My participant observations also revealed a similar trend; At the same time, those seeking asylum because of persecution based on SOGI were fast-tracked to receive their refugee status and resettle in a third country within a few months of registering with UNHCR, those seeking asylum because of persecution based on other reasons had to wait almost two years even to have their first RSD interview. Moreover, UNHCR has utilized other protection mechanisms, such as financial help, for queer asylum seekers and refugees.

This thesis scrutinizes transnational social and economic dynamics underlying the legally unrecognized but bureaucratically tolerated existence of queer asylum seekers and refugees in Turkey. UNHCR's peculiar mandate constitutes only one dimension of the capillaceous transnational formal and informal ties that facilitate and sustain the migratory flow of queer refugees coming from the Middle East, North, and Sub-Saharan Africa, using Turkey as a transition country – albeit a highly long 'transition' period –, and hoping to settle in third countries which grant refugee status based on SOGI. While UNHCR's mandate has made inroads into formalizing the existence of queer refugees in Turkey, a wide variety of local, international, and other transnational actors have assumed their own roles in facilitating, sustaining, challenging, and undermining this particular form of queer migration. For 25 months between September 2017 and December 2021, I followed the everyday social and economic practices simultaneously embedded across borders. I conducted participant observations and interviews with 117 queer refugees and workers, volunteers, and activists of civil society organizations in Ankara, Istanbul, Eskisehir, and Yalova. During the fieldwork, I observed that a queer person's application for asylum in Turkey prompts a transnational set of social and economic dynamics that require constant negotiation amongst local administrative bodies, NGOs in their city of residence, UNHCR, the embassy of a third country for resettlement and NGOs in that third country.

In a hypothetical example abstracted from my observations and interviews, the decision to escape from the country of origin may be prompted by the information on refugeeness shared by NGOs. By reading websites of NGOs in Turkey as well as a third country or getting information directly from workers and volunteers of these NGOs via digital communication, queer people may learn that the constant social and political discrimination they face in their country of origin because of

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their SOGI can amount to a well-founded fear of persecution, qualifying them for refugee status. When a queer asylum seeker must immediately escape because of the imminent threat of physical violence, arrest, and torture, they may arrive in Turkey without prior knowledge of how refugeeness works and remain undocumented for a while. During their undocumented stay, they may learn about refugeeness if they have managed to get in touch with other queer refugees. However, since they arrive in Turkey via the long-established undocumented migratory routes, they are usually embedded within a cis-heteronormative migrant community where they must hide their SOGI to avoid discrimination. In the eventuality that their SOGI is disclosed to others, they may be subjected to psychological and physical violence, which leads them to seek help from NGOs in Turkey and learn that they can apply for asylum based on SOGI.

During their encounters with NGOs or queer refugee networks which have contacts and ties with NGOs, queer asylum seekers learn that they should go to Ankara to register with UNHCR. The registration is conducted by ASAM, one of UNHCR's implementing partners in Turkey. They are assigned to a satellite city where they must reside for the rest of their stay in Turkey. They travel to that city from Ankara and start registering with the local administrative unit, the Provincial Directorates of Migration Management (PDsMM). The PDMM either refuses to register t(Lang, 2013, pp. 71–74)hem or puts them on a long waiting list because PDMM does not formally recognize SOGI as grounds for seeking asylum. The delay in registration with PDMM means no access to rights and financial assistance, as per the refugee laws of Turkey. UNHCR either directly intervenes or utilizes local NGOs that are its implementing partners in that city to negotiate a quicker registration of the queer person. Then the queer refugee must prove to UNHCR and its implementing partners in the city that they are highly vulnerable both in their country of origin

and their current city of residence, or else they would be waiting around one and a half years to have their first refugee status determination (RSD) interview with UNHCR. During the interviews, UNHCR uses its own criteria of what counts as persecution based on SOGI and then grants a liminal refugee status valid within Turkey's borders.

Upon getting their refugee status, the queer refugee is now assigned to a third country for resettlement. UNHCR and its implementing partners mediate the process, sending the refugee's application dossier to the officials of the third country. However, it is entirely up to the officials of the third country to allow or decline resettlement. They conduct their own interviews and apply their own criteria of what counts as persecution based on SOGI. The third country's criteria may show similarities with those of UNHCR, or they may diverge. The time it takes the queer refugee to resettle may vary from 6 months to 5 years. Every third country has its own bureaucratic pace. But more importantly, the changing political views on asylum and migration may decrease the third country's quota for resettlement. Or the third country may decide to stop taking in refugees from certain countries of origin entirely, as was the case with the USA after former President Donald Trump put a travel ban on seven countries. Suppose the queer refugee is from one of the countries on the ban list (many of my interlocutors were). In that case, their application must be reassigned to another country, restarting the process, thus, prolonging their waiting time. Third countries conduct RSD interviews either in their embassies or with the help of NGOs, which are based in these countries but have offices and operate across the world.

If the process takes too long or seems like it may end with an adverse decision, queer refugees may seek alternative methods of resettlement, one of which is sponsorship. Depending on the country,

it requires a person, a group of people, or an organization to sponsor the queer refugee's application. The queer refugee may use different channels to search for sponsorship in a country that they want to resettle: (1) contacting their acquaintances in a network of queer refugees, (2) contacting an NGO that works with queer refugees, (3) contacting a religious organization such as a church, and (4) in some cases, using geolocation dating apps which allow their users to select any city around the world and see the profiles of their users and chat with them. Each channel comes with its own set of norms and values via which they assess the queer refugee's situation and decide whether to help. For example, an LGBTI+ NGO in the country of prospective destination may require a reference letter from an LGBTI+ NGO in Turkey stating that they know the queer refugee in question and confirming their membership in the queer refugee community in Turkey. Once the queer refugee is selected for resettlement, whether by sponsorship or UNHCR's scheme, International Organization for Migration (IOM) mediates the relocation of the queer refugee.

This thesis argues that NGOs have been integrated into transnational refugee governances as mediators of capillaceous transnational formal and informal ties between queer refugees and other local/international/transnational actors. In every step of the complicated process I have just described, queer refugees appease multiple actors' usually conflicting sets of norms and values about what it means to be persecuted based on SOGI. To get conditional refugee status and start their resettlement process in a third country, queer asylum seekers must present a narrative of persecution that UNHCR finds credible. To get access to the limited rights that their city of residence in Turkey has to offer, they must negotiate with PDsMM. To resettle in a third country, they must be able to present narratives of persecution that the third country's representatives will evaluate based on their own criteria. Above all, to navigate this immense field of conflicting norms

and values, queer refugees must fit into NGOs' persecution criteria. If they manage to do so, NGOs mediate their negotiations with each of these actors.

I coin the term "transnational matrix of deservingness" to signify this immense field of conflicting norms and values that queer asylum seekers must navigate to get refugee status, rights, and financial assistance. The term aims to draw attention to the fact that refugee status and rights have been fractured across time and space, and emerging fractions have been differentially re-articulated under the mandate of local, international, and transnational actors. Each actor utilizes their own values and norms to decide whether to grant access to the re-articulated fractions that they hold control over. In short, the transnational matrix of deservingness suggests that refugee status and rights do not adhere to the principle of entitlement upon which universal human rights have been assumed to be built. Instead, a principle of deservingness has been put in place via which queer asylum seekers must go to extreme lengths to access one fraction of the potential legal statuses and rights.

Finally, I assert that two crucial social and economic phenomena give transnational refugee governance a sense of ostensible functionality and relative coherence despite conflicting norms and values used to determine deservingness. At the core of the first one lies that refugee status determination (RSD) is a bureaucratic procedure that allows street-level bureaucrats to operate with a high degree of personal discretion. Their personal discretions exert more influence on RSD for queer asylum seekers since SOGI evades quantification. Thus, they utilize socially available cis-homonormative discourses to categorize SOGI and evaluate whether queer asylum seekers' narratives of persecution are credible. Using Dorit Geva's concept of rational informality, I argue

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that cis-homonormative discourses establish a minimum basis for functionality and coherence in the intra-mandates of local, international, and transnational actors.

As for the inter-mandates of these actors, migration industries establish necessary political infrastructures for NGOs to be influenced by transnational organizations and to negotiate with local administrative bodies. I maintain that since NGOs are economically bound to transnational organizations through project funding, the cis-homonormative discourses perpetuated by these organizations influence the services NGOs provide and the form and content of their rights advocacy. In other words, I demonstrate that local NGOs working with refugees have become dependent on funding from UN bodies (regardless of whether they are implementing partners of UNHCR). The economic dependency gives enough political power to local NGOs, allowing them to negotiate with local administrative bodies that are adamant about excluding SOGI as a ground for seeking asylum. On the other hand, this dependency leads to a partial convergence of norms and values about deservingness – at least between local NGOs and UN bodies. In negotiating with local administrative bodies for the re-articulated rights of queer refugees, they utilize these norms and values about deservingness, thus, creating a sense of ostensible functionality and coherence in a highly fractured, multi-mandate transnational refugee governance.

Overview of Chapters

Chapter 1 gives an overview of the theoretical frameworks used in the thesis and situates other chapters' theoretical contributions. The chapter focuses on migration networks theory and transnational migration since, I argue, the critiques that migration networks have received from

the scholars of transnational migration are crucial in building the migration industry as a comprehensive concept that is capable of accounting for power asymmetries in transnational refugee governance. It is because the idea of the migration industry is exclusively built on migration networks theory without amending its shortcomings. Inheriting methodological nationalism and the ethnic lens from migration networks theory, the migration industry depicted migration entrepreneurs as for-profit actors – migrants or former migrants/returnees – facilitating the border crossings of their co-ethnics. To put it differently, the migration industry has only considered nation-state borders and ethnicity as units of analysis, centering on for-profit economic activities involved with the penetration of nation-state borders by a group of people assumed to share the same ethnic background. As a result, non-migrant actors who limit and control migratory flows for profit have escaped scholarly attention. I assert that the sole focus on co-ethnic actors facilitating border crossing has obstructed the asymmetrical power relations via which rights-breaching, inhumane, and torturous practices of for-profit actors who limit and control migratory flows are legalized while migration networks and smuggling are illegalized. Private companies that sell and administer high-security border control technologies or run detention and deportation centers and receive government contracts that yield vast profits. Migration networks that provide relatively safe passage and much-needed solidarity ties are criminalized, and migrants are pushed to use trafficking routes that make them more vulnerable to violence, exploitation, and slavery. I also mention one crucial theoretical text that entertains the idea that NGOs can be one set of actors in the migration industry, which will be discussed in other chapters.

In the second section of Chapter 1, I present queer migration as an overarching critique of migration studies that have operated with the persistent assumption that migrants are cis-

heterosexual and that their social relations adhere to cis-heteronormativity. I add that earlier gendered approaches to migration studies have also had the same premise, researching only the autonomous migratory movement of women who are assumed to be cis-heterosexual. Queer migration, on the other hand, scrutinizes different ways in which SOGI has shaped people's reasons to migrate, the routes and methods of migrating they choose, or pathways to incorporation into countries of destination that are available to them. Then I point out two problems within queer migration. The first problem is its uncritical use of the distinction between refugee and migrant, perpetuating the dichotomy of political vs. economic reasons to migrate. Separated from its economic dimensions, reasons for migrating based on SOGI have been reduced to political persecution, entirely discarding economic persecution, especially based on SOGI, that queer people escape from. Secondly, I argue that methodological nationalism has also been a pervasive problem for queer migration. This is closely related to perpetuating the dichotomy between refugees and migrants. As political persecution is assumed to be the primary driver of queer migration, the nation-state of origin emerges as the perpetrator. The society bounded by nation-state borders is represented as universally and ahistorically homophobic and transphobic. On the other hand, societies in the nation-states of destination are represented as universally and ahistorically progressive and safe havens for people persecuted based on their SOGI.

Chapter 2 undertakes the task of amending these two problems to establish a solid ground for a definition of queer refugeeness, which considers both political and economic persecution within simultaneous multi-stranded social relations across borders. The chapter first queers the international refugee law by threading through cis-homonormative discourses used in multiple jurisdictions to construct SOGI as a ground of asylum-seeking. In the face of the high degree of

personal discretion held by street-level bureaucrats in determining who counts as lesbian, gay, bisexual, and transgender and how their SOGI factors in their political persecution, cis-homonormativity functions as rational informality, giving international refugee law a sense of ostensible functionality and coherence. In the second section of the chapter, I follow the capillaceous transnational ties of refugee governance in four localities of Turkey to show how UNHCR utilizes cis-homonormativity as rational informality to introduce SOGI as a ground to seek asylum in Turkey as well as in the Global North countries which are involved in the resettlement schemes. In the final section of the chapter, I introduce an analytical distinction between LGBT and queer refugeeness to reclaim economic persecution as a crucial part of the migration narratives of queer refugees. I define LGBT refugeeness as an assemblage of cis-homonormative discourses of SOGI and reductionist cultural representations of the countries of origin, transit, and destination. State bureaucrats, workers of local and international NGOs, and transnational organizations such as UNHCR, UNDP, and UNFPA, as well as queer refugees, cultivate and utilize this assemblage to navigate the application procedures for refugee status. I define queer refugeeness as an assemblage of queer refugees' narratives of political and economic persecution which does not adhere to cis-homonormativity in their representations of SOGI. Queer refugeeness draws attention to power asymmetries across borders that have contributed to the political and economic persecution based on SOGI in the first place, such as colonial laws banning homosexuality or the international LGBT movement discarding local dynamics and further feeding anti-LGBT rhetoric in those localities.

Chapter 3 scrutinizes how local, international, and transnational actors in the four localities of Turkey utilize their own norms and values to enforce LGBT refugeeness within their mandates,

creating what I call a transnational matrix of deservingness. The term aims to draw attention to the fact that refugee status and rights have been fractured across time and space, and emerging fractions have been differentially re-articulated under the mandate of local, international, and transnational actors. Each actor utilizes their own values and norms to decide whether to grant access to the re-articulated fractions that they hold control over. In short, the transnational matrix of deservingness suggests that refugee status and rights do not adhere to the principle of entitlement upon which universal human rights have been assumed to be built. Instead, a principle of deservingness has been put in place via which queer asylum seekers must go to extreme lengths to access one fraction of the potential legal statuses and rights.

This concept argues that transnational refugee governance functions through deservingness, *not because* a consistent set of norms and values exists. It operates through what I call "consistency as everyday negotiation." Every actor brings in their sets of values and norms, which, in many instances, conflict with one another. For example, refugees decide which newly arriving asylum seekers deserve their help and cooperation. Local NGOs create a hybrid set of values and norms in response to the demands of local migration offices, transnational partners, and donors. Thus, intra-negotiations (amongst the same group of actors) and inter-negotiations (amongst various groups of actors) determine who deserves refugee status and gets access to rights and services. Asylum seekers who manage to find their way into one or more networks become involved in intra-negotiations. Hence, they may have a higher chance of benefiting from inter-negotiations. Finally, the chapter will demonstrate that while the matrix gives those deemed deserving incentives to remain immobile in Turkey and construct legal subjectivities recognized by transnational refugee governance, the matrix provides those deemed undeserving incentives to be mobile,

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searching for ways out of Turkey since they could not construct their legal subjectivities. The emergence of the discourse of "fake LGBT cases" will be discussed as a part of the everyday reproduction of the transnational matrix of deservingness in two localities of Turkey, namely Yalova and Eskişehir.

Chapter 4 shows how NGOs have become a nexus of norms and values for LGBT refugeeness, via which a sense of ostensible functionality and coherence is achieved in the transnational matrix of deservingness. The chapter starts by describing NGOization as a neoliberal process of individualizing solutions to a social problem that temporarily mends cracks within the transnational refugee governance. That is to say, the issues born out of political processes, such as the fracturing of refugee status and rights, the EU-Turkey deal in 2016, or quota determination for resettlement, are temporarily mended by short-term projects for humanitarian aid, service provision, or social cohesion funded by international and transnational organizations. Then, I trace the flow of transnational funds into Turkey to manage the migration from the MENA and Sub-Saharan region to the rest of the world, especially the EU. Since these funds have arrived in Turkey in the form of refugee-oriented projects to be implemented by the local NGOs, following the funds' trajectories will highlight the significant role that local NGOs play in localizing these funds in the cities where they are operating. In other words, I follow the construction of a migration industry whose main actors are NGOs. Localization of transnational funds indicates a relational understanding of what counts as profit. The literature has thus far employed "profit" as revenue generated by the economic activities of an actor that exceeds all expenses involved in conducting those economic activities. That actor has been imagined as a monolith organization, and the profit of that single organization is calculated. In the case of the local NGOs, in addition to demonstrating

how they can grow and sustain a constant flow of funds into their organization, I argue for analyzing economic relations established between local NGO workers and local entrepreneurs in making a profit from the transnational funds.

In the second part of the chapter, I focus on how these funds turn local NGOs into actors in the transnational governance of migration in Turkey. Recent works on the migration industry have stressed the need to better understand the governance function of migration industries. Early works focused solely on actors such as labor recruiters, human traffickers, or smugglers who have enabled border crossings via documented or undocumented methods. However, the emerging consensus amongst scholars indicates that actors also profit from managing and limiting migration flows. For example, private companies are administering detention centers or border security measures. Airline companies are responsible for checking their passengers' passports to see if they are traveling in a documented way or risk undertaking the costs of deporting undocumented travelers. Thus, to establish NGOs as actors in the migration industry in Turkey, I will also demonstrate that projects funded by transnational sources have become integral parts of bureaucratically managing asylum seekers' access to legal status and rights in Turkey.

Fieldwork

Between September 2017 and December 2021, I conducted a 25-month-long multi-sited ethnography in four cities of Turkey: Ankara, Istanbul, Eskisehir, and Yalova. I chose Eskisehir and Yalova because each has a large community of queer refugees from North African, Sub-Saharan, and Middle Eastern countries such as Iran, Iraq, Egypt, Ghana, Zimbabwe, and Pakistan.

I chose Istanbul and Ankara because they host the headquarters of NGOs and international NGOs (INGOs). While I was able to observe how their branches interacted with queer refugees in Eskisehir and Yalova, I also wanted to interview and observe workers in the headquarters to understand how projects and social policies related to queer asylum seekers and refugees were envisioned in the first place.

The primary fieldwork took place between September 2017 and 2018. To scrutinize the relational construction of queer refugeeness in Turkey, I interviewed and observed both queer refugees and employees of I/NGOs that work with queer refugees. That is, I focused on the interaction of both groups instead of merely interviewing one or the other. I employed a mix-method of participant observation and life story interviews. The main reason behind using a mix-method was to complement the life stories of my interlocutors with observations of their daily life social and bureaucratic interactions. I asked I/NGO workers to start their life stories with why they chose to work in the humanitarian aid sector. Later in the interview, I asked them about their relations with refugees as I/NGO workers and about envisioning, actualizing, and conducting projects for refugees. I asked queer asylum seekers and refugees to start their life stories with why they escaped their home countries. Focusing on the narratives of persecution based on SOGI, I also asked questions concerning their journey to Turkey, their experience of registering with authorities, having the RSD and resettlement interviews, and their problems during their stay in Turkey.

As for participant observations, I volunteered for two months for Red Umbrella. At the start of my volunteering, Red Umbrella was in the final steps of signing a project with UNDP. Thus, it was still a small NGO with a skeleton staff and a small office. To be able to implement the project,

they had to change their organizational structure, opening new branches in different cities. Thus, I was able to observe and reflect on the transition process, which will be a crucial part of Chapter 4 when discussing the intensification of NGOization because of the migration industry. I also volunteered for five months for ASAM, which is an implementing partner[3] of UNHCR in Turkey. Although both organizations have branches in Eskisehir and Yalova, I preferred volunteering in their headquarters because I did not want to contact queer asylum seekers and refugees via an organizational title. Interviewing my interlocutors as a volunteer of a well-known organization that provides crucial assistance to refugees would result in expectations and negative first impressions. As these organizations are gatekeepers of access to rights and services, associating with them in these cities could have marked me as also a gatekeeper. Queer asylum seekers and refugees could have felt obliged to participate in interviews, assuming that as a gatekeeper, I could positively or negatively affect their access to rights and services if they chose or refused to talk to me. By the same reasoning, they could have also censored their stories, for example, by omitting their negative experiences with these organizations. Due to similar concerns, I also did not interview refugees I met and interacted with via my involvement with Red Umbrella and ASAM projects. Finally, to observe how the two groups interact with each other within the flow of daily life, I participated in social events organized by I/NGOs and observed bureaucratic encounters among queer refugees, I/NGOs, and local migration authorities. During my primary fieldwork, I interviewed 94 people, 45 of whom are queer refugees and 49 of whom are workers of I/NGOs.

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[3] UNHCR chooses certain I/NGOs as its partner to conduct projects together. ASAM has been a long-term implementing partner of UNHCR, helping with first instance registration of conditional refugee as well as providing protection mechanisms.

I carried out the first follow-up fieldwork between May 2019 and September 2019. In addition to following general changes in the field, the main aim was to observe the aftermath of UNHCR's withdrawal from registering and conducting RSD interviews for conditional refugees on September 10, 2018. The Provincial Directorates of Migration Management (PDsMM) took over those functions. Although I could analyze the withdrawal's initial effects during the primary fieldwork, I also wanted to capture the long-term impact. I carried out the second follow-up fieldwork between March 2020 and December 2020. During this time, I conducted follow-up interviews with 13 interlocutors and interviews with 18 new interlocutors, six of whom were queer asylum seekers and 12 of whom were I/NGO workers.

All in all, I interviewed 118 interlocutors. Table I shows the distribution of queer asylum seekers and refugees according to their citizenship and the SOGI they declared during the interviews. It is crucial to note that the categorizations of SOGI in table I reflects the spatial and temporal limitations of the interviews; hence they cannot be taken as static and definitive expressions of my interlocutors' SOGI. As Lisa Diamond's oral history of SOGI reveals, how a person expresses their SOGI may change over the course of their lives (Diamond, 2006). To reflect the changing expressions of my interlocutors' SOGI in my analysis, I choose "queer asylum seekers and refugees" over "LGBT." Table II shows the distribution of I/NGO workers according to their organizations. Since some of my interlocutors worked for more than one organization and provided information on all of them, table II has two totals: one reflecting the number of workers and the number of interlocutors. Finally, to protect the identity of my interlocutors, I use pseudonyms.

Table 1. Distribution of Queer Refugees According to Their Country of Origin and SOGI

	Trans Women	Gay Men	Lesbian Women	Trans Men	Bisexual Women	Gender Fluid	Total
Iran	13	15	2	2	1	1	34 Iran
Syria	6	9					15 Syria
Zimbabwe	1						1 Zimbabwe
Afghanistan	1						1 Afghanistan
Pakistan	1						1 Pakistan
Total	22 Trans Women	24 Gay Men	2 Lesbian Women	2 Trans Men	1 Bisexual Woman	1 Gender Fluid	**52 Interlocutors**

Table 2. Names of Civil Society Organizations and Number of Workers, Activists, and Volunteers Interviewed

Name of the Organizations	Number of interviews
Association for Solidarity with Asylum Seekers and Migrants (ASAM)	12
Human Resource Development Foundation (HRDF)	8
Refugee Support Centre-Association (RSCA)	8
UNHCR Turkey	3
UN Turkey	1
International Medical Corps (IMC)	1
Turkish Red Crescent (TRC)	3
Refugee Rights Turkey (RRT)	1
Red Umbrella Sexual Health and Human Rights Association (Red Umbrella)	6
Social Policies, Gender Identity, and Sexual Orientation Studies Association	7
Association of Istanbul LGBTI Solidarity (Istanbul LGBTI)	1
Trans Guesthouse	4
Tea and Talk	1
Association of Pembe Hayat LGBTI+ Solidarity (Pembe Hayat)	1
Sabancı Foundation	1
Community Volunteers Foundation (CVF)	3
Young Approaches to Health (YAH)	3
Boysan's House	1
Migrant Solidarity Network Ankara	1
KAOS GL Association (KAOS GL)	3
HEVI LGBTI Association (HEVI)	1
Keçiören Municipality	2
Support to Life	2
Tarlabaşı Community Centre	1
YUVA Association	1

Total number of interviews	**76**
Total number of interlocutors	**66**

Chapter 1. Literature Review

Chapter 1 gives an overview of the theoretical frameworks used in the thesis as well as situates theoretical contributions that other chapters make. The literature on migration studies is surveyed with a strong accent on the concepts of migration networks and transnational migration. Since functionalist and structuralist approaches to migration silenced the agency of migrants in giving shape to their migratory process, migration networks theory aimed to analyze meso-level social structures such as "... the networks, communities, and localities which are most relevant for the daily social interaction of migrants" (de Haas, 2010, p. 1591). Under structural limitations set by restrictive state policies, global markets, and politically perpetuated anti-migrant rhetoric, migrants establish, sustain, and mobilize meso-level social structures to migrate and lead a viable life in the destination country. I argue that the critiques that migration networks received from scholars of transnational migration are crucial in building the migration industry as a comprehensive concept that is capable of accounting for power asymmetries in transnational refugee governance. It is because the idea of the migration industry is exclusively built on migration networks theory without amending its shortcomings.

Transnational migration has criticized migration network theory's tendency to take nation-state and ethnicity as sole units of analysis. This tendency has resulted in assimilationist discourses that depict migration as being uprooted from one nation-state and then assimilated into another. In the end, migrants are assumed to cut all social, economic, and cultural ties with the nation-state of origin. The past and future of migrants are thus fixated upon the moment of crossing nation-state borders. Others have taken membership in an ethnic group as the basis of establishing migration

networks that facilitate migratory movements and settlement in the destination country. They have ignored other pathways to incorporation into the destination country, focusing solely on ethnic enclaves or ethnic entrepreneurship.

Inheriting methodological nationalism and the ethnic lens from migration networks theory, the migration industry depicted migration entrepreneurs as for-profit actors – migrants or former migrants/returnees – facilitating the border crossings of their co-ethnics. The migration industry has only considered nation-state borders and ethnicity as units of analysis, centering on for-profit economic activities involved with the penetration of nation-state borders by a group of people assumed to share the same ethnic background. In other words, since "every move across national frontiers becomes an exception to the rule of sedentariness within the boundaries of the nation-state" (Wimmer & Glick Schiller, 2003, p. 585), scholars only found the for-profit facilitation of border crossing academically intriguing enough to research on. Economic activities profiting from limiting and controlling migratory movements remained under-researched until the 2010s. As a result, non-migrant actors who limit and control migratory flows for profit have escaped scholarly attention. I assert that the sole focus on co-ethnic actors facilitating border crossing has obstructed the asymmetrical power relations via which rights-breaching, inhumane, and torturous practices of for-profit actors who limit and control migratory flows are legalized. At the same time, migration networks and smuggling are illegalized. Private companies that sell and administer high-security border control technologies or run detention and deportation centers receive government contracts that yield vast profits. Migration networks that provide relatively safe passage and much-needed solidarity ties are criminalized, and migrants are pushed to use trafficking routes that make them more vulnerable to violence, exploitation, and slavery. I also mention one crucial theoretical

text that entertains the idea that NGOs can be one set of actors in the migration industry, which will be discussed in other chapters.

In the second section, I present queer migration as an overarching critique of migration studies that have operated with the persistent assumption that migrants are cis-heterosexual and that their social relations adhere to cis-heteronormativity. I add that earlier gendered approaches to migration studies have also had the same premise, researching only the autonomous migratory movement of women who are assumed to be cis-heterosexual. Queer migration, on the other hand, scrutinizes different ways in which SOGI has shaped people's reasons to migrate, the routes and methods of migrating that they choose, or pathways to incorporation into countries of destination that are available to them. Then I point out two problems within queer migration. The first problem is its uncritical use of the distinction between refugee and migrant, perpetuating the dichotomy of political vs. economic reasons to migrate. Separated from its economic dimensions, reasons for migrating based on SOGI have been reduced to political persecution, entirely discarding economic persecution, primarily based on SOGI, that queer people escape from. Secondly, the literature does not pay attention to UNHCR as a perpetrator of exclusionary inclusion and differential inclusion or how it reshapes the meaning of queer refugees in a transnational manner.

A Critical Look into the Early Migration Theories

As an interdisciplinary and diverse field of research, migration studies have accumulated various theoretical frameworks since Ernest George Ravenstein (1885) presented the first attempt to analyze migration patterns within and across borders. In the migration literature, there is a

consensus on these theoretical frameworks, though they have been subjected to meta-classifications. Whether they were meta-classified as functionalist-structuralist-relational (Brettell & Hollifield, 2023; de Haas et al., 2020) or proactive-reactive-continuous (Richmond, 1993; Şenol Sert, 2018), theoretical frameworks within migration studies are identified as the following: push-pull models, neoclassical macro and microeconomic approaches, human capital theory, dual labor market theory, world-systems theory, globalization theory, migration network theory, institutional theory, cumulative causation, migration system theory and transnational migration theory (Abadan-Unat, 2017, pp. 51–70; Arango, 2016; de Haas et al., 2020, pp. 42–74; King, 2012; Massey et al., 1993; Şenol Sert, 2018, pp. 31–42).

The push-pull model originates from Everett S. Lee's article A Migration Theory (1966) and has a continuous presence in migration studies to this day, especially after being remobilized in an attempt to understand the increased migratory flows in the Mediterranean region (Garelli & Tazzioli, 2021). The model analyzes economic, environmental, and demographic push factors referring to the reasons to leave the country of origin and pull factors indicating the reasons to migrate to the destination country. However, the model has been criticized on the grounds that it is solely descriptive, which makes it unable to capture relations among the different factors. In the final edition of their influential book, *The Age of Migration: International Population Movements in the Modern World*, Hein de Haas, Stephen Castles, and Mark J. Miller argue that the model is not able to explain "…why many countries and regions simultaneously experience substantial immigration and emigration, why migrants would return, or why most people do not migrate at all" (de Haas et al., 2020, p. 45). The model also feeds the dichotomy of the countries in the Global North as "the beacons of prosperity and progress" and those in the Global South as "the pools of

poverty, violence and misery" (de Haas et al., 2020, p. 45) since it does not scrutinize "…the established relations of inequality, economic ties based on prior appropriation, continuing exploitation and/or cultural links formed by previously unequal relationships" (O'Reilly, 2016, p. 30).

Neoclassical macro/microeconomics left a lasting impression on migration studies between the 1950s and 1970s. Scholars who utilized neoclassical macroeconomics were primarily occupied with labor migration between countries with different economic development levels. The main argument with this theoretical framework is that the "…differential in wages causes workers from the low-wage country to move to the high-wage country" (Massey et al., 1993, p. 433). Low-wage countries are identified as those "…with a large endowment of labor relative to capital," while high-wage countries are considered as those "…with a limited endowment of labor relative to capital" (Massey et al., 1993, p. 433). Such a form of labor migration is depicted as beneficial to both sides since "…the supply of labor decreases and wages rise in the capital-poor country, while the supply of labor increases and wages fall in the capital-rich country…." (Massey et al., 1993, p. 433). In short, disequilibrium in the labor markets of countries causes international migration. Massey et al. note that this theoretical framework provided the basis for stricter immigration policies that aim to control migration flow by regulating or influencing labor markets in the country of origin and destination (Massey et al., 1993, p. 434).

Scholars who utilized neoclassical microeconomics focus on individuals' cost-benefit calculations in deciding whether to migrate. For individuals to migrate, their calculations should yield an expected positive net – usually monetary – return from the movement (Massey et al., 1993, p.

434). Being conceptualized as a form of investment in human capital, calculations include various factors both in the country of origin and destination, such as "the material costs of traveling, the costs of maintenance while moving and looking for work, the effort involved in learning a new language and culture, the difficulty experienced in adapting to a new labor market, and the psychological costs of cutting old ties and forging new ones" (Massey et al., 1993, p. 434). Massey et al. assert that the microeconomics framework led to different immigration policies. For example, to control international migration, governments introduced policies that affect expected earnings in the country of origin and/or destination, such as lowering the likelihood of employment, increasing the risk of underemployment in the destination area, and growing incomes in the origin country (through long-term development programs), or increasing the costs (both psychological and material) of migration (Massey et al., 1993, p. 436).

Neoclassical economic approaches received criticism for their three unfounded assumptions. The first critique is that "…potential migrants have perfect knowledge of wage levels and employment opportunities in destination regions." (de Haas et al., 2020, p. 47). The second is that "…people are rational actors who maximize income or 'utility' based on a systematic comparison of lifetime costs and benefits of remaining at home or moving to an infinite range of potential destinations" (de Haas et al., 2020, p. 47). Potential migrants assume to have access to all knowledge and opportunities to make a purely economic cost-benefit calculation to determine whether and where they migrate. Thus, the subjectivities of migrants can only be recognized by their ability to make rational choices as agents of a liberal economy. Within the limits of how a liberal economy supposedly functions, potential migrants choose to move across borders for rationally calculated

economic benefits. However, these assumptions do not hold up when empirical research is conducted. Alejandro Portes (1995) states

> "International labor migration largely originates in countries at an intermediate level of development rather than in countries where wages are lowest. Furthermore, in these intermediate countries, the very poor and the unemployed are not the first to migrate and are generally underrepresented in the outbound flow. Instead, it is people with some resources—small rural proprietors, urban artisans, and skilled workers—who most commonly initiate and sustain the movement" (Portes, 1995, p. 20).

Unequal access to knowledge and opportunities affects who can and will migrate. Thus, individualistic, human capital and market-oriented theoretical frameworks have yet to be able to capture, let alone analyze, the dynamics of the international migration flows.

The final assumption originates from a need for more attention to other markets' roles in international migration. As the effects of other markets are sidelined, these theories assume, for example, capital or insurance markets to be accessible for everyone. De Haas et al. use the example of the implicit assumption that everyone could borrow money from banks to finance migration, adding, "…in reality, banks often do not cater to nonelit groups lacking collateral" (de Haas et al., 2020, p. 47). Karen O'Reilly (2016) provides further examples of how the sole focus on the labor market erases "the historical relations, family and community dynamics, the role of intermediaries encouraging migration by arranging passage, and of course the role of states in recruiting labour, granting (or withholding) permits, establishing policies on refugees and asylum seekers and determining citizenship rights" (O'Reilly, 2016, pp. 26–27). Ignoring these complicated dynamics, international migration control is reduced to interventions in the labor market, discarding multiple factors that the states cannot control and producing policies that harm, discriminate, and criminalize migrants.

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World systems theory provided a historical-structural frame to analyze migration. Based on Marxist political economy, world-systems theory flips around the assumptions of neoclassical economics. That is, migration *is not* a mutually beneficial process via which labor market disequilibrium in both countries of origin and destination will be solved. Migration *is not* a spontaneous, voluntary, and above all, a rational reaction of workers to labor market disequilibrium. Migration *is not* the result of the difference in the economic development of countries. Instead, this theory suggests that unequal economic and political relations between the core and the periphery countries (for Immanuel Wallerstein, it is core, semi-periphery, and periphery) result in draining the resources of peripheries, including labor (de Haas et al., 2020, p. 50). Hence, migration is one component that constructs "the development of the underdevelopment" (Frank, 2000). As the capitalist networks in the cores penetrate the social and economic relations in the peripheries, peasants and rural workers are deprived of their livelihoods, being dispossessed and displaced (Abadan-Unat, 2017, p. 61).

According to world systems theory, postcolonial relations come to play a crucial role in creating and sustaining international migration. The unequal cultural, administrative, and financial ties, as well as transportation and communication infrastructures between colonial and colonized countries, remain in place to this day, catalyzing the international migration of the dispossessed people in the peripheries (Abadan-Unat, 2017, p. 63). In addition, world-systems theory considers restrictive migration regimes of the core countries as a tool to ensure that incoming migrants will remain as cheap labor for capital. Restrictive migration regimes deprive migrants of their rights and protection (de Haas et al., 2020, p. 50), making them unable to unionize and forcing them to accept highly exploitative working conditions. Thus, they regard migrants as a part global division

of labor (Portes, 1978) and a "reserve army" of laborers coming from the peripheries and semi-peripheries (King, 2012, p. 18). Finally, the flow of asylum seekers from the peripheries is also considered because of expanding global markets. This theory states that capitalist economies initiate political and military interventions to protect their investment in the peripheries. The political and economic instability and atmosphere of violence created by these interventions forcibly displace people from their countries (Abadan-Unat, 2017, pp. 63–64).

The main problem attributed to the world-systems theory is its lack of attention to the agency of migrants (King, 2012, p. 19; Şenol Sert, 2018, p. 37) since its primary focus is on historical and economic structures that drive the displacement of people. Joaquín Arango (initially published in 2004) went as far as to say that world-systems theory sees migrants as "…little more than passive pawns in the play of great powers and world processes presided over by the logic of capital accumulation" (Arango, 2016, p. 32). De Haas et al. partially agree with this criticism, stating that "…historical–structural views are often based on the 'myth of the immobile peasant'…which is the implicit assumption that pre-modern societies consisted of isolated, stable, homogeneous and egalitarian peasant communities, in which migration was exceptional" (de Haas et al., 2020, p. 52). Because of the myth of the immobile peasant, the analysis of migration from the perspective of the world-systems theory ignored the fact that peasant societies were mobile, which in return perpetuated the assumption that the Industrial Revolution uprooted peasants from their self-sufficient communities. De Haas et al. draw attention to historical research revealing that peasant societies are mobile, migrating to other geographies to escape conflict, famines, epidemics, and extreme inequalities (de Haas et al., 2020, p. 52). Then they argue,

> "In such cases, migration can be an active choice and an opportunity to escape from the constraints put on them by 'traditional' societies. This makes it difficult to portray migrants

unilaterally as victims of global capitalism…While labour market exploitation is an important part of the migration experience, the danger of unilaterally subscribing to historical–structural theories is a failure to understand why many workers have a strong interest in migrating in spite of the discrimination and exploitation – whether by smugglers, bureaucrats, employers or co-workers – they frequently encounter" (de Haas et al., 2020, p. 52).

However, they also find it extreme to suggest that the world-systems theory entirely ignores migrants' agency. They point out "…neo-Marxist theories that have paid ample attention to migrants' agency by emphasizing the role of migrant workers in trade unions and industrial disputes." (de Haas et al., 2020, p. 52). Both the critiques of world-systems theory and de Haas et al.'s defense raise an essential question: 'what counts as an agency in migration?'. Is it the exercise of free will as a rational individual participating in the international labor market, as neoclassical economics would suggest? Or is it coming together and forming a political resistance to structural economic inequalities, as it can be inferred from de Haas et al.'s example of migrants becoming part of unions and disputes?

Fusing functionalist and historical-structural approaches, De Haas et al. consider human agency to be people's capacity to make their own choices and impose these choices on the world. At the same time, they are limited by structural constraints, such as access to resources, time, and policy constraints (de Haas et al., 2020, p. 26). They argue that research subscribing to this definition of agency is interested in migrants' motivations to be mobile, their perception of the world around them, and their identities being reshaped in the migration processes. De Haas et al. state,

> "These theories on the internal dynamics of migration analyse how migrants' agency leads to the emergence of intermediate, meso-level social structures through various feedback mechanisms, as well as the formation of transnational identities, and how this tends to sustain migration processes between particular areas and places. These theories underscore how, through their individual and collective agency, migrants can actively challenge and defy structural constraints such as poverty, social exclusion, oppression and migration restrictions" (de Haas et al., 2020, pp. 64–65).

Meso-level social structures refer to "... the networks, communities, and localities which are most relevant for the daily social interaction of migrants" (de Haas, 2010, p. 1591). In the face of macro-level structural limitations set by restrictive state policies, global markets, and politically perpetuated anti-migrant rhetoric, migrants establish, sustain, and mobilize meso-level social structures to migrate and lead a viable life in the country of destination.

Migration Networks

Migration networks theory has been particularly interested in analyzing such meso-level social structures. Even though the earlier versions of migration networks theory still operated within the logic of a cost-benefit calculation, they diverted attention away from the labor market. Douglas S. Massey and Felipe García España (1987) argued that "(n)etworks of interpersonal relationships between migrants and nonmigrants are important social institutions that bridge the distance between sending and receiving societies, allowing families to take advantage of the economic potential created by a persistent earnings differential" (Massey & España, 1987, p. 737). They treated networks as a part of the calculation of expected net earnings (utilized by neoclassical microeconomics theorists). They argued that networks lower the different costs of migration, further incentivizing international migration. The reliance on these networks gains more importance as the costs of migrating and returning increase. For example, as the states adopt stricter migration policies and deploy harsher border control mechanisms, these networks sometimes become the sole source of knowledge and assistance on where and how to migrate. Thus, stricter migration policies would only expand and deepen migration networks (Abadan-Unat, 2017, p. 65).

Diverging from the idea that the dynamics of the labor market create the sole structure within which migration takes place, they assert that networks make migration self-perpetuating: "Each new migrant lowers the costs of migration for another group of nonmigrants, inducing them to take up international movement and reducing the costs for yet another set of people" (Massey & España, 1987, p. 737). Self-perpetuation in this context means that international migration "…tends to become independent of the conditions that originally caused it" (Massey & España, 1987, p. 737) and is motivated by the internal factors of migrant networks. Nonetheless, self-perpetuation does not mean uninterrupted never-ending migration via the same network. On the contrary, external shocks may disrupt the networks, or internal dynamics can reach a saturation point causing a decrease in migratory movements (Arango, 2016, p. 36).

In later scholarly works, social capital is central to defining migration networks. Inspired by James S. Coleman, Alejandro Portes, and Robert D. Putnam's approaches to social capital, a migrant network is defined as a location-specific form of social capital via which people gain access to resources elsewhere (de Haas, 2010, p. 1590; Massey et al., 1993, p. 448, 1998). In other words, it is a set of interpersonal ties which are stretched across migrant spaces (country of origin and destination, and different 'transit' geographies that migrants may have to cross), encompassing migrants, former migrants, and non-migrants in those spaces through ties of kinship, friendship, and shared community origin (King, 2012, p. 21; Massey et al., 1993, p. 448). Charles Tilly (1990, 2005, 2007) demonstrates that a set of interpersonal ties stretched across the Atlantic Ocean was one of the crucial factors that sustained migration to the USA in the late 19th century. However, while Tilly's socio-historical account of migration networks supports the theory in general, it also

shows its crucial shortcomings. According to Tilly, the previous historical research on migration to the USA argued that "…the smoothly rational operation of an open, competitive, international labor market characterized by wage differentials accounts for the rhythm and timbre of American immigration" (Tilly, 1990, p. 83). This approach depicts migration as individual uprooting, disorganization, person-by-person striving to belong, and wholesale importation (and subsequent degradation) of cultural traits. That is to say, migration is considered a culmination of individual endeavors to find a spot in the international labor markets and assimilate into the host country's society in the end.

On the other hand, Tilly argues that migration to the USA was never 'open' since it has always been selective about the origins and skill types of migrants. He also states that international migration "…did not draw on isolated individual decisions makes but on clusters of people bound together by acquaintances and common fate" (Tilly, 1990, p. 83). Tilly draws attention to the role of collectivism in enabling and sustaining migration, or in his words, "…ways in which common struggle, shared social relations, and group control affected the fates of whole categories of immigrants and their descendants" (Tilly, 1990, p. 81). He states that the functional migration units are the networks, not individuals or households. He defines a migration network as "… sets of people linked by acquaintance, kinship, and work experience" (Tilly, 1990, p. 84). For Tilly, migration is a continuous process of collective transformation that involves the existing social networks and the creation of new ones. Hence Tilly depicts migration as collective action, shared struggle, organized migration networks, and "collective fabrication of new cultures from old materials" (Tilly, 1990, p. 84).

To underpin his view of migration networks, he looks at multiple cross-border social relations that sustain and expand migration. The first is information flow from migrants in the USA to prospective migrants in the country of origin, enabling them to navigate the journey (Tilly, 1990, p. 84). The second is that international migration was made possible by steamship tickets, which people in the USA prepaid, and remittances that they sent back to the country of origin (Tilly, 1990, p. 84). The third is that migrants in the USA provided accommodation and job opportunities for the newcomers (Tilly, 1990, p. 85). The final one is the fact that the high rate of return to many European areas strengthened the migration networks since returnees established further cross-border links. He also explains, in detail, what he means by migration networks collectively fabricating new cultures from old materials. He mentions,

> "In the experience of American immigration, sets of connected immigrants who did not have a common identity at the point of origin often acquired a new identification during interaction with others at the destination. In the United States, Piedmontese, Neapolitans, Sicilians, and Romans became Italians. But not always. That depended on the networks' size, density, and relationship to other groups" (Tilly, 1990, p. 85).

Noting similar trends in other migrant networks, Tilly argues that identities and internal structures of networks that had already been consciously changing had to negotiate new relations with other networks, including those in the country of origin. Nermin Abadan-Unat (initially published in 2002) mirrors Tilly's view and states that migration networks provide support for migration and open space to reproduce social roles and identities (Abadan-Unat, 2017, p. 65).

In his later work – "Trust Networks in Transnational Migration" (2007) – he highlights the importance of trust in networks, including those of migrants, thus, shifting the attention away from the earlier version of migration networks theory, which ascribed to the cost-benefit calculations. To put it in another way, instead of painting a picture of migration networks that engage in simple

means-end instrumentalism to sustain migration, he is interested in unearthing and analyzing the webs of rights and obligations that hold together the network and, by doing so, maintain the migratory flows. He defines trust networks as "…ramified interpersonal connections, consisting mainly of strong ties, within which people set valued, consequential, long-term resources and enterprises at risk to the malfeasance, mistakes, or failures of others" (Tilly, 2007, p. 7). He gives the example of *viajeros* (travelers) who frequently shuttled between the USA and El Salvador. In their frequent travels, *viajeros* moved goods, money, and information across the border. People on both sides (sending and receiving) entrusted the *viajeros* to deliver cash and in-kind remittances safely. The trust relation, Tilly adds, continues from one journey to another (Tilly, 2007, p. 12).

To highlight the importance of trust in sustaining migration networks and show what happens if the trust is broken, I want to mention Ruben Hernández-León's research (2008) on migration from Monterrey, Mexico, to Houston, the USA. He focuses on a small migrant-run transportation 'company' which, for twenty years from the 1980s to 2000s, moved people, goods, and remittance across the border (Hernández-León, 2008, pp. 168–183). The details of this case will become an essential part of the discussion on migration industries in the second part of this chapter. For now, it is sufficient to know that after 20 years, this crucial node in the migration network between Monterrey and Houston shut down after a series of incidents that broke the trust among travelers, migrants, and non-migrants. For example, in one case, a considerable amount of cash remittances was lost, causing friction between the head of this operation and migrants in Houston. In another example, a migrant sent a car from Houston to Monterrey via this operation (a relatively common practice, Hernández-León notes). However, it turned out that the migrant reported the vehicle stolen to claim insurance which resulted in the arrest of one of the drivers of the operation. As a

result, the operation lost much money to bail out the driver. This example, I believe, demonstrates that trust and consequent obligations and responsibilities cut both ways. Hernández-León finishes the story by saying that after unfortunate events, the presence and influence of the head of the operation were quickly erased in both Monterrey and Houston. The Houston community, where he was a well-known member for twenty years, did not hear from him again. He also sold his house in Monterrey, where his sister coordinated the Mexican side of his operation.

Hernández-León's example about the severe and swift exclusion from migration networks because of a loss of trust brings us to Tilly's point about obligations in migration networks. With a focus on the commitment of sending remittances, Tilly argues,

> "If you fail to help new arrivals in the United States, default in your sending of promised remittances, or neglect fellow members of the migrant stream in favor of newfound American friends, you are likely to find yourself criticized or shunned. In trust networks, criticism and shunning regularly signal that if a wayward member does not reform, she will lose access to the social insurance ordinarily provided by the network." (Tilly, 2007, p. 14)

In other words, upholding a negotiated list of obligations within networks distinguishes upstanding members from defaulters who neglect their duties, thus, fortieth their social standing within the network. Tilly asserts that migrant networks may employ more acute methods of shunning and expulsion because they try to protect the network's economic and social opportunities from external and internal failures (Tilly, 2007, p. 16). This is one of the reasons why Tilly makes a crucial warning not to romanticize networks. They can create and reproduce inequalities as much as they support prospective migrants and newcomers. The second reason is that migrants may hire newcomers under exploitative conditions. He mentions the case in which an Italian migrant's cousins paid for his steamship ticket to the USA, but he had to work off their 'help' in their bakery at starvation wages (Tilly, 2005, pp. 168–169).

Hein de Haas (2010) echoes Tilly's warning in his multi-layered constructive criticism of migration network theory. In his article, "the Internal Dynamics of Migration Processes: A Theoretical Inquiry," de Haas identifies two fundamental shortcomings of migration networks theories. First, they cannot…"explain why most initial migration moves do not lead to migration networks" (de Haas, 2010, p. 1596). The second is that "their circular logic reveals an inability to conceptualise which migration-undermining feedback mechanisms may counteract migration-facilitating feedback dynamics and which may explain the endogenous decline of established migration systems" (de Haas, 2010, p. 1596). He considers unequal and exclusionary practices in a network to be a part of the migration-undermining internal dynamics. The core source of the exclusionary practice is gatekeeping. Being vanguards of the networks, opening the ways for other members to migrate gives the power and position to be gatekeepers (de Haas, 2010, p. 1602). Social and ethnic stratifications reproduce within migration networks as gatekeepers exclude people from the means of the networks based on these stratifications. As a result, de Haas formulates, "the more closed groups are and the higher the migration costs are, the higher the level of outsider exclusion will be" (de Haas, 2010, p. 1603). Closed/exclusionary practices and other drawbacks of migration networks have been conceptualized as ethnic enclaves and ghettoization (Ryan, 2011, p. 710).

De Haas reveals other internal dynamics of migration networks that may undermine migratory movements. One such dynamic, he argues, has escaped the attention of migration scholars because they ignored an essential distinction in Bourdieu's original definition of social capital: the distention between "(1) the social relationship itself, and (2) the amount and quality of resources

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that can be accessed through such connections. (de Haas, 2010, p. 1590). In the context of migration networks, de Haas argues, it translates into the idea that migration networks do not automatically result in more migration (1) if the resources that migrants are mobilizing are not enough to facilitate it and (2) if migrants are not willing to help prospective migrants because of – as the notion of social capital puts it – moral obligations, altruism, self-interest, or a combination. In short, de Haas suggests that kinship, ethnicity, or friendship bonds can sustain migratory flows only if migrants can mobilize enough resources.

A deeper look into the migration literature reveals that Ivan Light, Parminder Bhachu, and Stavros Karageorgis (1993) had raised a similar concern about the migration networks theory before de Haas while putting the stress on how migrants can overcome the problem of mobilizing enough resources. Their criticism is directed at the idea of migration networks reaching economic saturation and declining after localities and regions have no work or housing vacancies to offer newcomers. In their words, migration networks theories stated that "(i)f previous migrants have saturated the job and housing supply, then hyper-efficient networks alone will not find jobs or housing for newcomers" (Light et al., 1993, p. 29). The sole focus on economic saturation has led to the problematic and anti-migrant discourse that new migrants steal jobs from 'the locals' and 'settled migrants'. Light et al. divert the attention away from existing resources and suggest studying how networks can increase the aggregate supply of local opportunities. They proceed to demonstrate that migrants can self-employ and provide jobs for their co-ethnics. This process creates "the immigrant economy" consisting of "self-employed immigrants and their coethnic employees" (Light et al., 1993, p. 31). They argue, "(i)n thus adding new opportunities, the migrant network modifies the economy in the destination region or locality, thus postponing or possibly

even avoiding economic saturation altogether" (Light et al., 1993, p. 30). Light and Steven J. Gold later developed and expanded this idea into a book called "Ethnic Economies" (2000). Following a similar line of argument, others have developed a subfield in migration studies called ethnic entrepreneurship (Dana, 2007; Masurel et al., 2002; Stiles & Galbraith, 2004; Zhou, 2004).

Methodological Nationalism and Ethnic Lens

The final criticism against migration networks that I would like to underline has been formulated by the scholars of transnational migration who directed them to all migration studies, including those who employ migration networks theories. This criticism is encapsulated in the concepts of "methodological nationalism" and "the ethnic lens." Methodological nationalism is "an orientation that approaches the study of social and historical processes as if they were contained within the borders of individual nation-states" (Glick Schiller & Çağlar, 2009, p. 180). In other words, "(n)ation-states were conflated with societies, and the members of those states were assumed to share a common history and set of values, norms, social customs, and institutions" (Glick Schiller et al., 2006, p. 613). Wimmer and Glick Schiller identified three variants of methodological nationalism: ignorance, naturalization, and territorial limitations (Wimmer & Glick Schiller, 2002, p. 308). Ignorance refers to disregarding how nationalism, quite violently, shaped modern societies. In close cooperation with ignorance, naturalization means that social sciences have accepted the boundaries of the nation-state as limiting and defining factors of the unit of analysis. On the other hand, the territorial limitation means that a particular nation-state's political and geographical boundaries establish the empirical limits within which social processes are researched (Wimmer & Glick Schiller, 2003, pp. 577–578).

Wimmer and Glick Schiller also trace four ways methodological nationalism has affected migration studies. The first is the fact that "(i)mmigrants are perceived as foreigners to the community of shared loyalty towards the state and shared rights guaranteed by that state" (Wimmer & Glick Schiller, 2003, p. 583). The second is the fact that immigrants "...represented a renewed challenge to the nation-building project and point to the fragility of its achievements - especially in places where the nation had never been imagined as plural and itself constituted of former immigrants" (Wimmer & Glick Schiller, 2003, pp. 583–584). The third is that the welfare system is imaged as a national space of solidarity. Thus studies focused on whether 'outsiders' integration into the welfare was illegitimate and abusive (immigrants abuse national solidarity) (Wimmer & Glick Schiller, 2003, p. 584). Finally, "every move across national frontiers becomes an exception to the rule of sedentariness within the boundaries of the nation-state" (Wimmer & Glick Schiller, 2003, p. 585). As a result, 'internal' migrations and 'return' migration of 'co-nationals' did not receive the same attention (Wimmer & Glick Schiller, 2003, p. 585).

The ethnic lens – as Nina Glick Schiller and Ayşe Çağlar argue – stems from methodological nationalism, especially in cases where the nation-state is assumed to predicate on "the people as an ethnic community united through common destiny and shared culture" (Wimmer & Glick Schiller, 2003, p. 582). Glick Schiller and Çağlar define the ethnic lens as the continuous use of the ethnic group either as the unit of analysis or the object of study (Glick Schiller et al., 2006, p. 163; Glick Schiller & Çağlar, 2009, p. 184). Focusing singularly on ethnicity – especially without a critical approach – obscures the diverse relationships that migrants develop in multiple localities across borders (Glick Schiller et al., 2006, p. 613). In Ayşe Çağlar's word,

"Adopting an ethnic lens in analysis veils the diversity of migrants' relationships to their place of settlement and to other localities around the world and hinders us to analyse migrant dynamics and sociabilities in relation to broader structural forces active on the localities with which migrants' lives are entangled" (Çağlar, 2016a, p. 953).

Glick Schiller and Çağlar identified two ways migration studies perpetuate the ethnic lens. The more overt way to employ the ethnic lens is to overlook the critical ethnic studies which demonstrate "… the constructed nature of ethnic identities and ethnic group boundaries, and the diversity that lies within a population labeled as an 'ethnic group'" (Glick Schiller & Çağlar, 2009, p. 184). Without accounting for the heterogeneous social fabric in the localities, migration studies are "…reduced to either the study of an ethnic group in a particular city or an ethnic pathway of migrant incorporation such as an 'enclave' or an 'ethnic entrepreneurship'" (Glick Schiller & Çağlar, 2009, p. 184). The second and more covert way to employ the ethnic lens is to present one's research data as the study of a population identified ethnically even though, in theory, they mention the constructed nature of ethnic boundaries (Glick Schiller & Çağlar, 2009, p. 185). Such research prioritizes "…one form of identification – subjectivity, a basis for social interaction and source of social capital – over all others" (Glick Schiller & Çağlar, 2009, p. 184).

Although migration networks theories and their subfields have provided a cross-border perspective to migration studies, they may also commit methodological nationalism and preserve the ethnic lens. In addition to the most common practice of generalizing the research done in one or two cities and equating local dynamics with those of the nation-state, ethnic entrepreneurship – as Ayşe Çağlar points out – provides a prime example of how methodological nationalism and ethnic lens go hand in hand in proliferating migration studies that take for granted categories of nationality and ethnicity. As discussed above, ethnic entrepreneurship represents migrants as resource-supplying individuals instead of resource-demanding ones. Operating within the bounds of the

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discourse of labor and house market saturation, resource generation, and its effects are discussed in relation to their ability to sustain the migration of their co-ethnics. They assume migrants to have a closed system of ethnic relations that interact with their place of settlement through only entrepreneurship. Ethnic entrepreneurship, thus, presupposes a level of economic productivity of an ethnic group as the basis of belonging in both countries of destination and origin. The sole focus on ethnicity and its relations to economic productivity silence other social relations via which migrants belong and claim their rights in localities.

Moreover, Light et al.'s influential article, which set the stage for the concept of ethnic entrepreneurship, does not define what being co-ethnics entails. From their examples, one can infer that they consider people coming from, for example, Mexico, as Mexican co-ethnics. Their uncritical utilization of "co-ethnics" amounts to equating ethnicity with nationality. In a somewhat tautological manner, Light and Gold argue, "an ethnic economy is ethnic because the personnel are coethnics" (Light & Gold, 2000, p. 10). The book does not again explain how the writers operationalize the terms ethnic or co-ethnic. In their attempt to list different ethnic entrepreneurship groups, they use the following words to cover ethnic groups; Arabs, Armenians, Chinese, Greeks, Italians, Mexicans, Cubans, Latin Americans ans so on (Light & Gold, 2000, p. 10). In addition to equating ethnicity with nationality, this time, they use geographically generalized and post-colonially imagined concepts.

It is crucial to note that for Glick Shiller and Çağlar, as well as Thaddeus C. Guldbrandsen (2006), the criticism of the ethnic lens is not a call for simply investigating more ethnic divisions within migrant groups. Avoiding the ethnic lens is not about replacing the singular-ethnicity perspective

with the multi-ethnicity one. They want to challenge the ethnic community as *the unit* of analysis

for migrants' incorporation into localities and their sustained and newly formed connections across

borders. They argue,

> "We use the concept of "mode of incorporation" to emphasize that different institutional
> domains facilitate and eventuate migrant incorporation and that any particular individual
> may become engaged in one or more modes of incorporation. Consequently, our analysis
> takes into account the impact of social structures and global forces in shaping social fields
> while moving the study of migrant incorporation beyond the scholarly preoccupation with
> organized membership (formal employment, legal status, or citizenship) or subjective
> identification" (Glick Schiller et al., 2006, p. 614).

They recognize the social ties that migrants form in, for example, their workplace, neighborhood,

or political and religious organizations. In addition, they also do not aim to create a new singular

unit of analysis. Their case study in the article is about born-again Christian networks in Halle and

Manchester. Yet they stress that they do not replace ethnic forms of incorporation with non-ethnic

religious pathways. They advocate for placing "...the study of situated experiences of migrant

settlement and transnational connection within the global dynamics of a neoliberal capitalist

agenda and its impact on localities everywhere" (Glick Schiller et al., 2006, p. 627).

Transnational Migration

In the early 1990s, a group of scholars such as Nina Glick Schiller, Linda Basch, and Cristina

Blanc-Szanton (1992, 1994) highlighted the lack of attention in migration studies to "migrants'

sustained cross-border, multi-level and multi-local ties activities and networks" (Çağlar, 2016b, p.

64). At the time, their main objection was to challenge government policies and academic research,

which considered migration a one-way assimilation process into the country of destination (Levitt

& Jaworsky, 2007, p. 130). The assimilationist logic portrayed migrants as uprooted from their

social and political relations in the country of origin and assumed that successful assimilation meant a gradual but inventible break with their experience and ties (Portes et al., 1999, p. 228). The term transnational migration was coined to argue that sustaining connections and forging new forms of social relations with the country of origin did not contradict or prevent the incorporation of migrants into the countries of destination (Çağlar, 2016b, p. 64).

As discussed in the previous part, transnational migration also aimed to move migration studies away from the ethnic lens, which confined multidirectional and cross-border networks and practices of migrants to ethnic plurality models of migration adaptation (Çağlar, 2016b, p. 64). Scholars of transnational migration asserted – in line with the previous conversation about methodological nationalism – that "...the migrants' current economic, political and cultural lives, practices and networks (including families, power asymmetries and class) were reproduced beyond the national borders and could not be captured and analysed within the confines of nation-state borders" (Çağlar, 2016b, p. 64). The earlier working definition of transnational migration aimed to fill these gaps with an accent on simultaneity (Levitt & Schiller, 2004, p. 1003):

> "Transnational migration is the process by which immigrants forge and sustain simultaneous multi-stranded social relations that link together their societies of origin and settlement. In identifying a new process of migration, scholars of transnational migration emphasize the ongoing and continuing ways in which current-day immigrants construct and reconstitute their simultaneous embeddedness in more than one society" (Glick Schiller et al., 1995, p. 48).

Simultaneous embeddedness here means much more than a cross-border cultural exchange. It involves perpetuating and/or challenging – in short, becoming a part of – the global political and economic restructuring of localities in countries of both destination and origin. In their pioneering book "Nations Unbound Transnational Projects, Postcolonial Predicaments, and Deterritorialized Nation-States," Basch et al. (1994) provide one of the earlier examples of how simultaneity

operationalized in fieldwork which focused on migrants coming from St. Vincent, Grenada, Haiti, and the Philippines and settling in the USA.

Basch et al. analyze how transnational linkages "... are maintained, renewed, and reconstituted in the context of families, of institutions, of political organizations, of political structures, and of economic investments, business, and finance" (Basch et al., 1994, p. 30). More importantly, Basch et al. state that the position of these countries in a changing global economy based on unequal relations of power underlies the multi-stranded familial, economic, and organizational practices (Basch et al., 1994, p. 286). These countries depend on cross-border familial, financial, and organizational practices of migrants "... to ensure the survival of sectors of their populations, the maintenance of their class structures, their hopes for social mobility, and their viability as nation-states" (Basch et al., 1994, p. 286). Remittance is one of the ways in which economically dispossessed sectors of the population in countries of origin survive via their transnational ties with migrants. To this day, remittance constitutes a large portion of the Philippines' foreign exchange inflows. In 2020, incoming personal remittances represented 9.2 percent of the GDP. However, the pathway to simultaneous embeddedness is not just the flow of hot money. Basch et al. provide three condensed and powerful examples showing how migrants maintain or improve their and others' class and social position in localities of origin:

> "Adela desperately struggled to ensure that her children obtained educations in good schools in the Philippines and made the right marital unions at the cost of long, painful separations. Marie Rose worked double shifts to ensure that her house "back home" in Haiti would be furnished with all the accouterments including a barbecue grill and a Mercedes, although she was only able to be "at home" two weeks a year. Sylvia purchased a sugar estate in St. Vincent that she rarely sees and that provides a low return on her investment" (Basch et al., 1994, pp. 286–287).

In other words, they make economic and social investments to sustain their ties and provide opportunities for social mobility for themselves and their kinship networks. Later in the book, Basch et al. also talk about how migrants utilized their transnational economic and social ties to garner political influence in localities in both countries of destination and origin (Basch et al., 1994, pp. 275–285). In short, Basch et al. state that entangled within unequal power relations of neoliberal penetration of their localities, migrants establish cross-border social, economic, and political ties that have reached into the lives of non-migrants, embedding them into these relations even if they do not cross borders.

The earlier definition of transnational migration and how scholars operationalized it received criticism because scholars were now finding transnational ties everywhere they studied, even though only a tiny portion of the migration population supposedly engaged in constant or occasional transnational activities (Özkul, 2018, p. 491). Hence, transnational migration studies faced the challenge of overemphasizing the simultaneous multi-stranded social relations across borders. According to scholars such as Peggy Levitt, Nina Glick Schiller, and Ayşe Çağlar, 'finding transnational ties everywhere' resulted from falling back on a single unit of analysis to understand the dynamics of transnational migration as opposed to studying *transnational social fields*. For example, an excessive focus on developing communication technologies has led to the idea that global media flows and consumerism established a new form of transnational community conciseness. In Glick Schiller's words,

> "...scholars began to speak as if every time we surf the Web or watch a soap opera produced elsewhere, we enter into some new social space that engenders transformation. The world of the imagination and the experience of social relations are different forms of human experiences, although they may ultimately be interrelated. To have flights of fancy that bring us to Jamaica, or Haiti, or Cuba, whether my imagination is fueled by an old-

fashioned book or electronic media, has different life consequences than to have ongoing commitments to people located" (Glick Schiller, 2009, pp. 29–30).

In other words, researching transnational migration has been equated with studies of transnational cultural flows, usually within an ethnic or religious community, and without accounting for unequal social and economic power relations that shape migratory flows and settlement experiences of migrants (Çağlar, 2016b, p. 66; Glick Schiller, 2009, p. 30). To address the problem of overemphasizing simultaneous multi-stranded social relations across borders, Peggy Levitt and Glick Schiller (2004) reiterate the importance of studying transnational social fields and finetune the concept by introducing a distinction between the way of being in and belonging to the transnational social field.

Levitt and Schiller first clarify what the social field means: "...a set of multiple interlocking networks of social relationships through which ideas, practices, and resources are unequally exchanged, organized, and transformed" (Levitt & Schiller, 2004, p. 1009). While migrating, as well as during and after settling, people connect to existing organizations, institutions, and social movements or construct new ones in localities across borders. They establish or become part of migrant networks that connect countries of origin, transit, and destination. They create transnational businesses, as in the example of recording companies, in which all components of recording and distribution of music take place in localities in Haiti and the USA (Basch et al., 1994, p. 189). They create small businesses catering to one locality but surviving and flourishing thanks to their transnational social and economic ties (Basch et al., 1994, p. 188). Migrants establish NGOs that become "an arena of active hegemonic contestation for the political loyalty of migrants" (Basch et al., 1994, p. 275). They may challenge or perpetuate the hegemonic discourses on belonging in both counties of origin and destination. Migrants send remittances to

people in their country of origin, thus shaping the social and economic status of non-migrants for better or worse. For example, those who receive remittances may afford better housing, but investments of remittances in existing and new housing drive up house and land prices in localities (Castañeda, 2013, p. 23). It becomes harder for people without access to remittance to find affordable housing, creating and/or perpetuating local inequalities. In another scenario, remittances allow people to recover from natural disasters. Research conducted in Tafitoala, Somoa, demonstrated that after a cyclone devastated the area in 2012, the government initiated a low-interest credit scheme for people with no regular income or assets to guarantee repayment. However, the government required applicants to have a family member overseas who can help with repayment (Le De et al., 2015, p. 545). Thus, only the villagers who receive remittances could get credit since they could demonstrate a stable source of income.

Such structured interactions of differing forms, depth, and breadth, which challenge as well as purpurate social and economic inequalities in multiple cross-border locations, construct the transnational social fields (Levitt & Schiller, 2004, p. 1009). By being embedded in transnational social fields, people are influenced by multiple sets of laws, policies, institutions, and organizations as a part of their everyday activities and relationships. In other words, "...daily rhythms and activities respond not only to more than one state simultaneously but also to social institutions, such as religious groups, that exist within many states and across their borders" (Levitt & Schiller, 2004, p. 1010). To reiterate the importance of transnational social fields, Glick Schiller called it a network of networks which "...allows us to map the indirect connections between disparate individuals who do not know each other or even know of each other yet are shaped by and shape

each other" (Glick Schiller, 2009, p. 29). And for the same purpose, Ayşe Çağlar provided the following example:

> "... the transnational social field of Turkish migrant popular culture in Germany entails (migrant) youth culture networks spanning between France, the UK, the US and Turkey, as well as the music industries and their institutions shaping the power of these networks differentially. It allowed a conceptual space to capture the multi-directionality of networks and provided the context for the emergence, expansion and the re-activation but also for the de-activation of these networks" (Çağlar, 2016b, p. 65).

After clarifying how they conceptualize transnational social fields, Levitt and Schiller introduce a distinction between the way of being in the transnational social field and belonging. The institutions, organizations, and experiences which are contained within transnational social fields generate various intersecting categories of identity which can be ascribed, assumed, or challenged by individuals or groups. The distinction between the way of becoming and belonging results from the fact that "...(i)ndividuals can be embedded in a social field but not identify with any label or cultural politics associated with that field" (Levitt & Schiller, 2004, p. 1010). The distinction is analytical, and recognizing this fact, Levitt and Schiller present it as *not* mutually exclusive. They acknowledge that ways of being and belonging can be differently combined within transnational social fields. People may sustain their social relations with their country of origin – thus remain in the transnational social field, perpetuating and/or challenging unequal power relations – but they might not feel like or express a sense of belonging to that country. However, it could also work the other way around. To underpin this point, they assert,

> "(T)here are people with few or no actual social relations with people in the sending country or transnationally but who behave in such a way as to assert their identification with a particular group. Because these individuals have some sort of connection to a way of belonging, through memory, nostalgia, or imagination, they can enter the social field when and if they choose to do so. In fact, we would hypothesize that someone who had access to a transnational way of belonging would be likely to act on it at some point in his or her life" (Levitt & Schiller, 2004, p. 1011).

In short, to address the problem of over-empathizing transnational ties, they accentuate "the actual social relations and practices that individuals engage in" (Levitt & Schiller, 2004, p. 1010). A sense of belonging may or may not result from being embedded in transnational social fields. Or a sense of belonging may or may not lead to being embedded in transnational social fields. Scholars of transnational migration should not simply assume that one will fail or succeed in giving rise to the other. Instead, they should analyze whether cross-border, intersecting, and often unequal social relations and practices occur with or without a sense of belonging.

Before moving on to the concept of migration industries and re-conceptualizing it in light of the theories that I have juxtaposed thus far, I would like to talk about the contribution of transnational migration scholars to the discussion of reconfiguring the sovereign state. As the early works on transnationalism argued that the sovereign state had faded away under the pressure of neoliberal globalization, transnational migration scholars have argued that states are reconfiguring how they handle migratory movements. However, along with other civic, religious, and political institutions, states may create and reinforce unequal transnational involvements again (Levitt & de la Dehesa, 2003, p. 588). Peggy Levitt and Rafael de la Dehesa compiled a list of concrete state measures to reconfigure their roles in transnational migratory movements. The list is the following:

> "1) ministerial or consular reforms; 2) investment policies which seek to attract or channel migrant remittances; 3) extension of political rights in the form of dual citizenship or nationality, the right to vote from overseas, or the right to run for public office; 4) the extension of state protections or services to nationals living abroad that go beyond traditional consular services; and 5) the implementation of symbolic policies designed to reinforce emigrants' sense of enduring membership" (Levitt & de la Dehesa, 2003, pp. 589–590)

As the list demonstrates, their focus was centered on the sending country's measures and how they reached beyond their territorial boundaries to stake a claim in the lives of those whom they *'still'*

consider their citizens. To rephrase, as they target specific groups with such measures, states display whom they regard as their citizens, redefining membership in a nation-state. They may establish policies to facilitate the return of certain groups of migrants or to "...encourage enduring links to permanent settlers abroad to ensure their continued national membership and loyalty rather than their return" (Levitt & Schiller, 2004, p. 1019). Glick Schiller sees these practices as revitalized nation-state-building efforts (Glick Schiller, 2015, p. 2277).

Ayşe Çağlar (2006, 2015) provides a broader theoretical framework to situate the reconfiguration of state sovereignty into transnational migration. Drawing on the works of Yasemin Soysal, Seyla Benhabib, and Aihwa Ong, Çağlar states that an increasing number of people live in overlapping or multiple jurisdictions or exercise social, economic, and cultural rights despite the absence of legal citizenship (Çağlar, 2015, p. 638). She points out that Soysal and Benhabib attribute the underlying dynamic of this phenomenon to, respectively, human rights regimes and cosmopolitan laws. According to Soysal, even though "the idea of the nation persists as an intense metaphor, at times an idiom of war," "the limits of nationness, or of national citizenship, for that matter, become inevitably irrelevant" since rights and identities drive their legitimacy from the universalistic discourse of human rights. (Soysal, 1994, p. 162). For Benhabib, whereas the demands of global capitalism undermine state sovereignty, "cosmopolitan norms lead to the emergence of generalizable human interests and the articulation of public standards of norm justification" (Benhabib, 2007, p. 22). She then argues that the ideas of rights and equality and mechanisms to protect them "...no longer refers to the physical presence of a people gathered in a delimited territory, but rather to the interlocking in a global public sphere of the many processes of democratic iteration in which peoples learn from one another" (Benhabib, 2007, p. 33). Although

they refer to different sets of social dynamics, both Soysal and Benhabib indicate that the states' role in this phenomenon has become liminal. On the other hand, Ong wants to "problematize the popular view that globalization has weakened state power" (Ong, 1999, p. 8). She agrees that "capital, population, and cultural flows have indeed made inroads into state sovereignty" (Ong, 1999, p. 8). However, she believes that "the art of government has been highly responsive to the challenges of transnationality" (Ong, 1999, p. 9).

Using the term mutation in citizenship caused by capital, population, and cultural flows, Ong describes the change in the rights system as the disarticulation of different dimensions of citizenship ("rights, entitlements, a state, territoriality, etc.") from each other and their re-articulation under the effects of "diverse universalizing norms defined by markets, neoliberal values, or human rights" (Ong, 2006, p. 500). As a crucial part of the re-articulation process, states ride the wave of disarticulation and exercise – what Ong calls – graduated sovereignty to combine rights and responsibilities to suit their needs differentially. To deal with deepening economic and social injustices caused by neoliberal globalization, "...citizens in zones that are differently articulated to global production and financial circuits..." are subjected by states "...to different kinds of surveillance and in practice enjoy different sets of civil, political, and economic rights" (Ong, 1999, p. 30). In Çağlar's words,

> "...destabilization and flexibilization of citizenship by deploying different citizenship regimes in the same state territory are part of the changing relations between nation-state and the cultural logics of capitalism. Moreover, this is not a weakness but a strategy for the disciplining of citizen-subjects" (Çağlar, 2015, p. 638)

Çağlar uses the concept of social citizenship to underline that rights systems are beyond the laws of nation-states, yet alongside "supranational and global institutions," states are still crucial actors in socially re-articulating fractured sets of rights. Migrants without formal citizenship collectively

organize to protect against discrimination, claim entitlement to rights and benefits, and contribute economically and socially to the place of settlement and the lives of people living in it (Çağlar, 2015, pp. 638–639). That is to say, they "...assert rights to citizenship substantively through social practice and social presence rather than law" (Çağlar, 2015, p. 638), even when the laws are oriented toward their overt exclusion from formal citizenship.

Çağlar does not limit her frame of analysis to a nation-state. Ong herself talks about zones that are not limited by nation-state borders. She mentions the development of growth triangles which "...straddle the borders between neighboring states so as to maximize the locational advantage and attract global capital" (Ong, 1999, p. 319). The accessibility of cheap labor determines the location of such zones, the possibility of exploitation of complementary resources, and the proximity of a regional hub such as, in Ong's research, Singapore (Ong, 1999, p. 319). Ong notes that in these zones, "workers are subject less to the rules of their home country and more to the rules of companies and to the competitive conditions set by other growth triangles in the region" (Ong, 1999, p. 319).

Çağlar, on the other hand, focuses on cities that create the conditions for differentially claiming fractured rights. She states that as neoliberal globalization changes the relationship between localities and states, "the homogeneity and equality principles of national social welfare policies and redistribution schemes are disrupted" (Çağlar, 2006, p. 10). As a result, within a single nation-state territory, one cannot assume a spatially equal distribution of administrative and political power. Cities' relative location to the circuits of capital accumulation affects how states relate to them through spatially selective interventions (Çağlar, 2006, pp. 10–11). "Growth-oriented and

competition-driven state spatial strategies are crucial for the creation of advantages for selected localities within the state territory in the global economy" (Çağlar, 2006, p. 11). These strategies include state subsidies, vital infrastructural facilities, and public services. In this context, it is not the formal citizenship of a nation-state that allows migrants to claim rights. Instead, residency in a city constitutes one side of the transnational social field via which migrants access rights. Put it differently; cities become "...the axis and the locus for political belonging and membership" (Çağlar, 2015, p. 640).

From Fragmented Analysis of Profit-seeking Actors to the Migration Industry as a Comprehensive Analytical Concept

The interest in entrepreneurial actors and activities that facilitate and sustain population movements between two or more countries is not new (Hernández-León, 2005, p. 2). Migration literature hosts a variety of concepts, all of which aim to scrutinize the role of various for-profit actors in enabling, limiting, and controlling migratory movements. The mere number of those concepts is impressively high. Although there are overlaps, they cover a wide range of informal and formal economic activities spanning from migrant smuggling to detention centers run by private companies. The list of those concepts are the following: *the commerce of migration* (Harney, 1977, 1979), *migration as a business* (Salt & Stein, 1997), *migration industry* (Castles & Miller, 1998; Cohen, 1997), *migration merchants* (Kyle, 2000; Kyle & Liang, 2001), *smuggling/trafficking as a market* (Aronowitz, 2001), *migrant smuggling business* (Andreas, 2001; Liang & Ye, 2001; Triandafyllidou & Maroukis, 2012), *border-crossing industry* (Massey et al., 2002), *immigration industrial complex* (Diaz, 2011; Doty & Wheatley, 2013; Douglas &

Sáenz, 2013; Golash-Boza, 2009; Trujillo-Pagán, 2014), *(im)migration control industry* (Gammeltoft-Hansen, 2016; Koulish, 2010, p. 78; Wheatley Hartman & Doty, 2016), *business/privatization/outsourcing of migration control* (Bloom, 2015; Hirsch & Doig, 2018; López-Sala & Godenau, 2020; Low, 2021; Menz, 2010), *immigration detention business* (Feltz & Baksh, 2012; Sinha, 2016, p. 91; Tyler et al., 2014), *border industrial complex* (Dear, 2013; Jo Pérez, 2022; Jo Pérez et al., 2020; C. Smith, 2019), and *privatization/outsourcing of border control* (Infantino, 2016; Vasanthakumar, 2018).

Most concepts are not in conversation with one another, making them scattered and sporadic in the literature. Engaging with such a long list of concepts gets further complicated because other scholars have written about the same economic activities and for-profit actors without coining a concept. Donna R. Gabaccia's works on Italian migration to the USA or Douglas S. Massey's works on Mexican migration to the USA are the most influential but not the only examples of such research. To navigate through the long list of scholarly works interested in economic activities enabling, controlling, and limiting migration, I create three categorizations: (1) analysis of individual for-profit actors enabling migration, (2) early conceptualizations of a singular dimension of these economic activities and (3) the migration industry as a comprehensive concept. Amongst a plethora of concepts, only the migration industry (Castles & Miller, 1998; Hernández-León, 2005, 2008, 2013; Sørensen & Gammeltoft-Hansen, 2013) emerges out of the literature as an analytical category, establishing limited yet crucial connections amongst the previous studies.

Analysis of Individual For-Profit Actors Enabling Migration

Scholars of migrant labor in the 19th and 20th centuries provided the earliest examples of mediators and employers making a profit from enabling migration. They portrayed these actors as not empty vessels of predetermined migration routes but influential actors in shaping migratory flows. The research on the history of trans-Atlantic migration to the USA in the 19th century revealed labor recruiters as crucial actors in enabling and giving shape to the heightened human mobility of the time. In her book, "American Industry and the European Immigrant, 1860-1885", the historian Charlotte Erickson (1957) had a chapter dedicated to explaining how steamship companies and labor recruiting agencies actively enabled migration from Europe to the USA. Erickson claimed that some steamship companies had as many as two thousand agents in Europe, trying to recruit passengers in rural areas of Italy, Hungary, and Poland (Erickson, 1957, pp. 83–84). She added, "(t)hese sub-agents got commissions of between fifty cents and two dollars on every emigrant passenger obtained." (Erickson, 1957, p. 84). She also talked about Italian banks, depicting them as labor contractors. Comparing them with firms like the Swedish Commercial Company, the Scandinavian Head Office, and the Scandinavian Emigrant Agency, Erickson explained that Italian banks loaned money for migration at a steep interest rate, ran boardinghouses for recent arrivals, and supplied immigrant labor to contractors (Erickson, 1957, p. 84). Erickson's historical account revealed for-profit actors enabling trans-Atlantic migration in the 19th century, not just the migratory movement itself but initial settlement.

In her research about the Italian migration to the USA in the 19th and 20th centuries, Donna R. Gabaccia talks about *the padroni* - the labor agents - who provided migrants with crucial information about available jobs and loaned money for travel (Gabaccia, 2000, p. 63). Moreover, when referring to businesses dependent on migrant labor, Gabaccia says, "…migration, too, had

become a big business" (Gabaccia, 2000, p. 62). Tara Zahra's article about migration from East-Central Europe to the USA at the end of the 19th century demonstrates how active travel agents and labor recruiters were in enabling and making a profit from migration. Zahra argues that Oswiecim (now known as Auschwitz), located at the juncture of Prussian, Russian, and Austrian railway lines, hosted "a booming emigration business" (Zahra, 2014, p. 161). While labor recruiters from the USA traveled to Austria searching for laborers, shipping companies, travel agents, and local brokers provided steamship tickets (Zahra, 2014, pp. 172–180). Zahra also reveals how increasing migratory movements were deemed problematic for the Austrian government, which took restrictive bureaucratic measures to limit migration. However, such barriers to mobility further "…stimulated a demand for emigration agents" (Zahra, 2014, p. 173).

Migration from Europe to the USA was not the only route via which intermediaries emerged and flourished. Douglas Massey and his colleagues' influential work (1987) on the migration network from Mexico to the USA, labor contractors representing US companies opened offices in border cities and established relations with Mexican recruiters (Massey et al., 1987, p. 41). In some areas of Mexico, labor recruiters constituted around %20 of the actors that enabled border crossing (Massey et al., 1987, p. 151). They also pointed out the importance of sustaining personal relations with labor contractors to secure continued employment once migrants were in the USA (Massey et al., 1987, p. 178).

Fred Krissman's ethnographic research in agribusinesses also suggested that labor contractors continuously affected migration from Mexico to the USA. Since the turnover for migrant labor is high (because of harsh treatment in the workplace and unequal pay), labor contractors must

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constantly supply new migrant labor. Krissman says, "(p)eriodic trips home, labor-smuggling activities and the provision of loans and services are all necessary to secure sufficient low-cost labor" (Krissman, 2000, p. 293). Krissman's later work urged for a better understanding of employers' role in international migration from Mexico to the USA. He states that employers are more likely to hire migrants (1) if they have done so before, (2) if other employers have done so, (3) if migrant labor is commonly used in industries or regions that they are a part of, (4) if they want to maintain substandard labor market conditions (Krissman, 2005, p. 35). Krissman adds that if "…socioeconomic barriers to using immigrant workers rise, dependence on intermediaries to obtain that labor increases" (Krissman, 2005, p. 35). The fact that labor recruiters from the USA "…targeted workers from different labor-sending nations for specific job niches…" resulted in ethnic groups becoming concentrated in specific industries and in the creation of ethnic communities that attracted new migrants of the same ethnic backgrounds (Krissman, 2000, p. 278).

Early Conceptualizations Focused on a Singular Dimension of Economic Activities Enabling, Controlling, and Limiting Migration

Moving away from descriptive research on individual for-profit actors, a handful of scholars attempted to highlight the relationality amongst actors, revealing how they establish an infrastructure of migration. Robert Harney, a historian of Italian migration to North America, wrote extensively on the labor agents and intermediaries named *the padroni*, challenging its pejorative use in, what he calls, the North American immigration studies (Harney, 1974, p. 101). Harney was also the first scholar to coin a term for these intermediaries' economic activities: the commerce of migration (Harney, 1977). Depicting the padroni as members of the Italian middle

class in Italy and North America, he argued that they were a part of the "social structure and economy of emigration" (Harney, 1977, p. 47). Harney listed a wide variety of actors benefitting from enabling migration; "bureaucrat, notary, lawyer, innkeeper, loan shark, *mercante di campagna*, runners in the harbour city, agents, even train conductors depended on the emigration trade" (Harney, 1977, p. 47). Harvey's research also painted a picture of deeply embedded social and economic structures across borders which are created and sustained by migration; "(o)n the other side of the ocean the scale of remittances, uninterrupted traffic of emigrant and repatriate, all the auxiliary food trades, (seasonal migrants) and the network of financial and commercial exchange justify treating Southern Italy and Italy overseas as one society and one informal economy…" (Harney, 1977, p. 47).

In another article, Harney (1979) applied his concept to a case study in Montreal in the early 20th century. He argued that social and political conditions in Canada favored an international seasonal quest worker system via which "(t)he commerce of migration…had grown up in the late nineteenth century" (Harney, 1979, p. 59). Harney's analysis of the conditions giving way to the commerce of migration is sophisticated. He separately and in length scrutinized conditions that led three actors to create a sojourning migrant workforce: "the capitalist employer, the European worker, and the intermediaries and brokers who controlled the recruitment, transportation, and organization of the labour pool for the employers" (Harney, 1979, p. 61). He counted "the xenophobic immigration policy of the government" as one of the conditions that affected these actors' choices (Harney, 1979, p. 59). He stated that the government policy favored northwest European migrants as permanent settlers. Thus, migrants from the south and east Europe could not quickly settle, making them "…a force free from the taint of unionism and willing to be shipped to remote

northern sites, a workforce which tolerated exploitation at those sites in order to make ready cash, and which required no maintenance on the part of the employer during the long winter months." (Harney, 1979, p. 61). Then he argued that employers used steamship agents in Europe and padroni in Canada to circumvent the restrictive migration policies, (Harney, 1979, p. 61). Continuing with his analysis of how restrictive migration policies fanned the flames of commerce of migration, he looked at Italian laws against foreign labor recruitment (Harney, 1979, p. 62). As such laws become more restrictive, he said, "…the town of Chiasso on the Swiss-Italian border became the centre of the illicit recruitment and flow of Italian workers to North America" (Harney, 1979, p. 62).

John Salt and Jeremy Stein (1997) use the term migration business to discuss human trafficking as a form of the for-profit enablement of migration. They define it as "... a system of institutionalized networks with complex profit and loss accounts, including a set of institutions, agents, and individuals, each of which stands to make a commercial gain" (Salt & Stein, 1997, p. 468). In a first-ever attempt, they suggest that migration businesses profit from not only enabling but also managing and controlling migratory movements. They argue,

> "... government programmes for entry control and integration are part of the business. The apparatus for managing and controlling migration therefore has its own economic structure, costs and benefits, and policymakers their own views on business efficiency" (Salt & Stein, 1997, p. 468).

Up to this point, scholars suggested that intermediaries have profited by helping migrants bypass border control mechanisms. These mechanisms thus led to the conditions upon which intermediaries capitalized. They did not consider the possibility that control mechanisms themselves may have been commercialized.

However, Salt and Stein do not follow up on this point since they declare the article's primary aim to be the analysis of human trafficking. It is because they adopt a dichotomy between legal and illegal components of a migration business and place management and control of migration in the legal realm of the business, pushing it out of their frame of analysis. Salt and Stein's arguments concerning human trafficking are problematic at their cores since, in constructing their generalized assumptions on human trafficking, they exclusively draw on secondary data from IOM and OECD reports on European countries. The uncritical and uncomplemented use of such data, especially to draw generalized conclusions about human trafficking across multiple countries, results in the reproduction of state-centric and policy-driven arguments. They present no discussion on the fact that governments also criminalize migration networks, depicting them as human traffickers, thus decreasing their effectiveness and pushing migrants to use other intermediaries who may turn out to be human traffickers. Therefore, my take-away point from their article is just the idea that control and management of migration can be commercialized, a point which we will amply discuss below.

The migration industry briefly appeared in Robert Cohen's book (1997) "Global Diasporas: An Introduction." Cohen initiates a discussion about how migrants utilize different methods to cross borders in the face of increasingly stricter migration control mechanisms. He counts the migration industry as one such reaction to these mechanisms. In a single passing remark, he mentions,

> "Again, despite the rigorous official control of immigration, there has been an extensive and rapid development of a 'migration industry' comprising private lawyers, travel agents, recruiters, organizers, fixers, and brokers who sustain links with origin and destination countries. Such intermediaries are driven by the cash nexus and make no distinction, except in terms of price, between refugee and migrant, professional or unskilled, illegal or legal migration" (Cohen, 1997, p. 163).

From his limited engagement with the concept, we may infer that a migration industry is constituted by economic profit-seeking individuals who bypass migration control, enabling the continuation of migration from countries of origin to those of destination. Unfortunately, Cohen does not provide any further explanation or theoretical discussion concerning the structure and possible social, political, and economic effects of for-profit facilitation of migration.

In the second edition of "Age of Migration," Stephen Castles and Mark J. Miller theoretically engage with the migration industry more fruitfully. They provide a short discussion of what they consider to be the migration industry. They see it as "…a 'maso-structure' which acts in the space between micro and macro-structures, by linking individual activities to the state and economy." (Castles & Miller, 1998, p. 26). Thus, moving away from Cohen's individualistic approach, they define the migration industry as an economic profit-driven form of a migration network. It is a meso-level structure embedded in countries of destination and origin, creating social and economic connections between them. Their long list of actors demonstrates how ingrained it is in the social process of migration. For them, the migration industry consists of travel agents, labor agents, labor recruiters, brokers, interpreters, housing agents, lawyers who give advice on immigration law, human smugglers, banks that set special transfer facilities for remittances, police officers or bureaucrats who make money by showing people loopholes in regulations (Castles & Miller, 1998, pp. 97–98). In other words, Castles and Miller suggested that the migration industry connects migrants with non-migrants of origin and destination countries via a set of economic activities which create and sustain migratory movements.

However, Castles and Miller's use of the migration industry lacks further analytical depth. Firstly, they do not provide any detailed discussion or example concerning how the migration industry functions as a meso-structure. Secondly, they failed to make any connection with the existing literature, which amply demonstrated historical accounts of people making a profit from migration. During their short discussion of the migration industry, they refer to only one work that also studied the then-contemporary migratory movements (Castles & Miller, 1998, p. 26). More importantly, the book's later editions have yet to amend the lack of engagement with the extended history of people making a profit from migration. I argue that their dismissal of the existing literature misleads the reader to consider the for-profit enablement of migration as a phenomenon of the late 20th century. It also results in the one-sided argument that the migration industry is the reason "…why official migration policies often fail to achieve their objectives (curbing international migration)" (Castles & Miller, 1998, p. 97). The literature on historical migratory movements both prior to and after 1998 – as we have seen in the prior section of the chapter – suggests that the increasing restriction of migration movement and its illegalization created or transformed migration networks into migration industries. Scholars who include such a historical perspective in their studies argued that the increasing number of profit-seeking actors is not *the reason* for irregular migration but a symptom of strict border regulations and the mid-20th century trend of illegalizing migration.

In his book *Transnational Peasants: Migrations, Networks, and Ethnicity in Andean Ecuador*, David Kyle (2000) introduces migration merchants as for-profit actors enabling transnational migration from Azuay, Cañar, and Morona Santiago. Kyle states that what started as a modest migration out of this region in the 1970s turned into a mass exodus in the 1980s. As a result, people

from this region became one of the largest groups of undocumented migrants living in New York City (Kyle, 2000, p. 66). Kyle argues that a migration network consisting of just family and neighbors cannot account for the growing volume of migration out of the region, especially since migrants must cross eight nation-state borders and various legal jurisdictions to arrive in New York City (Kyle, 2000, p. 70). For Kyle, this migratory flow was enabled by migration merchants, who can be "anyone profiting, legally or illegally, from the commodification of the international migration process" (Kyle, 2000, p. 67). His case study center on local migration merchants – *tramitadores* (facilitators) and *chulqueros* (loan sharks) – but he recognizes that they must cultivate cross-border relations with others in Mexico who help them reach their destination in the USA. Kyle notes that after Mexico introduced stricter migration control policies, migration merchants also became more involved in crossing the Guatemala-Mexico border (Kyle, 2000, p. 69).

In Kyle's analysis of for-profit enablement of migration, *tramitadores* play a crucial role in building trust with potential migrants in localities. *Tramitadores* who share kinship and community ties with the potential migrants are the nexus of social and economic relations via which migrants connect to other migration merchants across borders. *Tramitadores* offer to arrange all documents needed to cross multiple legal jurisdictions, as well as physical travel arrangements. The arrangements can range from forged visas and passports to gaining "an invitation" from a person or an organization in the USA. *Tramitadores* may also connect potential migrants to *chulqueros* who lend money for migration "...at usurious interest rates of 10–12 percent, compounded monthly, with all land, animals, and possessions of the migrant held as collateral" (Kyle, 2000, p. 66). To be able to offer these services in localities, *tramitadores* must sustain stable social ties with people across borders who can provide trusted information about and contact with "... the

commodified regional migration networks, which are, themselves, integrated into transnational networks of migrants and migration merchants, such as professional Mexican coyotes" (Kyle, 2000, p. 96). Migrants, as well as returnees who still sustain their social ties with their previous place of residency, constitute the backbone of *tramitadores*' transnational and social relations, or they themselves become *tramitadores*.

I believe Kyle fills in the theoretical gap left by Castles and Miller. In their work, we did not get to see how migration networks came to be considered or transformed into "migration industries." Kyle suggests that migration merchants are migration networks that have been commercialized by a set of transnational actors who include migrants and returnees as well. Every step of the migratory flow presents a set of social relations that can be potentially commercialized. It is important to note that the potential to be commercialized need not be fulfilled in every case. Kyle amply demonstrates that migration networks still provide help on the basis of social reciprocity, such as migrants and returnees lending money to potential migrants with little or no interest. Nonetheless, stricter migration control mechanisms require the involvement of 'professionals' who knows how to cross borders and render these services for steep fees. One might even argue that such non-commercialized social ties set the stage for building trust in the commercial exchanges that enable migration.

First Steps to Constructing Migration Industries as a Comprehensive Concept

Although previous studies established crucial links between for-profit actors and infrastructures of migration, they studied single dimensions (migration entrepreneurs facilitating the migration of

their coethnics) of a more significant phenomenon (migrants, nonmigrants, governmental, non-governmental actors facilitating as well as limiting and controlling migration for profit). The concept of the migration industry represents an analytical endeavor to fuse all dimensions together. Rubén Hernández-León, a sociologist studying migration from Mexico to the USA, defines the migration industry as "... a matrix of private and specialized services that facilitate and sustain international human mobility and its related behaviors, including settlement, mobility, communication, and resource transfers" (Hernández-León, 2008, p. 24). Mediated by relations of kinship, fictive kinship, bounded trust, patron-client relationships, and coethnicity, migration entrepreneurs offer services for a fee, seeking to make a profit from various components of the migration (Hernández-León, 2008, p. 24). Unlike the previous scholars who did not acknowledge and build upon one another's approach to for-profit enablement of migration, Hernández-León takes a narrow but crucial step towards weaving theoretical connections among a few scholarly works. He critically looks into the works of Harney, Gabaccia, Salt and Stein, noting that none of these works have studied the components of the migration industry as an infrastructure of for-profit activities and services vital to the contemporary international human mobility (Hernández-León, 2005, p. 2). Instead, they studied a single dimension of a bigger and more complex socio-economic phenomenon. In his later works, he identifies two dimensions that scholars of migration separately studied; the coethnic/immigrant networks (Hernández-León, 2008, pp. 154–155) and facilitators of informal/illegal border-crossing (Hernández-León, 2008, p. 155).

His observations about coethnic and immigrant networks are rooted in his criticism of Harney and Gabaccia. As mentioned above, both scholars write about the padroni, Italian labor recruiters and intermediaries in Italy and Northern America (Gabaccia, 2000; Harney, 1977). Hernández-León

argues that these studies depict migration entrepreneurs consisting of coethnic networks. That is, profit-seeking "Italians" in Northern America and Italy enable the migration of other "Italians." However, Hernández-León believes that although "… often migration entrepreneurs are coethnics with their costumers", others may also use "…ethnic and immigrant employees and their cultural and linguistic knowledge to enter the industry and make inroads into particular business niches (i.e., transportation, remittances, and legal services)." (Hernández-León, 2008, p. 155). Even though he does not invoke the concept of the ethnic lens, his criticism, I believe, shares the same premise. Hernández-León points out that earlier approaches to the migration industry took ethnicity as the sole unit of analysis, thus disregarding other actors who may be integral parts of migration industries.

As for the facilitators of informal/illegal border-crossing, Hernández-León refers to Salt and Stein's article (1997). He maintains that despite the breadth of Salt and Stein's concept, they operationalize it only in the context of human trafficking (Hernández-León, 2005, p. 6). Thus, their research associates for-profit migration facilitators with only 'illegal' methods of border crossing. Hernández-León proposes to consider formal and informal services as well as legal and illegal activities as

> "…integral components of the overall sector, providing insight into how services evolve or straddle the line of official recognition, how legal and illegal services are used throughout the migratory journey, and how entrepreneurs and services adopt to shifting economic circumstances and larger legal and political realities." (Hernández-León, 2008, p. 25).

He draws upon his extensive fieldwork to provide examples to underpin this argument. His fieldwork on the migration from Monterrey, Mexico to Houston, the USA, partly focuses on a small migrant-run transportation company that, for twenty years from the 1980s to 2000s, moved

people, goods, and remittances across the border (Hernández-León, 2008, pp. 168–183). He demonstrates how the small company shuttled not only between Monterrey and Huston but also between what is formal and informal. The company and its small vans were all registered in the USA and run by documented migrants. However, they had to bribe Mexican officials at the border to transfer goods and remittances with a minimum inspection. They also developed a method of dividing remittance amongst different carriers since cash of more than 10.000 dollars had to be declared at the USA border. After twenty years in business, the company attracted more attention in Mexico, and state officials demanded registration of the business in Mexico or bribes to overlook the company's activities. Snowballing the financial burden of navigating formal and informal economic activities drove the company out of business. Hernández-León points out that as soon as the company shut down, at least two new ones took its place (Hernández-León, 2008, p. 181).

He takes this fact as a sign of the persistence and growth of the migration industry. More importantly, he draws attention to the fact that many other large or middle-scale companies realized the potential of the migration industry between Mexico and the USA and made moves to claim a share of the profit. Large corporations already active actors in the transfer of remittances, such as Western Union and MoneyGram, partnered with transportation companies in Mexico that enable the transfer of cash and in-kind remittance (Hernández-León, 2008, p. 183). Finally, he notes that middle and small-sized companies also started to provide similar services, creating competition for the long-established migrant-own businesses of moving people and cash and in-kind remittance. His case study on the companies enabling migration and activities intimately intertwined with it (cash and in-kind remittance) simultaneously supports two of his claims. The migration industry involves non-migrant actors (companies such as Western Union and companies

that it partners in Mexico) and formal and informal economic activities. In addition to contextualizing and expanding on what for-profit enablement of migration entails, Hernández-León's case study also contributes to our understanding of the migration industry as an infrastructure that sustains transnational ties between the country of destination and origin. From his examples, we may infer that for twenty years, the transportation company provided valuable opportunities for people to sustain their social and economic ties with their country of origin by enabling travel, communication, and transfer of in-kind and monetary resources.

Hernández-León's migration industry suffers from two flawed assumptions. The first is about the dichotomy between legal/illegal services. Although Hernández-León proposes to include illicit activities in the analysis, he sustains a state-centric approach to what counts as illicit in enabling migration. In other words, he still operates within the dichotomy of legal/illegal services without scrutinizing how certain migration-enabling services have come to be considered illegal and what purpose illegalization serves. Moreover, it pays no attention to the bureaucratic procedures through which border crossings of different groups of people have been deemed legal or illegal at other times. As a result, it offers no explanation about how illegality disciplines migrant labor, thus, increasing the profit to be made from migration. By bringing in Nicholas De Genova's critical works on migrant illegality, I aim to demonstrate that in order to capture power asymmetries in transnational migration, the migration industry must destabilize the dichotomy of legal/illegal migratory movements.

Since the 2000s, De Genova has been an avid advocate of a critical approach to migrant illegality. De Genova states that, when labeling undocumented migrants as illegal, "(t)he material force of

law, its instrumentality, its productivity of some of the most meaningful and salient parameters of socio-political life, and also its historicity – all of this seems strangely absent…" Without historicizing and contextualizing illegality, the migration literature represents it as "an undifferentiated, transhistorical fixture" (De Genova, 2004, p. 167) De Genova opens a crucial space to discuss how specific migratory movements were illegalized and what purpose illegality has served. Through his research on migration from Mexico to the USA, he presents a case for the legal production of migrant illegality.

De Genova states that until 1965, migration from Mexico to the USA was unrestricted and even encouraged, while many legal steps were taken to limit migration from Asia and Europe, such as establishing strict entry quotas for people coming from these geographies. It was because newly emerging industries and agriculture in the USA, especially the US Southwest, depended on Mexican migrant labor. In quantitative terms, migration from Mexico remained welcomed and encouraged until 1965, when an entry quota was introduced. During these years, documented migration through contract labor and federal facilitation of undocumented migration were expanded. Documented migrants were encouraged to overstay the limited tenure of their contracts. US employers and labor recruiters actively recruited undocumented migrants, as they were later assisted with instantaneous legalization procedures.

However, in the 1920s, qualitative restrictions were excreted upon the Mexican migrants. De Genova argues that with the arbitrary utilization of these restrictions, migrant labor was made more vulnerable to deportation. The combination of the quantitatively unrestricted and even encouraged entry with qualitatively determined deportation practices led to the revolving door policy; "…

mass deportations would be concurrent with an overall, large-scale importation of Mexican migrant labor" (De Genova, 2004, p. 163). The possibility of deportation became a crucial mechanism of labor discipline and subjugation. The US employers evaded the bond and contracting fees while depriving migrants of minimum employment periods, fixed wages, and other required safeguards. The constant threat of deportation forced the Mexican migrants to either accept the exploitative conditions or get deported. It also effectively counteracted union organizing among Mexican/migrant workers.

The post-1965 period witnessed the introduction of strict quantitative limitations on Mexican migration to the USA. De Genova calls this period "… the history of deliberate interventions…that have revised and reformulated the law has entailed an active process of inclusion through illegalization" (De Genova, 2004, p. 173). While the Mexican migrants were constantly dispossessed of their legal status in the USA, deeming them illegal and making them more vulnerable to exploitation and deportation, the US employers did not receive much legal backlash. Financial penalties for employing undocumented migrants were low enough to be ignored by employers, especially considering their profit from exploiting undocumented migrants. Employers also utilized different methods to evade penalties; they would… "typically fire or temporarily discharge workers known to be undocumented prior to a raid" (De Genova, 2004, p. 175). These methods created further job insecurity for undocumented migrant workers.

In addition to the illegalization of a stable migratory flow that had been encouraged by the state itself, De Genova notes that the continuous legal restrictions also created "a flourishing industry in fraudulent documents" (De Genova, 2004, p. 174). The need to obtain fraudulent documents

grew to arrive in the USA or to navigate their daily lives in a suddenly illegalized state of existence. Thus, the illegalization of migratory movements provided an impetus to solidify the production of fraudulent documents as an "industry." It is crucial to note that bureaucratic protection granted to the employers shifted the burden of illegality entirely onto the undocumented migrant workers since they must alone shoulder the financial and legal consequences of obtaining fraudulent documents.

De Genova's critical analysis of migrant illegality issues two crucial warnings for those who study undocumented migration and its enablement. Firstly, the superficial and uncritical utilization of law and policy-dependent definitions of legal and illegal migration erases the long history of the illegalization of migration and its purpose of disciplining migrant labor. In close relation to the first point, the construction of migrant illegality deprives migrants of their legal protections, making them more vulnerable to exploitation and increasing profits from migration. While employers get access to undocumented migrant labor, which is highly susceptible to exploitation with little or no legal backlash, the need for smugglers and traffickers increases as the previously encouraged migratory flows are now illegalized. Furthermore, stricter border control drives smugglers out of the market as the cost of enabling migration increases. More exploitative actors – traffickers – in return, dominate the market, putting undocumented migrants at more risk. A simple distinction between employers as facilitators of documented migration and smugglers/traffickers as facilitators of undocumented migration lacks the conceptual purchasing power to explain the intertwined exploitative economic relations that have been constructed by states' illegalization of specific migratory flows.

Hernández-León's second problematic assumption is that the migration industry only entails profit-seeking activities facilitating migration. Although he draws on Salt and Stein's theoretical framework, he does not mention that they proposed considering control and management as realms of migration governance that have been commercialized. By ignoring their suggestion, Hernández-León misses an opportunity to fully achieve what he set out to do in his book: to demonstrate that profit-seeking actors and their services are present at every step of migration and different types of migratory movements. On the other hand, Thomas Gammeltoft-Hansen and Ninna Nyberg Sørensen demonstrate that every component of migration – from enabling and sustaining the movement to controlling and limiting it – can be commercialized and integrated into migration industries.

In the introduction of the edited book, "The Migration Industry and the Commercialization of International Migration," Sørensen and Gammeltoft-Hansen call for a better examination of economic activities that capitalize "on migrants' desire to move or on the struggle governments face managing migratory flows" (Sørensen & Gammeltoft-Hansen, 2013, p. 2). Building upon Hernández-León's works, they define the migration industry as "the array of non-state actors who provide services that facilitate, constrain or assist international migration" (Sørensen & Gammeltoft-Hansen, 2013, pp. 6–7). They introduce two subcategories. They put Hernández-León's works in the subcategory of the facilitation industry. The second subcategory is the control industry which includes private contractors performing immigration checks, operating detention centers, and carrying out forced returns (Sørensen & Gammeltoft-Hansen, 2013, p. 6). They call attention to the fact that these actors establish close economic and political connections with governments since they must outsource the state apparatus's various migration management

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functions. Those relations prove to be transnational in cases like the corporation Finmeccanica, which provides "...border control equipment and training to Libya and is operational in 72 countries with an annual turnover of €11 billion", and its chairman is the president of Europe's largest defense industry lobby group (Sørensen & Gammeltoft-Hansen, 2013, p. 9). Chapter 4 will pick up where we are leaving off now and introduce NGOs as actors in the control industry.

From Cis-Heteronormative Migration Studies to Queer Migration

In this section, I provide a survey of migration studies that adopted – what I call – the approach of gender as cis-heterosexual women. Then I demonstrate how queer migration challenges the cis-heteronormativity within the discipline. Scholars of queer migration scrutinized different ways in which SOGIs, along with race and class, have been integral in drawing the boundaries of belonging and citizenship (Luibhéid, 2002; 2008; Mai and Kind, 2009; McKinnon, 2009). The literature also has researched various methods used by states to 'authenticate' SOGIs of queer refugees with the consequence of producing and reproducing essentialist and Global North-oriented categories of 'LGBT.[4] In other words, they revealed different ways in which refugee regimes, gender norms, and state regulation intersect and interact in policing and regulating the borders of nation-states and the normative boundaries of SOGIs.

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[4] I use "Global North oriented classifications of LGBT" in the sense: "queer discourses that circulate in the global ecumene among activist networks and identity-based communities and organizations" are produced by "queer political movements of the United States or Europe" (Blackwood, 2008, 481). Moreover, the literature produced on western countries stand "as the normative body in scholarly discourse and in public policy" (Grewal and Kaplan, 2001, 666).

The literature on gender and migration commonly accepts Mirjana Morokvasic's article (1984) "Birds of Passage are also Women" as a founding text. Morokvasic states that scholars of migration studies did not research women's migration. If they wrote about it, they simply assumed that women's migration patterns mirror men's since they migrate as mothers, daughters, or wives. Morokvasic provides reasons for and examples of women migrating independently from men. Therefore, she is assumed to be the first scholar to draw attention to the autonomous migration of women, consequently, the long-overlooked agency of women in migration studies. To contest the belief that Morokvasic was the first to state this fact, I would like to draw attention to a special issue published in 1976 by Anthropological Quarterly. Named "Women and Migration," the special issue had articles that proposed ground-breaking arguments which brought a gendered perspective to migration network theories.

Nancie L. Gonzalez starts her article with the case of a single woman from the Dominic Republic migrating to New York with her children. A woman with enough economic means moves herself and her children to New York to be economically stable. Gonzales adds that moving away from her family had another bonus; "she would suffer less from the pressures of her family as to how she should run her life and manage her money and children" (Gonzalez, 1976, p. 37). Gonzales then presents another case in which a woman leaves her husband and children back in the Domonic Republic and migrates to New York to work in the garment industry. After twenty years of working in New York, she returns to her village to retire with the savings she brought with her. Gonzalez states that upon her return, "...she was constantly sought after for information on how to get to and survive in New York, but she was also frequently consulted about local affairs" (Gonzalez, 1976, p. 37). Next, she describes how the threat of deportation forces women to accept less-paying jobs

with no social security. Finally, she provides the following intersectional commentary on gender and social class:

> "For the upper-class woman, especially a widow, there are fewer restrictions on her personal freedoms, and she is able to offer her children the advantages of upper-class education and travel experiences on a smaller income. For the working-class woman, work is available, regular, and though poorly paid by United States standards, nevertheless enables her to live better than at home while she saves enough to improve her future in the Republic" (Gonzalez, 1976, p. 42).

Gonzalez's research sets the stage for the argument that women migrate to avoid patriarchal relations but then are subjected to economic exploitation. Gonzales also depicts a picture of a woman becoming the primary nod of a migration network through which she enhances her social status in her locality. Towards the end of her article, she also challenges a widely circulated discourse that equates women's independent migration with sex trafficking. Scholars are still researching and writing about this discourse which has been, for example, reproduced in the case of women migrating from Moldova and Ukraine to Turkey after the dissolution of the Soviet Union (Gülçür & İlkkaracan, 2008) and from Syria to Turkey after the Syrian War in 2011 (Jacoby et al., 2019; Şenses, 2020). Overall, Gonzales produced an academic work that was ground-breaking in its ability to capture intersecting elements of simultaneous oppression and empowerment.

The special issue hides other academic gems. Estellie Smith's research suggests that, upon arrival, women are the ones who create and sustain the social nods of migration networks. Smith states that women's communication channels are derided and overlooked as gossip. But her research shows that through these channels, women make new connections in their new localities and learn where jobs are available, what shops to avoid, and so on (M. E. Smith, 1976, pp. 22–23). Finally, Jean Goosen reveals the importance of cross-border child-rearing practices in migration. Middle-aged and older women of Guadeloupe took care of their grandchildren, nieces, nephews, and

godchildren while their families were migrating to France, thus facilitating cross-border migratory flows (Goossen, 1976, p. 51).

Going back to Mirjana Morokvasic's article, it was also part of a special issue called "Women in Migration," published in 1984 by the International Migration Review. As the introductory text of the special issue, her article first surveys scholarly works that find the autonomous migration of women empirically and theoretically insignificant (Morokvasic, 1984, p. 897). She then shows reasons for women to seek autonomous migration: to escape from domestic violence, to escape from marriage when divorce is impossible, to find jobs since their localities have few opportunities for women, and so on (Morokvasic, 1984, p. 898). One of the most important contributions of Morokvasic is to pinpoint and then refute how the dichotomy of private and public has been utilized to trivialize women's experience of oppression and violence and then overlook their autonomous migration. She argues,

> "Women's necessity or willingness to flee such conditions have been variably labeled as personal, minor, emotional, familial or individual, drawing on the stereotypical view assigned to women, while men are described more on a false dichotomy of private-public, individual-society. That is, the emigration of women would be more due to individual, private, family reasons, while male migration would be a result of external, public, economic has been argued elsewhere that these reasons cannot be called individual. Sexist oppression and subordination experienced by women in different parts of the world are not an individual matter, nor a matter of specific personal relationships that concern some individuals exceptionally. Neither is women's escape from it." (Morokvasic, 1984, pp. 898–899).

Morokvasic's criticism still holds today. For example, although women's right to seek asylum in another country to escape domestic violence has been formally established, their cases are harder to prove because of the silence around domestic violence against women (Shuman & Bohmer, 2014). Unreported domestic violence cases make proving persecution based on gender problematic

and complicated for women. Morokvasic also talks about how the intersecting factors of sexism and anti-migration discourses make women more vulnerable. After the 1974 halt on further labor migration, the countries in Western Europe "...imposed either a complete ban or waiting periods for entry into the labor market for the spouses who joined migrants already in these countries (Morokvasic, 1984, p. 891). The ban pushed women to work informally in restaurants, domestic services, and garment workshops where exploitative conditions were the norm. In addition, their legal statuses were tied to their husbands as 'dependents.' Hence, women were left with a dilemma; in case of domestic violence, they had to stay married to keep their legal status or divorce to escape violence and become vulnerable to deportation.

Pauline Jackson also had an article in the same special issue. Her work had a historical perspective and focused on women's migration from Ireland. Jackson argued that since the mid-19th century, the number of women migrating out of Ireland suppressed the number of men. By the 1950s, around 57 percent of migrants were women (Jackson, 1984, p. 1017). To identify why more women migrated out of Ireland, she looked at the social, economic, and political destruction of the rural life in Ireland caused by the great famine of 1845-1849 and the British colonialization. She argued that since rural life became impossible to sustain, women had little choice but to migrate. She explains how the marriage system broke down, resulting in "only 20-50 percent of women in marriable age groups" actually marrying (Jackson, 1984, p. 1017). Combined with the land monopoly and the patriarchal inheritance system, breaking the marriage system meant more and more women did not have access to land and, thus, were being pushed out of rural areas. The absence of big industrial cities also restricted women's job opportunities in urban areas, leading them to seek jobs in other countries. In light of these intersecting factors, Jackson states that women

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did not just escape from poverty. It was a flight "... from an increasingly patriarchal society, whose asymmetrical development as a colony generated insufficient social space for women, even as wife and mother" (Jackson, 1984, p. 1018). In addition, U.S. Labor Department demographers Marion F. Houstoun, Roger G. Kramer, and Joan Mackin Barrett brought a quantitative research perspective to the special issues. Using the USA census data, Houstoun et al. observed women's predominance in migration to the USA since 1930. They assert that the percentage of women migrants varied from a high of 61.2 in the 1940s to a low of 53.0 in the 1970s (Houstoun et al., 1984, p. 951). In the end, through a culmination of excellent ethnographic research, two special issues integrated gender into sociohistorical and meso-level theoretical frameworks that I had explained in the previous section.

Later on, women's migration also drew the attention of the UN (Bilsborrow & Zlotnik, 1992). By 1990, it complied preliminary census data from all over the world, mapping the gender ratio in the international migration (Gabaccia, 2016, p. 1). Feminization of migration as a concept to address the increase in the number of women migrants was used in the meetings organized by the UN bodies (Bilsborrow & Zlotnik, 1992). The concept got a foothold in migration studies after Castles and Miller used it in their influential book, the Age of Migration, in 1993. They regarded the feminization of migration among the newly emerging trends and patterns in the international migration (Castles & Miller, 1993, p. 8). They underlined that women's migration was no longer mainly induced by family reunification, and they started autonomously migrating in the 1960s. In other words, the feminization of migration was not solely about the increase in the number of women internationally migrating. Although the absolute number has indeed increased since the 1960s, compared with the total number of international migrants worldwide, the percentage has

remained almost the same for decades (de Haas et al., 2020, p. 10). They assert that "... the feminization of migration primarily pertains to the increasing participation of women in labour migration" (de Haas et al., 2020, p. 10).

I contend that Castles and Miller reduced the feminization of migration to the increasing participation of women in labor migration because they did not sufficiently engage with the existing literature on gender. It is worth noting that I am not aiming to undermine the idea that women's migratory flows have intensified and diversified after the 1960s. My point is to show that for more than two decades, from the 1970s to the 1990s, mainstream migration scholars ignored what feminist scholars had already discussed and then superficially engaged with gender under the concept of feminization of migration. The abovementioned two special issues, published before the first edition of their book, had 29 articles in total. Yet, their book only mentioned Morokvasic's article. As discussed above, the other articles discovered that escaping from social inequalities created by the patriarchy was one of the main reasons women migrated across borders since the 19th century. That is why studying women's migration cannot be subsumed into labor migration studies. Doing so suggests that gender is an individual trait of women upon which dynamics of labor migration exert their influence. Instead of shaping the dynamics of migration itself, gender is assumed to diversify how women experience already-set routes and means of labor migration.

In addition to the previously discussed articles which demonstrated gender to be a determinant of international migration, I would like to talk about Lucie Cheng Hirata's work (1979) on the migration of sex workers from Canton (now known as Guangdong) and Hong Kong to California in the mid-19th century. She presented a case study in which gender norms about sex work created

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a means of autonomous migration for women, new control mechanisms to limit it, and the migration industry. In other words, the autonomous migration of sex workers later turned into indentured servitude and enslavement because of the criminalization of sex workers and the increasing number of for-profit intermediaries monopolizing the means of migration. She argued that the migration of sex workers from Canton and Hong Kong to California was rendered possible by two assumptions. The first was that disallowing family reunification would prevent the permanent settlement of migrant men. Second, sex workers from Canton and Hong Kong would prevent migrant men from forming relations with women in California. For example, Californians simultaneously advocated against family reunification and for allowing more migrant men and sex worker women from China (Hirata, 1979, p. 7)

Cheng Hirata stated that for a short period between 1849 and 1855, migrant women were relatively autonomous in doing sex work. Moreover, they had control over their own income, accumulating sufficient capital to make investments: "Some returned to China as relatively affluent members of the business community. Others remained in America and either continued prostitution as brothel owners or invested in other businesses" (Hirata, 1979, p. 8). However, she noted that this period did not last long as the prospects of profits to be made from the migration of sex workers led to the emergence of organized intermediaries who forced migrant women into indentured servitude and enslavement. Calling it "the organized trade," Cheng Hirata described the actors and functions of a facilitation industry:

> "the procurers who kidnapped, enticed, or bought Chinese women; the importers who brought them into America; the brothel owners who lived by their exploitation; the Chinese highbinders who collected fees for protecting them from other highbinders; the police who collected monies for keeping them from being arrested; and the white Chinatown property owners who leased their land and buildings for exorbitant rents." (Hirata, 1979, p. 9).

The reliance on intermediaries grew since the first restrictive federal migration law – the Page Act of 1875 – and the Chinese Exclusion Act of 1882 made autonomous migration more complicated and expensive. In addition, the Page Act targeted sex workers by banning migration based on labor contracts "for lewd and immoral purposes," which resulted in cross-border bureaucratic control mechanisms based on gender norms.

Cheng Hirata revealed that the American consulate in Hong Kong was conducting the first step of determining whether women migrants were involved in sex work. Only after receiving a stamp on their arms from the consul's office and the harbor master were women allowed to purchase tickets and board the streamer. At the same time, a certificate with the woman's photograph issued by the consulate was mailed to the collector of customs in San Francisco (Hirata, 1979, p. 10). The Chinese Exclusion Act extended the ban's scope, allowing "only women who were native-born, married, or born overseas to domiciled merchants to immigrate to the United States." (Hirata, 1979, p. 11). The bans only worked to diversify actors who made a profit from circumventing gendered migration control mechanisms. After the Page Act, the consular officials accepted bribes to give the stamp or, in other cases, refused to provide authorization, regardless of the means of migration, asking for a bribe. After the Chinese Exclusion Act, U.S. immigration inspectors and interpreters accepted bribes. Chinese agents in the United States provided instructions to their counterparts in China to coach migrant women in giving the correct answers to the questions of migration authorities (Hirata, 1979, p. 11).

All in all, Cheng Hirata's article demonstrated that gender is not an individual trait simply affecting women's experiences on the pre-determined path of labor migration. In addition to reconfiguring

the means of migration, gender norms constituted the newly emerging migration control mechanisms and migration industries. More than two decades later, Eithne Luibhéid dedicated a chapter of her book "Entry Denied: Controlling Sexuality at the Border" (2002) to discussing bureaucratic reflections of the Page Act. On top of supporting Cheng Hirata's arguments, Luibhéid's archival research revealed a multi-actor and multi-level migration governance. According to Luibhéid, the American Consul in Hong Kong worked with an association of the most prominent businessmen in Hong Kong, the Tung Wah Hospital Committee, and the British colonial government in Hong Kong to investigate women's application for migration (Luibhéid, 2002, p. 41). She also shed new light on the use of photography in Chinese women's official documents for migration. Luibhéid argued that in the 1880s, only Chinese women's records with their photos were mailed to the USA port officials, who checked if the newcomers matched the photos. She said,

> "Thus, Chinese women were the first group of immigrants whose mobility was regulated by the exchange of photographs between officials. Photographs tied a specific body to biographical data that had been approved by officials for migration. Only as of the second decade of the twentieth century, according to John Torpey, would such a system become broadly implemented in the United States through passport controls. Until then, racialized, gendered, and sexualized Others disproportionately bore the burden of such techniques, as the experience of Chinese women shows" (Luibhéid, 2002, p. 46).

That is to say, gender norms that constructed a dichotomy of moral/immoral womanhood were one of the crucial determinants of the newly emerging technologies of migration control across borders. Current research shows that similar norms are still utilized in limiting the migration of women and exerting control over women's bodies. For example, the migration laws in the UK allowed women visa-free entry if they were to marry a UK citizen within three months. In a highly publicized case, a woman from India was denied entry because border officials suspected her of being already married to her fiancé. To prove she was not married, she was subjected to a virginity

test (Smith and Marmo, 2011; 2014). When the Home Office was criticized for using virginity tests, it asserted that although the test was not used frequently, it was legal. At the border control, the patriarchal gender norm, which dictates an unmarried woman to be a virgin, becomes a bureaucratic tool via which migration is controlled, and borders of belonging are redrawn.

The silencing of gender studies' contributions to migration studies continued well into the 2010s. One example is Steven Vertovec's concept of super-diversity and his defense against the criticism underscoring the resemblance between super-diversity and intersectionality. Super-diversity was developed to reveal the increasing internal divisions within ethnic groups in London (Vertovec, 2007) and is now widely utilized by other scholars to analyze social integration policies in cities around the world (Ambrosini, 2017; Geldof, 2016; Oliveira & Padilla, 2017; Varis & Wang, 2015). In his article "Super-diversity and its implications," Steven Vertovec demonstrated that the migratory flows to London since the 1990s brought about diversification of migration communities as new migrants had a variety of countries of country of origin, languages, religions, migration channels, and immigration statuses, gender, age, and so on (Vertovec, 2007, pp. 1029–1041). Vertovec called for a better analysis of the emerging super-diversity since it resulted in new patterns of inequality, prejudice, and segregation, new forms of cosmopolitanism and creolization, and new problems for community organization (local authorities being used to only large and well-organized associations rather than the new smaller, less organized but high in number organizations) (Vertovec, 2007, pp. 1045-1047).

As for intersectionality, Kimberly W. Crenshaw coined the concept in 1989, which has been present in feminist and queer studies. Intersectionality calls for accounting for various social

categories of differences in analyzing one's subjectivity. Crenshaw warned not to treat "…race and gender as mutually exclusive categories of experience and analysis" (Crenshaw, 1989, p. 139). She argued that considering them mutually exclusive has led to reductionist assumptions about "the women's experience" and "the Black experience," neither of which directly addresses covert but influential ways in which black women faced discrimination in the liberal feminist or black liberation movements. As a more abstract concept, intersectionality is the mutual constitution of inequalities by overlapping social categories of gender, race, class, SOGI, and so on. Generalizing the dynamics of inequalities based on an analysis of only a single category perpetuates and justifies discrimination that people occupying multiple categories face.

In an article that addresses the critiques of super-diversity, Vertovec recognizes that "the concepts of intersectionality and super-diversity indeed share a call for recognizing the composite effects of social categories" (Vertovec, 2019, p. 134). But, then, he dismisses this critique by saying, "…since (at the time I wrote the original article, at least) intersectionality literature was concentrated on the race–gender-class complex, I called for something focused exclusively on migration-related categories" (Vertovec, 2019, p. 134). However, a survey of migration literature reveals that intersectionality had already been applied to migration studies before 2007 when Vertovec first coined the super-diversity (Broad, 2001; Calavita, 2006; Crenshaw, 2006; Lowe, 1996; Manalansan, 2006; Pittaway & Bartolomei, 2001; Preibisch & Hermoso Santamaría, 2006; Yuval-Davis et al., 2005). One of the most notable examples is Lisa Lowe's book "Immigrant Acts" (1996), which is recognized as one of the founding texts of intersectionality. Her book uses intersectionality to show how "...the heterogeneous, intersecting formations of racialized immigrant subjects..." are antagonistic to the unifying and totalizing American cultural narratives

(Lowe, 1996, p. 45). Throughout the book, Lowe invokes intersectionality to analyze social movements organized around a unitary category and then capitalized on migrant women's experiences, misrepresenting their experiences of inequality and causing harm. "(T)he liberal feminist critique of patriarchy, the trade union analysis of capitalism from the standpoint of class exploitation, and the critique of racism and internal colonialism from the standpoint of racialized minority subjects" (Lowe, 1996, p. 163) could not for overlapping inequalities that migrant women had been subjected. In addition, Crenshaw herself applies intersectionality to migration and reveals that without an intersectional approach to migration, restrictive migration policies cannot account for gender differences in migrant groups, thus, putting migrant women at additional risk of deportation and domestic violence in the US (Crenshaw, 2006, pp. 9–12).

Queer Migration

Eithne Luibhéid – the pioneer of queer migration – asserted that migration studies primarily operate through "the premise that migrants are heterosexuals (or on their way to becoming so) and queers are citizens (even though second-class ones)" (Luibhéid, 2008, p. 169). This statement captured the heart of a problem that persisted in migration studies for four decades. Scholars had never scrutinized the role of sexual orientation and gender identity (SOGI) in initiating and sustaining migration flows, creating migrant networks and communities, setting new boundaries of belonging, and managing/limiting migration. SOGI could not be integrated into migration studies as a distinct category of analysis or an element of intersecting factors. In the mid-1980s, gender started to seep into migration studies. However, looking at migration studies from the gender lens was equated with researching cis-heterosexual women's migratory movements.

Queer migration, on the other hand, scrutinizes different ways in which SOGI has shaped people's reasons to migrate, the routes and methods of migrating that they choose, or pathways to incorporation into countries of destination that are available to them. The exclusions of 'homosexuals' from migrating to the USA and Canada drew scholarly attention in the 1980s The articles were written strictly from the perspective of law studies, critically evaluating immigration laws and court documents but lacking analysis of the social dynamics underlying queer migratory movements. Nonetheless, their contributions were crucial in understanding how the law was interpreted and applied. For example, the Immigration Act of 1917 and the McCarran-Walter Act of 1952 in the USA did not explicitly name "homosexuals" as excludable and deportable. The general phrase "sexual deviation" was used instead. It was the joint effort of the Immigration and Naturalization Service (INS) and the Public Health Service (PHS) via which "homosexuals" became the apparent target of exclusion and deportation. INS initiated an inquiry into someone's sexual orientation as a part of their immigration application, and PHS provided medical certificates supporting INS's suspicions of applicants or detainees being homosexual. The details of the medical report were not included in the articles.

Luibhéid's article "Looking like a Lesbian": The Organization of Sexual Monitoring at the United States Mexican Border" (1998) is the first of its kind in its ability to account for SOGI's role in controlling borders and drawing boundaries of belonging. Luibhéid first pinpointed migration laws that establish the basis of excluding queer people from migratory flows in the USA, then presented a case study demonstrating how bureaucratic means give life to the discriminatory laws and create different sexual subjectivities at the borders. According to Luibhéid, the Immigration Act of 1917

set the stage for excluding queer migrants as it deemed those with "abnormal sexual interests" deportable (Luibhéid, 1998, p. 478). In the following decades, the commitment to bar queers from migrating to the USA was upheld by other laws and social policies that categorized people of different SOGI positions as "sexual deviates" (Luibhéid, 1998, p. 478). These categorizations remained in place until 1990, when Congress repealed immigration provisions that excluded queer migrants.

Luibhéid's case study was about Sara Harb Quiroz, who was detained at the US-Mexican border on suspicion of being a lesbian in 1960. Via conducting archival work and interviews with people involved in the case, Luibhéid provided the case details. Originally from Juarez, Mexico, Sara was granted permanent residency in 1954 and had been living in El Paso, Texas. Returning from a visit to Mexico, the border police detained her because they suspected her of being a lesbian based on her clothes and mannerisms. She was forced to sign a confession that included graphic details: having weekly sexual relations with two women, both in El Paso and Juarez, explicit details about those sexual activities, and a statement about how she liked sex with women more than with men. As a result, she was deported in 1961.

Luibhéid's article raises important questions. The first one is how could the immigration inspectors infer her sexual orientation from her clothes and behaviors. The answer is border officials' assumption that there exist predefined and static categories of SOGIs that migrants must neatly occupy and perform. For Luibhéid, "... checkpoints served as particularly dense points where dominant institutions constructed (and individuals contested) the possible meanings of lesbian or gay identity, and of who should be included within these categories" (Luibhéid, 1998, p. 481).

Wielding the power of checkpoints, immigration inspectors used their own SOGI norms and political views to decide whether someone was queer. Luibhéid's research indicated that the inspector who detained Sara was known to have "...a personal campaign to identify and expel women who he believed were sexual deviates" Immigration and Naturalization Service's documents included a testimony from her employer, who said that she "... wore trousers and a shirt when she came to work and that her hair was cut shorter than some women's." (Luibhéid, 1998, p. 483).

The second question is, what purposes do exclusion and deportation of queer migrants serve? Luibhéid identified two answers: (1) the construction of boundaries of a sexualized belonging to the nation-state and (2) the production of state-sanctioned SOGIs. I add a third one: the criminalization of racialized sexualities. Cis-heterosexuality was set as a prerequisite to belonging by creating and sustaining a legal and bureaucratic reality in which migration officials bar queer migrants from entry into the country. In her later works, Luibhéid calls this process "the reproduction of patriarchal heterosexuality as the nation's official sexual and gender order" (Luibhéid, 2002, p. xviii). She also highlighted the power asymmetries during the bureaucratic procedures via which sexuality is constated at the borders:

> "The fact that the immigration service initiated these efforts is deeply revealing of how sanctioned sexualities become consolidated by delineating and penalizing categories of "others." In this sense, lesbian and gay exclusion is less the history of a minor group than of self-constituting actions by the powerful who then erase the traces of their own production while stigmatizing and policing others." (Luibhéid, 2002, p. ix)

The exclusion process is not just about the designation of cis-heterosexuality as boundaries of belonging. It also constructs what to exclude, namely SOGIs. Migration officials aggregated a set

of indicators that imagined representing SOGI, thus, creating homophobic definitions of LGBT. Though supposed, the indicators came to have very real and harmful effects on queer migrants. Finally, I consider the criminalization of racialized sexualities as the third purpose. Luibhéid did not mention that in the 1960s when changes in migration laws upheld and extended the exclusion of queer migrants, decriminalization of homosexuality was underway across many states of the USA. The checkpoints and border control became the final frontier of criminalizing sexualities, disproportionally affecting the racialized non-citizens.

Lifting the ban on the entry of queer migrants did not mean that disciplining SOGI was no longer a mechanism of migration control. I argue that SOGI has been subsumed into exclusionary and differential inclusion frameworks. In other words, instead of being used as a ground for blatantly excluding and deporting LGBTs, cis-homonormative[5] representations are now utilized to decide who are "real LGBT" (exclusionary inclusion) and what rights these "real LGBTs" can have access to (differential inclusion). While the ban was still in place, the main aim of migration control was to identify LGBT non-citizens who were assumed to hide their SOGI to avoid detention and deportation. Lifting the ban – alongside the constant political pressure from LGBTI+ movements

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[5] When I say "homonormative", I am barrowing Lisa Duggan's definition of homonormativity as "a politics that does not contest dominant heteronormative assumptions and institutions, but upholds and sustains them, while promising the possibility of a demobilized gay constituency and a privatized, depoliticized gay culture anchored in domesticity and consumption" (Duggan, 2003, p. 50). The novelty of her definition, at the time, was the crucial stress on the capitalization of "LGBT" by neoliberal sexual politics to perpetuate dominant heteronormative assumptions and institutions. Queer migration governance has demonstrated a strong tendency towards homonormativity; by establishing assessment criteria such as going gay bars, buying and reading "gay" publications, and participate in the gay pride, the ability to achieve refugee status is configured through one's ability to consume and to perform only certain sexualities. Uneasiness in or inability of talking about one's sexual activities and gender identities in line with those discourses may result in being marked as "bogus refugee" (Shakhsari, 2014, p. 1002).

– opened a legal space for negotiating access to rights that were denied before, such as legal residency and citizenship rights of binational same-sex couples or the right to seek asylum when persecuted because of SOGI.

Karma Chavez's book (2013), "Queer Migration Politics: Activist Rhetoric and Coalitional Possibilities," demonstrate how marriage equality for binational same-sex couples dominated the queer migration politics in the USA. Chavez argues that instead of focusing on the overall discriminatory immigration policies that also affect queer migrants, "...collecting and sharing stories of deserving couples divided by discriminatory immigration laws is the primary rhetorical strategy…" that NGOs and advocates use to seek inclusion in immigration law (Chavez, 2013, p. 3). This rhetorical strategy has claimed a monopoly over queer migration politics, reducing the complex needs of queer migrants of color to the singular demand for same-sex marriage rights (Chavez, 2013, p. 33). She drew attention to the fact that migration platforms of major LGBT rights organizations such as the Human Rights Campaign and the National Gay and Lesbian Task Force focus almost solely on marriage equality for bi-national same-sex couples. As a result, the discrimination that queer migrants face in crossing borders and settling in is reduced to a single pathway to migrate and incorporate into the USA: marrying someone who holds U.S. citizenship. After the Supreme Court's decision in 2015 which granted same-sex couples in all 50 states the right to equal recognition under the law, the limits to "marriage equality" in response to bi-national same-sex couples slowly emerged. In his study of undocumented queer migrants in the USA, Jesus Cisneros observes that migrants who entered the country in undocumented ways did not qualify for a residency permit via the marriage (Cisneros, 2018, p. 1426).

Other countries which have legalized same-sex marriage have also demonstrated intersectional discrimination towards bi-national couples. For example, France has the same limitation on regularizing undocumented queer migrants via the marriage (Chauvin et al., 2021, p. 437). Again in France, Eric Fassin and Manuela Salcedo (2015) identify a crucial difference in how residency applications of binational same-sex couples are assessed; "the issue is not 'true love' (as is the case for different-sex couples) but 'true identity': the point is to establish that claimants are genuinely gay" (Fassin & Salcedo, 2015, p. 1120). The discourse of 'sham marriage' or 'marriage of convenience' gains yet another level of caution to control and limit migration: the authenticity of marriage must be supplemented by proof of being 'genuinely' gay or lesbian.

Sébastien Chauvin et al. (2021) criticizes the very label of bi-national same-sex couples. They offer the concept of "mixed status couples" to overcome the fixation on national differences and, instead, to underline unequal residence statuses in the receiving country (Chauvin et al., 2021, p. 433). They argue

> "...mixed-status couples can include couples of co-national migrants that nevertheless do not share the same legal status in their country of residence at the time of encounter. Indeed, our intention is to focus on the effects of rights inequality rather than merely on national difference" (Chauvin et al., 2021, p. 433).

Interviewing mixed-status couples in France, the Netherlands, and the United States, they discuss how access to resources adds to the rights inequality in the cases of family reunifications. While in cases where both persons' access to a resource is limited, their chance to successfully navigate through the constraining legal frameworks is the lowest. They give the example of a lesbian couple – one Armenian and the other French citizen – who was dating for more than three years but could not get a registered partnership because of their economic situation, which forced them to sublet

their flat informally. As a result, they could not produce any documentation about their cohabitation. On the other hand, Ariana Ochoa Camacho and Kathleen M. Coll (2021) aim to undermine the assumptions about what counts as a family. They stated that "(b)ecause the U.S. immigration system prioritizes 'family reunification,' it reproduces a certain ideal of 'family,' with attendant assumptions about gender, sexuality, age, and biological relatedness." (Camacho & Coll, 2021, p. 94). Queer families beyond blood ties and legal marriage/partnership are not legible to the immigration policies even though they provided intimacy, security, and solidarity when blood ties did not, or when their blood 'families' physiologically and physically abused queer people. Thus, blood ties, marriage, sex acts, or offspring as indicators of a family upon which rights for migrants are constructed should not be reproduced by queer/migrant movements.

Another legal and policy framework that considers SOGI as a basis for exclusionary and differential inclusion is the recently emerging trend of granting asylum to those escaping from persecution based on SOGI. In the 1980s, various jurisprudences in the Global North undertook the task of determining whether gays and lesbians could seek asylum by appealing to the refugee definition in the Convention Relating to the Status of Refugees (Refugee Convention for short) and the Protocol relating to the Status of Refugees. We can identify shared themes of legal discussion, even though there have been essential differences in how they interpret the meaning of and conditions underlying SOGI persecution. The themes were the following: (1) which of the five grounds for seeking asylum is applicable for LGBTs; (2) how can well-founded fear of being persecuted be interpreted in reference to SOGI; and (3) through what bureaucratic means SOGI of asylum seekers can be classified?

The Refugee Convention defines a refugee as a person who

> "owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country."

This definition established five grounds for seeking asylum race, religion, nationality, political opinion, and membership in a particular social group. SOGI was not a part of the original five, thus, it had to be interpreted in a way to fit into one. Through court decisions across various jurisdictions, membership in a particular social group emerged as a viable option. The first known legal case was in the Netherlands in 1981 (Lawson et al. 2008, p. 51). In 1980, the State Secretary of Justice rejected the asylum application of a gay man from Poland. The decision was substantiated by the argument that even though gay people faced discrimination in Poland, it did not amount to an act of persecution because homosexuality was not criminalized. The asylum seeker appealed the decision. But the Judicial Division of the Council of State upheld the Secretary's rejection. These executive and judicial decisions were influential in creating exclusionary inclusion for queer refugees. They paved the way for considering "homosexuals" to have a well-founded fear of persecution for reason of membership in a social group (MPSG). However, the arguments in favor of refusing the asylum seeker's application constructed the first legal limit of how SOGI could be included in the definition of a well-founded fear of persecution. The court equated the lack of laws criminalizing homosexuality in Poland with the lack of a well-founded fear of being persecuted. The court's decision indicates that discrimination that queer asylum seekers can amount to persecution only if they are perpetrated by the state and its actors

This decision was the first of many that overlooked non-state perpetrators of persecution. I will provide examples from other jurisdictions to demonstrate the shared themes and differences in

their interpretations. In 1986, the Higher Administrative Court of Hesse, Germany, declared "homosexuality" to be constitutive of a particular social group (Henes, 1994, p. 384). A gay man from Iran sought asylum in Germany after Islamic Revolution in 1979: "In his asylum application, he claimed that because of the change in the political structure in Iran, he feared persecution on the basis of his homosexuality" (Henes, 1994, p. 384). The court found his claim credible by citing press reports of executions of homosexuals, Koran quotations, and Islamic law (Henes, 1994, p. 384). The court also refuted the government, which claimed that the applicant could escape persecution in Iran if he refrained from "homosexual activity" (Henes, 1994, p. 384). The court argued that "... restricting a homosexual asylum seeker to a hidden and inconspicuous life is similar to requiring a person to hide and deny his/her religious beliefs or change his/her skin color" (Henes, 1994, p. 384). Finally, the court noted the persecution of "homosexuals" in the Nazi concentration camps as an example to support the viability of considering sexual orientation as the basis for a claim to refugee status (Hathaway and Foster, 2014, p. 442). In this case, criminalization and public acts of persecution were equated with a well-founded fear. In addition, sexual orientation was depicted to be more than sexual acts. The court deemed it an innate characteristic of human beings that cannot be hidden or changed.

In 1986, an immigration judge in the USA declared that a gay asylum seeker had been "...persecuted in Cuba and that he has a well-founded fear of continued persecution in that country... this persecution resulted from the applicant's membership in a particular social group, namely homosexuals" (Board of Immigration Appeals, 1990).[6] The judge decided so by referring to official documents demonstrating the state's persecution: state offices registering and

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[6] https://www.justice.gov/sites/default/files/eoir/legacy/2012/08/14/3222.pdf

maintaining files on homosexuals, their arbitrary detention, and the threat of imprisonment. The Immigration and Naturalization Service appealed the decision arguing that homosexuals were not a particular social group. In 1990, the Board of Immigration Appeals upheld the immigration judge's decision. The Board reiterated the arguments that homosexuality is an "immutable" characteristic and that they are persecuted not because of certain (sexual) acts they did but because of that immutable characteristic. In 1994, the Attorney General designated the Board's decision as precedent in all proceedings involving the same issue or issues. In this case, a set of state actions and events that occurred in public spaces were taken as proof of persecution.

In 1989, a gay man from the Turkish Republic of Northern Cyprus applied for asylum in the U.K., but his application was rejected. The court looked at Cyprus' laws criminalizing homosexuality and contended that there might be a *possibility* of being persecuted as "homosexuals." However, the court established a prerequisite for that possibility to be acknowledged: openly behave in a homosexual manner. The court stated that

> "...if the applicant is returned to the Turkish Republic of Northern Cyprus it is not inevitable that he will openly behave in a homosexual manner, nor is it inevitable that if he does so, he will inevitably suffer, as a result, anything which would properly be described as persecution. If he does openly behave in a homosexual manner, he may be discriminated against, but the Secretary of State was entitled to take the view that the degree of discrimination would not be such as to have the quality of persecution" (R v. Secretary of State for the Home Department, Ex parte Zia Mehmet Binbasi, 1989).

Based on this logic, the court concluded that "in Cyprus, there is no discrimination against homosexuals who are not active," thus, the applicant can avoid the risk of persecution by "self-restraint" (R v. Secretary of State for the Home Department, Ex parte Zia Mehmet Binbasi, 1989). However, the court did not clarify what it meant by "openly behave in a homosexual manner," "homosexuals who are not active," or "self-restraint." Is it about sexual acts in private? Or in

public? Is it about how one behaves and dresses in public? The meanings behind such formulations became clearer in later legal cases in the U.K., which will be discussed below. For now, the critical point is that to acknowledge a gay man's claim of having a well-founded fear of being persecuted, proof of the criminalization of homosexuality in the country of origin must be accompanied by behaviors deemed openly and actively homosexual. If not, the applicant could be sent back to his country of origin to practice self-restraint in presenting these behaviors.

In 1992, Canada's Immigration and Refugee Board granted refugee status to a gay man from Argentina, decisively designating sexual orientation as constitutive of a particular social group for the purpose of satisfying the definition of a refugee (Vagelos, 1993, p. 231). The Board based its decision on the following evidence: military authorities arbitrarily detaining him because of his relationship with another soldier, being arrested by the police while patronizing gay bars and being beaten, sexually abused, and robbed by the police (Vagelos, 1993, p. 262- 263). In this case, a well-founded fear of persecution was equated with constant harassment by state officials in public spaces. In 1993, while stating its judgment on another case involving MPSG, the Supreme Court of Canada declared that people persecuted because of their sexual orientation falls under the category of "groups defined by an innate or unchangeable characteristic," thus, constituting a particular social group eligible for refugee status (Supreme Court of Canada, 1993).[7]

Other countries followed the trend of considering asylum applications of gays and lesbians under MPSG, such as Australia in 1994 (Millibank, 1995, p. 262) and New Zealand in 1995 (McGhee, 2001, p. 36). Currently, at least 42 countries acknowledge well-founded fear of persecution based

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[7] https://www.refworld.org/cases,CAN_SC,3ae6b673c.html

on sexual orientation and gender identity (Akın, 2017, p.8). However, as legal precedents, the cases in the 1980s and 1990s were harbingers of persistent problems that queer asylum seekers faced in their endeavors to formalize their legal statuses. As the details of these cases demonstrated, the main issues were (1) over-emphasizing certain proofs, such as laws criminalizing homosexuality and state actors persecuting LGBT people in public spaces, and (2) depicting SOGI as an immutable characteristic of MPSG.

Depicting SOGI as an immutable characteristic has created an important legal ground for queer asylum seekers to be considered under the category of MPSG. Nonetheless, it feeds into a two-tiered RSD process in which one must prove first their MPSG and then their well-founded fear of persecution for the reason of MPSG. In queer asylum seekers' applications, the two-tiered RSD process first establishes their SOGI as an immutable characteristic and then their well-founded fear of persecution due to their SOGI. In the U.K., the Home Office required asylum seekers to prove their sexual orientation by answering questions like "how many sex partners do you have?" Or "in which position do you like to have sex?" Moreover, there are a few cases where queer asylum seekers were asked to submit photos and videos of them having sex with their partners (Lewis, 2014, p. 956). In Austria, the Federal Asylum Office and the Asylum Court also directed similar questions (Jansen & Spijkerboer, 2011, p. 55). Confessing intimate details of sexual orientation becomes a prerequisite to constructing one's subjectivity as a genuine refugee.

The idea that one needs "a defining moment, a verbal declaration, a speech-act" (Nelson, 2004, p. 32; Strongman, 2002, p. 181) to first be recognized as true LGBT and then a genuine refugee represents a Global North-oriented idea of "liberation through disclosure" (Nelson, 2004, p. 32;

Strongman, 2002, p. 181) or a "peculiarly (albeit not exclusively) North American preference" for "public exhibitionism" of sexuality (Strongman, 2002, p. 181). One becomes deserving of refugee status by taking up these terms (LGBT) and gender performances, thus also becoming "a true LGBT" in the eyes of street-level bureaucrats. In Canada, there are documented cases where the officials asked asylum seekers whether they have been to the Gay Pride and the gay bars in Toronto (Lewis, 2013, p. 179), thus connecting sexuality with one's ability to appear in public spaces imagined as belonging to "gays" and consume within that space. David Murray reveals the reproduction of homonationalism (Puar, 2007) in the Canadian RSD interviews, where the narrative of Canada as a safe haven or promised land for queer refugees had to be incorporated into queer refugees' construction of their subjectivities as "authentic LGBT refugee," obscuring racism and homophobia/transphobia they may face in the country (Murray, 2014). In this case, refugee status has been tied to asylum seekers' ability to reproduce the national discourses of Canada and their role in obscuring institutional injustices.

In the U.K., a Jamaican lesbian asylum seeker's knowledge of Oscar Wilde was tested to assess her gender identity (Connely, 2014, p. 9). In this case, one can argue that the worker of the Home Office seems to assume Oscar Wilde to be a "universal LGBT icon" that must be read by LGBT individuals worldwide. Thus, a lack of knowledge of Oscar Wilde negates one's claim to sexual orientation and refugee status. In the Netherlands, the application of an asylum seeker was denied on the grounds that she did not know "the organizations for the protection of rights of homosexuals" (A, B, C v. Staatssecretaris van Veiligheid en Justice, 2014). Finally, in the USA, "conventionally masculine appearing gay men did not merit asylum because they could effectively avoid harassment in their native countries simply by passing as heterosexual" (Epstein & Carrillo,

2014, p. 266). The reasoning here is that if applicants can live their lives 'discreetly' in the country of origin, then fear of persecution is not justified, which come to be known as "the discretion policy" applied by 16 other countries (Gartner, 2015; Millbank, 2013, p. 33). This policy reflects this homonormative understanding of being masculine as an ability of gay men to pass as heterosexual or being feminine as an ability of lesbians to pass as heterosexual.

I believe Australia presents the most striking case in which the personal discretion of street-level bureaucrats perpetuates a homonormative understanding of LGBT. Catherine Dauvergne and Jenni Millbank conducted an extensive analysis of 204 queer refugee cases in Australia. They observed that immigration officers in 49 cases referred to the "Spartacus International Gay Guide" (Dauvergne and Millbank, 2003, p.309) to determine the condition of the home country, that is, whether it has a level of "tolerance" towards LGBT people that do not warrant a well-founded fear of persecution. %90 percent of the cases where immigration workers referred to Spartacus resulted in failed asylum applications (Dauvergne and Millbank, 2003, p.318). As the authors note,

> "Spartacus is a travel guide aimed at gay men. It contains a wealth of information about tourist venues, is illustrated with extensive advertising, and relies on a certain amount of reader input into the compilation of the material. While the 1995/96 edition is over 1000 pages long, when a small number of Western countries with lengthy listings are removed, the guide covers the remaining 150 countries in just 500 pages, giving information in four languages. Venues are coded in the book, with descriptors ranging from 'breakfast service', 'wheelchair accessible' and 'major credit cards accepted' to 'leather and jeans', 'massage offered', and 'at your own risk: dangerous place with risk of personal attack or police activity.'" (Dauvergne and Millbank, 2003, p.318).

Authenticating fear of persecution in the home country through references to a consumer-oriented understanding of the existing LGBT live styles in itself reflects the fact that "LGBT identity" is equated with the consumption of a particular lifestyle, resulting in the belief that those who do not partake in it cannot be authenticated as queer refugees.

The issue of proof lies at the heart of any asylum application. In line with the idea of a well-founded fear of persecution, an asylum seeker must prove either that they have already experienced persecution or that the social conditions under which they live could have amounted to persecution if they remained in their country of origin. Over-emphasis on the laws criminalizing homosexuality ignores persecutions that are uncodified and perpetrated by non-state actors in 'private' spaces. All the cases that set a precedent focused on gay men and their experience of persecution. Carol Bohmer and Amy Shuman argue that "the paradigmatic claim of asylum is the male political activist targeted for his public activities, who then suffer persecution in a public place" (Bohmer and Shuman, 2008, p. 240). Bohmer and Shuman also identify a continuation of the same theme in the context of queer migration, where the gay refugee is expected to be "a man who engages in public activities, such as attending a gay Pride march or frequenting gay bars, who is then beaten up by the police in a public place" (Bohmer and Shuman, 2008, p. 240). The ways in which the concept of persecution is operationalized in refugee governance indicate that those who claim to have been persecuted by state agents due to their political acts in the public sphere have a higher chance of receiving refugee status. In other words, queer refugees are expected to translate their experiences of persecution into recognizable and tangible narratives for the officials, thus following a script of visibility politics and sexual orientation and gender identity performed in the public sphere (Lewis, 2013a, p. 179).

Since the proofs required represent generalized experiences of gay men, other queer refugees find it hard to be credible in RSD procedures with the dire consequence of being labeled as bogus refugees and facing deportation. Jenni Millbank's research (2003) suggests that "...lesbians face

significantly more "private" violence than gay men. Lesbians are more likely to be harassed and assaulted at home or work rather than on the streets, and more likely to be attacked by men known to them, such as neighbors or former partners" (Millbank, 2003, p. 75). Eithne Luibhéid (2020) argue that "the very idea of lesbian sexuality remains significantly inconceivable to adjudicators and publics (and often has to be established through forms of telling that migrant women experience as demeaning, pornographic, invasive, and violent)." (Luibhéid, 2020, p. 69). She adds, "Women who have been married to men, have a child, are feminine or femme-presenting, or cannot point to sexual experiences with other women and/or direct participation in normative gay culture face particular difficulties" (Luibhéid, 2020, p. 69).

In the case of transgender asylum seekers, scholars have observed either a total erasure or a cisnormative reconceptualization of their gender identities. For example, in 2000, a transwoman asylum seeker's application in the USA was accepted because, as "gay man with a female sexual identity," they faced persecution in their country of origin (Wayne, 2016, p.248). However, the decision entirely ignores the applicant's subjectivity and reduces their gender identity to bodily indicators and behaviors that are assumed to be feminine or masculine. Following a similar logic, the gender identities of trans asylum seekers have higher chances of being acknowledged if they have undergone bodily changes, commonly known as gender affirmation operations (Berg and Millbank, 2013, p. 129; Gartner, 2015;). The idea that a person must go through such bodily changes to be recognized as transgender is a cisnormative assumption shared by both actors who perpetrate persecution in the country of origin and who are supposed to provide a safe environment in the country of asylum. As an example, the Iranian government is known for subsidizing gender affirmation operations if one goes through official steps to be recognized as trans by the state.

However, those who refuse to go through such procedures are not identified as trans but instead labeled as homosexuals and subjected to persecution (Grungras et al., 2009, 45).

All in all, the literature on queer migration closely follows the emerging trend of granting asylum to queer people, revealing the inner workings of exclusionary inclusion and differential inclusion practices and, more importantly, how those practices shape SOGI politics. However, I believe the literature has suffered from two problems. The first problem is its uncritical use of the distinction between refugee and migrant, perpetuating the dichotomy of political vs. economic reasons to migrate. Separated from its economic dimensions, reasons for migrating based on SOGI have been reduced to political persecution, entirely discarding economic persecution, especially based on SOGI, that queer people escape from. The literature excessively focused on how SOGI has been incorporated within parameters of refugeeness without looking into inequalities hardwired into the parameters in the first place. First, they took for granted the assumption that political persecution should be the basis of refugeeness. Then they tried to expand it to cover only political persecution based on SOGI, ignoring interlinked and complex migration reasons.

In other words, in their attempts to overcome practices of exclusionary and differential inclusion based on SOGI, they perpetuate and give legitimacy to yet another set of such practices. The second problem is its lack of attention to UNHCR and how it reshapes the meaning of queer refugees in a transnational manner. Some of the literature I discuss mentions UNHCR (Lewis, Akın, Millbank), but only in a limited and dichotomous way; UNHCR publishes directives, guidelines, and handbooks concerning how to handle applications of queer asylum seekers or how to conduct interviews with them. UNHCR is represented as a mediatory actor, criticizing states'

methods of assessing the credibility of queer asylee's narratives (Akın, 2015, p. 23; Lewis, 2013, p. 176; Millbank, 2009, p. 404). The following chapter picks up these two problems, contextualizes them, and then remedies them by introducing an analytical distinction between LGBT and queer refugeeness.

Chapter 2. Following the Capillaceous Transnational Ties of Refugee Governance in Turkey

For the first six months of my fieldwork, I had difficulty interviewing queer refugees. It took time to build trust, not just to tell but show my intentions as a researcher. Consequently, those six months were filled with participant observations and interviews with workers of NGOs and UNHCR. As I started the interviews with queer refugees, but especially after conducting follow-up sessions with them, I realized a simple yet conflict-inducing difference in how workers and queer refugees depict 'the refugee experience' based on sexual orientation and gender identity (SOGI). In their narratives of how and why queer refugees migrate, workers painted a picture of people neatly categorized as *lesbian, gay, bisexual, and trans* who escape a culmination of never-ending state persecution and ever-present societal discrimination in their countries of origin. However, the narratives of queer refugees defied the neat categorizations of LGBT and shifted the focus away from homo/bi/transphobic nation-state society as the sole cause of migration. Their narratives were full of other concepts and sometimes omissions and silence in voicing their different SOGI positions. They also provided detailed accounts of local social, economic, and political relations, which forced them to leave their countries of origin. More importantly, they revealed a set of local social ties that supported and protected them in their countries of origin even though those relations were, in the end, not enough to overcome the causes of forced migration.

To avoid reproducing bureaucratic narratives of SOGI and state-centric discourses of persecution, I introduce an analytical distinction between LGBT and queer refugeeness, which takes into account both political and economic persecution within simultaneous multi-stranded social

relations across borders. In the first section of the chapter, I examine how the emergence of refugeeness after World War II split social dynamics underlying the reasons for migration into two assumably distinct categories: political persecution and economic motivation.

In the second section of the chapter, I follow the capillaceous transnational ties of refugee governance in four localities of Turkey to show how UNHCR utilizes cis-homonormativity as rational informality to introduce SOGI as a ground to seek asylum in Turkey as well as in the Global North countries which are involved in the resettlement schemes. In the final section of the chapter, I introduce an analytical distinction between LGBT and queer refugeeness to reclaim economic persecution as a crucial part of the migration narratives of queer refugees. I define LGBT refugeeness as an assemblage of cis-homonormative discourses of SOGI and reductionist cultural representations of the countries of origin, transit, and destination. State bureaucrats, workers of local and international NGOs, and transnational organizations such as UNHCR, UNDP, and UNFPA, as well as queer refugees, cultivate and utilize this assemblage to navigate the application procedures for refugee status. I define queer refugeeness as an assemblage of queer refugees' narratives of political and economic persecution which does not adhere to cis-homonormativity in their representations of SOGI. Queer refugeeness draws attention to power asymmetries across borders that have contributed to the political and economic persecution based on SOGI in the first place, such as colonial laws banning homosexuality or the international LGBT movement discarding local dynamics and further feeding anti-LGBT rhetoric in those localities.

Deconstructing the Dichotomy of Refugee and Migrant

Although the idea of seeking asylum and being a refugee had existed in various forms before World War II, the refugee as an object of humanitarian policies resulted from the Refugee Convention and consequent state laws and policies that differently operationalized the Convention's definition of refugeeness within their jurisdictions. As a result, a refugee became equated with an image of a politically persecuted person escaping their authoritarian state ridden with political unrest and war. This image cultivates the assumption that they had no choice but to flee. Then the refugee is juxtaposed with the migrant who leaves their country to seek better economic opportunities. The migrant, thus, is assumed to have a choice in leaving. In other words, there is a neat distinction between the refugee who is forced to migrate for political reasons and the migrant who chooses to relocate for economic reasons. Other dichotomous representations pour out of this distinction, constituting a set of norms and values utilized in differentially granting access to already fractured rights: voluntary/involuntary migration, genuine refugee/bogus refugee, and legal/illegal migrant. As represented in the concept of involuntary migration, the refugee lacks agency in initiating their migratory movement. The lack of agency must be supported by evidence of total dispossession of political personhood in the country of origin. Without such evidence, the refugee immediately turns into a bogus one who is assumed to be a migrant trying to abuse the asylum system. The assumption further supports the imagery of "illegal migrants" who try every possible way to enter another country without going through the necessary bureaucratic channels. In the face of the refugee's lack of agency, which deems them deserving of international protection and humanitarian aid, the migrant has a 'toxic' agency that requires their detention and deportation since they can utilize various 'illegal' methods to bypass nation-state borders.

Before dismantling these dichotomies, I aim to provide an account of how they came to be constructed. Liisa Malkki (1995) provides a rigorous historicization of the refugee. Malkki states that after World War II, "certain techniques for managing mass displacements of people first became standardized and then globalized (Malkki, 1995b, p. 497). Standardization and globalization of the management of refugees occurred "in the institutional domain of refugee settlement and refugee camp administration, and in the emerging legal domain of refugee law" (Malkki, 1995b, p. 498). The core of this legal domain is the Refugee Convention and its 1967 protocol which define a refugee as a person who

> "owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country."

The Convention establishes a person's right to seek protection from persecution by leaving their country of origin and taking refuge in another. The Convention also dictates a principle of non-refoulment, which aims to ensure that asylum seekers will have a chance to present their cases to the relevant authorities. The principle ensures that asylum seekers will not be deported until they go through due process. Their claims of persecution are based on five reasons stated in the definition – race, religion, nationality, membership of a particular social group, or political opinion – are found to be unsupported. Suppose stories and evidence of persecution provided by asylum seekers do not satisfy the conditions of the definition. In that case, asylum seekers cannot become refugees and stay in the destination country.

The Convention, its 1967 protocol, and a set of other policy documents of the UN created a basis for a formal definition of the refugee and their fundamental rights and obligations. However, it is up to each state's relevant authority or authorities to establish and conduct the refugee status

determination (RSD) process. As a result, "procedures and recognition rates vary hugely across countries" (de Haas et al., 2020, p. 32). As Prem Kuram Rajaram said, "(a)sylum is at best a contingent right; no one has a right of protection unless various conditions are met" (Rajaram, 2013, p. 681). During the RSD procedure, the burden of proof entirely falls upon asylum seekers. They are expected to produce a 'coherent' and 'credible' narrative of a well-founded fear of persecution based on the five reasons (McKinnon, 2009; Sandvik, 2008). Although various actors are involved in the RSD process, the responsibility of assessing the credibility – as I will discuss in Chapter 4 – falls on the street-level bureaucrats who conduct interviews with and collect evidence from asylum seekers. They have a high degree of personal discretion over validating or invalidating the authenticity of persecution that asylum seekers claim to fear or have already experienced. So it is because street-level bureaucrats must listen to everyone's unique life story and then try to categorize those stories in line with the definition of refugeeness, reducing it to five reasons for persecution.

I want to highlight the common discourses used to determine refugee status and thus feed into the above dichotomies. For Malkki, such discourses emerged after WWII. During the war, refugees were marked as a military problem and handled by military organizations (Malkki, 1995b, p. 499). After the war, "the modern, postwar refugee as a knowable, nameable figure and as an object of social-scientific knowledge" was born from the pathologization and criminalization of "being uprooted" and of being outside of "the national order of things" (Malkki, 1995b, p. 498). She argued that the "sedentarist assumptions about attachment to place lead us to define displacement not as a fact about sociopolitical context, but rather as an inner pathological condition of the displaced" (Malkki, 1992, p. 33). To underpin her argument, Malkki first reveals different cultural

practices via which the nation-state was equated with the soil (Malkki, 1992, pp. 26–27). Then she explains how nationalist discourses are founded on various essentializing imaginaries of national identities and cultures as a part of the soil, such as "roots, trees, origins, ancestries, racial lines, autochthonism, evolutions, developments..." (Malkki, 1992, p. 28). To put it differently, the nationally re-imagined sedentarism sinks peoples and cultures into the national soils (Malkki, 1992, p. 31).

Finally, she points out the use of "uprooted" in referring to refugees both in academic literature and official documents (Malkki, 1992, p. 32). Being a refugee is signified by uprootedness. Being uprooted from one's country of origin is represented as a disorderly and violent process that leaves people without any ties to culture, the limits of which have been set by membership in a nation-state: "to become uprooted and removed from a national community is automatically to lose one's identity, traditions, and culture" (Malkki, 1995b, p. 508). She proceeds to provide various examples from the literature on refugees, for example, (1) politically uprootedness leading to terrorism and political crime amongst refugees, thus a threat to national security, (2) uprootedness as loss of moral bearings, losing the need to be "...bound by ethical precepts which every honest citizen ... respects", or (3) uprootedness as individualized psychological problems such as mental illness, erosion of normative social behavior, clinical levels of depression and anxiety (Malkki, 1992, pp. 32–33). In addition to the blunt criminalization of the refugee, Malkki identifies one more reductionist representation based on the idea of uprootedness, namely, the refugee as "a pure victim" (Malkki, 1995a, p. 12, 1996, p. 378).

Assumed to be "stripped of the specificity culture, place and history" (Malkki, 1995a, p. 12), the refugee represents what happens to humans without a nation-state to protect them and bind them in one place. She calls it "the humanistic universalization of the refugee" (Malkki, 1995a, p. 12). Instead of "the specific, historical, local politics of particular refugees," a "depoliticizing and dehistoricizing register of a more abstract and universal suffering" (Malkki, 1995a, p. 13) represents the experiences of refugees. She adds,

> "Refugees stop being specific persons and become pure victims in general: universal man, universal woman, universal child, and, taken together, universal family...the necessary delivery of relief and also long-term assistance is accompanied by a host of other, unannounced social processes and practices that are dehistoricizing. This dehistoricizing universalism creates a context in which it is difficult for people in the refugee category to be approached as historical actors rather than simply as mute victims. It can strip from them the authority to give credible narrative evidence or testimony about their own condition in politically and institutionally consequential forums" (Malkki, 1996, p. 378)

I believe that Malkki's national order of things resembles, in essence, methodological nationalism, which was explained in detail in Chapter 1. Malkki demonstrates how nation-state territories are assumed to be containers of culture and what is supposed to happen to people (refugees) who are forcefully removed from (uprooted) their nation-states. Being removed from one nation-state undermines the cultural and moral standing of people worldwide. Thus, they are criminalized, pathologized, and reduced to a universal image of a pure victim without agency. In other words, the refugee system reiterates "...a national community headed by a state as the basis for thinking social or political subjectivity and responsibility" (Rajaram, 2013, p. 681).

Convention-based definitions and reductionist discourses surrounding refugeeness do not remain the same, as they are open to change and have a life of their own. In Roger Zetter's words,

> "Labels do not exist in a vacuum. They are the tangible representation of policies and programmes, in which labels are not only formed but are then also transformed by

bureaucratic processes which institutionalize and differentiate categories of eligibility and entitlements" (Zetter, 2007, p. 180)

Zetter revisits his previous work on the label of refugee (Zetter, 1991) and shows that in twenty years, refugeeness has been fractured into other liminal categories on top of changing the normative conditions of the RSD (Zetter, 2007, p. 181). He states that especially after the harmonization of countries' migration laws across the EU, most countries in the Global North are employing a concept called temporary protection or Category B refugee status, which keeps "...the vast majority of refugee claimants in a transient state, often for years" (Zetter, 2007, p. 181). The basic logic of temporary protection is to prevent refugees from permanently settling in a country. The fractured label gives the states room to re-evaluate the conditions upon which refugees' claims of being persecuted were built. In case they decide that those conditions no longer exist, refugees can be sent back to their country of origin.

Besides the fractured labels, Zetter identifies two sets of bureaucratic tools via which countries prevent access to refugee status. The first is "extra-territorial instruments for interdiction—for example, offshore processing, third-country readmissions, bilateral return agreements, airport liaison officers" (Zetter, 2007, p. 181). Other scholars use the concept of border externalization to refer to the combined effects of these instruments (Casas et al., 2011; Casas-Cortes et al., 2016; Gammeltoft-Hansen, 2011, pp. 6–16). The second is allocating to detention centers or being subjected to the dispersal scheme that sends refugees to localities away from their social networks and compels them to live in controlled poverty (Zetter, 2007, p. 182). Fragmentation of refugeeness and increasing restrictive and disciplining policies and practices further exclude and marginalize refugees since it is highly complicated to get refugee status, which is defined by the Refugee Convention, thus having access to a complete set of rights and a possibility of long-term

settlement. Interpreting the fragmentation of refugeeness from Ong's perspective discussed in Chapter 1 (pp. 55-57), I see it as a disarticulation of the set of rights recognized by the formal definition of refugeeness.

Although Malkki and Zetter's framings of refugeeness help us to move beyond a policy-based approach to refugeeness and to understand it as a social and historical category, they fall short of analyzing the refugee in direct relation to the migrant. The clear-cut distinctions between refugee and migrant, political persecution and economic motivation, involuntary displacement, and voluntary migration are maintained in the policy world. However, people leave their place of residency for various political and economic reasons that intersect and interact with one another, making it impossible to fit neatly into policy-based distinctions. People migrate because of intertwined political and economic reasons; persecution and violence, lack of means of livelihood and opportunity, personal circumstances, and so on (Van Hear et al., 2009, p.12).

How these reasons come to be is also mixed. Stephen Castles maintains that "Northern economic interests (such as the trade in oil, diamonds, coltan or small arms) play an important part in starting or prolonging local wars" (Castles, 2003, p.18). To protect their investments, the capitalist markets of the Global North incite political violence and military interventions as it penetrates further into localities. The political and economic instability and atmosphere of violence created by these interventions forcibly displace people from their countries (Abadan-Unat, 2017, pp. 63–64). To prevent them from reaching the Global North, the same countries enforce harsher migration control mechanisms as well as 'containment' measures in the localities where they incited violence: "Containment includes humanitarian aid, peace-keeping missions, and even military intervention"

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(Castles, 2003, p. 18). They also enforce stricter migration control by making it a highly politicized topic of public debates, sparking "... competition between the political parties to be toughest on 'illegals'" (Castles, 2003, p. 20). This competition ends up labeling more and more people as bogus refugees and illegal migrants. Asylum seekers, refugees, and migrants became scapegoats in the Global North for the problems caused by the waves of economic restructuring, deindustrialization, privatization, and deregulation. Drawing the attention away from actors behind the neoliberal restructuring, they have been painted as "the physical embodiment of the external threat to jobs, living standards, and welfare" (Castles, 2003, p. 20).

The asymmetrical economic redistribution itself causes displacement as well. Around 10 million people a year are forced to leave their places of residency because of development projects "such as dams, airports, roads, luxury housing, conservation areas, and game parks" (Castles, 2003, p. 15). By losing their accommodation and livelihood, rural dwellers, ethnic minorities, and indigenous people experience long-term impoverishment and marginalization (Castles, 2003, p. 15; Mingot and Arimateja, 2013, p. 177). Displacement because of local development projects is not contained within nation-state borders. While some are pushed to urban slums, others migrate across country borders in search of decent livelihood (Mingot and Arimateja, 2013, 177). In constructing refugeeness, the political and violent nature of the global market forces and their methods of extracting surplus is not included in the analysis. That is, global market forces are considered non-violent, while production and (re)distribution processes are seen as non-political (Apostlova, 2015).

The dichotomy of the refugee and the migrant is not just destabilized by acknowledging the intertwined political and economic reasons for migration. A critical look into pathways to economic incorporation into countries of destination also blurs the clear-cut distinctions. While refugees flee their countries to escape violence and persecution, once in a country of asylum, they also prioritize rebuilding livelihoods for themselves or/and their families and supporting those they may have left behind (Van Hear et al., 2009, p.12). Even if one may migrate for purely political reasons, that person becomes integrated into the country of destination's formal or informal labor market, as all other migrants do. To have a decent livelihood while waiting for refugee status, asylum seekers must find formal or informal employment. The highly politicized migration management makes people vulnerable to economic exploitation, whether undocumented migrants or asylum seekers trying to become refugees.

As their access to the formal labor market gets more limited, finding informal employment becomes the only viable option. Working without a permit carries a high risk of deportation for both asylum seekers and undocumented migrants. In Chapter 1 (pp.), I discussed that deportability - the constant threat of deportation – forces people to accept economic exploitation and prevents any form of labor mobilization against exploitation. As Prem Kumar Rajaram puts it, the capitalist mode of exchange "...are mediated by social values and hierarchies, leading to the marginalization of some as 'surplus' populations who have difficulty in valorising their labour" (Rajaram, 2018, p. 627). Both asylum seekers and undocumented migrants are subsumed into the surplus population by deportability: "(t)he surplus is not simply excluded but included through their exclusion as cheaply exploitable and dispensable labour, as undocumented Mexican workers in the United States or precariously documented Bangladeshis in Malaysia are" (Rajaram, 2018, p.

628). The point is not to say that policy-driven distinctions remain simply fictional. Bureaucratic mechanisms try to bring them to life with dire consequences of deportability, economic exploitation, etc. However, people and their networks are resilient and adaptive, finding myriad ways to negotiate their way into and move across different categories to survive and lead viable lives. In studying the migratory movements of refugees, the sole focus on political reasons for migration prevents scholars from capturing these crucial moments of negotiations. It also reproduces dichotomous discourses that justify the marginalization and criminalization of people's means of survival.

Fragmented definitions of Refugeeness in Turkey

Since policy-driven distinctions reshape realities on the ground, scrutinizing their nuances is an essential step towards constructing queer refugeeness as a category of analysis that is capable of accounting for the political and economic persecution in the transnational social fields. This section discusses the laws and regulations that create fragmented definitions of refugeeness in Turkey. The following chapter scrutinizes the social and economic dynamics that uphold and challenge policy-driven distinctions.

Unlike Roger Zetter's argument that fragmentation of the label refugee started in the 1990s, that label was already fractured in Turkey since it did not lift the geographical limitation on the Refugee Convention when signing its 1967 Protocol. Originally imagined as a way to manage the WWII refugee population, the Convention stated that only people who escaped from events happing in Europe before 1951 could apply for refugee status. It meant that two limits were put upon the

definition of a refugee: geographical and time limitations. 1967 Protocol aimed to lift these limitations. While Turkey accepted to remove the time limitation, it put a reservation on the geographical one, keeping it to this day. Turkey's long-standing geographical limitation on the Convention dictates that only those seeking asylum because of events happening in European countries[8] can be considered refugees under the complete protection of the Convention. The geographical limitation had two critical results: A distinction between European (Convention) and non-European (non-convention) (Kirişci, 1991, p. 513, 1996, p. 386)asylum applications and a parallel-tracks system (Zieck, 2010).

The distinction between Convention and non-convention refugees is an analytical one introduced by Kemal Kirişci, the pioneer of refugee studies in Turkey. His concepts dominated the discussions over asylum because, until the passing of the regulation in 1994 that determined the formal procedures of asylum application and the government bodies assuming responsibility to conduct those procedures, few legal texts[9] regulated the entry, stay, and residence of "non-nationals" and none of them dealt with asylum-seeking and the rights of refugees (Aksel and İçduygu, 2015, p.128; İçduygu, 2015, p. 4). To refer to the same distinction born out of the geographical limitation, the regulation, on the other hand, subverted the meaning of asylum seeker (*sığınmacı* in Turkish), which commonly refers to the person who is undergoing the asylum application process. The

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[8]Article 3 of Law on Foreigners and International Protection states that European countries are the member states of the Council of Europe. Also, the same article states that the President of Turkey can decide on which country to be accepted as "European" in relation to giving refugee status. Before the change in LFIP by the decree-law NO. 703 passed in 2018, the power to determine which country belongs to Europe was vested in The Council of Ministers.

[9] Law No. 2510 on Settlement (1934), Law No. 5683 on Residence and Travel for Aliens in Turkey (1950), the Passport Law No. 5682 (1950), and Turkish Citizenship Law No. 403 (1981) (Aksel and İçduygu, 2015, p. 130).

regulation labeled people escaping from persecution in Europe as refugees and those fleeing from other geographies as asylum seekers. The choice to formalize the label asylum seeker reflected Turkey's commitment to reducing the number of refugees who can make a formal claim to the full rights provided by international law, thus, providing as smaller a set of rights as possible to those who escape from non-European countries.

The parallel-tracks system is used in reference to "a working relationship" between UNHCR and Turkey. The working relationship indicates that "UNHCR's role in RSD is not explicitly referred to in any law, and there is no particular agreement between Turkey and UNHCR determining the operations of the office" (Cragnolini, 2011, p. 102; UNHCR, 2009, p. 6). Turkey provides temporary residency for non-European asylum seekers until UNHCR processes their applications and resettles them to a third country. To put it differently, with no recourse to long-term settlement, non-European asylum seekers can only temporarily remain in Turkey with a strict understanding that they must resettle in a third country or be deported back to their country of origin. Since the opening of its branch office in Turkey in 1960, UNHCR was mandated to conduct RSD interviews and grant refugee status to non-European asylum seekers in close cooperation with local officials (Kirişci, 2001, p. 71). Those with refugee status become eligible to participate in the UNHCR resettlement scheme. Defined as one of three durable solutions for 'the refugee problem,' resettlement is not a right but a protection mechanism for refugees in transit countries. The resettlement scheme can function only if third countries, such as the USA, Canada, Australia, or the Nordic countries, provide quotas. While UNHCR decides on whom to submit for resettlement, each third country conducts its own RSD procedure within the borders of Turkey.

The ostensible silence over formal procedures concerning asylum-seeking until 1994 had been accompanied by practices of exclusionary inclusion, which implicated the limits of belonging. For example, when around 500.000 asylum seekers crossed into Turkey from Iraq in 1991, only Turkmen-Iraqis were allowed to settle in other cities in Turkey. Kurdish Iraqis were placed in refugee camps close to the Iraq-Turkey border and were resettled to camps on the Iraqi side within a year with the financial help of international institutions (Kirişçi, 2000, p.13-14; Danış and Parla, 2009, p.139). As Fuat Keyman (2011) stated, the making of Turkish nationalism was through the practice of inclusion/exclusion (Keyman, 2011, 18). "Turkish nation-state did not have a fixed ontological status; on the contrary, its identity was performatively constructed," and its society conception derived not from those "to whom sovereignty belonged" but from those "to whom it did not belong" (Keyman, 2011, 18).

The declaration of Turkey's candidacy to join the EU in 1999 and the signing of the first Accession Partnership Document with the EU in 2001 required Turkey to take steps to harmonize its laws with the EU (Sert and Yıldız, 2016, 64). Regarding the refugee laws, the harmonization process envisaged the removal of the geographical limitation and the establishment of a central governing body responsible for conducting the RSD procedures. At the time, the foreigners bureau of the police handled refugees' registration to the cities. In practical terms, harmonization meant revoking UNHCR's mandate over RSD. However, the arrival of Syrian refugees and consequent changes in refugee laws and regulations only worked to further fracture the label 'refugee' and the rights that come with it.

The reception of Syrian refugees by the government was framed with the discourse of 'guests' and 'hospitality.' The government declared its intention to welcome Syrian asylum seekers as quests (Biehl, 2015, p. 71; Dinçer et al. 2012; Özden, 2013, p. 5). The hospitality was extended to Syrian by referring to them as brothers/sisters in religion and victims (Toğaral Koca, 2016, p.62). These are inherently arbitrary and morality-laden terms enshrouding Turkey's long history of excluding non-European refugees and the government's political decisions to withhold the right to long-term settlement. While at the same time, they indicate the possibility that they can overstay the government's 'hospitality.' As guests, Syrian refugees were expected to return home soon (Toğaral Koca, 2016, p.63). Yet as the war in Syrian raged on, displacing millions of more refugees every year, it became more apparent that the legal framework, as well as the bureaucratic system, were not able to handle registration and service provision for the ever-increasing numbers of quests. Under these conditions, the long-awaited refugee law, which had been in the making for over a decade, did not remove geographical limitations since it would create the legal ground for the long-term settlement of 3.5 million Syrian refugees. However, I would say the Law on Foreigners and International Protection (LoFIP for short) retained its inspiration from the initial aim of harmonizing with the EU refugee laws because two liminal categories – temporary protection and subsidiary protection – are inventions of the EU refugee governance. And a simple textual comparison between LoFIP and the directives of the European Parliament reveals that LoFIP directly reproduced the descriptions of the directives.

LoFIP preserved the definition of refugee provided in the 1994 Regulation on Asylum and politicized what counts as 'Europe' in the refugee law. Article 61 replaced "events occurring in Europe" with "events occurring in European countries," while Article 2 defined European

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countries as the "Member States of the Council of Europe as well as other countries to be determined by the President of Turkey." As for the 'asylum seeker' category in the 1994 Regulation, it was renamed 'conditional refugee.' But it did not change the condition that people escaping from non-European countries can remain in Turkey only until they are resettled. LoFIP created two other liminal categories called temporary and subsidiary protection[10]. Article 91 introduced the conditions to declare temporary protection as the following:

> "Temporary protection may be provided for foreigners who have been forced to leave their country, cannot return to the country that they have left, and have arrived at or crossed the borders of Turkey in a mass influx situation seeking immediate and temporary protection."

At the heart of the category lies the idea of mass influx. It captures a moment of crisis and turns it into a legal basis to categorize the forcibly displaced people. The prospects for their lives in the destination country are fixated on the time of crossing the border in a mass influx situation. It becomes the defining moment for their legal status and formal sets of rights that they can obtain. The categorical fixation is further perpetuated by blocking direct recourse to transferring to other less liminal legal categories. Article 7 of the 2014 Regulation on Temporary protection states that

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[10] Article 63 of LoFIP defines subsidiary protection as "A foreigner or a stateless person, who neither could be qualified as a refugee nor as a conditional refugee, shall nevertheless be granted subsidiary protection upon the status determination because if returned to the country of origin or country of [former] habitual residence would: a) be sentenced to death or face the execution of the death penalty; b) face torture or inhuman or degrading treatment or punishment; c) face serious threat to himself or herself by reason of indiscriminate violence in situations of international or nationwide armed conflict; and therefore is unable or for the reason of such threat is unwilling, to avail himself or herself of the protection of his country of origin or country of [former] habitual residence." Subsidiary protection as a legal concept was created by the Council of the European Union when it adopted the Directive 2004/83 on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted. As a effort to harmonize with the EU refugee law, Turkey adopted subsidiary protection in LoFIP. Since none of my interlocutors was granted subsidiary protection, I have no observations to share about how protection works and how it directly affects lives of asylum seekers.

"persons benefiting from temporary protection shall not be deemed as having been directly acquired one of the international protection statuses as defined in the Law."

Moreover, the underlying fixation on crisis invites political intervention into a legal category. Temporary protection does not build upon a set of bureaucratic procedures. Per the law, the President of Turkey declares a group of people under temporary protection. Only after then can bureaucratic procedures be set in motion. The President also holds power to revoke temporary protection granted to a group of people. In a dark scenario, people can lose their legal status over a night with a presidential decree. Temporary protection only creates a more unstable version of a protracted refugee situation "where refugees are in exile for five or more years after their initial displacement, without immediate prospects for implementation of durable solutions" (Milner, 2014, p. 151). That is, they live in a constant state of waiting to learn whether they will have a chance (1) to return to their country of origin, (2) have a long-term residency in their country of asylum, or (3) resettle in a third country that is willing to provide long-term residency.

Case in point, people escaping from Syrian have been in Turkey for 11 years and under temporary protection for nine years. As the next election date nears (2023), competing political actors all seem to share one agenda: sending Syrians back. President Recep Tayyip Erdoğan talks about making Syria safe and rebuilding cities for the 'return' of Syrians, creating imagery of Syrians never belonging or having been settled in Turkey even after a decade of establishing social, economic, and cultural ties with the localities that they live in. Republican People's Party – the main opposition party – makes similar election promises about Syrians' 'return,' again without regard for the lives they have built for over a decade. The other two parties holding seats in the

parliament are far-right nationalists and make blunt anti-refugee promises and racist comments. And unfortunately, they all have a powerful tool in their political arsenal; whoever becomes the President will hold power to remove temporary protection.

In addition to severely limiting opportunities for long-term settlement in Turkey, conditional refugee, and temporary protection statuses also block direct access to the labor market. While the ID card issued to refugees also counts as a work permit allowing them to work and be self-employed[11], conditional refugees and temporary protection recipients must undergo a second bureaucratic procedure to receive a work permit from the Ministry of Labor and Social Security[12]. The work permit is contingent upon the satisfaction of various requirements making it harder to be employed as conditional refugees and temporary protection recipients. Both groups become eligible for a work permit six months after their registrations. Prospective employers must apply for work permits. The number of temporary protection holders in a company can be at most 10% of the employed citizens[13]. On the other hand, for every conditional refugee hired, a company must have five employed citizens[14]. The work permit fee for conditional refugee status applicants and holders is 1386 TL, while it is 515 TL for temporary protection applicants and holders.[15] For both

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[11] https://www.csgb.gov.tr/uigm/yabancilar/uluslararasi-koruma-saglanan-yabancilar/
[12] In cases where applicants want to be employed in a city other than their city of registration, Ministry of Labor and Social Security works with Ministry of Interior Affairs in evaluating the applications.
[13] https://www.mevzuat.gov.tr/mevzuatmetin/3.5.20168375.pdf
[14] https://www.ilo.org/wcmsp5/groups/public/---europe/---ro-geneva/---ilo-ankara/documents/genericdocument/wcms_806864.pdf
[15] https://www.csgb.gov.tr/uigm/calisma-izni/calisma-izin-harclari-ve-degerli-k%c3%a2git-bedeli/#:~:text=Not%3A%20Bir%20y%C4%B1ldan%20fazla%20s%C3%BCreli,1386%2C20%20TL%20har%C3%A7%20al%C4%B1n%C4%B1r.

groups, employment in seasonal agriculture and stockbreeding sectors are exempted from getting a work permit.

The number of work permits given to Syrian nationals[16] indicates limited access to the formal labor market. The work permits are renewed annually, and the numbers in Table 3 include both new and prolonged work permits. Thus, we can assume that the annual number of Syrian nationals holding work permits closely approximates the table.

Table 3 Work Permits Issued to Syrian Nationals in Turkey
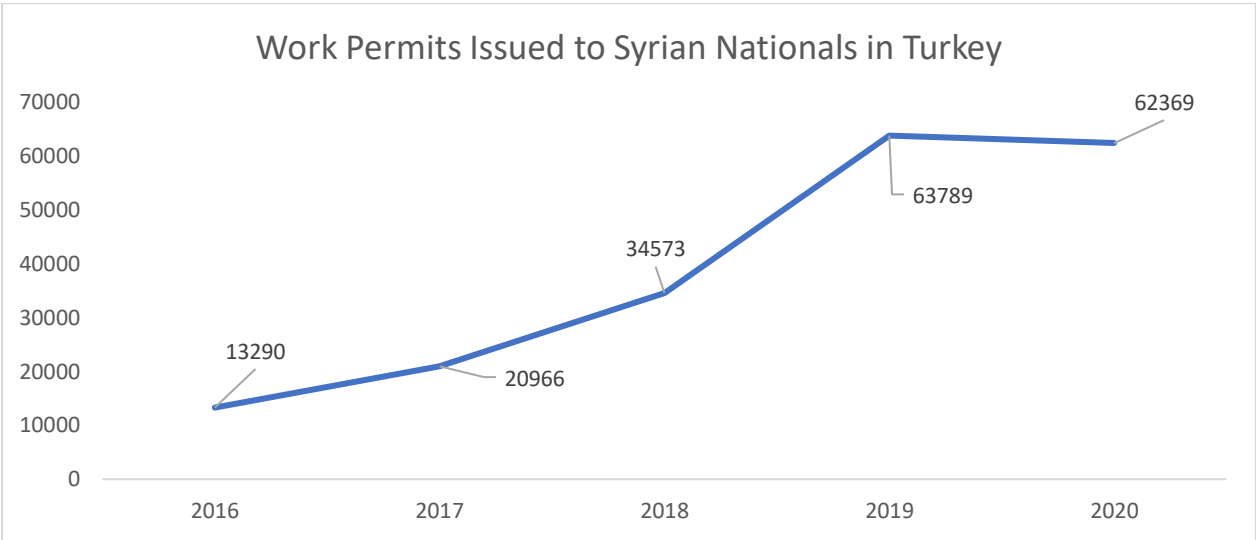
To put it into perspective, I also provided the number of Syrian nationals in the working age group (people between the ages of 15 and 64) in Table 4. In 2016, less than one percent (0,76%) of Syrian

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[16] The Ministry of Labor and Social Security's data on work permits for foreigners does not have an indicator for legal status. Thus, I am unable to provide the number of work permits given to conditional refugees. Since they are from various countries, it is impossible to give an estimation.

nationals in the working age group could get a work permit. The percentage slightly rose over time: in 2017 to 1,03%; in 2018 to 1,59%; in 2019 to 3.10% and in 2020 to 2,89%.

Table 4 Number of Syrian Nationals in the Working Age Group in Turkey

Number of Syrain Nationals in the Working Age Group in Turkey

Year	Number
2016	1738251
2017	2031790
2018	2178555
2019	2057844
2020	2159447
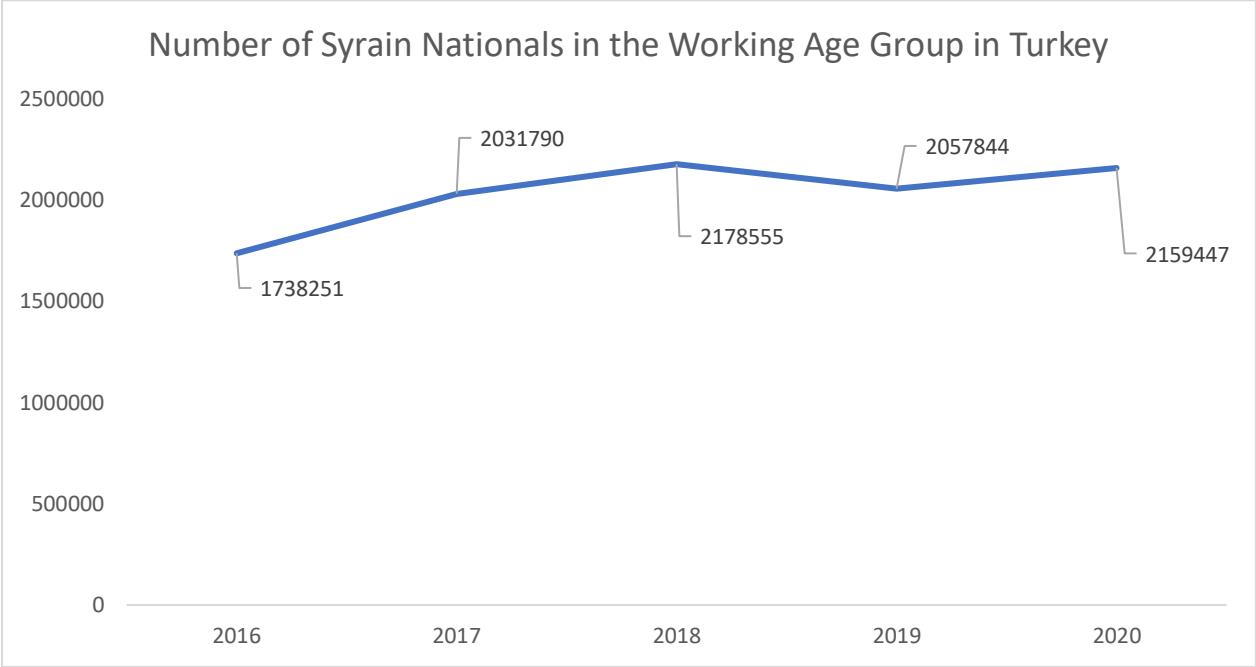
The low percentage of Syrian nationals who hold work permits suggests a high rate of informal employment and unemployment. International Labour Organization's estimations about the number of Syrian nationals working in Turkey support this suggestion.

Taking 2018 as an example, the number of Syrian nationals formally and informally employed in Turkey was approximately 1 million. In the same year, the number of work permits issued to Syrian nationals was around 34.500, which means that only about 3,5% of employed Syrian nationals had work permits. However, 96,5% of them were informally employed. In addition, the number of Syrian nationals in the working age group was approximately 2.1 million, meaning around 1.1 million Syrian nationals were unemployed.

Access to yet another crucial right – healthcare – is also differentially re-articulated across groups. Undocumented migrants can only access emergency healthcare free of charge. For any other healthcare service, they are charged three to four times higher fees in accordance with the "Regulation Concerning International Health Tourism and Tourist Health" (Sevinin, 2020, 13). Conditional refugees' access to healthcare was severely limited and put under closer bureaucratic surveillance by the changes done to LoFIP in December 2019. Now conditional refugees/applicants have one year of healthcare access, starting with the completion of registration.

After one year, only "those who can certificate their special needs"[17] get temporary access to healthcare. Conditional refugees/applicants who completed their registrations more than a year ago lost their access to healthcare as soon as the change entered into force[18]. As for temporary protection status holders, they only have access to healthcare after they complete registration in their city of residency.

Finally, LoFIP created a new bureaucratic body within the Minister of Interior called the Directorate General of Migration Management, currently named the Presidency of Migration Management (PMM). Under PMM, a Provincial Migration Office – currently named Provincial Directorates of Migration Management (PDMM) – for every city in Turkey was established. PMM was meant to replace the de-central migration governance by taking over the mandates of the police and UNHCR. However, since PMM did not have the necessary infrastructure and human power in all cities of Turkey (Sert and Yıldız, 2015), UNHCR held onto its mandate over conditional refugees until September 2018. PMM and PDMMs took over the registration of those under temporary protection right after they were established and the registration and RSD processes of conditional refugees in September 2018. UNHCR still retains its mandate to resettle conditional refugees as well as the temporarily protected who individually applied for resettlement. Below I will also demonstrate that even after the withdrawal, UNHCR has been directly or indirectly affecting RSD procedures of conditional refugees via capacity-building projects that place

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[17] https://www.goc.gov.tr/uluslararasi-koruma-kapsamindaki-yabancilarin-genel-saglik-sigortalari-hakkinda
[18] https://www.goc.gov.tr/uluslararasi-koruma-kapsamindaki-yabancilarin-genel-saglik-sigortalari-hakkinda

UNHCR workers as advisors in PDMMs and teach newly recruited officers of the PDMMs how to conduct RSD interviews.

The Capillaceous Transnational Ties of Refugee Governance in Turkey

Turkey's long-standing geographical limitation has created a favorable political environment for UNHCR to claim a mandate in registering, conducting refugee status determination (RSD) interviews, co-granting refugee status, mediating resettlement to a third country, and conducting capacity-building projects with migration bureaucrats. I also briefly noted that in September 2018, UNHCR announced its withdrawal from registering, conducting RSD interviews, and co-granting refugee status, three functions it had performed in Turkey since the 1960s. Yet it retained its positions of mediating resettlement and conducting capacity-building projects.

This section scrutinizes how UNHCR's mandate in Turkey opens space for developing capillaceous transnational ties of refugee governance with a particular focus on the bureaucratic procedures of RSD. I highlight the capillaceous nature of these ties in refugee governance since local, international, and transnational actors and politics intertwine in determining refugee status and access to rights and projection mechanisms in the cities where queer refugees reside. Based on 25 months of fieldwork in four cities, I created an abstract version of the RSD procedures that I observed and my interlocutors shared with me. Then, I identify the ways in which each step of RSD involves actors of multi-levels of governance exerting influence over queer refugees' negotiation for refugee status and rights. It is worth noting that I am not generalizing the abstracted RSD and representing it as a nationally consistent formal procedure. Chapter 3 demonstrates that,

on the contrary, each city has its own dynamics because queer refugees and NGOs must develop different, adaptive negotiation methods with street-level bureaucrats who exert personal discretion over RSD. And finally, I assert that the *capillaceous* transnational ties of refugee governance are persistent and adaptive. Despite UNHCR's withdrawal from registering and conducting RSD interviews and thus critical structural changes in refugee status application, the same actors adopted different methods to influence refugee governance in these cities.

Before UNHCR withdrew from RSD in September 2018

Before September 2018, an abstract version of asylum-seeking and resettlement in Turkey would consist of 5 steps: (1) arrival in cities, (2) registration with UNHCR, (3) registration with PDMMs in satellite cities, (4) RSD Interviews with UNHCR, and (5) resettlement applications. As each step may be influenced by local, international, and transnational actors and politics, navigating through these steps is complicated and could function very differently for each queer asylum seeker and refugee.

Arrival in cities

The ways in which one crosses the borders and arrives in a transit city and city of destination display great diversity based on (1) the country they are traveling from, (3) access to economic resources, (4) and migrant networks, and (5) political conditions under which one leaves their country of origin. And, of course, these four conditions intersect to further diversity the arrival methods. People holding Iranian passports can visit Turkey for up to 90 days without a visa. This

has allowed some people to cross the border by flight or bus, for example, queer refugees who have been systematically discriminated against by and received death threats from their family and social circles but not under an immediate threat from state officials. Since they still had their passports, and there was no legal barrier for them to leave Iran, they could travel in a documented way. If they had contacts in Turkey and knew that they must register with UNHCR, they had a direct flight to Ankara. If their connections are in another city and willing to host and help them with the application procedures, they first travel to their contact's town. Those who could not effort airplane tickets used buses. However, cisgender gay men who have not finished compulsory military service cannot get passports in Iran. As a result, to escape death threats and physical and psychological abuse, they had to cross the border on foot and arrive in Van – the city bordering Iran – usually with the help of human smugglers.

Those whom state officials persecuted used the same overland route. Whether they are persecuted because of their opposition to the state or their SOGI and LGBTI+ activism, asylum seekers from Iran escaped without any documents as soon as they were bailed or bribed out of police custody. They got rid of their identification documents in case they were caught by border patrol and their identities were revealed. Since they did not have ID, they could not buy bus tickets from Van to Ankara. Instead, human smugglers prepared bus tickets for them for an additional fee.

In other cases, people travel on tourist visas, then register as conditional refugees. One of my interlocutors – a transwoman from Zimbabwe – was physically attacked and constantly threatened by a group of people because of her gender identity and activism. At the time of the attack, she had a tourist visa for Turkey. She hoped on a flight to Istanbul, aiming to go to Canada, where her

family lives. Because of financial issues, she could not get a visa to Canada. During her time in Istanbul, she met a worker of an NGO who suggested she apply for asylum in Turkey because her visa was expired. And she did and received her conditional refugee status.

Syrian asylum seekers' arrival in cities had a different trajectory. Since 2011, Turkey has adopted an open-border policy for asylum seekers from Syria. After a short period of placing them in refugee camps, the government allowed settlement in cities as the number of refugees became impossible to contain in camps. The decision formalized the residency of people already living outside the camps. As a result, the newcomers settled in cities across Turkey.

Registration with UNHCR

The first essential difference between conditional refugees and those under temporary protection was where their initial registrations occurred. Anyone who wanted to start a documented asylum process as a conditional refugee in Turkey had to first register with UNHCR's Ankara office. On the other hand, those under temporary protection register with the PDMM of the city where they want to reside. Thus, the registration process for temporary protection will be discussed in the next section.

Registration of conditional refugees involved the collection of biometric data of asylum seekers, a few questions about why they are applying for asylum, and the assignment of a satellite city. Trained by UNHCR, workers of ASAM performed this function. The offices of ASAM and UNHCR were side by side in Ankara, sharing the same database to enter the information collected

from asylum seekers. All my interlocutors noted that the questions were short and to the point as opposed to RSD interviews which sometimes took 8 hours. They simply stated their reasons for applying for refugee status, and there were a few clarification questions. Then ASAM presented applicants with three cities to choose from. ASAM workers stated that UNHCR gave a list of cities that accept newcomers. And UNHCR got the list from PMM. At this point, if the applicants identified as LGBT, ASAM workers narrowed the choice of cities to those with a queer refugee community, such as Yalova, Denizli, Eskişehir, İzmir, Kırkkale, and so on. Applicants who were members of queer refugee networks in these satellite cities already knew which city to choose from.

After registration, asylum seekers were given a piece of paper stating their registration status with UNHCR and the name of their assigned satellite city. They had to travel to their satellite city and start their registration procedure with the PMO within seven days of registration with UNHCR. Asylum seekers with contacts in their satellite cities traveled with relative ease. However, others had to get help from ASAM and HRDF to book and, in most cases, to pay for bus or train tickets. Since registration with ASAM was the first bureaucratic encounter during the documented asylum application process, the newcomers thought of ASAM as a body of the UN. However, after interacting with other organizations in their satellite cities, they realized that ASAM is an NGO. Nonetheless, since ASAM has also been involved in bureaucratic procedures in satellite cities, their view of ASAM shifted from a body of the UN to an NGO that entirely represents the views of UNHCR.

As for those under temporary protection, they register with UNHCR *only if* they want to get access to its financial help and resettlement schemes. All my queer Syrian interlocutors were registered with UNHCR to start their resettlement to a third country as they had suffered various forms of discrimination based on their nationality and SOGI in Turkey. Their registration with UNHCR included the same steps.

Registration with PDMMs in satellite cities

Upon arrival, conditional refugees underwent a similar procedure that they experienced with ASAM. However, in this case, this process was called pre-registration; in the end, they were given yet another piece of paper that confirmed their pending registration status. Obtaining the paper was vital as it demonstrated that they arrived at the satellite city on time and that they were to proceed with the asylum application. Registration with PDMMs was and still is one of the most critical and challenging parts of the asylum procedure in Turkey. It is vital because the completion of registration is a prerequisite for asylum seekers to exercise their rights, including healthcare and access to the formal labor market and financial help. The Covid-19 Pandemic put further practical restrictions since access to public buildings, and transportation required a code from the Ministry of Health. One could get the code only if they had their registration number or a passport with a valid visa. This created a vicious circle. Undocumented asylum seekers could not get the code because they needed a registration document. Since they could not get the code, they could not enter PDMM buildings to start or complement their registration.

Registration with PDMMs is challenging because the waiting period can be long, and PDMM workers can refuse to register because they think that persecution based on SOGI is not a ground for asylum-seeking. The personal discretion that the PMO workers get to dictate upon queer asylum seekers and refugees will be discussed in detail in Chapter 4. As a result of the long waiting list and the bureaucratic uncertainty created by PMO workers, queer asylum seekers could be stuck in the pre-registration period for a long time. The limbo within a limbo meant that they could remain in Turkey to proceed with their applications, but they could not get access to healthcare, the formal labor market, or financial help and resettlement schemes. UNHCR's registration provided enough protection for them to remain documented but insufficient to ensure access to their rights. The limbo within a limbo particularly hurt the more vulnerable queer asylum seekers. Trans women who have a tough time finding jobs in the informal job markets because of their gender identity could not get access to what little financial protection that UNHCR offers. For example, they could get transgender refugee financial help provided by UNHCR only if they had a registration card. Being stuck in pre-registration was also hard on queer asylum seekers living with HIV. They could not get an official diagnosis for a long time to the point of developing AIDS. People who knew their status could not get life-saving medications from hospitals.

Under these restrictive and discriminatory conditions, NGOs that are implementing partners of the UN bodies played a crucial role in negotiating the registration of queer asylum seekers. They pushed PDMM workers to expedite the process for queer asylum seekers while aiding them in the completion of formal conditions for registration. For example, leasing a flat in a satellite city is one such condition. In addition, these NGOs help newcomers connect with queer refugees with

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spare rooms in their houses or talk with real estate agents and landowners, providing financial support for the deposit and rent.

As for those under temporary protection, in theory, they had access to all cities of Turkey. In the early years of the Syrian migration to Turkey, they settled in the towns at the Syria-Turkey border, such as Gaziantep, Kilis, and Antakya, where they already shared historical, social, economic, and kinship ties. In other cases, economic opportunities attainable by kinship ties move people to other cities. For example, Kurdish refugees from Syria moved to Kanarya, a suburb of Istanbul, to work in the informal garment workshops established by internally displaced Kurdish migrants from the southern cities of Turkey in the 1990s (Yetkin, 2019). However, soon a few cities, including Istanbul and Ankara, individually declared that they no longer accept the registration of those under temporary protection. Finally, in February 2022, the Ministry of Interior revealed a centralized policy. PDsMM of the cities where the number of foreigners exceeds %25 of the total population do not register both conditional refugees and those under temporary protection. The ministry announced that 781 neighborhoods all around Turkey were already closed to the registry (Petillo, 2022).

Syrian asylum seekers also go through a pre-registration process where they provide biometric information and any document showing that they came from Syria. If they cannot present documents, they must undergo an interview process, and their pre-registration is built upon their testimony. After pre-registration, they are given a document indicating they are on track to become documented. After that, their application goes through a security check. Unless something comes up, they usually receive temporary protection 30 days after pre-registration. Since the main logic

of the temporary protection is to deal with a mass influx, it uses *prima facie* determination, which means "acceptance on a group basis because of the obvious refugee character of the individuals concerned, without going into any formal, individual determinations" (UNHCR, 2001). In case they cannot pass the security check, PDMM conducts an interview before giving a final judgment. None of my instructors had a problem with the security check; thus, I am unable to comment on what happens in such an interview. Registration to the city is enough for Syrian asylum seekers to be declared under temporary protection. They do not go through RSD interviews like conditional refugees, which will be discussed in the following section.

Registration in a city severely limits conditional refugees and temporary protection beneficiaries' formal mobility within Turkey. Once registered, refugees could not leave the satellite city. Refugees must do weekly or biweekly visits to the PDMM and provide a signature to prove that they are still in the city. If they want to travel to another town, they must get a travel permit from PDMM. And to get permission, refugees must provide a 'valid' reason and convince PDMM. ASAM and HRDF have been involved in the permission process for two reasons. The first is practical, as refugees had to submit a petition in Turkish. Hence, they had to visit ASAM or HRDF and get their translators' help with the petition. The second is that ASAM and HRDF negotiated the permission on behalf of refugees. For example, a trans woman in Eskişehir wanted to start hormonal therapy. However, after months of trying with the help of HRDF, the doctors in Eskişehir refused to prescribe the hormones. Through the service of information networks of LGBTI+ NGOs, they learned that there is a doctor in Ankara who specializes in hormonal treatment for transgender people. PDMM was reluctant to permit the ground that her situation did not amount to an emergency. Only after HRDF's involvement in the process, PDMM gave permission. As

hormonal therapy required monthly visits to the doctor, HRDF had to intervene each time to get the permit.

Moving to another city also requires the permission of PDMM, which is even harder to obtain. It is given only in family reunification cases, educational and *formal* employment opportunities in another city, and in case of health problems requiring treatment that cannot be done in the current town of residency. This rule forces refugees to choose the threat of being undocumented/deported over domestic violence and poverty. In many cases, young queer Syrian refugees arrived and registered in their initial city of residency with their families who did not know about their SOGI. After they were outed, they were subjected to domestic violence. In other cases, queer refugees who were living in communal houses run by migration networks were outed and then subjected to physical, phycological, and sexual violence. They had to escape from the city they were in without having a chance to ask for permission, moving to another town where they had no access to rights and lived under the constant threat of being deported.

The limits to formal mobility also force refugees to choose between living in poverty and being undocumented/deported. As mentioned, the formal employment of refugees is limited. None of my interlocutors moved to another city because they found a formal job in another town. Refugees living in cities with few opportunities for informal employment cannot request to move to another town. Yalova exemplifies this case. My interlocutors in Yalova could only informally work in the summer in coffee shops and restaurants since the high number of tourists and summer-house vacationists creates a demand for seasonal labor. Because Istanbul is close to Yalova, some moved

there and were forced to make weekly or biweekly visits to Yalova to give a signature, living under constant threat of losing their legal status and being deported.

RSD Interviews with UNHCR

After the completion of registration with PDMMs, conditional refugees had to wait for UNHCR to determine a date for the first RSD interview. The waiting period for RSD interviews could go up to one and a half years. In the meantime, ASAM and HRDF conducted a vulnerability assessment survey with the newcomers. The main idea behind the survey is to understand if there is any ground for UNHCR to expedite the RSD procedures. ASAM and HRDF convey the results of the test alongside their suggestions. I consider vulnerability tests to be an assessment of the dynamics of city life for refugees. Do they have any support system in the city? Can they find jobs even if it is in the informal market? Do they face discrimination or/and physical and psychological harassment by real estate agents, landowners, neighbors, or so on? Do they have an urgent health condition or chronic illness, and can they get treated without being discriminated against by the doctors? Do they have access to the financial help distributed by the municipalities? For example, In Eskişehir, the RSD interview date of my interlocutor from Zimbabwe was set for three months after her registration. In my conversation with HRDF workers, I learned that they contacted UNHCR and suggested expediting the RSD process because she is the only (queer) refugee from Zimbabwe in the city. Because of the same reason, a trans woman from Pakistan living in Yalova had her interview four months after her registration.

The RSD interviews took place in UNHCR's Ankara office. The duration of the interview differed from 4 to 8 hours. In some cases, applicants had to do a second interview. The axis of the interviews was a narrative of systematical and long-enduring discrimination based on SOGI, usually starting from childhood and leading up to the moment of escaping. Diverging from the common practice of asking to prove one's SOGI, UNHCR only directed questions about the actual persecution or a well-founded fear of persecution based on SOGI. The difference lies in the fact that UNHCR took note of SOGI and moved on to asking questions about the details of actual persecution or a well-founded fear of persecution. If UNHCR did not grant refugee status to an applicant, it meant that UNHCR workers did not find the applicant's narrative of systematical discrimination credible or severe enough to constitute persecution. Announcing the result of the interview could take up to one year. However, UNHCR expedited its decision process for the same applicants who were found vulnerable enough to have an earlier interview date.

In the spirit of the parallel-tracks system, PDMM also conducted its own RSD interviews with conditional refugees. However, during my fieldwork, I had never witnessed a case where PDMM contradicted UNHCR's decision. Once UNHCR declared an applicant a conditional refugee, PDMM printed their ID card for foreigners.

Resettlement application

The resettlement process for conditional refugees starts as soon as they receive their legal status since it is a formal condition of their refugee status. Those under temporary protection must initiate the process with UNHCR because resettlement is not a formal condition within their protracted

refugee situation. However, even though resettlement is built into the definition of conditional refugee, it is not a right but a protection mechanism of UNHCR. Therefore, there is no guarantee that UNHCR will resettle conditional refugees. The limbo that conditional refugees are forced to live in Turkey is apparent: conditional refugees must resettle in a third country, but resettlement is not a right. It thus cannot be guaranteed, prolonging the waiting period within which they only have access to an ever-changing re-articulation of fractured refugee rights.

Resettlement is not an efficient and effective protection mechanism, making the waiting period even longer. According to UNHCR's resettlement data, at the end of 2017, less than one percent of 19.9 million refugees of concern to UNHCR were resettled.[19] This fact makes resettlement a scarce and valuable resource worldwide. Zooming in on Turkey's context depicts resettlement as even more ineffective. In 2017, the number of conditional refugees was around 364,000.[20] Only 3,221 people from this group were resettled to a third country,[21] marking the resettlement rate of conditional refugees in 2017 as 0.88 percent. In 2018, although the number of refugees under international protection increased to 368,000[22], the number of resettled refugees drastically declined to 883, making the resettlement rate in 2018 a mere 0,26 percent.[23]

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[19] https://www.unhcr.org/resettlement.html
[20] UNHCR Turkey (2018) Key data and numbers. Available online at: https://data2.unhcr.org/en/documents/download/63181, accessed November 06, 2019.
[21] UNHCR (2018) Resettlement Data. Available online at: https://www.unhcr.org/resettlement-data.html, accessed November 06, 2018.
[22] UNHCR (2018) Key Facts and Figures. Available online at: https://data2.unhcr.org/en/documents/download/67203, accessed November 06, 2019.
[23] UNHCR (2018) Resettlement Data.

Considering the refugee laws of Turkey that dictate *all 368,000 conditional refugees to* be resettled to a third country, the conceptualization of resettlement as a scarce resource also holds for Turkey. Moreover, the resettlement scheme, as noted, is entirely dependent on the quotas provided by the countries mentioned above, the most significant contributor being the United States, whose changing refugee policies directly affect how resettlement can be carried out in Turkey. The trickle-down effects of political decisions in third countries on the daily lives of queer refugees in four cities of Turkey will be discussed as a part of the transnational matrix of deservingness in Chapter 3.

A constant flow of information on the living conditions of conditional refugees and those under temporary protection becomes vital in gaining access to resettlement. The NGOs that are UNHCR's implementing partners fulfill the function of supplying the constant flow of information. Suppose new concerns for the safety and livelihood of refugees arise after the initial vulnerability test was conducted. In that case, those NGOs are in the position to convey these concerns and negotiate with UNHCR on behalf of refugees to expedite resettlement. Although UNHCR can considerably speed up its own bureaucratic procedures, third countries have a direct say in whom to choose for resettlement. They conduct their own RSD interviews within the borders of Turkey, either by their embassies or with the help of international NGOs, such as ICMC, that they have partnered with. Every third country has its own bureaucratic pace. Also, their criteria for persecution based on SOGI may show similarities with those of UNHCR, or they may diverge. Considering all the political negotiations and bureaucratic procedures, the time it takes queer refugees to resettle may vary between 6 months to 5 years.

If the process takes too long or seems like it may end with an unfavorable decision, queer refugees may seek alternative methods of resettlement, one of which is sponsorship. Depending on the country, it requires a person, a group of people, or an organization to sponsor the queer refugee's application. The queer refugee may use different channels to search for sponsorship in a country that they want to resettle: (1) contacting their acquaintances in a network of queer refugees, (2) contacting an NGO that works with queer refugees, (3) contacting a religious organization such as a church, and (4) in some cases, using geolocation dating apps which allow their users to select any city around the world and see the profiles of their users and chat with them. Each channel comes with its own set of norms and values via which they assess the queer refugee's situation and decide whether to help. For example, an LGBTI+ NGO in the country of prospective destination may require a reference letter from an LGBTI+ NGO in Turkey stating that they know the queer refugee in question and confirming their membership in the queer refugee community in Turkey. Once the queer refugee is selected for resettlement, whether by sponsorship or UNHCR's scheme, International Organization for Migration (IOM) mediates the relocation of the queer refugee.

After UNHCR withdrew from RSD in September 2018

Since UNHCR only withdrew from RSD, its other functions in refugee governance, namely protection and resettlement, and how these roles are bureaucratically executed, remained the same. The most notable change in steps to achieve refugee status is the removal of registration and RSD interviews with UNHCR. After crossing the border into Turkey via the same methods and routes, queer asylum seekers must now decide which city to officially declare themselves as asylum seekers. Since the step of registering with UNHCR in Ankara was removed, queer asylum seekers

should have prior knowledge of which city has a queer refugee community and/or a strong presence of NGOs that are willing and capable of helping queer refugees. Or else they may end up in a city without a support system. To put it differently, without UNHCR's direct guidance during registration, queer refugees become more dependent on information from queer migration networks and NGOs.

Asylum seekers declare their intention to seek asylum in the PDsMM. They have a pre-registration that serves its previous function: to show that the applicant is on their way to becoming a documented asylum seeker. However, the PDMM of the city might refuse to pre-register asylum seekers by saying that they no longer accept newcomers and refer them to another town. In an incident that took place one month after UNHCR's withdrawal from RSD, two gay Iranian asylum seekers were refused registration to Eskişehir on the ground that the PDMM already had too many cases to process. They were referred to another city that also declined to pre-register them and sent them to yet another city. Only after their queer refugee friends in Eskişehir contacted the local NGOs who negotiated with the PDMM were they able to return to Eskişehir and pre-register. In other cases, instead of referring to other cities, the PDsMM simply refused pre-registration, leaving asylum seekers undocumented.

The first follow-up fieldwork I conducted one year after UNHCR's withdrawal demonstrated that PDsMM in Eskişehir and Yalova mainly performed pre-registrations. A worker from Red Umberalla's Ankara office interpreted the delay in registration as a lack of infrastructure and competent human resources. She also observed that UNHCR still had a direct influence over registration due to the difficulties in the operations of PDsMM. She told me that UNHCR had

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placed its workers in PDMM offices. When PDsMM workers refused to help, she and her colleagues contacted UNHCR workers, who negotiated with PDsMM. Looking into the details of what my interlocutor described, I realized that UNHCR's involvement with registration did not end but transformed into a project-based relationship with the Presidency of Migration Management (PMM). A one-year project between January and December 2019 called "Support to Provincial Directorates of Migration Management" has entered its second phase, which continues to this day (UNHCR, 2021). The project established "protection desks" in 47 PDsMM with 95 staff. In line with my interlocutor's observations, UNHCR states that "(t)hese projects pay special attention to the registration of newcomers, reducing the backlog of persons pending registration in ensuring the timely registration of approaching applicants" (UNHCR, 2021). The second follow-up fieldwork there years after UNHCR's withdrawal indicated that the registrations had finally restarted. However, an LGBTI+ activist who is a lesbian refugee from Iran told me that only a few queer asylum seekers had their RSD interviews with PDsMM. She has been working as a Farsi interpreter in different NGOs in Eskişehir since 2016 while also, in her free time, helping queer asylum seekers, connecting them to other queer refugees and LGBTI+ NGOs in Turkey, and in third countries. When I asked what she thought about the new RSD procedures, she was pessimistic: "the head of the city migration office (the colloquial name for PDMM) knows me and helps me since I have good relations with him. But he told me that they would not accept new refugees. I am not sure about what will happen to the newcomers."

LGBT vs. Queer Refugeeness

In Chapter 1 (pp. 96-107), I argued that international refugee law had created a relatively stable implementation of two-tiered RSD interviews. Queer asylum seekers are expected first to prove their SOGI and then prove that they have a well-founded fear of *political persecution* based on their SOGI. I also argued that RSD interviews are bureaucratic procedures that allow migration officials to impose a high level of personal discretion on assessing the narrative of SOGIs and persecutions. They utilize cis-homonormative representations available to them to create indicators of SOGI via which they evaluate the credibility of a well-founded fear of being politically persecuted for reasons of membership in a particular social group. However, economic persecution has been incorporated into how refugeeness was defined in relation to SOGI. Existing literature only expanded the meaning of political persecution to cover SOGI, reproducing discourses of exclusionary inclusion and differential inclusion which are inherent to the dichotomy of migrant and refugee. How is the separation of political from economic persecution operationalized in the transnational bureaucratic steps in determining the legal statuses of queer asylum seekers? I aim to answer this question by juxtaposing two sets of narratives about queer asylum seekers' lives before arriving in Turkey, (1) victims of ahistorically and universally homo/bi/transphobic countries who are only supposed to be in search of a bare life and (2) subjects of political as well as economic persecution who take an active part in negotiating their way across multiple borders in search for a decent life. While the first set of narratives is reproduced to satisfy RSD and resettlement procedures, the other set emerges as a vital way via which queer asylum seekers reclaim their economic subjectivities and draw attention to economic inequalities that are reproduced across borders as a result of their SOGI. To analytically distinguish the two, I introduce the concepts of LGBT and queer refugeeness.

I define LGBT refugeeness as an assemblage of cis-homonormative discourses of SOGI and reductionist cultural representations of the countries of origin, transit, and destination. State bureaucrats, workers of local, and international NGOs, and transnational organizations such as UNHCR, UNDP, and UNFPA, as well as queer refugees, cultivate and utilize this assemblage to navigate the application procedures for refugee status. My fieldwork revealed the four most used discourses to be codified homophobia, LGBT as static categories, political victimhood and assumed lack of economic motivation. The ability and/or willingness to reproduce these discourses determine whether RSD interviews will be successful for queer asylum seekers, leading them to acquire conditional refugee status. In one person's migration narrative, we can find different combinations of these discourses responding to the person's social and economic conditions in Iran. In this chapter, I analyze them within the limit of RSD interviews. Still, it is crucial to note that their effects spillover over the daily lives of queer refugees, profoundly affecting how they can negotiate their social and economic places in cities, thus, allowing or preventing access to differentially re-articulated rights. On the other hand, I define queer refugeeness as an assemblage of queer refugees' narratives of political and economic persecution which does not adhere to cis-homonormativity in their representations of SOGI. Queer refugeeness draws attention to power asymmetries across borders that have contributed to the political and economic persecution based on SOGI in the first place, such as colonial laws banning homosexuality or the international LGBT movement discarding local dynamics and further feeding anti-LGBTI+ rhetoric in those localities.

In RSD interviews, the performance of both queer refugees and UNHCR officials during the interview creates the backbone of RSD, yet the burden of proof entirely falls upon queer refugees (Murray, 2014, p. 26). They are expected to produce a 'coherent' and 'credible' narrative of a well-

founded fear of being persecuted because of SOGI. The UNHCR officials in Turkey assess the coherence and credibility by firm reference to, what I call, the discourse of codified homophobia in home countries. Uneasiness or inability to talk about one's SOGI in line with the discourse may result in being marked as a 'bogus refugee' undeserving of refugee status and resettlement (Shakhsari, 2014, p. 1002).

To understand how SOGI is reconfigured during RSD interviews in Turkey, I asked all my interlocutors: "Does UNHCR ask any questions about SOGI during interviews?"; and "What does UNHCR focus on during your interviews?" All my interlocutors noted that UNHCR officials only questioned the credibility of a well-founded fear of being persecuted for reasons of SOGI. Unlike the two-tier RSD procedure conducted by countries with centralized migration management, UNHCR skipped the first step and did not ask queer asylum seekers to 'prove' their SOGI. Instead, they simply noted how applicants described their SOGI and moved on to the questions regarding (the risk of) persecution they had faced in the countries of origin. As a result, the credibility of queer asylum cases is assessed by – what I call – the discourse of codified homophobia. Iran's law criminalizing homosexuality and making it punishable by death played a crucial role in justifying asylum applications. However, this does not mean that SOGI is free from bureaucratic disciplining and reconfiguration. I use LGBT refugeeness as a concept to highlight that SOGI expressions that defy neat categorizations of LGBT are not recognized in RSD interviews.

Shouleh, a lesbian cis-woman from Iran, was a key interlocutor in Eskişehir, with whom I had interviews and follow-up conversations in a span of four years from 2018 to 2021. During these interviews and discussions, she shared two different encounters she had with UNHCR officials. In

her first RSD interview, she stated that her reason for escaping from Iran was her family forcing her to marry a man to the point where she was engaged. Her family forced her to grow her hair out and to wear dresses. Her initial story did not involve any reference to the state officials as perpetrators of persecution. On the contrary, because her family was wealthy, she could escape the police persecution. She told me that she was throwing a party with her queer circle in her family's other house once, and the neighbors called the police. She bribed them to avoid arrest. Only after defying her family and coming out as a lesbian, she lost the protection against the police persecution provided by wealth. In her second interview, the officials asked if she would consider returning to Iran; "I told them that I do not want to go back. I told them if I went back, the police would understand I was lesbian, and they will arrest me. Then I would be stoned to death. They asked me how I knew if they would stone me. I told them, of course I know; this is my country."[24] After the second interview, she got her conditional refugee status. The fact that Shouleh had to deprioritize her narrative of family-based persecution simplifies asylum-seeking into political persecution by the state actors ignoring the fact that "people are fleeing complex root causes in which persecution and socio-economic exclusion are combined." (Van Hear et al., n.d., pp. 1–2; Zetter, 2007, p. 182)

Shahin, a gay man from Iran, also went through a similar process of reconfiguring his narrative of family-based persecution to reproduce the discourse of codified homophobia and LGBT as static categories. Shahin had no desire to leave Iran until he was outed to his father. Married with a child, he lived an ostensibly cis-heterosexual family life. However, one of his sex partners leaked their sex video to his father, who immediately started to search for him with the intent to kill him: "the

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[24] Author Interview, Eskişehir, February 26, 2018.

only reason I left Iran was to escape from my father. I had two choices: I could go home, and my father would kill me, or leave Iran for Turkey. I had a friend in Turkey who told me what to do."[25] Before escaping, he also did not need to claim to be gay: he was a man having sex with men. He said he had a comfortable life in Iran, much better than the one he had in Turkey, as he was being informally employed in Eskişehir, forced to work for 10-12 hours a day, and getting paid much below the minimum wage. However, his RSD interview was focused on the fact that he was outed as a gay man in Iran, where laws criminalize homosexuality. His traumatic and suddenly dispossessing experience, which forced him out of his life in Iran, was turned into a small detail in a much grander narrative of codified homophobia and LGBT as static categories.

I met Bahar, a lesbian cis-woman from Iran, in Yalova. She mentioned finding the RSD interview awkward: "They (UNHCR officials) asked more about my reasons for coming here (Turkey). They wanted me to share the problems of my country. I think they wanted me to make those problems look even bigger. They wanted me to share more of those (country's) problems."[26] As we dwelled deeper into her reasons for escaping, it turned out that she had no immediate problem with the state officials. Her family forced her to marry a man when she was just 17 years old. When she met her first girlfriend, she wanted to divorce and live with her, but her husband refused. She already had a child from her marriage, and she did not want to have anymore because she saw that one of her lesbian friends, who was also forced to get married, had three children and was having a much harder time leaving her marriage. Having no control over her life in Iran and being forced to remain in a marriage with a man, she decided to escape. After she fled with her child, her husband located

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[25] Author interview, Eskişehir, September, 15, 2019.
[26] Author Interview, Eskişehir, April 10, 2018.

her in the first city she lived in, threatening her life. The fact that as a lesbian, she was forced to marry a man, had no control over her marital status, and her husband was threatening her life was not enough for UNHCR officials. They wanted to know more about what state officials would do if she returned to Iran.

Deprioritizing family-based persecution also reveals that the discourse of codified homophobia has its roots in a long-standing practice of recognizing 'the male hero' escaping from political persecution as a deserving refugee. Carol Bohmer and Amy Shuman argue that "the paradigmatic claim of asylum is the male political activist targeted for his public activities, who then suffers persecution in a public place" (Bohmer and Shuman, 2008, p. 240). Bohmer and Shuman also identify a continuation of the same theme in the context of queer migration, where the gay refugee is expected to be "a man who engages in public activities, such as attending a gay Pride march or frequenting gay bars, who is then beaten up by the police in a public place" (Bohmer and Shuman, 2008, p. 240). The ways in which the concept of "persecution" is operationalized in refugee governance indicate that those who claim to have been persecuted by state agents due to their political acts in the public sphere have a higher chance of being deemed deserving of refugee status. In other words, queer refugees are expected to translate their experiences of persecution into recognizable and tangible narratives for the officials, thus following a script of visibility politics and sexual and gender identity performed in *the public sphere* (Lewis, 2013b, p. 179). The fact that my interlocutors strategically negotiated their deservingness of refugee status by prioritizing persecution by the police over the stories of family-based persecution reflects such a need to align with the script of public persecution to be a deserving refugee. As 'being visibly queer' in public spaces is subsumed into the definition of persecution and the discourse of

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deservingness, 'not being visibly queer' in the public spaces will be equated with being a bogus

refugee and undeservingness, as I will soon detail in the next chapter.

The fact that queer refugees' home countries have laws criminalizing homosexuality is subsumed

into the totalization of those countries as ahistorically homophobic and having 'archaic sodomy'

laws while entirely ignoring the fact that such laws in most of the Global south countries are

legacies of the colonial rule[27]. Furthermore, according to Joseph Massad, the co-occurring

historical events – the Iranian Revolution, the rise of Islamism in the Arab world, and the

beginnings of the internationalization of the Western gay movements in the 1980s (Massad, 2002,

p. 377) – resulted in asymmetrical knowledge production about sexualities and gender identities

in the MENA region. While the internationalization of the Western gay movements pushed for a

liberation discourse – freeing "gays and lesbians" in the region from oppression "by transforming

them from practitioners of same-sex contact into subjects who identify as homosexual and gay"

(Massad, 2002, p. 362) – the states in the region harnessed this liberation discourse to produce

their own ahistorical understanding of sexualities and gender identities within their borders,

arguing that homosexuality is a result of "degradation of Western sexual morals" and, then it

spread to the region (Massad, 2002, pp. 377–378).

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[27] Pakistan is one of them. Upon its independence, the country kept intact the sodomy law introduced by the British colonial government in 1860. My interlocutor from Pakistan, a trans woman living in Yalova, had to repeat, on many occasions, that she escaped because of the sodomy law. However, in our interview, Ela highlighted that she had a relatively good life up until she was outed to her family. She came from a wealthy family. So economically she was very comfortable and thus could offer different methods via which she had relative freedom in experiencing her SOGI. The only but important problem was the fact that around her family, she had to present masculine. At the time, she was not able to even think herself as trans. But she had friends with whom she was able share her SOGI.

In the context of Iran, the history of criminalizing homosexuality born out of regional power relations is ignored, and homophobia is naturalized as a part of the region. Katarzyna Korycki and Abouzar Nasirzadeh reveal how the new regime after the revolution of 1979 "invented itself as a nation-state by simultaneously othering the West, homosexuals and the Pahlavi dynasty, and constituted itself as a modern state through the regulation of women and the criminalization of homosexuality" (Korycki & Nasirzadeh, 2016, p. 57). This totalizing representation of home countries in dialogue with Global North 'receiving countries' as safe havens for queer people constructs the discourse of codified homophobia. For example, David Murray reveals the reproduction of homonationalism in the Canadian RSD interviews, where the narrative of Canada as a haven or promised land for queer refugees had to be incorporated into queer refugees' construction of their subjectivities as "authentic LGBT refugees," obscuring racism and homophobia/transphobia they may face in the country (Murray, 2014, p. 29). To put it another way, queer asylum seekers are expected to reproduce the dichotomy of "Third World backwardness and barbarism vs. First World freedom narratives" in order to get their refugee statuses (Shakhsari, 2014, p. 1004).

My first interview with Farzin, a gay man from Iran, was in April 2018. He had problems in Iran due to the fact that he did not want to do compulsory military service. He was afraid that he would be outed while in the barracks and physically and sexually get attacked. He lived as a draft evader for a while. But he was not able to work as a draft evader. So, he decided to open a shop with his friend using his savings. In the meantime, he started to date a trans woman. He said it was common for them to be stopped by the police when they had dates outside. The police would point to his partner and ask why he was with her. Then they asked for a bribe not to arrest them.

After a year together in business, his friend got more curious about Farzin's sexual orientation. One night he invited Farzin to his house, where he had gay porn on his computer. Making Farzin feel safer, he asked questions about his sexual orientation, and Farzin opened up. However, later his friend started to threaten Farzin with outing him, forcing him out of their business without giving him anything in return. He left Iran for Turkey after losing his only means of livelihood and savings and still afraid of being outed. He crossed the border on foot without any documents because he could not get a passport as a draft evader. He had connections in Turkey who told him to focus on problems with the military service when interviewing with UNHCR. In other words, his friends coached him to reproduce the discourse of codified homophobia and leave out any information that may be interpreted as having economic motivations to migrate.

Shermin, a trans woman from Iran, said, "there was nothing else to be discussed or said when they (workers of UNHCR) saw I am from the Islamic Republic of Iran."[28] The rest of her RSD interview was performed with the discourse of codified homophobia. She explained to UNHCR officials how she was exempted from compulsory military service with an official paper identifying her 'transsexuality.' Because of that official paper, she could not renew her driver's license, continue her Ph.D. studies or become a civil servant. She received her refugee status and was awaiting resettlement. However, during our interview, she complicated this essentialized 'political' narrative of persecution in Iran with her story of family support and of being able to find other jobs. She pointed to the fact that she was living in "a rich and progressive part" of a metropolitan city in Iran, and she was lucky to have a supportive family; "they even get to meet with (her)

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[28] Author Interview, Yalova, August 14, 2018.

boyfriends." After she got the exemption paper, she made money by writing university students'

essays, but she stated, "how could I have a future career if I continued writing papers? I want to

finish my studies and become an academic. After I realized I wouldn't be able to do that in Iran,

that was the point when I decided to leave it."[29] It is a fact that the marginalization of her gender

identity in Iran resulted in "a political death;" the state negated her rights to work, to study and

mobility.

However, it only constitutes one side of her asylum-seeking reasons and process, the side that can

be voiced because it is in line with the discourse of codified homophobia. The complexities of

social life in Iran – families accepting their children's SOGI and providing support, metropolitan

city life providing 'liminal safe spaces' for queer individuals – as well as the complex reasons for

migration – looking for a better life and career – could not be voiced, especially because she would

be forsaking her status of 'involuntary-political refugee' and risking turning into 'voluntary-

economic migrant' who is undeserving of refugee status and resettlement. Therefore, it is

imperative to note that partaking in the discourse of codified homophobia is a powerful negotiation

tool for queer refugees in getting refugee status with the dire consequence of "a single essential,

transhistorical refugee condition" (Malkki, 1995c, p. 511). The discourse generates

"dehistoricizing universalism" of not just Iran but queer refugees as "pure victims" and "mute

victims," as Malkki noted to be a general effect of humanitarianism (Malkki, 1996, p. 378). As a

negotiation tool of deservingness, the discourse of codified homophobia reduces multi-layered

social, political, and economic vulnerabilities to victimization. It ignores the solidarity and survival

circuits of queer refugees. If a queer refugee cannot partake in the discourse, then such

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[29] Ibid.

dehistoricizing universalism may cause them to lose their authority "to give credible narrative evidence or testimony about their own condition in politically and institutionally consequential forums," for example, RSD interviews conducted by UNHCR and its local implementing partners in Turkey (Malkki, 1996, p. 378).

If RSD interviews were the only bureaucratic step after which queer asylum seekers have access to the complete set of rights, the adverse effects of reproducing these discourses would be limited to RSD procedures and could be lessened by the queer refugee networks that inform newcomers about them. Unfortunately, that is not the case. As we have seen in the second section of this chapter, the migratory journey of queer asylum seekers is riddled with transnational bureaucratic steps, requiring the constant intervention of UNHCR and NGOs, which are its implementing partners. Therefore, the effects of these discourses reach beyond the physical and discursive space of RSD interviews, limiting the negotiation powers of queer asylum seekers and economically and socially dispossessing those who are unable and/or willing to keep reproducing them. For example, in the flow of daily life, the discourse of codified homophobia turns into the idea that queer asylum seekers must cut ties with their country of origin, which they represented as universally homo/bi/transphobic. The question emerges; why would a genuine queer refugee still have contact with such a place? Thus, any remaining social communication and economic exchange - which significantly helps queer asylum seekers to survive the in-betweenness and long waiting period in Turkey – is met with suspicion. More importantly, seeping into the flow of transnational bureaucratic procedures, these discourses change, fuse with, or outright contradict and undermine other discourses utilized by local, international, and transnational actors. The next chapter introduces the concept of a transnational matrix of deservingness. It shows how multi-level and

multi-sourced contradicting discourses about LGBT refugeeness manage to create an ostensible

coherency and functionality.

Chapter 3. Deservingness as Cis-Homonormativity: A Transnational Matrix of Deservingness

In January 2017, Jasmin, a young transwoman from Zimbabwe, escaped to Turkey after being physically attacked in her hometown. A group of men targeted her because of her transgender activism. As a result, she was brutally beaten and left with deep knife wounds. At the time, she only held a visa for Turkey, where she had a short holiday before the attack. So, she could only think of Turkey as a safe place to run after she laid low for a while in Zimbabwe. While living in Turkey with her tourist visa, which was about to expire, she met an NGO worker who suggested that she apply for refugee status. Worried that she would not be able to prolong her visa, she had her initial registration with UNHCR's partner, ASAM. They suggested Eskişehir as her satellite city since local NGOs worked with queer refugees. In just a month, she was able to register with the local migration office even though she had problems with Turkish authorities, which were resolved with the help of local NGOs. And within six months, she had her refugee status determination (RSD) interviews with UNHCR and received her conditional refugee status shortly after.

In August 2018, Muhammed, a young cis-heterosexual man from Iran, escaped to Turkey after being arrested and tortured by the police because of his political views and involvement. He was able to run only because his family bribed the police. He had to cross the Turkey-Iran border on foot, walking for days as he zigzagged to escape the border patrol. He arrived at Ankara with the explicit desire to apply for asylum and had his initial registration with ASAM on the same day. He was presented with three cities to choose from without any explanation or support. He chose one,

without knowing anything about the city, solely because it was close to Istanbul, where he wanted to end up. Although he was told to visit ASAM's office in the town, he soon found out that the office was closed. He could not manage to register with the local migration office and then learned that the date of his first RSD interview was set for early 2020.

As I dwelled deep into the fieldwork, a similar pattern of indifference, negligence, or sometimes outright hostility towards certain refugees emerged. On the other hand, others were provided with social and economic support by local authorities and NGOs. Even though they had a severe problem with local migration officials, all the queer refugees and asylum seekers I interviewed managed to access refugee status and rights with the support of other actors within the transnational refugee governance I discussed in the previous chapter. During my participant observations, I have also witnessed negligence towards or directly overlooking the needs of especially young cis-heterosexual men and, in some cases, women seeking asylum in Turkey. During their stay in Turkey, none of the transnational refugee governance actors consider them deserving of their help, which I will argue is quintessential in gaining refugee status and rights.

This chapter scrutinizes the role of SOGI in constructing a transnational matrix of deservingness through which multi-level governance actors differentially and selectively allocate refugee status, resettlement spots, and services in cities of Turkey. The current literature has described deservingness in reference to a hierarchy of norms and values. That is to say; the literature upholds the idea that there are specific and consistent social criteria through which a hierarchy of deservingness is established in refugee governance within a country's borders. Asylum seekers are sorted into this hierarchy and receive limited and fragmented rights according to their position in

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the hierarchy. However, I will present two criticisms against the "hierarchy of deservingness" and offer a "transnational matrix of deservingness" as an alternative.

The first criticism draws its power from methodological nationalism. The existing literature takes Global North nation-states as the unit of analysis within which centralized national migration management exists. In such counties, a relatively consistent set of norms and values for determining the deservingness of refugee status can emerge since state bureaucrats (and, in some cases, judges) have the final say in whom to deem deserving of refugee status. The literature mentions that a country may have competing *hierarchies* of deservingness (Holmes & Castañeda, 2016; van Oorschot, 2006) in *accessing rights and services,* which results from the involvement of the local NGOs and UNHCR regional offices. Yet, these hierarchies do not, in any way, re-constitute what it means to be a refugee in that country and who deserves refugee status. The second criticism targets the literature's lack of comparative fieldwork within which every set of actors involved in constructing deservingness in a locality is represented in their studies. The literature has identified sets of norms and values that construct deservingness in a country via collecting narratives of either refugees or policymakers. In some cases, the sets of norms and values have been derived from news outlets via content analysis. I argue that focusing on only one group of actors (refugees, policymakers, or news outlets) in producing knowledge runs the risk of creating a consistent hierarchy of deservingness out of conflicting sets of norms and values that exist in the fieldwork. The polyphonic nature of fieldwork is silenced because of the methodology employed. As a result, the concept of "hierarchy of deservingness" can presume and even perpetuate a universal experience of vulnerability that may become the very criteria through which exclusionary practices towards certain refugees are justified.

To avoid methodological nationalism and to encompass and represent a conflicting set of norms and values in the fieldwork, I put forward the concept of a "transnational matrix of deservingness." In its most basic sense, this concept argues that transnational refugee governance functions through deservingness, *not because* a consistent set of norms and values exists. It operates through, what I call, consistency as everyday negotiation. Every actor brings in their sets of values and norms, which, in many instances, conflict with one another. For example, refugees decide which newly arriving asylum seekers deserve their help and cooperation. Local NGOs create a hybrid set of values and norms in response to the demands of local migration offices, transnational partners, and donors. Thus, intra-negotiations (amongst the same set of actors) and inter-negotiations (amongst various groups of actors) determine who deserves refugee status and gets access to rights and services. Asylum seekers who manage to find their way into one or more networks become involved in intra-negotiations and, hence, may have a higher chance of benefiting from inter-negotiations. Finally, the chapter will demonstrate that while the matrix gives those deemed deserving incentives to remain immobile in Turkey and construct legal subjectivities recognized by transnational refugee governance, the matrix provides those deemed undeserving incentives to be mobile, searching for ways out of Turkey since they could not construct their legal subjectivities.

In the first part, I demonstrate how the existing literature on deservingness utilizes the concept. Then I will expand on the two criticisms that I mentioned shortly. In the second part, I argue for operationalizing deservingness within another literature; critical human rights studies. Scholars like Seyla Benhabib and Aihwa Ong have debated how the liberal discourse of entitlement to rights

has lost its power in a globalized neoliberal world. Hence in the first section, I explain what deservingness *is not*. In the second section, I give an emic definition of deservingness that emerged from my fieldwork and conceptualize the transnational matrix of deservingness. In the third section, I demonstrate how the matrix affects the mobility of refugees, thus creating a particular form of refugee governance. In the final section, the emergence of the discourse of "fake LGBT cases" will be discussed as a part of the everyday reproduction of the transnational matrix of deservingness in two localities of Turkey, Yalova, and Eskişehir.

Deservingness as a Critique of Liberal Entitlement Discourse

Deservingness as a concept has its roots in critical welfare studies, which primarily focus on the effects of neoliberalization on the welfare states. The retrenchment of the welfare states has been identified as one of the markers of neoliberalization[30] (Harvey, 2005, 2012). Herbert J. Ganz (1994) was one of the first scholars to analyze what functions the imagery of "underserving poor" serve. Ganz first takes note of the frequent historical appearance of this imagery in "poor laws" in England starting in the 18th century[31]. He then proceeds to explain the current uses of the imagery.

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[30]David Harvey exemplifies various markers of neoliberalization as following; "confronting trade union power, attacking all forms of social solidarity that hindered competitive flexibility (such as those expressed through municipal governance, and including the power of many professionals and their associations), dismantling or rolling back the commitments of the welfare state, the privatization of public enterprises (including social housing), reducing taxes, encouraging entrepreneurial initiative, and creating a favourable business climate to induce a strong inflow of foreign investment." (Harvey, 2005, p. 23)

[31] In their discussion about how dependency came to have negative connotations, Nancy Fraser and Linda Gordon also traced the history of this discourse back in the 19th: "The old distinction between the deserving and the undeserving poor intensified in the late nineteenth century's Gilded Age. Theoretically, the undeserving should not be receiving aid, but constant vigilance was required to ensure they did not slip in, disguising themselves as deserving. Dependence on

The first one is blaming for economic stagnation of the 1970s on welfare dependency, shifting attention away from intuitional and political problems underlying the economic stagnation (Gans, 1994, p. 272). The second one is the reproduction of norms. For example, he argues that when single-parent households on welfare are publicly condemned for abusing the welfare system, middle-class two-parent family is once more reiterated to be the desirable form of kinship (Gans, 1994, p. 275). Another function that he identifies is displacement/gentrification. He argues that "underclass areas" are stigmatized, allowing their inhabitants to be displaced and gentrification of those areas, inviting affluent residents and higher taxpayers (Gans, 1994, p. 277).

Although Gans' functionalist approach helps us recognize deservingness as a crucial political tool in deflecting governmental responsibility for the economic stagnation of the 1970s and easing the birth of neoliberal policies in the 1980s, it does not explain how the category itself could have been constituted. Wim van Oorschot (2000) provides the missing perspective by conducting public opinion surveys. He identifies five criteria for constructing the Netherlands' dichotomy of deserving and underserving poor. The first is whether people are assumed to have control over the conditions underlying their poverty: "the less the assumed control, the more deserving" (van Oorschot, 2000, p. 36). The second is whether people's needs are assumed to be greater: "the greater the level of need, the more deserving" (van Oorschot, 2000, p. 36). The third is the idea of national belonging, excluding ethnic minorities, migrants, and asylum seekers: "the closer to 'us,' the more deserving" (van Oorschot, 2000, p. 36). The fourth is the ways in which welfare beneficiaries react to the conditions of the welfare system: "the more compliant, the more

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assistance became increasingly stigmatized, and it was harder and harder to rely on relief without being branded a pauper." (Fraser & Gordon, 1994, p. 320)

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deserving" (van Oorschot, 2000, p. 36). The fifth is whether beneficiaries contributed to the national welfare system by working before they become dependent upon it: "the more reciprocation, the more deserving" (van Oorschot, 2000, p. 36).

Van Oorschot's arguments can be supported by research on what is colloquially known as the welfare queen. As a racist and gendered stereotype in the USA, "(t)he "welfare queen" was shorthand for a lazy woman of color, with numerous children she cannot support, who is cheating taxpayers by abusing the system to collect government assistance" (Michele, 2014, p. 247). The discourse of the welfare queen was frequently invoked to justify neoliberal policies of the shrinking welfare system in the USA in the 1980s and early 1990s. Ronald Reagan "...named the Welfare Queen as he told exaggerated stories of "inner city" women with countless children collecting welfare checks under numerous names, driving Cadillacs, and trading food stamps for cigarettes and alcohol" (Hayden Foster, 2008, p. 164). While creating racial stereotypes, the welfare queen also silences the problems women of color, especially those from a low-income bracket, face while accessing sexual and reproductive rights.

It is crucial to note that women of color had been systematically excluded from the welfare system well into the 1960s before they were subsumed into the welfare queen as the trope of the undeserving poor in the 1980s. Research asserts that only white widowers came to embody the deserving poor. Mothers who were divorced, deserted, or never married, and women of color were deemed undeserving and, thus, excluded from the welfare system (Handler & Hasenfeld, 2007, p. 2; Hayden Foster, 2008, p. 165; Michele, 2014, p. 257). As the civil rights movement challenged institutional racism, states across the USA started to include women of color in their welfare

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programs in the 1960s. Even though women of color benefited from welfare briefly, they quickly

became the target of neoliberal policies reducing welfare expenditure and dismantling welfare

infrastructures. This demonstrates neoliberalism's ability to capitalize on and transform already

existing social value systems – in this case, about how inequalities based on race and gender are

reproduced within the discourse of deserving and undeserving poor.

Although David Harvey does not use the concept of un/deserving poor, I believe that his argument

about neoliberalism individualizing responsibility of unemployment resonates with deservingness.

According to Harvey, a combination of diminished personal resources derived from the job market

and transferring all responsibility for well-being back to the individual has doubly deleterious

effects (Harvey, 2005, p. 76). On the one hand, "the neoliberal state is necessarily hostile to all

forms of social solidarity that put restraints on capital accumulation" (Harvey, 2005, p. 75). But

on the other hand, by disciplining or destroying independent labor unions and social movements,

neoliberalism eases the way to lowering wages, increasing job insecurity, and in many instances

causing loss of benefits and job protections (Harvey, 2005, p. 75).

Neoliberalism creates flexible labor markets and depicts unemployment as always voluntary.

Harvey argues,

> Labour, the argument goes, has a 'reserve price' below which it prefers not to work. Unemployment arises because the reserve price of labour is too high. Since that reserve price is partly set by welfare payments (and stories of 'welfare queens' driving Cadillacs abounded) then it stands to reason that the neoliberal reform carried out by Clinton of 'welfare as we know it' must be a crucial step towards the reduction of unemployment." (Harvey, 2005, pp. 53–54)

In other words, the retrenchment of welfare was posited as a means of reducing unemployment,

not poverty. Nevertheless, large segments of a country's population are exposed to

impoverishment as they are forced to find jobs in flexible labor markets without the protection of a robust welfare system. A person's inability to earn a decent wage under these harsh conditions is "...attributed to personal failings, and the victim is all too often blamed" (Harvey, 2005, p. 76). In presenting his argument, Harvey also refers to the imagery of the welfare queen, signaling that it retained its power from Reagan to Clinton, during whose presidency various laws were passed to chop down welfare protections.

The welfare literature briefly mentioned the place of migrants and refugees within the framework of deservingness. Van Oorschot provided a clue concerning how migrants and refugees are viewed in relation to welfare systems: the criterion of national and ethnic belonging, "the closer to us, the more deserving." In a later study based on the 1999/2000 European Values Study survey, which included 23 counties[32], he talks about a hierarchy of deservingness emerging from the survey. At the top of the hierarchy, older adults were considered the most deserving, closely followed by sick and disabled people. The next in line was the unemployed people. Finally, immigrants were deemed the least deserving (van Oorschot, 2006, p. 37). Lisa Sun-Hee Park (2011) argues that the discourse of the welfare queen has also been reproduced in the context of low-income migrant women's access to citizenship and welfare. The main argument is that "...immigrant women abuse health care and have babies in order to obtain U.S. citizenship" (Park, 2011, p. 19). Even though not fleshed out, these are valiant efforts to move beyond a citizen-oriented analysis of deservingness. More importantly, none of these scholarly works have provided a working description of deservingness.

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[32] France, United Kingdom, Germany, Austria, Italy, Spain, Portugal, Greece, Netherlands, Belgium, Denmark, Sweden, Finland, Ireland, Estonia, Latvia, Lithuania, Poland, Czech Republic, Slovakia, Hungary, Bulgaria, Slovenia. (van Oorschot, 2006, p. 29)

Drawing on the literature on migration, I assert that welfare constitutes only one side of deservingness. Scholars of migration have revealed that deservingness plays a crucial role in the justification of the policy-driven distinction between refugees and migrants. They also put forward a definition of deservingness for the first time. In migration studies, deservingness determines how the migratory movement of an individual will be categorized. And based on that categorization, they will have access to only a particular set of rights, if any at all. Kristin Yarris and Heide Castañeda put forward that "...imputations of choice and agency are at the center of the discursive construction of the category "refugee" (Yarris & Castañeda, 2015, p. 65). The deserving refugee is the one who is 'forcibly' displaced by war, violence, or disaster. Migrants are represented as economic opportunists who 'voluntarily' leave their country of origin in search of a better life. Migrants are usually viewed as undeserving of protection and welfare ".... precisely because their border-crossing occurred, ostensibly, of their own "free will" (Yarris & Castañeda, 2015, p. 65). They do not refer to van Oorschot's research. Yet, their discussion on choice and having free will in leaving the country of origin parallels the first of van Oorschot's five criteria, which posited "the less the assumed control, the more deserving" (van Oorschot, 2000, p. 36).

Seth Holmes and Heide Castañeda's article picks up on the same argument and contextualizes it in their ethnographic research about Syrian refugees in Germany. They observe that the arrival of many Syrian asylum seekers in 2015 created a new hierarchy of deservingness. Those escaping the Syrian war and ISIS's terrorism were the 'genuine' refugees who deserved protection and rights. Those from the 'old' migratory routes from Northern and Sub-Saharan Africa crossing the Mediterranean Sea to Europe were economic migrants pretending to be asylum seekers. They note

that the government made public claims about how bogus refugees were now forging Syrian

passports and I.D.s to abuse its welcoming attitude towards the deserving refugees (Holmes &

Castañeda, 2016, p. 19). In Holmes and Castañeda's

> "On the scale of deserving immigrants, Syrians appear to trump Africans, even though
> many of the latter are coming from areas similarly affected by conflict and economic
> precarity. This hierarchy of deservingness reflects arrangements of race that are
> interpenetrated by U.S. and European political-economic interests." (Holmes & Castañeda,
> 2016, p. 19).

They observe the same discourse to be reproduced on the ground by the volunteers in humanitarian

assistance and Syrian refugees themselves. For example, they recounted an instance where a

volunteer motioned toward an Albanian family and told them that they were not refugees and did

not need help because they were not from Syria (Holmes & Castañeda, 2016, p. 17). Similarly, a

Syrian asylum seeker called for a better screening procedure to differentiate refugees from

economic migrants so that the government can provide better protections for refugees (Holmes &

Castañeda, 2016, p. 18). In addition, they mention coming across some volunteers in the central

receiving area of Berlin who said that "the refugees arriving now are not thankful enough and are

too demanding compared to those who arrived one year ago" (Holmes & Castañeda, 2016, p. 19).

In this particular example, I would like to remind van Oorschot's fourth criterion, which was about

the ways in which beneficiaries react to the help they receive: "the more compliant, the more

deserving" (van Oorschot, 2000, p. 36).

A group of scholars analyzed media representations of and politicians' speeches about asylum

seekers of different gender, ages, ethnic backgrounds, class, and so on. Their works have been

influential in revealing frequently repeating discourses that draw the outlines of political intentions

in limiting asylum seekers' access to rights and welfare. For example, by doing content and

discourse analysis on printed media, Holzberg et al. argue that "the figure of the (un)deserving refugee in the press media is primarily constructed around three key themes," namely, economic productivity, state security, and gender relations (Holzberg et al., 2018, p. 535). The discourse of economic productivity depicts asylum seekers as a burden on the welfare system and deems them deserving of refugee status if they display an ability to contribute to local and national economies (Holzberg et al., 2018, pp. 542–543). The discourse of state security conflates migration, Islam, and terrorism, depicting every asylum seeker as a threat, undeserving of protection (Holzberg et al., 2018, p. 545). Finally, the discourse on gender reproduces "women and children" as universal markers of victimhood who have no agency (thus should not be seen exerting agency), therefore, deserving of asylum status (Holzberg et al., 2018, p. 546). Lenka Kissová (2018) shows that a similar discourse of state security conflating migration, Islam, and terrorism has been utilized in Slovakia to create the category of deserving refugee. Kissová adds another dimension to the discourse and reveals that while Muslim asylum seekers from Syria were depicted as "unadoptable" to their new environments in Slovakia, thus, underserving of refugee status, Christian asylum seekers were deemed adoptable and deserving (Kissová, 2018, p. 746).

Kate Smith and Louise Waite (2019) investigated the speech of politicians who justified and introduced policies that severely limited access to the asylum system in the U.K. Smith and Waite found out that they utilized the image of "the most vulnerable" as deserving refugees. "The most vulnerable" was detailed as those who could not even make it to the U.K. Those who managed to arrive and file their asylum application in the U.K. were accused of being "the wealthiest, the luckiest and the strongest" (K. Smith & Waite, 2019, p. 2298). In doing so, they univocally declared in-country applicants undeserving of refugee status. Noora Kotilainen and Saara

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Pellander (2022) have also identified a similar discourse in Finland where the images of undeserving Syrian asylum seekers using iPhones, having converse shoes, and having well-groomed hair were constantly recirculated and reproduced (Kotilainen & Pellander, 2022, p. 287). In both cases, a deserving asylum seeker is supposed to escape from war and, simultaneously, be completely dispossessed, devoid of any means which may signal them having agency.

A working definition of deservingness also emerges from this literature. For Yarris and Castañeda, Deservingness is a distinction from formalized entitlement (Yarris & Castañeda, 2015, p. 66) since the question of who can access what rights is answered via moral judgments about one's race, gender, age as well as the conditions under which they left the country of origin. Thus, they define it as "the ways in which some groups but not others are considered worthy of attention, investment, and care, particularly against the backdrop of the retrenchment of the welfare state and decreasing investments in social support and public assistance" (Yarris & Castañeda, 2015, p. 66). Holmes and Castañeda's article reiterate this definition: deservingness is "...a conditional attribution enabling a moral demarcation (as opposed to a strictly legal one) between people who are understood as worthy of the international community's physical, economic, social, and health aid and those who are not" (Holmes & Castañeda, 2016, p. 17).

In their works, deservingness stands for the gap between what the right to asylum discursively aims to achieve (entitlement) and how access to it is actualized on a case-to-case basis. Although they take an essential step towards conceptualizing deservingness, they do not spell out the relationality between entitlement and deservingness. They also operate with the assumption that deservingness only distinguishes between refugees and migrants. Thus far, they have depicted

deservingness in its ability to perpetuate exclusionary inclusion. On the other hand, I argue that deservingness also functions as a differential inclusion. As much as deservingness includes refugees by excluding migrants, it also dictates who has access to the limited number of rights, differentially incorporating them into frames of protection and welfare.

I believe that capturing the nature of such a gap requires a broader critical approach to human rights. The liberal tradition of rights has created a discourse of entitlement – everyone is entitled to rights without discrimination – which obscures and enshrines bureaucratic procedures through which rights are fragmented and differentially distributed. The discourse of entitlement especially becomes problematic in the context of human rights since the gap grows. Bas De Gaay Fortman, a Professor of Political Economy of Human Rights, points out that Article 25 of the Universal Declaration of Human Rights (UDHR) has a "strong and compelling language" in addressing economic rights (Fortman, 2011, p. 156). But then he asks, "what has it meant for the world's poor?" (Fortman, 2011, p. 156). He continues, "(t)he international community responsible for such 'rights language' appears to be unable to guarantee its enforcement. Indeed, the global endeavor to realize these rights suffers from a huge *deficit* in implementation… (the author's emphasis)" (Fortman, 2011, p. 156).

As discussed in Chapter 1 (pp. 54-55), Seyla Benhabib criticized the entitlement discourse within the human rights framework. She demonstrated that "the civil and social rights of migrants, aliens, and denizens are increasingly protected by international human rights documents" (Benhabib, 2007, p. 19). However, she adamantly stressed the fact that "these changes in modalities of political belonging have been accompanied by other, more ominous, forms of exclusion: first, the condition

of refugees and asylum seekers has not benefited equally from the spread of cosmopolitan norms"

(Benhabib, 2007, p. 20). Referring to Hannah Arendt's right to have rights, Benhabib believes that

"the liberal vision of citizenship as *entitlement to rights"* (my emphasis) should be combined with

"the republican-democratic vision of membership through full democratic participation"

(Benhabib, 2007, p. 20).

Aihwa Ong has also demonstrated how the liberal entitlement discourse lacks purchasing power

in analyzing the enjoyment of rights in the current globalized and neoliberal world. By putting

forward the idea of "mutations in citizenship," Ong maintains that "the elements of citizenship

(rights, entitlements, etc.) are becoming disarticulated from each other, and becoming re-

articulated with universalizing criteria of neoliberalism and human rights" (Ong, 2006, p. 499). In

other words, instead of people who enjoy "a unified bundle of citizenship," Ong observes "a

shifting political landscape in which heterogeneous populations claim diverse rights and benefits

associated with citizenship, as well as universalizing criteria of neoliberal norms or human rights"

(Ong, 2006, p. 500). Such mutations in citizenship result in the rise of value-ridden discourses

through which people scrape a few of the disarticulated rights together. For example, Ong says

that in various geographies in Asia, individual market performance determines which rights to

enjoy. That is to say, people's security, well-being, and quality of life depend on "their own

capacities as free individuals to confront globalized insecurities by making calculations and

investments in their lives" (Ong, 2006, p. 501). As for the displaced people, Ong argues that the

discourse of bare life can separate political claims from citizenship and reduce them to the grounds

for the right to survive. I aim to demonstrate that deservingness can be an overarching concept to

house these criticisms of the liberal entitlement discourse and to provide a systematic analysis of

norms and values that the actors of transnational refugee governance mobilize to distribute refugee status, rights, and services differentially.

Cis-Heteronormativity as Modus Operandi of Deservingness

Credibility assessment is "the single most important step in determining whether people seeking protection as refugees can be returned to countries where they say they are in danger of serious human rights violations" (Kagan, 2003, p. 367). As the Convention limits refugee status to those escaping their home countries owing to persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion, asylum seekers, during RSD interviews, must be able to tell their stories of persecution in a way that is compatible with five recognized grounds of seeking asylum and "coherent and plausible and not run counter to generally known facts" (Good, 2011, p. 79. However, although countries such as the USA, Canada, and UNHCR have attempted to give credibility assessments a more concrete basis, there is still a lack of a standard means to carry out credibility assessments (Kagan, 2003, p. 367). Thus, credibility remains "a matter of impression that should be left to first instance decision-makers." At the same time, negative credibility assessments also make appealing to the rejection of asylum applications challenging assessments (Kagan, 2003, p. 367-368). Moreover, the first instance decision-makers' tendency to manufacture discrepancy "by frequently seizing upon apparent inconsistencies in peripheral elements of asylum seekers' claims" (Scouter, 2011, 49) has also been documented and discussed. In other words, credibility is a co-construct of asylum seekers and officials within the asymmetrical power relations of RSD interviews. The burden of

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proof for persecution falls upon the asylum seekers, while officials conducting the interviews mobilize their personal discretion to assess the credibility of the evidence provided.

Personal discretion of officials has a freer reign over assessing the credibility of persecution based on SOGI because LGBT refugeeness is a relatively new legal category emerging in the late 1980s, and there were no (and still are and hopefully will never be) established ways of proving one's SOGI. The Refugee Convention does not directly refer to sexuality and gender identity as grounds for asylum-seeking. As a subcategory of international refugee law, thus reflecting its many pitfalls, especially the political-economic dichotomy, LGBT refugeeness was born out of the ejusdem generis approach to one of the grounds of persecution – being a member of a particular social group – listed in the Refugee Convention (Hathaway & Foster, 2014, pp. 423–442). Ejusdem generis (meaning "of the same kind) is used by courts "to limit the general phrase to only those things of the same kind or class as those specifically listed, reasoning that the specific terms would be superfluous if the general term were all-encompassing" (Englert, 2007, p. 51). Membership of a particular social group, thus, required interpreting on the side of migration officers and judges to see whether being "LGBT" could fall under the limits of the general phrase.

The two-tiered procedure for queer asylum seekers brought about a bureaucratic mystery; how can asylum seekers demonstrate their SOGI to the migration officials? With no particular answer to this question, migration officials in the Global North countries utilized their personal discretion to decide what would count as "proof" of SOGI. As we have seen in Chapter 1 (pp. 101-106), queer migration literature has documented, in detail, cis-homonormative discourses that the migration authorities in the Global North countries have used to establish proof of SOGI during RSD

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interviews. In the U.K., migration officials reduced SOGI to mere sexuality. They required evidence that violates queer asylum seekers' right to privacy, such as asking them to submit photos and videos of themselves having sex or questioning their sex partners or sexual positions (Lewis, 2014, p. 959-964). Australian migration officials also directed similar questions (Jansen and Spiikerboer, 2011, p. 55). Other homonormative discourses reduced SOGI to specific cultural performances. In the U.K., queer asylum seekers were asked during RSD interviews if they read Oscar Wilde (Connely, 2014, p. 9). In Canada, migration officials asked asylum seekers whether they had been to the Gay Pride and the gay bars in Toronto (Lewis, 2013, p. 179).

I argue that the persistence of cis-homonormativity in the discourses utilized by the street-level bureaucrats gives an aura of consistency to these discourses, which are solidified in the form of RSD assessment criteria. Thus, as cis-homonormativity becomes an integral part of bureaucratic decision-making in RSD, migration governance becomes effective in policing and controlling not only the SOGI of queer refugees but also sexualized and gendered belongings within a nation-state. I use "homonormativity as rational informality" to refer to the ability of homonormativity to fashion the aura of consistency and to actualize governance of sexuality and migration. In each case mentioned above and in Chapter 1 (pp. 101-106), we see the state-level bureaucrats facing the fluidity of the SOGI identity of queer refugees. As they must determine who belongs to a particular social group on the grounds of SOGI (as part of the first tier of RSD), they attempt to pinpoint specific signifiers as inherent and unchanging constituents of LGBT and to naturalize LGBT identities. In doing so, they downplay cultural differences in SOGI and depict a transnational category of LGBT (Vogler, 2016, p. 864). In other words, refugees were asked to present themselves as gendered and sexual beings legible by and acceptable to the state officials

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(Berger, 2009) to pass the first tier of the RSD process. The questions asked, and the evidence required may seem arbitrary since they are myriad in form and sometimes just ridiculous. Yet, as we have observed, they share one thing in common, cis-homonormativity. In each case, state-level bureaucrats invoke cis-homonormative discourses and make them a part of the bureaucratic assessment of RSD interviews. And since RSD interviews will decide who may become a refugee and stay within the borders of nation-states, cis-homonormativity ruling bureaucratic decisions becomes a part of disciplining sexuality and gender identity of refugees, as well as the norms of belonging at and within the borders of nation-states. That is to say, although cis-homonormative discourses may converge or diverge across the boundaries of the countries mentioned above, cis-homonormativity is the rationality organizing migration administrations of these countries that are all applying a two-tiered RSD system in which the priority is to determine belonging to a particular social group.

It is of utmost importance to highlight that the personal discretions of street-level bureaucrats are not deviations from 'objective' and ironclad procedures of bureaucracy. On the contrary, personal discretion is an indispensable part of the bureaucratic governance of gender. The considerable personal discretion that street-level bureaucrats have in implementing laws and policies and in mediating individuals' access to certain rights has been an academic topic for a while now (Lipsky, 1980). Gendered and racialized biases of these personal discretions and how they hinder access to rights have also been discussed (Epp et al., 2014; Grant et al., 2011; Irvine, 2014). However, these are not isolated incidences within a neutral, rational bureaucracy where everyone is supposedly treated equally. Gendered and racial discourses are inherent parts of how bureaucracy functions. In her article "Selective Service, the Gender-Ordered Family, and the Rational Informality of the

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American State," Dorit Geva underpins this argument by going beyond the much-reproduced discourse of the state regulating gender and sexuality and moving into exploring how "the rationality of American administration is ordered through gender relations" (Geva, 2015, p. 172).

Dorit Geva's concept of "rational informality" can help us understand how cis-homonormativity brings together the decisions of street-level bureaucrats, forming queer migration governance that creates "bogus refugees" – those who cannot adhere to varying cis-homonormative discourses. At its core, rational informality means enabling local administrators to operate with a high degree of personal discretion in making decisions that would affect the daily lives of the people who encounter street-level bureaucrats. Her understating of "rationality" is grounded in "Max Weber's account of the types of means-ends calculations that determine how decisions are made within any given organization" (Geva, 2015, p. 172). Yet she put her feminist twist on the concept; gender relations and familial authority play an essential role in determining how that rationality will embody itself in the decisions of street-level bureaucrats. Geva adds, "such discretionary governance, however, requires a substantive foundation for a given policy to meet its goals and not appear arbitrary" (Geva, 2015, p. 173). In her case study, she identified this foundation as the gendered order of the family.

Geva conducted archival research on the Selective Service System, the federal draft system established in 1917. According to Geva, "a significant factor in determining men's draft status was whether they were viewed by local draft board members as heads of households supporting dependents" (Geva, 2015, p. 173). In other words, the board members were assigned the task of assessing genuine dependency with minimal guidance and maximum room for personal discretion.

Thus, their decisions breathed life into a federal policy that had to be applied across states. The discourse of the marriage epidemic – "men were supposedly rushing into marriage in order to avoid being drafted" (Geva, 2015, p. 191) – sustained the idea that being married was not enough to be exempted from being drafted. Dorit asserts, "draft boards interrogated men's presumptive positions as heads of families. A man's failure in asserting his position as an economic head of household increased the likelihood of his being drafted into the wartime army" (Geva, 2015, p. 193). In doing so, the board members gave a sense of stability to this federal policy while ensuring minimal disruption to the American household's gender order.[33]

In Geva's definition, one of the basic premises is that substantive rationality is a pervasive feature of multi-level governance. My definition of cis-homonormativity as rotational informality replaces this basic premise with a commonality observed in each case presented; street-level bureaucrats facing the fluidity of sexuality and gender identity and having to make them legible and classifiable by focusing on one or two signifiers supposed to representative of LGBT. In other words, the fluidity of gender identities itself opens a bureaucratic gap within migration administration which strictly operates with a dichotomy of male/female, man/women, and femininity/masculinity. Confronted with myriad expressions of SOGI, street-level bureaucrats turn to socially available discourses, all of which prove to be cis-homonormative, as we have observed. As a result, street-level bureaucrats of migration administrations can uphold the policy they must follow; assess the

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[33] Geva shows that African-American men were more frequently drafted than their White counterparts. She argues, "It is possible that the poverty rates of African-Americans lowered the perceived bar for what constituted economic hardship and that the higher incidence of African-American women's employment diminished local draft boards' interpretation of them as economic dependents. This issue necessitates further investigation" (Geva, 2015, p. 191).

credibility of a refugee's claim to membership in a particular social group. They do so by constantly drawing power from cis-homonormativity.

A Transnational Matrix of Deservingness in Turkey

By combining deservingness defined in welfare studies and Geva's rational informality, I argue that deservingness refers to the fact that bureaucratic procedures within refugee governance – RSD, resettlement, allocation of social and financial assistance – are inherently dependent upon the personal discretions of migration officials who utilize socially available norms and values about SOGI in differentially distributing refugee status, rights, and services. That is to say, migration officials are not mere conduits of formal laws and social policies, replicating their intended purposes within the flow of daily life (Shore and Wright, 2011, p.3). Especially in the cases where the nature of the bureaucratic procedure uniquely takes shape according to each individual, such as credibility assessment of claims to persecution or a well-founded fear of persecution or determining or testing' someone's SOGI, personal discretion of migration officials becomes a guiding principle in differentially allocating refugee status, rights, and services. Hence, this chapter takes deserving and undeserving refugees as social categories born out of personal discretions of migration officials and their socially available discourses pertaining to SOGI. Finally, differential allocation means that those willing and able to perpetuate and perform social expectations of a deserving refugee during bureaucratic encounters are more likely to obtain refugee status and enjoy refugee rights and services.

The utilization of personal discretion as credibility criteria becomes more complicated in the case of Turkey because of UNHCR's involvement in the RSD and resettlement procedures. One of the consequences of UNHCR's mandate in Turkey has been the creation of a parallel tracks system in which asylum seekers must navigate bureaucratic procedures of national, UNHCR, and third-country officials to receive conditional refugee status and be resettled. Each group of officials has their own versions of 'deserving' and 'undeserving' refugees, and these versions are diffused into the flow of asylum seekers' life in Turkey, subjecting them to different bureaucratic expectations all at once. Hence, I call the combination of the versions of a deserving and undeserving refugee as a transnational matrix of deservingness (the matrix for short) which is enacted in the localities of Turkey. To better grasp the complicated and interwoven nature of the matrix, we first need to have a general map of the transnational bureaucracy involved in refugee governance in Turkey. Tracing the bureaucratic steps that asylum seekers had to take after they crossed Turkey's borders reveals an abstracted version of 'successful' asylum-seeking applications in Turkey before the withdrawal of UNHCR from registration and RSD. A successful application in this context refers to obtaining conditional refugee status and resettling to a third country.

Upon arriving in Turkey, asylum seekers had to go to Ankara, where UNHCR and its implementing partner ASAM took the first instance registration in which officials gathered biometric information of the asylum seekers and asked about their reasons for seeking refuge. At the end of registration, asylum seekers were usually presented with three satellite city options.[34]

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[34] According to Article 71 of the Law on Foreigners and International Protection, conditional refugees are obliged to live in the designated provinces, which are smaller cities. This aims to prevent refugees from only going to metropoles where job opportunities are better than the smaller

Upon completion of the registration, asylum seekers had to go to the town they chose and wait for UNHCR to contact them with a date for the first RSD interview. As mentioned in the introduction, in some cases, asylum seekers had to wait around two years to have their first RSD interviews.

Within seven days of registering with UNHCR, asylum seekers had to arrive at their satellite city and start their registration procedure with PDsMM, or else they risked their chance of receiving refugee status. PDsMM, too, took an initial registration to satisfy the seven-day rule, which meant that asylum seekers only gained the right to stay in the satellite city. In order to be able to enjoy any right, such as the right to work, healthcare, social services, and financial assistance, asylum seekers had to complete the registration procedure and receive an identification number for foreigners. Asylum seekers and I/NGO workers noted that PDsMM, too, asked them to wait up to a year to finalize their registration, which meant that asylum seekers were deprived of their rights, just physically existing in the satellite cities. In the case of successful registrations with UNHCR and PDsMM, asylum seekers were invited for RSD interview(s) in which they were asked to provide further details and substantiate with proof their reasons for seeking asylum. If UNHCR officials find their stories of persecution credible, they receive their conditional refugee status.

Granting of conditional refugee status initiated the resettlement procedure, which UNHCR mediates. UNHCR selects the most vulnerable refugee cases and submits them to the embassies or implementing partners[35] of third countries in Turkey. UNHCR utilizes the quotas provided by

cities. The same article also obliges refugees to go to the Provincial Directorates of Migration Management and give signature (daily or biweekly).

[35] For example, in Turkey, the International Catholic Migration Commission conducts resettlement interviews on behalf of the USA.

Global North countries such as the United States, Canada, Germany, the United Kingdom, Australia, and Nordic countries.[36] After receiving the resettlement case from UNHCR, embassies or implementing partners conduct their own interviews to evaluate the compatibility of resettlement applicants' persecution stories with their own criteria of refugeeness. If the third country agrees to resettlement, UNHCR and its implementing partners mediate the move of resettlement applicants, finalizing their conditional refugee status within the borders of Turkey. However, PDsMM must give clearance for resettlement before the final move to a third country. Although none of my interlocutors had a problem with getting the clearance, it has been noted that Turkish officials refused to give 'exit permits' on the grounds of incomplete local bureaucratic procedures or without any official explanation (Sarı and Dinçer, 2017, p. 67; Amnesty International, 2009).

As the abstracted version of bureaucratic steps for conditional refugees demonstrated, queer asylum seekers in Turkey must navigate three different bureaucratic structures, which have their own credibility criteria for persecution based on SOGI. PDsMM, UNHCR, and embassies or implementing partners of third countries have their own conceptualizations of whether SOGI counts as a ground for seeking asylum and/or as a source of vulnerability that requires expedition of its bureaucratic procedures and access to social and financial services. That is to say, each bureaucratic structure carries itself with its own social and political agenda concerning refugees and SOGI and has a relatively autonomous space within the national borders of Turkey to enact them. Therefore, it is imperative to look closely into each structure's framework of deservingness to understand how they come together to create a transnational matrix of deservingness in Turkey.

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[36] https://www.unhcr.org/resettlement.html.

Staring with PDsMM, they are "street-level" branches of the umbrella state apparatus called the Directorate General of Migration Management (DGMM). These relatively new bureaucratic bodies were established by the introduction of the recent migration law of Turkey in 2013 called the Law on Foreigners and International Protection (LFIP). The law was long in the making since Turkey signed an Accession Partnership Document with the E.U. in 2001. At the time, it was envisioned to be a vital step to harmonize with the E.U. migration policies, especially by removing the geographical limitation. Although LFIP adopted EU-inspired categories such as subsidiary protection[37] and created DGMM as a central national authority governing migration, the geographical restriction remained. Article 3 of LFIP also introduced the category of "people with special needs" who, according to Article 67, have "priority access to written rights and procedures." LFIP categorizes the following individuals as people with special needs: An unaccompanied child, a disabled person, an elderly person, a pregnant woman, a single mother or single father with child(ren), and a person who has been subjected to torture, rape or other serious psychological, physical or sexual violence. SOGI does not appear in the text at all.

Other legal documents derived from LFIP, such as the Temporary Protection Regulation, utilize the same conceptualization of vulnerability, excluding SOGI. Thus, the social policies of DGMM also do not recognize SOGI in any form. None of the strategic plans of DGMM mentions SOGI.[38] None of the 50 projects that DGMM conducted refers to SOGI.[39] None of DGMM's annual activity

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[37] https://ec.europa.eu/home-affairs/e-library/glossary/subsidiary-protection_en
[38] https://www.goc.gov.tr/stratejik-planlar
[39]https://www.goc.gov.tr/kurumlar/goc.gov.tr/evraklar/Goc-Projeleri/GOC-PROJELERI2/GI%CC%87GM-_-PROJELER-TABLOSU-biten.pdf

reports mentions SOGI.[40] None of the annual migration reports that DGMM published mentions SOGI.[41] Only one project out of 21 that DGMM currently conducts has the acronym LGBTI.[42] Funded by Swedish International Development Cooperation Agency, the project aims "to prevent gender-based violence by determining the needs of people with special needs, LGBTI, and vulnerable foreigners during the procedures of processing and finalizing their application to international protection."[43] However, when the annual activity report of 2017 talks about the same project, it does not include LGBTI in its aims.[44]

I do not consider it a mistake that DGMM has forgotten to put LGBTI in its annual activity report or deleted it from its list of current projects. I take it as a symptom of Turkey's insistency on legally erasing queer refugees and leaving them vulnerable to arbitrary treatment and harassment of state agencies, but at the same time, bureaucratically managing them as one of the actors in transnational refugee governance. That is to say, through its cooperation with transnational bodies such as UNHCR and Global North Countries such as Sweden, Turkey constructs a de-facto category of queer refugeeness that purposefully erases SOGI from the legal texts and social policies. Without legally recognizing SOGI and the existence of queer refugees, Turkey bureaucratically manages them while they are waiting in Turkey to be processed by UNHCR and third countries. During that waiting period, since any legal text does not bind local authorities in their dealings with queer

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[40] https://www.goc.gov.tr/faaliyet-raporlari
[41] https://www.goc.gov.tr/yillik-goc-raporlari
[42] https://www.goc.gov.tr/kurumlar/goc.gov.tr/evraklar/Goc-Projeleri/GOC-PROJELERI2/GIGM-Devam-Eden-Projeler.pdf
[43] Ibid.
[44] https://www.goc.gov.tr/kurumlar/goc.gov.tr/evraklar/Stratejik-Yonetim/Faaliyet-Raporlari/2017-Yili-Faaliyet-Raporu.pdf

refugees, it is entirely up to their personal discretion to consider SOGI as a ground to grant, hinder, or expedite access to rights and social services.

In many cases, PDsMM refused to register queer asylum seekers either because there was already a long waiting list or because migration officials did not recognize SOGI as a ground for asylum-seeking. For example, although an Iranian gay couple was assigned to Yalova, they could not register with the PDMM, who told them that Yalova is closed for registration except for people with special needs. Stating that they are both living with a chronic disease, they asked the PDMM to register them so that they can access healthcare. They were refused once again since they did not fit into the category of people with special needs. In such cases, UNHCR and its implementing partners negotiated with PDsMM on behalf of queer asylum seekers. My interlocutors from these implementing partners told me that the negotiation usually worked primarily when they pointed out that UNHCR would expedite queer asylum seekers' resettlement if they could register with PDsMM, which meant that they would be able to leave the satellite city as soon as possible. By appealing to the fact that queer asylum seekers will be managed by the transnational refugee governance (resettlement scheme in this case), UNHCR is able to negotiate with the local authorities who refuse to accept SOGI as a ground for seeking asylum. In another example, an Iranian lesbian woman was to register the PDMM of Eskisehir. During the initial interview, in which she declared that she escaped Iran because of her sexual orientation, the PDMM worker stated that he will register her *not* because of her sexual orientation but because she is a single woman living in Turkey who has gone through physical and psychological violence. The PDMM worker used his personal discretion to find a way to include her in the PDsMM's framework of deservingness while erasing her sexual orientation from the process of registration.

As for UNHCR, it accepts SOGI not only as a ground for seeking asylum but as a source of vulnerability, as mentioned in the introduction. UNHCR has criticized the utilization of cis-homonormative representations of SOGI as criteria of credibility for a long time. It has also been a long-time advocate of questioning how SOGI of asylum seekers results in persecution or a well-founded fear of persecution instead of questioning SOGI of asylum seekers. Arguing that SOGI cannot be substantiated with evidence, UNHCR suggests accepting asylum seekers' SOGI as they declare and asking them to provide credible proof of persecution based on their SOGI. Since UNHCR was mandated to conduct RSD interviews in Turkey, it could actualize its own suggestion. All of my interlocutors noted that they declared their SOGI without further proof. I also did not encounter any case where UNHCR refused an application because it did not believe the declared SOGI. However, there have been cases where UNHCR did not find persecution stories of queer asylum seekers credible enough. While queer asylum seekers await the RSD interview(s) in the satellite city, they go through a vulnerability assessment test conducted by the implementing partners of UNHCR. This test aims to collect information about the asylum seekers that may count as a hindrance to their ability to adapt to the city, as a source of physical insecurity, and so on. After the first face-to-face vulnerability assessment, queer asylum seekers can contact UNHR directly or indirectly via its implementing partners about any new development that may have increased their vulnerability, such as constant verbal and physical attacks, which frequently happened to my interlocutors. With the continuous flow of information, UNHCR has decided to expedite RSD interviews and resettlement procedures.

Regarding the other services, UNHCR introduced financial help catered to transgender refugees. UNHCR pointed out that transgender refugees have a tough time finding jobs in the formal or informal sector since they are discriminated against because of their gender identity. As a result, they do survival sex work, making them more vulnerable to harassment, physical violence, and deportation. Transwoman refugees who are registered with their passports or identity cards that have their birth name and 'sex marker' (such as F/M letters on I.D. cards or blue I.D. cards/pink I.D. cards) could not apply for any financial assistance that Turkish authorities provide. Local and national actors such as the Ministry of Family, Labor, and Social Services, Red Crescent of Turkey, and municipalities distribute financial help to refugees by prioritizing a similar category of "people with special needs" with the addition of single women. Refugees who are transwomen applied to such financial help scheme multiple times. However, they were always rejected because local authorities employ a strictly cisnormative conceptualization of *single women* based on legal documents.

With the third and final framework of deservingness, which is constructed by embassies or implementing partners of third countries, we can observe that each refugee's experience with them could differ. A Syrian trans refugee had one resettlement interview with France and was resettled to Nice in six months because she was living alone in Istanbul and doing sex work while escaping from her family, who was also in Turkey. Darya, an Iranian lesbian refugee, had two interviews with the USA over two years and was taking the final steps to be resettled. However, she is still waiting for resettlement because President Donald Trump's travel ban on different countries, including Iran, put a stop to the resettlement of conditional refugees from these countries. An Iranian gay refugee whose case was assigned to the USA for three years was never invited for a

resettlement interview. After Trump's travel ban, UNHCR resubmitted his case to Spain, and in six months, he was resettled. The USA rejected an Iranian gay refugee's claims for resettlement on the basis of his sexual orientation because he was considered too masculine to be gay. Even if he was gay, he could blend into Turkey if he kept up with his masculine behavior. Although such dispersed examples could not provide a clear pattern of bureaucratic expectations of each third country, they demonstrate that each third country operates with its own social category of deserving refugee informed by their social and political discourses about refugees and SOGI.

All in all, since three bureaucratic structures interact with queer asylum seekers all at once during their time in Turkey, we observe that an asylum seeker can simultaneously be a deserving and undeserving refugee within the transnational matrix of deservingness. Within PDsMM's framework of deservingness, queer asylum seekers are at the mercy of personal discretions of the workers who are not bounded by any national legal document that recognizes SOGI as a ground for seeking asylum and for social and financial services. Queer asylum seekers must continually negotiate access to rights and benefits with the mediation of UNHCR and its implementing partners. Within UNHCR's framework of deservingness, SOGI is recognized as a ground for seeking asylum as well as expediting RSD, resettlement, and access to rights and services. Within third countries' framework of deservingness, SOGI is recognized as a basis for being resettled. Yet each third county subjects queer refugees to RSD interviews in which they employ varying social and political expectations of what counts as a refugee who deserves to resettle within their national borders.

Nevertheless, UNHCR's consistent role in supporting queer asylum seekers has made sure that bureaucratic structures which usually deem SOGI – or particular expression of SOGI such as masculine presenting gay man– as an undeserving ground for seeing asylum cannot entirely reject and/or deport queer asylum seekers. Hence, the transnational matrix of deservingness, although highly complicated and unpredictable, opens space for queer asylum seekers to construct legal subjectivities within the borders of Turkey through which they can negotiate for their refugee status, rights, and services.

Refugee Governance via the Transnational Matrix of Deservingness: The Case of a Cis-Heterosexual Man

Scholars laid bare the adverse effects of living in the in-between space of Turkey awaiting the resettlement on queer refugees (Shakhsari, 2014a; 2014b; Sarı, 2020). I also demonstrated that the waiting period could foster adversity amongst the members of queer refugee communities who are put in competition against each other for resettlement by UNHCR and third countries. Hence being able to negotiate one's way into the transnational matrix of deservingness does not guarantee any sustainable access to rights and services in the long term. It only means that queer refugees can create legal subjectivities recognized by the matrix's three actors and utilize their subjectivities in negotiating access to rights and services at each bureaucratic step. The possibility that such negotiations can take place and result in favor of queer refugees, I argue, gives an incentive for queer refugees to remain immobile in Turkey for an extended period, hoping to finalize their resettlement process and leave Turkey in a documented way. On the other hand, if asylum seekers could not negotiate their way into the matrix – that is to say, marked as underserving by all three

authorities – they are unable to construct a legal subjectivity within Turkey through which they may access rights, financial help, and resettlement. In such cases, the matrix forces them to be more mobile, seeking ways out of Turkey via undocumented means.

During my fieldwork, the sentence "If I were not assigned for resettlement, I would have left" has been repeated in various forms by queer refugees who had been waiting in Turkey for more than two years at the time of our meeting. Going back to Darya, who has been waiting in Turkey for six years as of 2020, in our follow-up interviews, she mentioned that she is seriously considering migrating to a third country via undocumented means after Trump's ban. She noted that she is not taking this risk only because of her resettlement possibility. She said she wants to push UNHCR to re-assign her case to another third country. Until that option fails, she is planning to remain in Turkey. The fact that she was able to situate herself into the matrix and secure means of negotiations incentivizes Darya to stay immobile in Turkey, at least until she decides that the in-between life in Turkey is no longer acceptable.

In direct juxtaposition to queer refugees who could negotiate their way into the matrix via – or in the case of national authorities, in spite of – their SOGI, Muhammad's story will demonstrate how being excluded from the matrix incentivizes refugees to rapidly re-displace. I met Muhammed, a cis-heterosexual man, on the day he registered with UNHCR Turkey as an asylum seeker in early September 2018. He was detained and tortured in Iran because of his involvement with an anti-government movement. After his family bribed the police for his release, he was able to blend in with a group of Afghan asylum seekers and crossed the Turkey-Iran border on foot, entering a border city. The smuggler who helped them cross the border gave them bus tickets to Ankara,

telling them to find UNHCR's office. After a long journey, they managed to find the office in Ankara, but since it was late at night, they had to sleep rough at the park across from the office. Early in the morning, he stated his reasons for seeking asylum as persecution based on his political opinions and registered with UNHCR. During the registration, he was told to choose a satellite city out of three options presented to him. He randomly chose Bolu, not knowing any details about the options offered. Before registration officers let him go, they told him to go to Bolu and register with local authorities within a week or else he would lose the right to register with them. Finally, he was just given a list of addresses and phones of non-governmental organizations that could help him.

He was referred to me as I had been acting as a volunteer translator for asylum seekers and refugees. When he tried to get a bus ticket to Bolu, travel agencies refused to sell him one because he did not have his passport or his identification number for foreigners. Hostels in Ankara declined to give him a room for the same reason. I went to the park across from UNHCR's office to meet him. He explained to me what had happened. I was perplexed by the fact that UNHCR did not help him with the bus ticket and the accommodation. I observed that UNHCR and its implementing partners in Turkey helped queer asylum seekers travel to the satellite cities and find housing. We called the helpline of ASAM to see if they could buy him a ticket, but they just said that he should be able to buy a ticket with the registration papers given to him by UNHCR. After a series of heated debates with many travel agencies, I managed to convince one agency to sell him a bus ticket by stating that they were violating his right to seek asylum by preventing him from going to Bolu. On the day he arrived at Bolu, he went through the initial registration with Bolu's PDMM,

who told them that he might have to wait until mid-2019 for his first interview with them. Then we learned that his RSD interview with UNHCR could only be booked for early 2020.

After observing the hardships Muhammed went through in getting any form of help from UNHCR and its implementing partners, I better understood why queer asylum seekers' applications for refugee status are called "golden cases." Muhammed could not place himself anywhere in the transnational matrix of deservingness as a cis-heterosexual man. During the first month of his stay in Bolu, we stayed connected, and he told me how his every request for assistance from UNHCR and I/NGOs was left unanswered. I could not hear from Muhammed for a while, which made me worried about him. One day, I received a message from Muhammed saying he was on one of the Greek Islands. He explained that he could not sign a flat lease which is mandatory to complete his registration process with the PDMM since he could not speak Turkish and UNHCR or local NGOs did not provide translation assistance. On top of being barred from the formal job market because of his impending conditional refugee application, he did not even know how to look for jobs in the informal sector since he did not know anyone in Bolu who had no Iranian refugee community. As a single cis-heterosexual man, he was not eligible for financial help from either local or transnational organizations. He told me he was afraid that his money would run out and he would be stranded in Turkey; his family could not send more money because no bank allowed him to open an account without his registration with the PDMM. Hence, he decided to take a boat to one of the Greek Islands.

As no one mediated his access to refugee status, rights, and services, Muhammed had to be yet again displaced and use undocumented methods of border crossing. Moreover, since he could not

partake in the transnational matrix of deservingness, he could not access the rights and services that may give him the incentive to remain in Turkey. The transnational matrix of deservingness in Turkey helps 'deserving' refugees construct legal subjectivity, keeping them immobile in Turkey, waiting for resettlement, thus, preventing undocumented border crossing and sustaining refugee governance.

Refugee Governance via the Transnational Matrix of Deservingness: "Fake LGBT Cases"

This section aims to understand the creation of "fake LGBT cases"[45] as a part of the everyday reproduction of the transnational matrix of deservingness in two localities of Turkey, Yalova and Eskişehir. During my fieldwork, I listened to narratives about what my interlocutors called "fake LGBT refugees" or "fake LGBT cases," defined as refugees pretending to be 'LGBT' to be resettled to a third country. Positing queer refugees as "golden cases" (a term used by an Iranian transwoman living in Yalova), my interlocutors depict it as 'a scarce resource' sought after by non-LGBT refugees because it expedites refugee status determination (RSD) interviews and resettlement to a third county. As they firmly believe in the existence of "fake cases," they demand that UNHCR and its implementing partners should take precautions against them in the form of developing stricter methods of screening sexuality and gender identity of refugees, for example, by asking "gays the background color of Hornet and lesbians Wapa's"[46] or requiring psychological

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[45] The word "case" refers to refugees' application process with and/or application dossier in UNHCR.

[46] Author Interview, an Iranian lesbian woman in Eskişehir, April 10, 2018. Hornet is a geosocial networking and online dating application geared towards gay men, while Wapa is a similar application geared towards lesbian women.

and psychical tests for transgender individuals.[47] How can such demands for more control be framed within refugee governance? I will argue that the transnational matrix of deservingness (credibility of persecution, the quota scheme of UNHCR, and U.S. President Donald Trump's travel bans) brings about a reconceptualization of sexualities and gender identities as scarce resources redistributed by officials. I will argue that to negotiate their deservingness of resettlement, queer refugees mobilize their SOGI defined in the act of negating "fake cases." They perform the 'authenticity' of their sexuality, gender identity, and fear of persecution by juxtaposing their life narratives with the discourse of "fake cases." The consequence of this negotiation, I believe, is policing and controlling not only the SOGI of queer refugees but also constructing the deservingness of refugee status as a gendered performance of persecution.

On February 16, 2018, I greeted two Iranian trans-women at Ankara train station early in the morning. I volunteered to act as their translator during their visit to a hospital. The doctors in the city where they lived at the time refused to start their hormonal treatment, requiring them to get a medical report proving their 'transsexuality' and the need for hormonal therapy from a hospital in Ankara. After running around the hospital the whole day, we went back to the station to wait for their return train while having coffee and chatting. We jumped from one topic to another during our conversation until they decided to talk extensively about "the fake cases," referring to some refugees who supposedly are 'faking' their SOGIs to get refugee status and to resettle in a third country faster. Later in the interview, one of them elaborated on this: "They come here pretending to be LGBT. They (a man and woman) come here and live as lovers but say they are LGBT

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[47] Author Interviews, one Iranian transwoman in Eskişehir, February 27, 2018; two Iranian transwomen in Yalova, August 14, 2018 and August 16, 2018.

refugees. These are the people from whom I run away, cursing and attacking me on the street in Iran." She also claimed that the same people are teaching other "fake cases" how to act like an 'LGBT' person, also finding houses and jobs in Eskişehir for them, in exchange for money.

After this crucial encounter, I found myself piecing together different narratives of my interlocutors into a fragmented but intriguing story of "fake cases." Three of my interlocutors (one from the Human Resource Development Foundation [HRDF, an implementing partner of UNHCR in Turkey], one from the Association for Solidarity with Asylum Seekers and Migrants [ASAM, an implementing partner of UNHCR in Turkey], and one from UNHCR Turkey) mentioned queer refugees making complaints about a gay Iranian activist living in Canada (resettled from Turkey as a refugee), who makes frequent visits to Turkey. They complained that this person is collecting information on the cases of "real LGBT" refugees with the promise that he will help them get resettled to Canada, but he sells the information to "fake cases" so they can have templates from which to cheat. An Iranian transwoman refugee in Eskişehir said that she gave her case details to that person, and she is now really sorry for doing it, and "If I am ever resettled to Canada, I want to sue that guy."[48] A lesbian Iranian refugee in Eskişehir, who later became a key interlocutor during my stay in Turkey, wanted me to talk to other queer refugees, especially about "fake cases."[49] Twenty minutes into our interview, a gay Iranian refugee in Eskişehir stopped me from asking questions to insist on talking about "fake cases." He said, "As a researcher, you should be aware of these things."[50]

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[48] Author Interview, Eskişehir, March 22, 2018.
[49] Author Interview, Eskişehir, February 26, 2018.
[50] Author Interview, Eskişehir, April 10, 2018.

Listening to similar stories also coming from Yalova crystallized the need for systematic and critical research on these fragmented narratives. I had one question in mind: What are the functions of the narrative of "fake cases" in queer refugees' relations with their peers and workers of NGOs and UNHCR? From June 2018 to September 2018, I arranged a series of visits to Eskişehir and Yalova – two satellite cities[51] to where queer refugees are sent – to conduct participant observations and interview queer refugees for the specific purpose of researching "fake cases." Since I did not want to show any judgment on my side concerning "fake cases," I added just one question to my life story interview framework: "What do you think of fake cases?" I had the chance to conduct thirty interviews with queer refugees during this time.

According to UNHCR's resettlement data, at the end of 2017, less than one percent of 19.9 million refugees of concern to UNHCR were resettled.[52] This fact makes resettlement a scarce resource all around the world. Zooming in on Turkey's context depicts resettlement as even more ineffective. In 2017, the number of conditional refugees from the MENA and Sub-Saharan countries was around 364,000.[53] Only 3,221 people out of this group were resettled to a third country,[54] marking the resettlement rate of conditional refugees in 2017 at 0.88 percent. In 2018,

[51] According to Article 71 of the Law on Foreigners and International Protection, refugees are obliged to live in the designated provinces. The same article also obliges refugees to go to the Provincial Migration Offices and give signature (daily or biweekly). This is a tracking and regulating policy, primarily aimed to keep refugees within the satellite cities to which they are assigned.

[52] UNHCR, "Resettlement."

[53] UNHCR Turkey (2018) Key data and numbers. Available online at: https://data2.unhcr.org/en/documents/download/63181, accessed November 06, 2019.

[54] UNHCR (2018) Resettlement Data. Available online at: https://www.unhcr.org/resettlement-data.html, accessed November 06, 2018.

although the number of conditional refugees increased to 368,000,[55] the number of resettled refugees drastically declined to 883, making the resettlement rate in 2018 a mere 0,26 percent.[56]

Considering the refugee laws of Turkey that dictate that *all 368,000 conditional refugees* must be resettled to a third country, the conceptualization of resettlement as a scarce resource also holds for Turkey. Moreover, the resettlement scheme, as noted, is entirely dependent on the quotas provided by the countries mentioned above, the most significant contributor being the United States, whose changing refugee policies directly affect how resettlement can be carried out in Turkey. President Donald Trump's travel bans on 'Muslim' countries, including Iran, hindered the resettlement process of my interlocutors who were assigned to the U.S. An Iranian lesbian interlocutor in Eskişehir stated that she already had two interviews for resettlement before Trump's travel ban, but since then nothing has happened. An Iranian trans woman in Yalova mentioned that her friends assigned to Canada had been resettled for a long time, but she has been waiting for four years. During my follow-up interviews and participant observations in the spring of 2019, I learned that because of the travel ban, the cases that were assigned to the U.S. are now being re-assigned to other countries, which essentially restarts, and thus prolongs, the resettlement process.

The resettlement process in Turkey starts after applicants receive their legal status as conditional refugees. UNHCR conducts resettlement interviews in which queer refugees represent their gendered performances of persecution in their home countries with an additional performance of persecution *in Turkey*. The extra level of performance results from the fact that the resettlement

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[55] UNHCR (2018) Key Facts and Figures. Available online at:
https://data2.unhcr.org/en/documents/download/67203, accessed November 06, 2019.
[56] UNHCR (2018) Resettlement Data.

process is expedited if queer refugees face physical and sexual violence, harassment, threats, and insults on a daily basis; if they have to rely on "survival sex work;" and if they suffer from the lack of safe and appropriate housing and employment and so on in the country of asylum.[57] Recognizing possible persecution in the countries of asylum and a need for faster resettlement to a 'safer' country could be considered essential tools for providing due protection for queer refugees. However, expediting resettlement is situated within a broader framework of transnational refugee governance that makes resettlement almost impossible to achieve, as the resettlement rate of a mere 0.26 percent demonstrates. Any expediting criteria become a scarce resource, such as gendered performances of persecution in Turkey. It is why queer refugee applications were referred to as "golden cases" in my fieldwork. An Iranian transwoman in Yalova narrates expediting resettlement in connection to a 'fake case'; "Our cases are known as golden cases. Ours were quickly processed before Trump. They (fake cases) say we will have many problems whether we say we are converted Christians or LGBT. However, if we say LGBT, we will leave (Turkey) a little bit earlier."[58] Resettlement as scarce resource results in a domino effect making the criteria of expediting the process also a scarce resource to be performed. Thus, gendered performances of persecution in home countries and Turkey become a scarce resource since, if validated, these performances expedite resettlement.

The effects of resettlement being a scarce resource also get diffused into daily life. The legal necessity of resettlement (impossibility of longer-term settlement to Turkey) and being 'LGBT'

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[57] UNHCR (2013) Resettlement Assessment Tool: Lesbian, Gay, Bisexual, Transgender, and Intersex Refugees. Available online at:
https://www.unhcr.org/protection/resettlement/51de6e5f9/lgbti-refugees-unhcr-resettlement-assessment-tool.html, accessed November 28, 2018.
[58] Author Interview, Yalova, August 14, 2018.

expedite resettlement, moving the concern of credibility and coherence of persecution beyond RSD and resettlement interviews, carrying it into the flow of daily life. Being under international protection in Turkey means that resettlement is set as one of the main goals of living in Turkey for queer refugees. I am not suggesting resettlement is the singular focus of their lives. Creating and sustaining life in Turkey is extremely important, especially since the waiting period is getting longer (some of my interlocutors have been living in Turkey for five years). Waiting in the liminal space of Turkey, which is depicted as a transition country in-between home and receiving countries, can be utilized to affirm the subjectivities of queer refugees in many aspects because five years of waiting is hardly a simple transitionary period in their lives. Yet resettlement remains a hard fact in the everyday lives of queer refugees; however far it may be in the future, they know that resettlement is the only viable *legal* option in the long term. In many conversations with my interlocutors during social gatherings and official meetings with NGOs, their hopes and fears about resettlement regularly came up; some did not want to be resettled to the USA because they heard from their resettled friends that they were not happy in the USA; they wanted to be resettled to Canada because it is more "progressive" for LGBT people; they had plans to continue their educations, to start taking hormones or the laser hair-removal therapy; they want to live in a "proper" house (referring to poor accommodation conditions for refugees in Turkey) and have a "proper" job (referring to the poor employment conditions of refugees in Turkey); they want to walk on the street without being harassed or without being followed; they (especially trans women) want to take the train without being sexually harassed.

Also, these hopes/fears and problems they face within Turkey can be conveyed to the officials of UNHCR and its implementing partners in the form of a "vulnerability assessment." Vulnerability

assessment could happen in a single moment. The implementing partners of UNHCR – ASAM and HRDF – conduct it in the form of interviews shortly after queer refugees are resettled to their satellite cities. For vulnerability assessment, they utilize UNHCR's criteria of persecution in the asylum country as stated above. However, queer refugees could also report persecution instances directly to UNHCR and its implementing partners by calling, emailing, or meeting face-to-face. For example, an Iranian transwoman in Eskişehir encountered many problems attempting to start her hormonal treatment in Turkey. She wanted to get a paper from the doctor documenting the hardships so that she could send it to UNHCR as proof of the need for resettlement, showing that she was not able to enjoy her gender identity – one of the fundamental reasons for migrating as a queer person – here in Turkey. I had the chance to interview an Iranian trans woman who was attacked in Yalova. We decided to meet at a coffee shop, and she arrived with a relatively extensive dossier of documents. The dossier included the doctor and police reports of her attack, other reports in Persian that she brought herself from Iran, and photos of her body showing the scars left by her father's attack in middle school. She said she made several copies of the dossier to give to whoever interviewed her and that she had already shared a similar dossier with UNHCR and sent the new reports of the attack via email.

To negotiate their deservingness of resettlement as a scarce resource to be competed for in transnational refugee governance, "fake cases" are incorporated into these gendered performances of persecution in Turkey. 'Authenticity' of refugees' sexualities, gender identities, and their deservingness of resettlement are proved in juxtaposition to "fake cases." During our interviews, my interlocutors often provided narratives constructing the authenticity of their sexuality and gender identity, and deservingness by demonstrating the 'inauthenticity' and 'un-deservingness'

of fake cases. An Iranian trans woman in Yalova argues, "According to what I heard, we have 30 lesbians in Yalova, but nobody knows who they are. I went to ASAM and asked for the names of those lesbians, but they did not give them. Do you know why? Because they are not lesbians. If someone is gay, trans, or lesbian, then they directly show themselves because they come to Turkey because they could not be visible in their countries. For example, if I were not trans, I would not come here, sit with you and talk because I would be afraid (of being discovered as fake)."[59] In depicting "fake cases" as people afraid of appearing in public spaces and within the queer refugee community in Yalova, my interlocutor constructs authenticity and deservingness of her gender identity and her claim to resettlement by drawing power from her visibility. Her narrative resonates with the discourse of codified homophobia and being persecuted in the public sphere; two discourses utilized are RSD interviews. The forced invisibility in home countries is depicted as authentic persecution in negotiation for deservingness. Thus, the assumed 'voluntary' invisibility or not being involved in the queer refugee communities in Turkey is interpreted as being a "fake case." A similar reference to visibility in public space and queer refugee communities comes from an Iranian gay man in Yalova who is one of my key interlocutors. We were taking a stroll on the main street of Yalova, which is full of restaurants, coffee houses, and shops, while chatting about "the fake cases." While walking, we stopped several times to say hi to other queer refugees and have small talks. When we approached the end of the street, he turned around, looked back at his friends, and said, "UNHCR can send a spy here to observe us just for a day, then they can easily understand who are LGBT refugees and who are not."[60] With that decisive moment, he highlighted

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[59] Author Interview, Iranian trans woman refugee, Yalova, August 14, 2018.
[60] Author Interview, Iranian gay refugee, Yalova, August 15, 2018.

the 'authenticity' of his and friends' SOGI and the deservingness of refugee status and resettlement by referring to a need to be 'observably'[61] queer in public spaces.

Each performance of authenticity and discourse of "fake cases" has the potential to be harnessed as a means of peer policing/regulating sexuality and gender identity within the flow of everyday life. The potential is specifically actualized by a solid reference to the vulnerability assessment system of UNHCR and NGOs, 'accusing' some queer refugees of abusing this system to expedite resettlement. While I was in Yalova, a group of Iranian transwomen had a meeting with a local NGO to discuss their needs and 'vulnerabilities' that require immediate attention. After the meeting, they wanted to have their own gathering over dinner to discuss what had been said to them by the NGO. A friend in the group invited me to dinner, and after, a small group separated from the others to go to a coffee shop on the shore. While we had tea, they started discussing the attacks on transwomen refugees in Yalova. One of them noted that it was regrettable that such attacks were happening, and she feels unsafe living in Yalova. Then she added that she takes necessary actions to protect herself, such as not wearing make-up or revealing dresses. She said those who were attacked had been attracting too much attention to themselves with their appearances as if they wanted to be attacked so that they could report these attacks to UNHCR and the NGO and expedite their resettlement process.

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[61] The list of 'qualities' that are assumed to reflect sexualities and gender identities deserves yet another article in its own right to give due space to analyze how sexuality and gender identity are constructed in relation to the experience of migrating and navigating through transnational refugee governance.

The idea that there could be specific security measures one can take within a city where homophobia, transphobia, and racism have escalated to the level of physical attacks on transwomen refugees could be a sound suggestion (though security is individualized as well). Yet once such a 'suggestion' is uttered within the transnational matrix of deservingness framework and connected to the resettlement, it transforms into a peer policing mechanism over how one can dress and appear in public. A similar peer-policy mechanism was exerted on one of my interlocutors, a transwoman from Pakistan living in Yalova. While eating lunch together, she excitedly talked about how happy she was and how great her body felt after her hormonal treatment. However, toward the end of the lunch, she added with sadness that some of her trans and gay friends stopped talking to her once she took hormones. They did so because they thought she should postpone her hormonal treatment until she is resettled in a third country; she would be attracting unnecessary attention in Yalova with the changes in her body. Some also accused her of taking hormones to expedite her resettlement process. With the real consequences such as losing one's friend – thus support system, peer policing/regulating sexuality and gender identity must be analyzed within transnational refugee governance that, through the direct involvement of UNHCR and its implementing partners, has established daily life control mechanisms that encourage individualized surveilling within queer communities, especially in the form of competing for resettlement as a scare resource.

All my interlocutors during our interviews demanded that UNHCR should come up with a better screening system for the "authenticity" and "deservingness" of queer refugees so that "fake cases" could not abuse their right to resettlement. An Iranian gay man in Eskişehir stated, "They come here and abuse our identities, present a similar case as we do. They get accepted faster and go to a

third country. They live there for a year, then marry a woman and live their lives. However, I am a real case, this is my life, but I am unfortunately still here."[62] An Iranian trans woman in Yalova also voices the same concern, "I would not normally mind fake cases. But they are the reasons we cannot be resettled. They take our places while I am trying to save myself."[63]

The discourse of "fake cases" requires a transnational perspective that goes beyond local narratives of 'non-queers abusing LGBT identities for refugee status.' By analyzing "fake cases" in the transnational matrix of deservingness, I have tried to show that an unholy alliance between Turkey's refugee laws and UNHCR's resettlement scheme involving many Global North countries has resulted in a hierarchy of deservingness grounded on the sexualized and gendered persecution narratives in refugees' home countries in the MENA region as well as Turkey. Resettlement plays a crucial role in diffusing the effects of transnational refugee governance into the everyday lives of queer refugees in Turkey. As resettlement is set as one of the main goals to achieve during their 'temporary' stay in Turkey, queer refugees seek various negotiation means with UNHCR officials and NGO workers who are UNHCR's implementing partners. Vulnerability assessment, which is an ongoing process of evaluating the living conditions of queer refugees during their stay in Turkey, opens up the space for daily negotiations regarding the deservingness of queer refugees for resettlement. Within this transnational framework of resettlement as a scarce resource, queer refugees negotiate their deservingness of resettlement in the act of juxtaposing their 'authenticity' with what they describe as "fake cases." Their description of "fake cases" speaks to the discourses used by UNHCR in assessing the credibility and coherence of gendered performance of

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[62] Author Interview, Eskişehir, September 15, 2018.
[63] Author Interview, Yalova, August 14, 2018.

persecution in home countries. Thus, the transnational refugee governance system also manifests itself in peer policing and disciplining sexualities and gender identities, constructing deserving refugees as the gendered performance of persecution in home countries and Turkey rooted in the discourse of codified homophobia and political persecution within public spaces.

Within the limited space of this chapter, I could not address several important aspects of deservingness and fake cases that, I believe, need further academic contemplation. First, the individualizing effects of the discourse of "fake case" should be analyzed promptly to reveal how it prevents the formation of survival links and solidarity networks or has been hurting the existing ones. As I noted in my analysis, the discourse and silence around it causes certain exclusionary practices within queer refugee communities in Turkey and further generates vulnerabilities, especially for transgender refugees. It is of utmost importance to conduct such analysis by contextualizing it within the systemic and structural problems, such as the ineffective resettlement scheme, so as not to reproduce an essentialist view of 'non-queers abusing LGBT identities for refugee status.'

Chapter 4. Migration Industries and Transnational Governance of Queer Migration

In December 2017, I had two conversations that piqued my interest in project-based funding schemes through which NGOs have been operating in the field of migration in Turkey. The first was with Şeyma, a worker from the Ankara office of the Association for Solidarity with Asylum Seekers and Migrants (ASAM). With 67 offices and 2000 workers[64], ASAM is currently the most prominent NGO that works with refugees. At the time of the interview, ASAM was even bigger; it had 80 offices and 3000 workers. Şeyma took her time to note that ASAM was not always as big as in 2017. She said, "Just a couple of years ago, it had 40-45 workers. Since the Syrian War, funds have been pouring in (to Turkey). They are applying to almost every project call and getting it because they are well-networked. Also, the government shut down their biggest competition after the attempted coup." To highlight the fact that ASAM was growing so fast, she said, "a friend of mine is working as a MEAL (Monitoring, Evaluation, Accountability and Learning) specialist in the department for the projects funded by X (a UN body). One day, his supervisor asked for the report of a branch in a city Y. He was shocked because he was unaware that ASAM had opened a new branch in that city. I mean, even a person responsible for reporting on projects cannot keep up with the newly opening branches."

The second was with Ahmet, a Positive Living Association (PLA) worker. In late 2017, three LGBTI+ NGOs – PLA, Red Umbrella Sexual Health, and Human Rights Association (Red Umbrella), and Social Policies, Gender Identity, and Sexual Orientation Studies Association (SGSSA) – partnered with United Nations Population Fund (UNFPA) to conduct a project. With

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[64] Author Interview, a worker in ASAM, November 27, 2020.

a total budget of 2.400.000 EUR[65] funded by European Civil Protection and Humanitarian Aid Operations (ECHO), The target population of the project is "key refugee groups," which consist of queer refugees and people living with HIV. The project aims to facilitate their access to *already existing* rights and protection mechanisms in Istanbul, Ankara, Eskişehir, Yalova, Denizli, Adana, and Izmir. Knowing that these NGOs had little or no experience conducting refugee-oriented projects before 2017, I was curious to learn why they have decided to expand their area of operation to cover refugees. In a discussion about why PLA applied for this project, Ahmet – one of PLA's workers – noted that they were having difficulty finding funds for the projects designed for their usual target group because the latest calls for funds had been exclusively focusing on refugees.

Workers from other NGOs also talked extensively about what one of my interlocutors dubbed as "everybody wants a piece of the pie,"[66] which refers to competition over the increased funding for refugee-focused projects. For example, in the spring of 2018, I was having lunch with the Human Resource Development Foundation (HRDF) workers in Eskisehir when the conversation turned to the fact that in just a couple of years, they had witnessed new NGOs coming into Eskisehir to work with refugees. They were referring to ASAM, which opened a new branch in the city one year ago, and Red Umbrella Sexual Health and Human Rights Association (Red Umbrella) which was about to open a new office. In addition, they pointed out that municipalities were also interested in refugee-focused projects. After this moment, one of them said, "I guess everybody wants a piece of the pie." Later in an interview, Selin, a social worker who had been with HRDF Eskisehir since

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[65] https://ec.europa.eu/neighbourhood-enlargement/system/files/2020-10/eskisehir.pdf
[66] In Turkish, he said "herkes pastadan pay istiyor", direct translation of which would be "everybody wants a share of the cake". I preferred to interpret it through a better-known phrase in English.

early 2000, said, "Back then, only we were working with refugees in Eskisehir. It was a small operation. HRDF did not even have an office. They just gave me a desk at police station[67]." At the end of 2018, HRDF Eskisehir had two social workers, one psychological counselor, five translators, and two volunteers. Moreover, in 2015, HRDF opened a refugee center for Syrians in Istanbul. The center was a seven-story apartment with 30 workers.

This chapter shows how NGOs have become a nexus of norms and values for LGBT refugeeness, via which a sense of ostensible functionality and coherence is achieved in the transnational matrix of deservingness. I argue that NGOs have come to play such a role because the ever-increasing funds for refugee projects intensified the NGOization of civil society that is interested in establishing ties with queer asylum seekers and refugees. I describe NGOization as a neoliberal process of individualizing solutions to social problems, coming up with "technical fixes" (Choudry & Kapoor, 2013, p. 1; Lang, 2013, pp. 71–74) that temporarily mends cracks within the transnational refugee governance. That is to say, the issues born out of political processes, such as the fracturing of refugee status and rights, the EU-Turkey deal in 2016, or quota determination for resettlement, are temporarily mended by technical fixes such as short-term projects for humanitarian aid, service provision, or social cohesion funded by international and transnational organizations. Finally, I will demonstrate that technical fixes limit possibility of horizontal solidarity with queer asylum seekers and refugees, imposing a relatively vertical scheme of engagement with them. In other words, queer refugees are not considered subjects of queer politics.

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[67] Before the establishment of Directorate General of Migration Management in 2014, "the aliens bureaus" of the police was responsible for asylum applications.

Instead, they are treated as objects of humanitarian projects. This treatment itself achieves a sense of ostensible functionality and coherence in the transnational matrix of deservingness.

To bring NGOs forth as subjects of analysis in the migration industry, I follow the flow of transnational funds into Turkey to manage the migration from the MENA region to the rest of the world, especially the E.U. Since these funds have arrived in Turkey in the form of refugee-oriented projects to be implemented by the local NGOs, following the funds' trajectories will highlight the significant role that local NGOs play in localizing these funds in the cities that they are operating. In other words, I follow the construction of a migration industry whose main actors are NGOs. Taking 2011 as an important historical conjuncture, this chapter scrutinizes the ways in which the increasing transnational funds for refugee-oriented funds in Turkey has created a migration industry within which local NGOs are the main actors in channeling transnational funds and in sustaining transnational governance of refugees as well as their sexual orientation and gender identity (SOGI). In doing so, the chapter aims to establish the migration industry as an overarching concept, moving beyond the dichotomy of for-profit actors as the subjects of analysis and NGOs as the objects. As discussed in Chapter 1, the migration industry analyzes economic activities that "capitalize on migrants' desire to move, or on the struggle governments face to manage migratory flows." (Sørensen & Gammeltoft-Hansen, 2013, p. 2) Thus, it is interested in actors that profit from enabling, controlling, and limiting migration flows.

Localization of transnational funds indicates a relational understanding of what counts as profit. The literature has thus far employed "profit" as revenue generated by the economic activities of an actor that exceeds all expenses involved in conducting those economic activities. That actor has

been imagined as a monolith organization, and the profit of that single organization is calculated. In the case of the local NGOs, in addition to demonstrating how they can grow and sustain a constant flow of funds into their organization, I argue for analyzing economic relations established between local NGO workers and local entrepreneurs in making a profit out of the transnational funds. These economic relations – mostly documented but stretching the limits of rules of how to spend funds – ensure that the transnational funds are localized in the hand of both local NGOs and entrepreneurs. Localization of transnational funds indicates a relational understanding of what counts as profit. The literature has thus far employed "profit" as revenue generated by the economic activities of an actor that exceeds all expenses involved in conducting those economic activities. That actor has been imagined as a monolith organization, and the profit of that single organization is calculated. In the case of the local NGOs, in addition to demonstrating how they can grow and sustain a constant flow of funds into their organization, I argue for analyzing economic relations established between local NGO workers and local entrepreneurs in making a profit from the transnational funds.

In the second part of the chapter, I focus on how these funds turn local NGOs into actors in the transnational governance of migration in Turkey. Recent works on the migration industry have stressed the need to better understand the migration governance function of migration industries. Early works focused solely on actors such as labor recruiters, human traffickers, or smugglers who have enabled border crossings via documented or undocumented methods. However, the emerging consensus amongst scholars is now indicating that actors are also making a profit from managing and limiting migration flows. For example, private companies are administering detention centers or border security measures. Airline companies are responsible for checking their passengers'

passports to see if they are traveling in a documented way or risk undertaking the costs of deporting undocumented travelers. Thus, to establish NGOs as actors in the migration industry in Turkey, I will also demonstrate that projects funded by transnational sources have become integral parts of bureaucratically managing asylum seekers' access to legal status and rights in Turkey.

The Birth of a Migration Industry

In this section, I demonstrate that the funds sent to Turkey by international and transnational organizations to contain the refugee population have created an eleven-year-old migration industry in Turkey, whose main actors are NGOs since they are funding's main point of entry into Turkey. The Syrian War has become one of the main drivers of the worldwide increase in the number of asylum seekers and refugees in the last decade. In 2016, UNHCR declared that the number of forcibly displaced people (FDP) worldwide surpassed the WWII record. According to the latest data that UNHCR has published, that number grew from 41 million in 2010 to 82.4 million in 2020. UNHCR's record shows that in 2020, there were 16.5 million Syrian FDP, constituting 20% of the worldwide population of FDP. In 2010, the number of asylum seekers was 836.000. Within a decade, that number roused to 4.1 million. However, while the number of asylum seekers soared in a decade by a factor of five, the number of refugees just doubled, increasing from 10.5 million in 2010 to 20.8 million in 2020. 32% of the world's refugee population, which is 6.7 million, are Syrian refugees. The dawdling number of refugees signals that the refugee system in place worldwide has not been able and willing to encompass asylum seekers in a way that guarantees all the rights that come with refugee status.

Instead, the national and international efforts to cope with "the refugee crises" have focused on stricter securitization of the borders, especially around the Mediterranean region, and prevention of further mobility of the forcibly displaced people into the E.U. Both efforts have created a transnational migration industry which houses diverse actors including I/NGOs. Total E.U. funding for member state border security measures through its main funding programs is 4.5 billion euros between 2004 and 2020 (Akkerman, 2016, pp. 1–2). Frontex, its principal border control agency's budget, increased by 3,688% between 2005 and 2016 (from €6.3m to €238.7m) (Akkerman, 2016, pp. 1–2). Equipment purchased or upgraded with External Borders Fund money includes 54 border surveillance systems, 22,347 items of operating equipment for border surveillance, and 212,881 items of operating equipment for border checks (Akkerman, 2016, pp. 1–2). The European border security industry is dominated by significant arms companies, which have established or expanded security divisions, and several smaller I.T. and specialist security firms (Akkerman, 2016, pp. 1–2). The big players in Europe's border security complex include arms companies Airbus, Finmeccanica, Thales, and Safran, as well as technology giant Indra (Akkerman, 2016, pp. 1–2). Finmeccanica and Airbus have been particularly prominent winners of EU contracts to strengthen borders, and Finmecannica, Thales, and Airbus, their total revenues in 2015 amounted to 95 billion euros (Akkerman, 2016, pp. 1–2).

In late 2013, the European external border surveillance system (Eurosur, for short) was inaugurated in Brussels. As an information exchange system,[68] Eurosur connects all members of the E.U.,

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[68] "EUROSUR intends to improve the cooperation between national border guard forces and thus reinforces the overall control of the European Union (EU)' s external borders. It is essentially an information-exchange system that enables near real-time sharing of border-related data. The EU's agency for the management of operational cooperation at the external borders, FRONTEX, acts as a central hub of the system. Shared data may consist of information related to incidents at

allowing them to share information about the E.U.'s external land and sea borders. In giving an overall possible cost of establishing Eurosur, the European Commission estimated expenditure of overall 338,7 million for the decade 2010/2020, yet the total resulting stands at 873.7 million euros (Gigli, 2020, pp. 37–38). Technology companies were at the forefront of Eurosur, and "some of the biggest private security and defense companies (e.g., G4S, Leonardo, BAE Systems, Airbus) are involved in providing a wide range of services and products" (Pacciardi & Berndtsson, 2022, p. 4). As I have discussed in Chapter 1 (pp. 57-58), scholars have used different concepts to highlight the ever-expanding and profit-oriented partnership between states and private companies in controlling and limiting migratory movements: *business/privatization/outsourcing of migration control* (Bloom, 2015; Hirsch & Doig, 2018; López-Sala & Godenau, 2020; Low, 2021; Menz, 2010), *immigration detention business* (Feltz & Baksh, 2012; Sinha, 2016, p. 91; Tyler et al., 2014), *border industrial complex* (Dear, 2013; Jo Pérez, 2022; Jo Pérez et al., 2020; C. Smith, 2019), and *privatization/outsourcing of border control* (Infantino, 2016; Vasanthakumar, 2018).

Although private companies' involvement in migration industries worldwide has been well documented and researched, NGOs have never been put under the same scrutiny. Thomas Gammeltoft-Hansen and Ninna Nyberg Sørensen – pioneers in conceptualizing the migration industry – suggested that NGOs could be considered actors in the migration industry. Gammeltoft-Hansen and Sørensen assert that "...there seems to be a growing migration industry consisting of secular and faith-based non-governmental organizations (NGOs)" (Sørensen & Gammeltoft-

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the EU's external land and sea borders, the status and position of patrols and small vessels as well as analytical reports and intelligence, for instance on changed migration routes or new methods used by traffickers in human beings or drugs. This data is then used to establish situational pictures at the national and European levels, as well as a pre-frontier situational sketch" (Rijpma & Vermeulen, 2015, p. 454).

Hansen, 2013, p. 3) To underline their point, they mention that while some NGOs are "awarded contracts on a par with commercial actors by governments looking for assistance with anything from ensuring asylum seeker accommodation to combating trafficking," others have been running asylum seekers in corporations with private companies (Sørensen & Gammeltoft-Hansen, 2013, pp. 3–6). However, neither they nor the others in the same edited book, "The Migration Industry and the Commercialization of International Migration," have researched the role of NGOs in the migration industry. Thus, they could not show us how I/NGOs are involved in controlling and limiting migratory flows, especially in transnational refugee governance.

In the remainder of the section, I follow the flow of funds to I/NGOs to control and limit migratory flows via Turkey particularly. The fact that international and transnational funding organizations send funds to Turkey to contain the refugee population has created an 11-year-old migration industry in Turkey, whose main actors are NGOs since they are funding's main point of entry into Turkey. A glimpse into the number of NGOs conducting refugee-oriented projects funded by transnational and international organizations shows that most did so after 2011. I have identified 31 such NGOs.[69] 16 NGOs explicitly stated refugees as their target group in their mission statements (for the complete list, please see Appendix 1). 14 of them were established after 2011. 15 NGOs did not have refugees as their target group in their mission statements but conducted refugee-oriented projects (for the complete list, please see Appendix 2). 12 of them received funding for refugee-oriented projects after 2011.

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[69] I prepared a list of NGOs that declared themselves as conducting projects in the websites of the Civil Society Development Center and UNHCR's Service Advisor which is a digital tool for refugees to have a map of services provided by NGOs in various cities of Turkey. Then I double-checked the projects on the websites of these NGOs and chose only those who was funded by transnational and international organizations.

Out of 31 NGOs, I interviewed workers from 13 (please see Appendix 3 for the complete list). In addition to the abovementioned examples of PLA, ASAM, HRDF, and Red Umbrella, others have also noted how the increasing transnational funds changed their area of operation and their size. For example, a worker from Yuva Association –established in 2010 to advocate for ecologic justice and adult learning– said, "Let me tell you, for me, no NGO that works on refugee issues is in a position to choose what they want to do. Funds shape it (the area of operation). Yuva did adult learning (for refugees) at the beginning. But then, they did whatever was suitable for funding". In a similar fashion, Young Approach to Health – operating in various organizational forms since 2004 – was a small one-office NGO in Ankara. After being involved in a project funded by UNFPA in 2018, it expanded impressively. The worker I interviewed said, "In our program, there are three people working (in Ankara). Our program oversees four centers (Centers for Refugee Youth). Each center has its own coordinator, psychologists, nurses, and health(care) mediators." Thus, NGOs with no experience in the humanitarian sector or refugee-rights advocacy and social cohesion projects have also gone after the transnational funds for refugee-related projects after 2011. Women's organizations, LGBTI+ organizations, as well as other rights-based organizations, have benefited from such funds.

The requirements of the projects strictly dictate in which forms funds can be localized and ensure that funds are circulated under the funding organizations' condition of economically benefiting NGOs and the local economy and directly regulating and disciplining the lives of refugees with little or no financial assistance. The ways in which these funds can be spent constitute a form of dependency on NGOs in which refugees have a hard time accessing rights and social and financial

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services without the help of NGOs. One of the defining features of these funds is that only a tiny

amount goes to refugees in the form of sustainable cash assistance. Emergency and Social Safety

Net (ESSN), funded by the E.U. and implemented by the United Nations World Food Programme,

in partnership with the Turkish Red Crescent, provides 120 Turkish Lira (approximately 14 Euros

as of September 16, 2020) per person per month. Until late 2020, 1.7 million out of 4 million

refugees have benefited from ESSN.[70]

UNHCR has implemented another cash-assistance program since late 2017. The program targets

refugees with specific needs, including transgender and intersex individuals and adolescents

discharged from child-care institutions. Transgender refugees receive 750 Turkish Lira per month

(approximately 85 euros as of September 16, 2020).[71] The program reached over 13,886 refugees

in 2019.[72] There is no known cash assistance program funded by international donors.[73] Combined

with the fact that refugees' access to the formal job market is minimal, and they are severely

exploited in the informal job market (working 12 hours for 10 euros a day), the likelihood of

international funds for cash assistance being spent for the remittance economy is low. Thus, one

can argue that the international funds for cash assistance are localized. That is, they are spent

within the borders of Turkey and integrated into the local economy.

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[70] https://media.ifrc.org/ifrc/wp-content/uploads/sites/5/2020/09/Emergency-Social-Safety-Net-ESSN-Monthly-Report-August-2020-1.pdf

[71] Although the actual amount is not written in the reports, I found it out by interviews with transgender refugees and workers of ASAM and HRDF who mediated refugees' access to the cash assistance.

[72] https://www.unhcr.org/tr/wp-content/uploads/sites/14/2020/03/UNHCR-Turkey-2019-Operational-Highlights.pdf

[73] There are other forms of 'national' cash assistance. For example, refugees can apply for cash assistance distributed by municipalities.

The participant observations and interviews I conducted also reflect a similar trend for the transnational funds used for other forms of humanitarian work or advocacy and social cohesion projects. These funds, too, are immediately localized since they are spent on infrastructure (renting offices, buying furniture), human resources (wages, per diems, honorariums), and daily expenses to maintain the offices and a variety of activities, such as social events, conferences, "all-staff meetings", very similar to corporate retreats where for example ASAM gathers all of its workers in four and five-star hotels for a week to reflect upon their activities) and so on.

Triangulating the Migration Industry

To underpin the fieldwork observation, I triangulate the migration industry by looking at the amount of international and transnational funds as well as statistics about how they were distributed. In 2015, the European Commission declared the European Agenda on Migration (EAM) in response to the so-called refugee crisis. EAM openly named NGOs as crucial actors in refugee governance and called upon the E.U. member states to increase funding and material support for NGOs[74]. In 2016, EU-Turkey Statement & Action Plan was declared. The statement promised 6 billion euros to be sent in the form of funding for "concrete projects." In addition, the E.U. initiated the Emergency and Social Safety Net (ESSN) with an initial budget of 1.725 billion euros in 2016 and provided additional 600 million euros in late 2019 to ensure the continuity of the program.[75] U.S. Department of State Bureau of Population, Refugees, And Migration spent 415 million dollars on humanitarian assistance in Turkey between 2012 and 2017.[76] As of June

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[74] https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52015AE4319
[75] https://ec.europa.eu/commission/presscorner/detail/en/QANDA_19_6212
[76] https://www.stateoig.gov/system/files/isp-i-17-10.pdf

2019, the German Agency for International Cooperation spent 175 million euros on 13 projects in Turkey.[77] Other organizations initiated refugee programs in Turkey after 2011, such as Association for Aid and Relief Japan[78] in 2012 and the Danish Refugee Council in 2013.[79]

Below I present two sets of figures to underpin the increasing transnational funds in the migration industry. The first set focuses on three U.N. bodies; UNHCR, UNDP and UNFPA. In 2014, the U.N. launched The Regional Refugee and Resilience Plan (3RP). The plan is one of its kind in terms of its comprehensive and long-term approach to "crises." With UNHCR and UNDP spearheading it, the U.N. has mobilized resources to support five countries to provide (1) protection and humanitarian assistance to refugees and (2) to strengthen the capacity of national actors. Five countries are Turkey, Lebanon, Jordan, Iraq, and Egypt. Thus, one can observe an increase in the U.N.'s annual expenditure worldwide and in Turkey. To demonstrate the rise, I gathered the annual expenditure information from the United Nations Digital Library, which is an archive of every document that the UN has ever produced. I cross-checked the numbers by looking at annual executive reports that provide the overall activities of a UN body, financial statements that focus on the budget of that body and audit reports prepared by a third party.

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[77] https://www.giz.de/en/downloads/GIZ%20Turkey%20Refugee%20Response%20Info%20Flyer_regular.pdf
[78] https://www.aarjapan.gr.jp/english/where_we_work/turkey/
[79] https://drc.ngo/where-we-work/middle-east/turkey

Table 6 UNHCR Annual Expenditure Worldwide between 1999 and 2020

UNHCR's Expenditure (USD)

- $1,044,871,237
- $1,141,632,373
- $2,181,099,327
- $2,357,710,250
- $2,963,814,475
- $3,348,081,926
- $3,288,140,248
- $3,960,477,685
- $4,828,683,030

Table 7 UNHCR Turkey's Annual Expenditure between 1999 and 2020
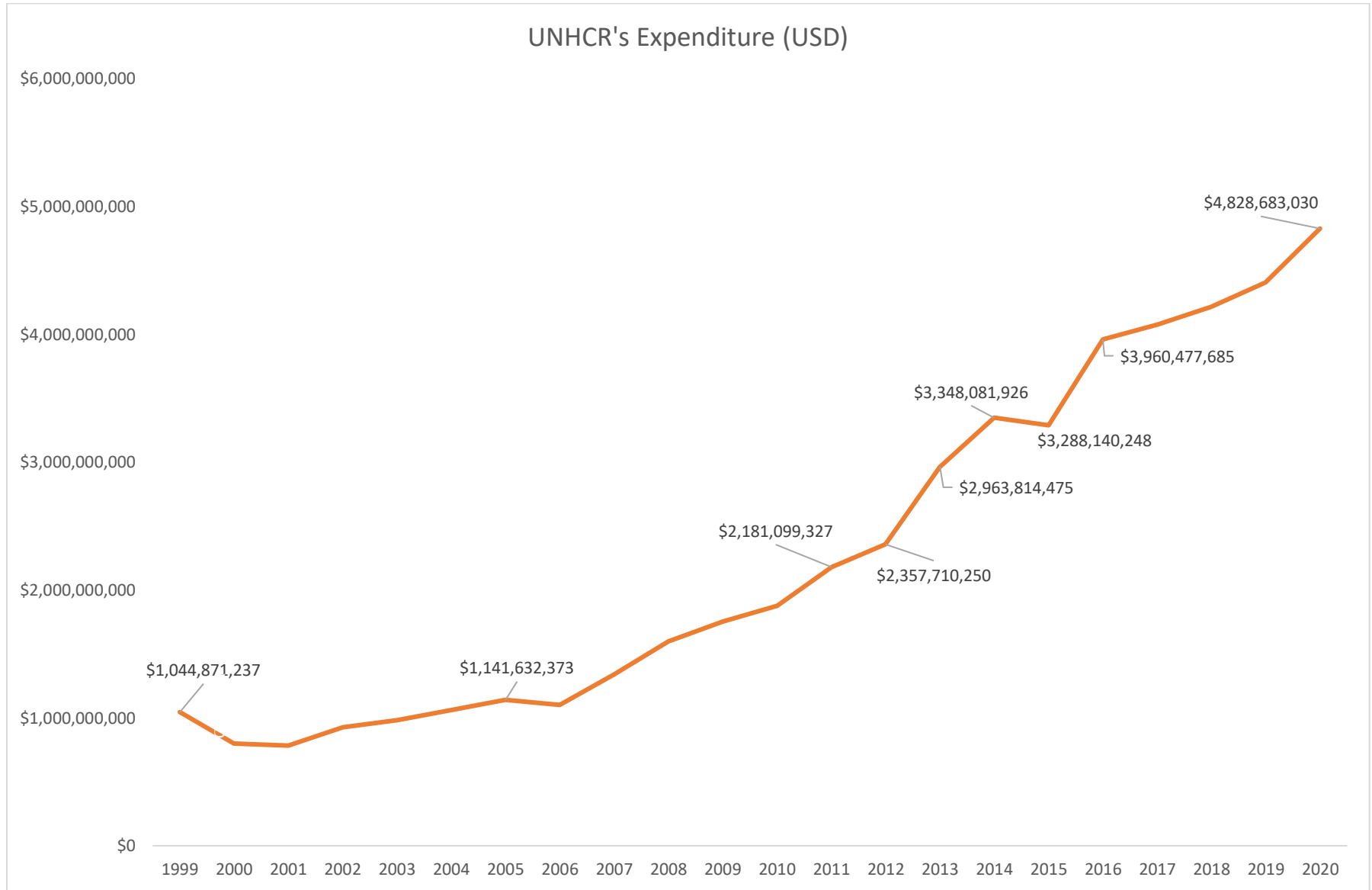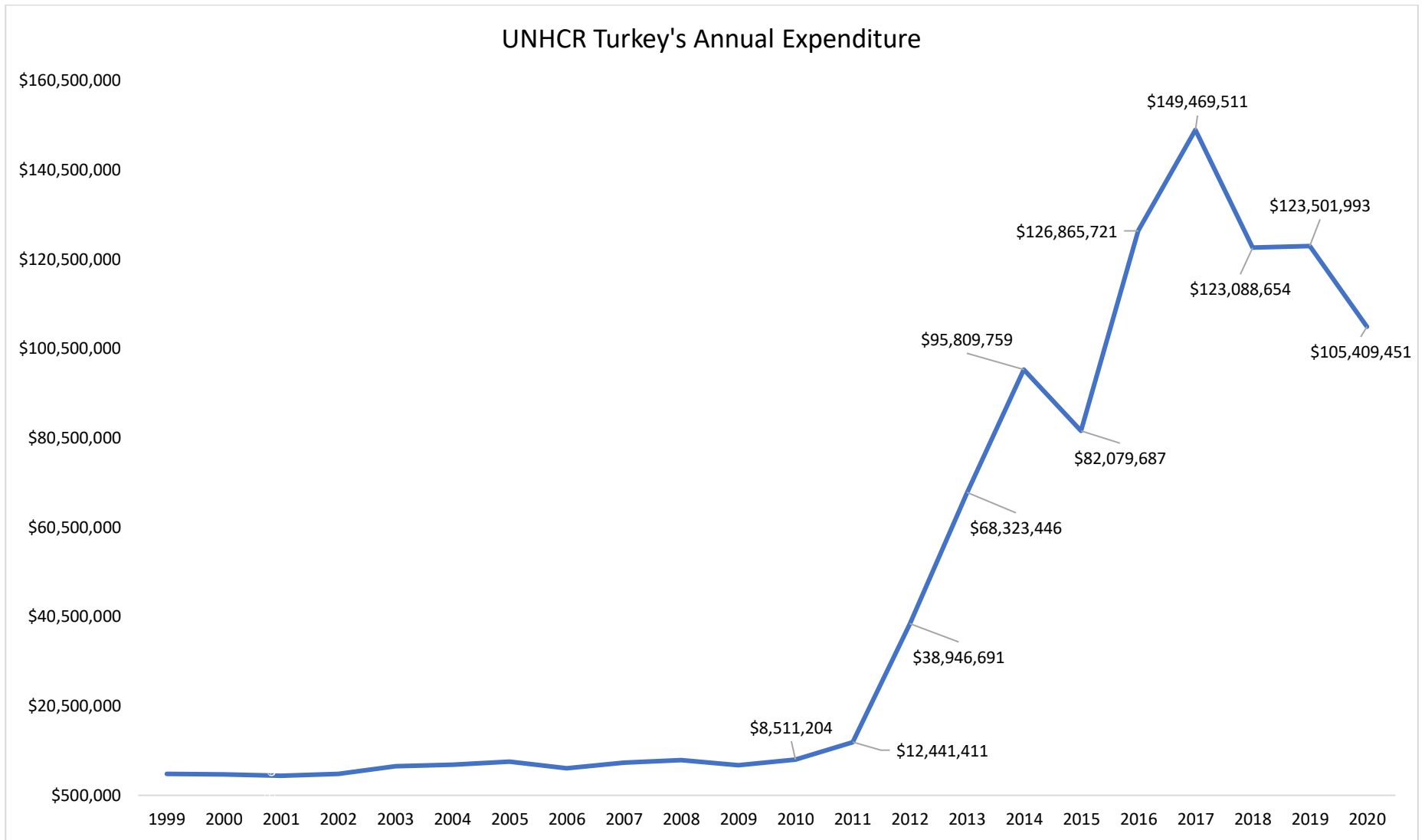

UNHCR Turkey's Annual Expenditure

Before 2011, UNHCR's expenditure over the years displaces relative stability without a sharp increase or decrease. After the War on Terror in 2001 and the Iraq War in 2003, we saw a steady increase in expenditure for asylum seekers from Afghanistan, Iraq, Yemen, and so on. However, the sharpest increase in UNHCR's expenditure is observed in 201. It increased by 25.7 percent from 2.3 billion in 2012 to 2.9 billion dollars in 2013. To put things in perspective, while the increase rate from 1999 to 2010 is 79.7%, it is 121.3% from 2011 to 2020. Also, the average increase rate between 1999 and 2010 is 6%. Between 2011 and 2020, it is 10%.

On the other hand, UNHCR Turkey's expenditure over the years indicates a clear difference before and after 2011. The sharpest increase in UNHCR Turkey's expenditure happened in 2012, with an increased rate of 213%. To put things in perspective, the increase rate from 1999 to 2010 is 62.2%. From 2011 to 2020, It is 747.2%. In addition, the average increase rate between 1990 and 2010 is 5% and 40% between 2011 and 2020. That is to say, in terms of both increase rate and average increase rate, 2011 marks a clear shift to an unprecedented level of funding flowing from UNHCR to Turkey in order to manage asylum seekers and refugees. A comparison between UNHCR's worldwide expenditure and its expenditure in Turkey also supports this argument. Between 1999 and 2010, UNHCR Turkey's expenditure constituted, on average, 0,58% of its worldwide expenditure. Between 2011 and 2020, this number is 2,47%.

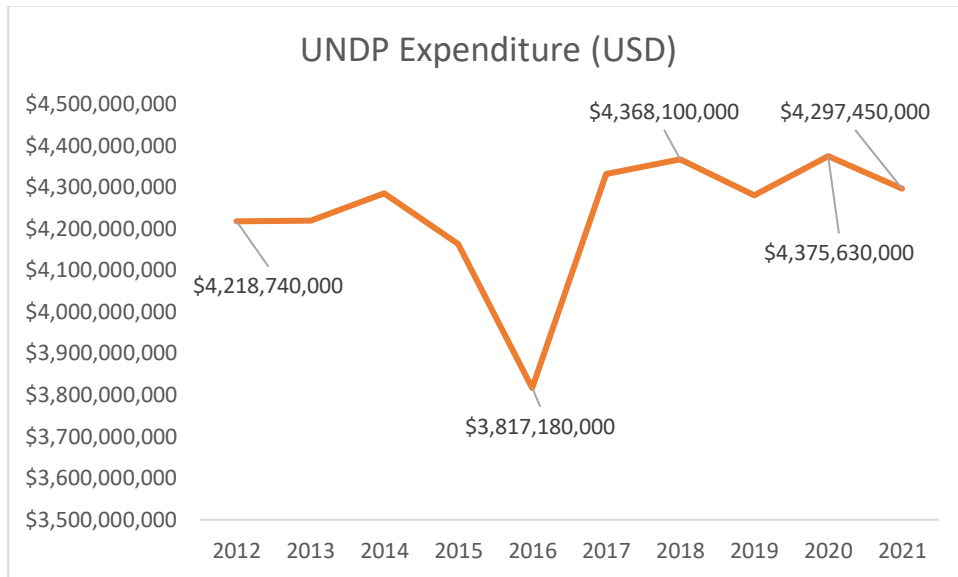*Table 8 UNDP's Annual Expenditure Worldwide between 2012 and 2021*

UNDP Expenditure (USD)

$4,218,740,000

$3,817,180,000

$4,368,100,000

$4,297,450,000

$4,375,630,000

| | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 |

Table 9 UNDP Turkey's Annual Expenditure between 2012 and 2021

UNDP Turkey Expenditure

$22,260,000

$21,100,000

$26,890,000

$21,170,000

$37,250,000

$33,900,000

$46,050,000

$41,250,000

| | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 |
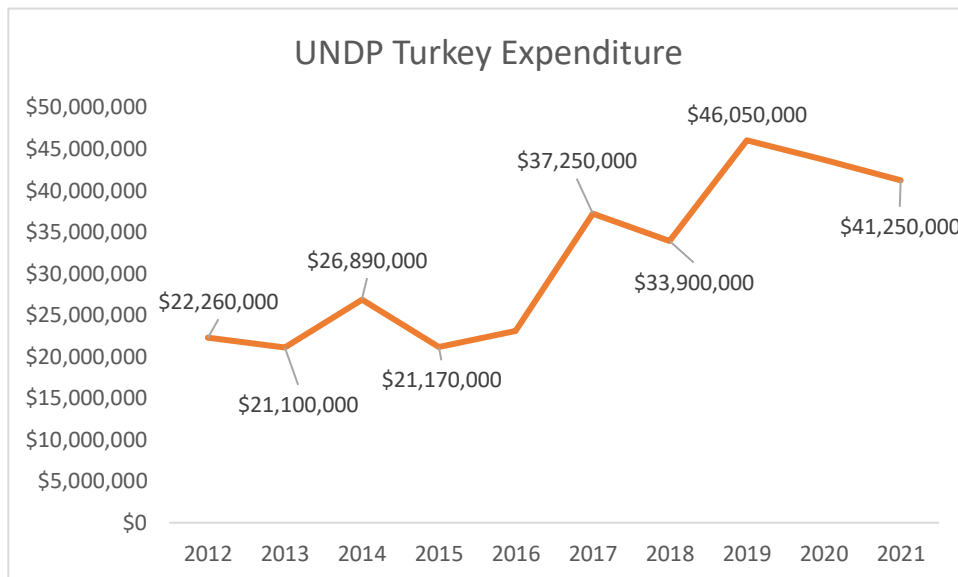
Table 10 UNDP Turkey's Expenditure for Refugee Projects between 2012 and 2021

UNDP Turkey's Expenditure for Refugee Projects

$31,306,124

$16,804,614

$26,095,207

$15,733,681

$3,394,093

$0 $0

$1,896,592

| | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 |
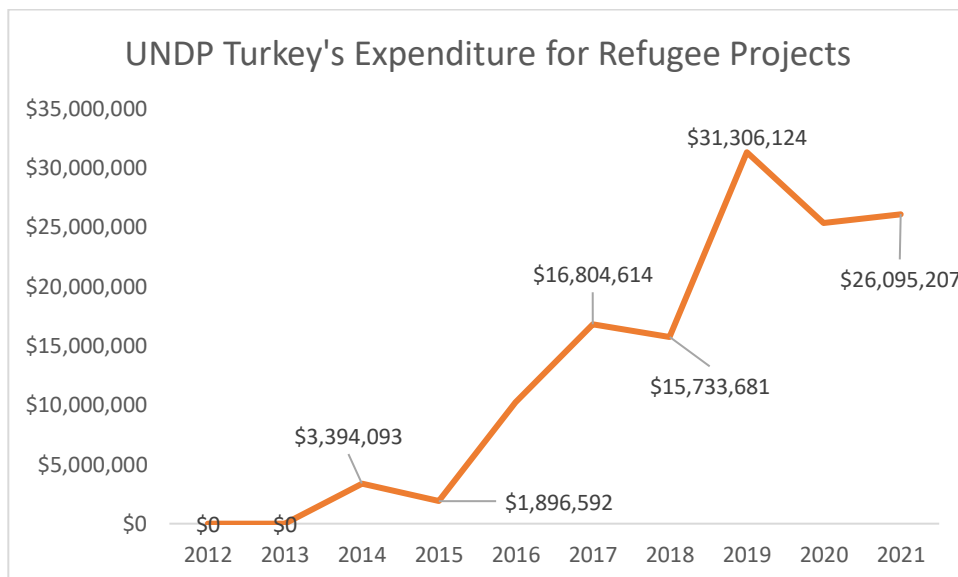
Except for the dip in 2016, UNDP's worldwide expenditure remained stable. Between 2012 and 2021, its expenditure rose only by an average of 0.35%. UNDP Turkey's spending in the last decade, on the other hand, showed an apparent increase of an average of 9.72%. Even in 2016, when the sharp decrease in UNDP's worldwide expenditure happened, its spending in Turkey slightly increased. With the establishment of 3RP in 2014, UNDP started to fund projects whose target groups are refugees. Within a decade, UNDP Turkey's expenditure for refugee projects increased by an average of 76.59%. These projects' overall share of UNDP's spending in the last decade currently stands at 41.42 percent.

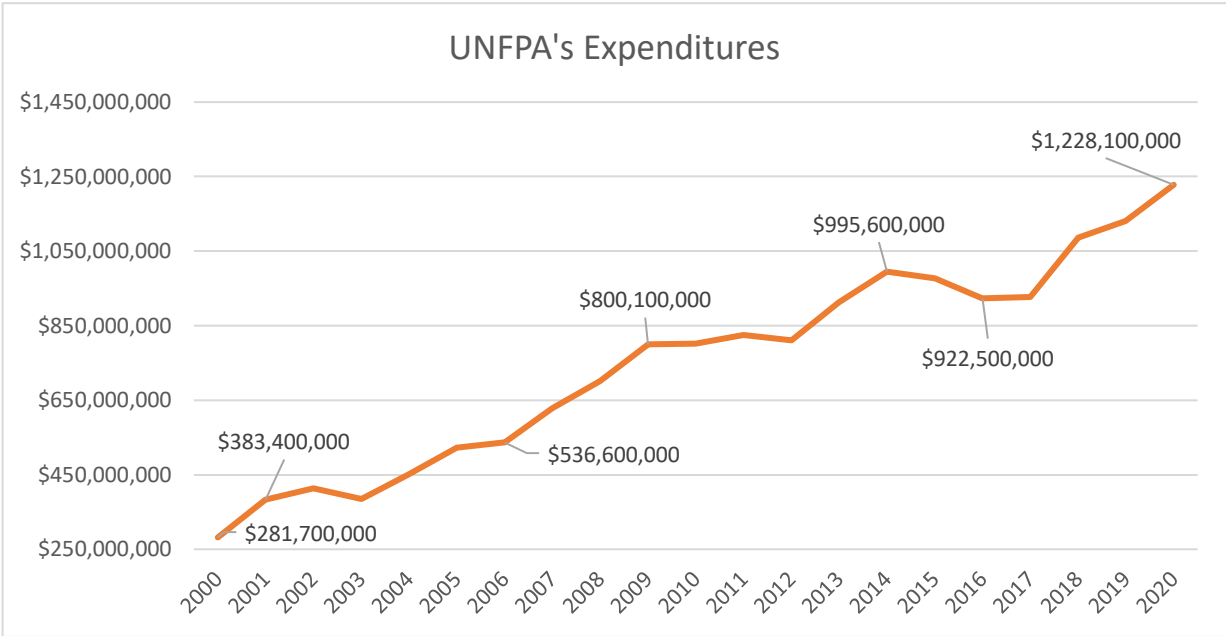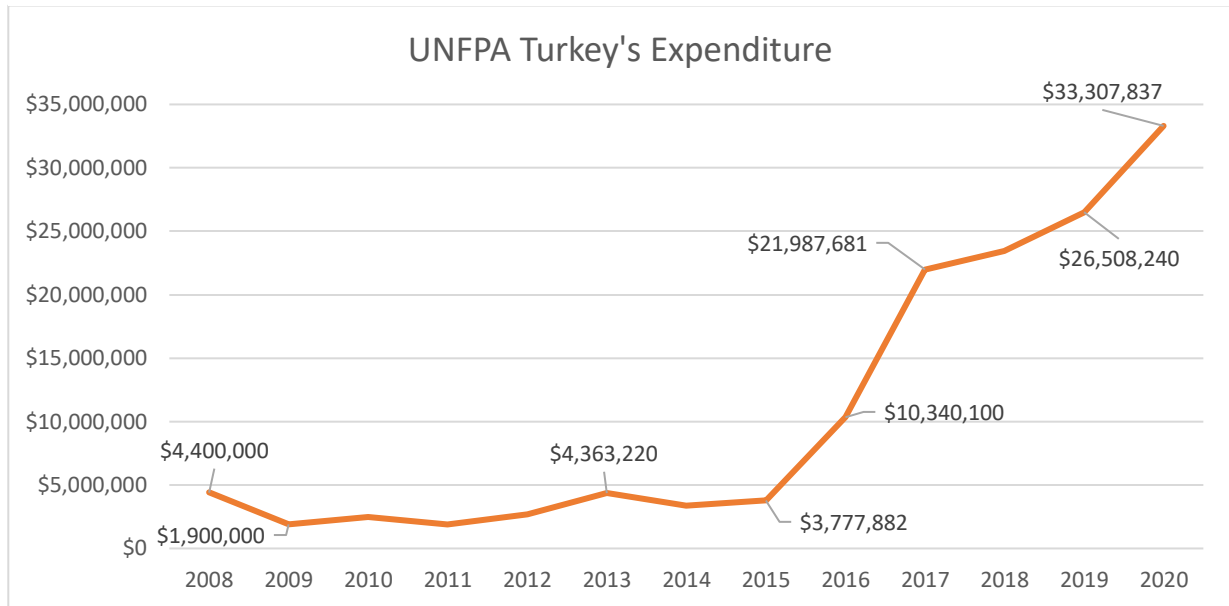*Table 11 UNFPA's Annual Expenditure between 2000 and 2020*

Table 12 UNFPA Turkey's Annual Expenditure between 2008 and 2020

UNFPA's worldwide budget tells a different yet equally important story for the argument that the increase in the Syrian refugee population worldwide and Turkey has resulted in increased funds for refugee projects. Unlike UNHCR and UNDP, 2011 did not mean an immediate increase in its expenditure. On the contrary, after 2011, the expenditure increase dropped from 11.58% to 4.58%. Looking at UNFPA's annual budget reports starting from 2000 reveals that UNFPA's involvement with refugee projects began with the EU-Turkey deal of 2016, as UNFPA became a partner in receiving funds and conducting refugee projects, including in Turkey. However, if we have a closer look at UNFPA's worldwide budget, its decrease was held in 2016. And as it starts to involve the E.U. project, it once again increases at a steady pace.

The fund-raising effect of the EU-Turkey deal on UNFPA Turkey is more evident. Between 2000 and 2015, the average increase rate in expenditure is 18.62%. Between 20015 and 2020,

it is 66.34%. In addition, while the increase rate of UNFPA Turkey's expenditure in 2016 was 173.70%, it is 112.64% in 2017. It is crucial to note that in 2016, UNFPA Turkey conceptualized a wide-range project for queer refugees which started in late 2017 with the involvement of three LGBTIQ+ NGOs. The transformative effects of such a big project on small-budgeted LGBTIQ+ NGOs will be discussed in the following sections.

The second set of figures focuses on local NGOs in Turkey. The statistics come from the General Directorate of Relations with Civil Society.[80] To see if the increasing number of refugees has affected the local NGOs in Turkey, I look at (1) the total incomes of local NGOs in Turkey, (2) the number of NGOs in Turkey, and (3) the number of NGO workers in Turkey. Starting with the total income of local NGOs in Turkey, in 8 years, it increased by a factor of 4. The EU-Turkey deal, again, marks the highest increase rate. In 2017, it hit 32.39%.

Table 13 Total Income of Local NGOs between 2013 and 2020

Total Income of local NGOs (TRY)

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[80] https://www.siviltoplum.gov.tr/#
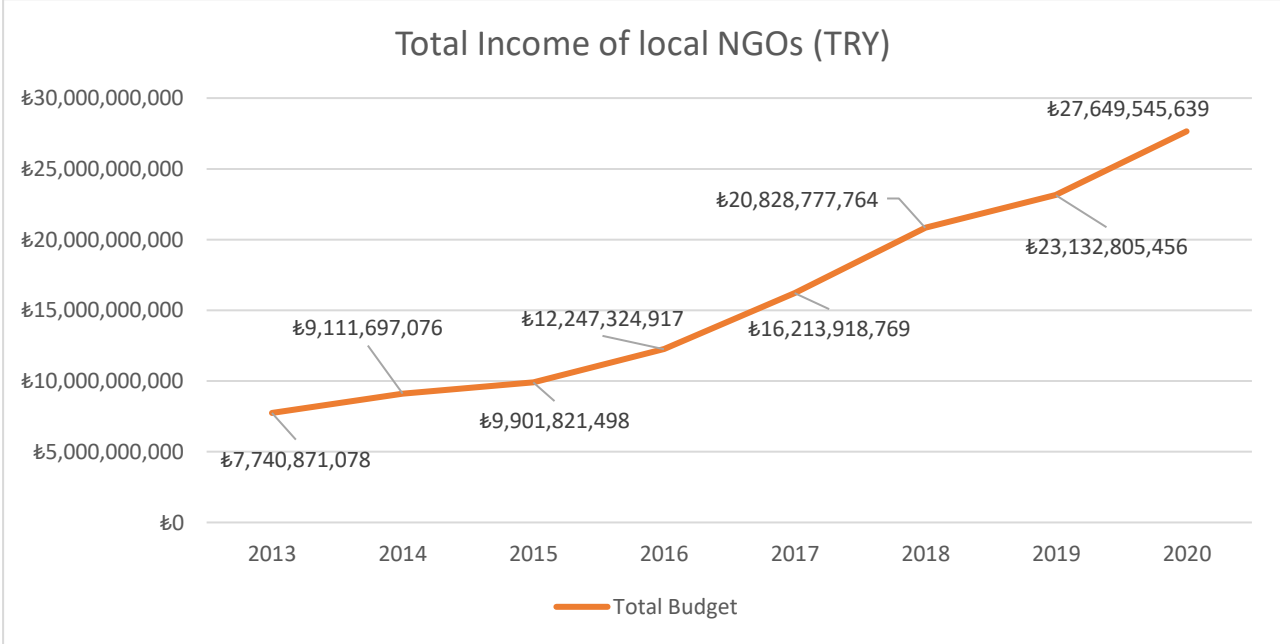
The increase in the number of NGOs and NGO workers in Turkey remained stable over the years, suggesting that incoming funds have been monopolized in the hands of a small number of NGOs. The average increase rates in the number of NGOs from 2004 to 2010 and from 2011 to 2020 are almost the same, 3.34% and 3.67%, respectively.

Table 14 Number of NGOs in Turkey between 2004 and 2020
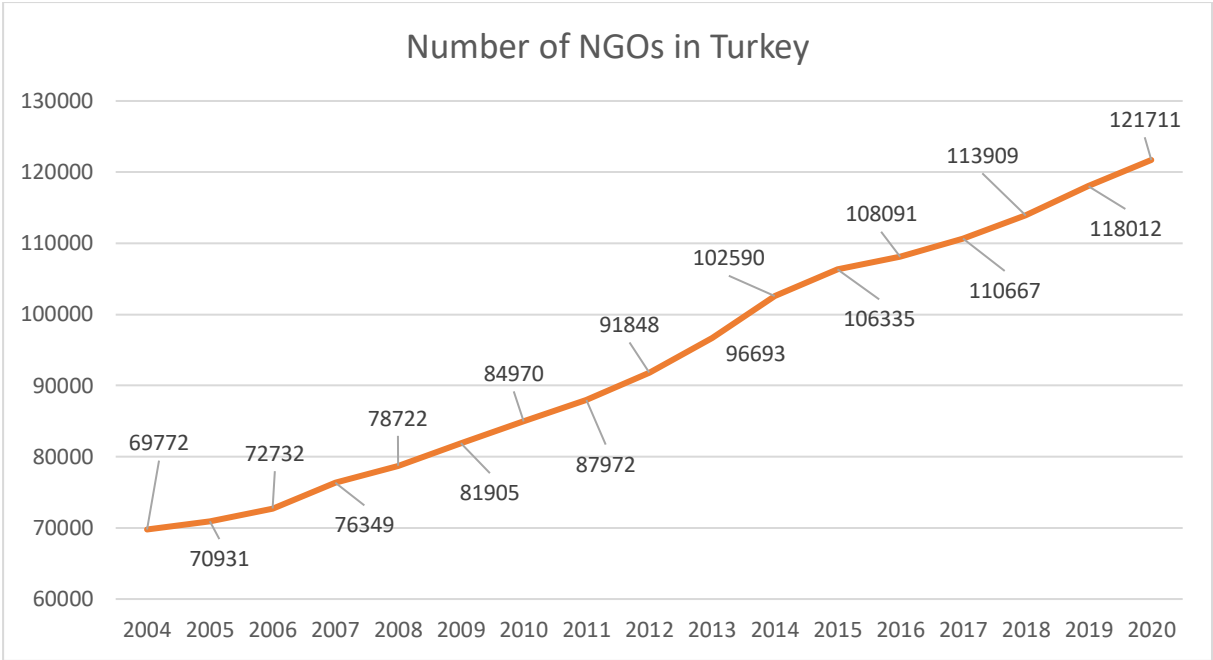
From 2004 to 2010, the number of NGO workers explodes with an average increase rate of 279%. On the other hand, after 2011 we see a sudden decrease in the average increase rate, which is 11.19% between 2011 and 2020. Combined with the facts that (1) the average increase rate of the number of NGOs is 3.67% after 2011 and (2) the average increase rate of the total income of NGOs in Turkey is 20.21% from 2013 onwards, these numbers suggest that the incoming "hot money" gather in the hands of a smaller number of NGOs and NGO workers. The average annual budget per NGO rose from 80.056 Turkish Liras in 2013 to 227.173 Turkish

Liras in 2020. On the other hand, the average annual budget per NGO worker increased from 84.278 Turkish Liras in 2013 to 350.145 Turkish Liras in 2020.

Table 15 Number of NGO Workers in Turkey between 2004 and 2020
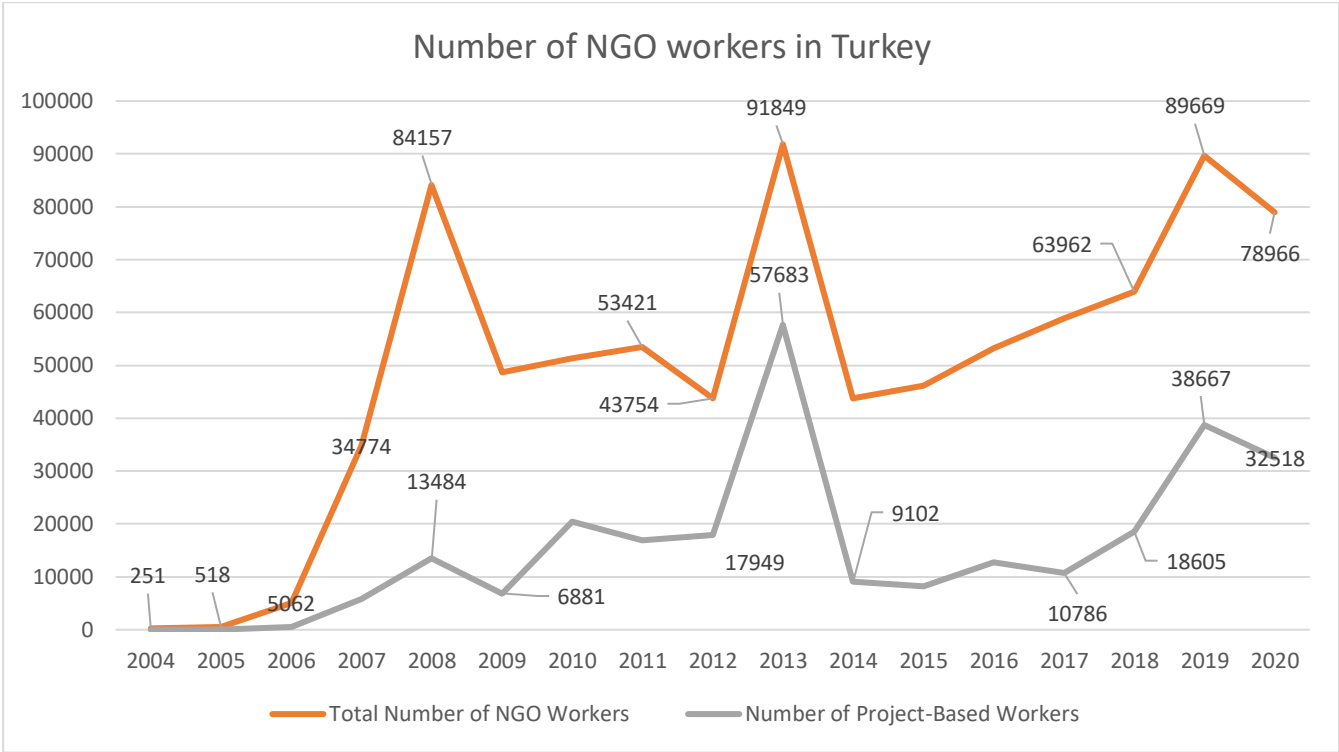
Therefore, I call the pre-2011 period "the NGOization period" and the post-2011 "monopolization period". The literature on civil society in Turkey argues that Turkey's E.U. candidacy in 1999 has propelled NGOization in Turkey, especially with the funds from the E.U. to strengthen civil society and with harmonization actions such as relaxing the minimal civil society laws of the military junta of 1980. Therefore, in the pre-2011 period, we see a sharp increase in the number of NGOs and NGO workers. Also, the literature demonstrates how social issues addressed by NGOs have diversified to include women's rights and LGBTIQ+ rights. On the other hand, in the post-2011 period, these two numbers remained steady while the budget exponentially increased.

As an important note, I have also shown the number of project-based workers. This number is important in showing that NGOs hire on a project basis. From 2004 to 2020, the average percentage of project-based workers is 26.2%. It means that more than a quarter of NGO workers were employed *solely in projects*. Between 2010 and 2020, the average percentage of project-based workers was 32.95%, while 16.25% between 2004 and 2010. Although the budget of NGOs increased in this period, instead of providing more stable jobs for workers, NGOs increased the number of project-based workers.

NGOization as Technical Fix

NGOization has dominated the literature on civil society, especially after neo-liberalization has led to the privatization of many state responsibilities, thus, minimizing its role in welfare and social justice, as discussed in detail in Chapter 3 (pp. 164-175). A growing number of local and international NGOs around the world have taken up the functions of not only advocacy through which rights are defended and exercised but also welfare distribution and development. The argument that NGOs have become transnational proxies of neoliberal governmentality in the localities is grounded on two observations. First, they replace the state functions of welfare distribution and development with a strict dependency on international donors. Second international donors have severe structural limitations on how projects can be conceptualized and actualized. As abundantly discussed by the literature on gender and development, international fund-oriented projects render political issues of women empowerment and liberation 'technical' (Muehlenhoff, 2019, p. 205). Attempts to solve local political issues by a "technical fix" developed within the discursive framework of international donors end up producing a project that is "ahistorical, apolitical and decontextualized and which leaves the prevailing and unequal power relations intact" (Cornwall et al., 2007, p. 9). For example, a singular focus on the 'empowerment of women' through their integration into the job market

led to the micro-credit projects of early 2000 in the southeastern Anatolia Region (Özuğurlu 2012, Beşpınar, 2018). A critical analysis of the results of the projects revealed different ways in which women remained within the patriarchal bounds of home and society while having to deal with the added pressure of paying off debt (Karim, 2008).

In the case of queer subjectivities in NGO work, Evelyn Blackwood (2008) shows that power asymmetries between the global north and global south embody themselves in how internationally funded local NGOs in bigger cities do not recognize knowledge produced by activists in smaller towns. In her article "Transnational Discourses and Circuits of Queer Knowledge in Indonesia," she shows how a group of people from Padang, Indonesia, has produced knowledge concerning their own sexuality and sexual politics without drawing upon any category of "LGBT." They consider themselves men and address each other as "lesbi," but they refuse to be called "transgender" because they are acting "butch" and "masculine" and wearing men's clothing. And at the same time, women who are dating "lesbis" choose to call themselves "girlfriend" instead of "lesbi." Blackwood also argues that the knowledge produced by this group is not accepted as liable by the NGO workers in metropolitan cities because it does not refer to those letters that are Western-oriented and readable to international organizations in other cities of Indonesia.[81] Blackwood discusses the reasons why one form of (local) knowledge production concerning one's own sexuality is overlooked and silenced while another form, which reproduces sexual subjectivities through the letters "LGBT," is considered a genuine representation of sexuality. Her answer is transnational asymmetries of queer knowledge reproduced by NGOs. She argues, "In the complexity of cultural production, global

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[81]Blackwood depicts a story in which a lesbi had an argument with an activist from such organization, and the activist asks "what do you consider to be a man or women?", upon hearing that he considers himself a man, activists tells "That means you're not a lesbian. You're transgender." (Blackwood, 2008, p. 498)

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flows, and transnational practices, queer discourses circulate unevenly and are accessed by lesbi in Padang in ways particular to their location" (Blackwood, 2008, p. 500). The way lesbi of Padang produce knowledge about their subjectivities by using their own terms to describe their sexuality reflects[82] "the particularities of place and the particular circuits they access, which is not to say they are therefore out of touch with "modern" forms of sexualities or in need of education" (Blackwood, 2008, pp. 500–501). Calling them premodern, thinking of them as lacking in modern "sexual" knowledge, and perpetuating outmoded gender-based sexualities are acts of devaluing the knowledge produced locally in comparison with transnationally circulating queer knowledge. In other words, the fact that specific terms are being persistently used in naming sexualities, desires, and subjectivities – in my case, those of queer refugees – reflects the transnational asymmetries of queer knowledge: a fact that is never addressed by queer migration literature.

Because of its power to create new forms of technocracy, scholars have approached the NGOization of civil society with extreme caution (Kandiyoti, 2010, p. 166). NGOization as a process of transforming political issues into technical fixes has been closely associated with institutionalization, professionalization, depoliticization, and demobilization of movements for

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[82] The full quotation is as follows: "Until recently, their sexual subjectivities were not directly informed by the growing lesbian/gay movement in Indonesia or by the Internet, which have been viewed as some of the primary vehicles producing new sexual subjectivities. Even direct contact with activist lesbi in Jakarta did not alter at least one tomboi's particular self-understanding as a lesbi. Because lesbi intercept the circuits of queer knowledge in class- and gender-delimited ways, their subjectivities reflect the particularities of place and the particular circuits they access, which is not to say they are therefore out of touch with "modern" forms of sexualities or in need of education. While their subjectivities are often imagined as premodern or lacking in modern "sexual" knowledge, the difference that tombois and their girlfriends represent is not the difference of outmoded gender-based sexualities. Their particular reception of queer discourse points to the asymmetries of knowledge production across gender and class… "Asymmetries" point to differences in reception and the consequent multiplicity of desires and subjectivities. These asymmetries disturb any claims about what are proper or even "modern" forms of same-sex desire." (Blackwood, 2008, pp. 500–501)

social and environmental change (Choudry & Kapoor, 2013, p. 1; Lang, 2013, pp. 71–74). Instead of "loosely organized, horizontally dispersed, and broadly mobilizing social movements," NGOization of civil society creates "more professionalized, vertically structured organizations" (Lang, 2013, pp. 62–63). Such transformation can have "lasting effects for mission, goals, management, and discourse cultures…advocacy strategies and ultimately, the properties of the publics that NGOs seek out or try to generate" (Lang, 2013, pp. 62–63).

The depoliticizing effects of institutionalization and professionalization of social movements have been studied from different perspectives: the shift from the black power movement to race studies (Rojas, 2010), from the feminist movement to gender and women's studies (Kandiyoti, 2010, 2016), from the feminist movement to women-oriented projects (Karim, 2008) and women's NGOs (Korolczuk, 2016; Roy, 2011, 2015), from feminist activism to gender expertise (Kantola & Squires, 2012, p. 388), from LGBTI movement to LGBTI NGOs (Moreau & Currier, 2018; Muehlenhoff, 2019; Paternotte, 2016) and so on. In each case, the organizational reproduction and cultivation of funding sources seem to take precedence over sustainability and continuity of addressing social and political problems (Lang, 2013, pp. 63–64).

According to the research conducted by the Third Sector Foundation of Turkey (TSFT), the LGBTI+ organizations in Turkey lack financial sources generated via national public funds, including membership fees and donations (Türkiye Üçüncü Sektör Vakfı, 2013). In order to secure their existence, their operations are disproportionately funded by international and transnational donors in the form of projects. The annual budgets of Kaos G.L. and SGSSA reflect a similar trend. Over the years, project-based international and transnational funds have

constituted the bulk of their budgets.[83] The lack of a core budget generated by membership fees and donations and the subsequent dependence on international projects fundings make LGBTI+ organizations more susceptible to the effects of NGOization. Their susceptibility became apparent, especially after Lambdaİstanbul's resistance against the vertical organization structure. This resistance resulted in a long-term suspension of LambdaIstanbul's activities and a minimization of its ongoing activities. Lambdaİstanbul was among the most vocal NGOs against pursuing projects and professionalization in the past.[84] It did not want to abandon its horizontally organized, more flexible structure since implementing projects required having a hierarchy of project managers and assistants. As a consequence, one of the reasons why the founders of SGSSA split from Lambdaİstanbul was to be able to implement projects. Their resistance to NGOization ended up destabilizing their long-term organizational sustainability.

In 2014, LambdaIstanbul announced that they were having a hard time renting a headquarters in their historical location, Taksim, because of the exponential increase in rents around the area and of the discrimination in the form of doubling the rent once landlords learned it was an LGBTI organization. After moving out and finding an office in Kadıköy, they faced the same problem again and decided to close their office and suspend activities in 2016. Although other LGBTI organizations in İstanbul and Ankara suffered from the same alliance of cis-heteronormativity and neoliberalism, they could keep up with the increasing rents through their involvement with international projects. NGOization seems to become one of the ways to maintain basic needs such as a physical space for social and political gatherings. As the core budgets of these organizations fluctuate in direct proportion to the number of projects they get

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[83] "Mali Bilgiler," Spod, Accessed in December 2019, http://www.spod.org.tr/TR/sayfalar/1/mali-bilgiler; "Mizanlar," Kaos GL, in September 2016, http://www.Kaosgldernegi.org/mali.php
[84] Muehlenhoff (2019, p. 211) talks about other groups and organizations who were against projects.

in a year, economic precariousness amplifies their need to acquire international projects. The repeatedly used phrase "everybody needs a piece of the cake" exemplifies the precarious financial sources of LGBTI organizations and their desire to make structural changes to be eligible for international funding and expand their area of operation to refugee issues. However, it is crucial to note that financial incentives are not the leading propelling force in pushing LGBTI organizations to interact professionally with queer refugees within the limits of projects. As I will discuss in detail below, the LGBTI organizations have already established solidarity networks with queer refugees outside a project scheme. The increasing number of refugee projects presented an opportunity for LGBTI organizations to 'capitalize' on these solidarity networks and apply for refugee-oriented projects.

What can be done within *these* spaces socially and politically becomes bound by the clauses of the project agreements signed with international organizations. Instead of gatherings, they have focus group meetings with their target populations. Instead of organizing for collective action, they individually inform their 'beneficiaries' about their rights against discrimination or they individually lobby with state bodies for better access to rights and services. For example, Red Umbrella, where I volunteered for two months, was a small-scale organization with one office in Ankara and seven workers. Although there were 'job titles,' responsibilities were indeed flexible and interchangeable. The general coordinator was writing the project report as they did not have a monitoring and evaluation assistant. The lawyer was not specialized in refugee law. So to get the project, they had to "professionalize" by hiring new people and dividing the responsibilities. The organizational structure changed; three project managers and assistant positions opened in the headquarters. Red Umbrella also opened field offices for queer refugees in Ankara, Eskişehir, and Mersin, and each office has its own hierarchies, i.e., project manager, office manager, project assistant, translator, psychologist, and so on. Consequently, Red

Umbrella expanded its human resources as well. PLA also underwent the same process as opening field offices in satellite cities. SGSSA remained within İstanbul, but they established a separate unit for the project, again with its own vertical hierarchy.

The opening of new offices meant a centralized power structure where the field officers had to negotiate their decisions with the main offices. I was able to observe this relationality in Eskişehir when one of my informants, Mia, a transwoman from Zimbabwe, asked me to relay her idea of organizing a queer refugee support group. After a terrible date during which she was physically attacked in her home, she decided to organize a support group. She said that since she had not deciphered the local signs of danger or how she could keep herself safe, she wanted to bring queer refugees together so that everyone could share their own stories and support one another and also share their 'local' knowledge about safe spaces and practices for queer refugees. She wondered if the NGO could provide a room to meet, snacks, and reimburse queer refugees' travel expenses. As the office was at the center of Eskişehir, she was worried that queer refugees could not afford to attend the gatherings regularly.

After submitting a proposal to the NGO, we had to wait for a few months since the field officers had to first negotiate with the main office as well as a representative of the international donor. When they finally had a meeting with Mia, she said they started the conversation by reciting the scope of the project, telling her that they cannot move beyond the scope. They agreed to provide a room and snacks on the condition that the meetings were to be registered as social activities that the organization has to deliver according to the regulations of the project. They also said reimbursing for travel expenses would not be possible as the project does not have a budget for cash assistance. Mia, who was a trans rights activist in Zimbabwe, was furious after the meeting. She said, "I can guess how much the organization makes out of the project that is

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about us, but they are not even willing to give money for tickets!". She decided not to follow up, as her idea was being turned into "a project." Because of the limitations of the project and of lack of a political will to negotiate with its bureaucratic barriers, the NGO missed a valuable chance to establish solidarity links with queer refugees and to assist them in creating a self-organized group in Eskişehir where a considerable number of queer refugees reside. Suppose the NGOs approached Mia's proposal as a political alliance with queer refugees and treat her as a subject of queer politics, not a recipient of services. In that case, Eskişehir could have a much-needed self-organized group of queer refugees vocalizing their own needs and demands.

However, do we concede to the argument that being vertically organized directly separates NGOs' ties with the grassroots political movements and bring about depoliticization of mission and goals? Thus, the question arises: are there cases in which institutionalization and professionalization do not directly mean depoliticization?

Depoliticizing the Queers or Queering the Depoliticized? NGOization as Hybridization

In the case of the LGBTI+ organizations in Turkey, the archetype of NGOs assuming the state's responsibility under neoliberal governmentality does not entirely hold true. It is because the Turkish state has systematically discriminated against queer individuals, denied sexuality and gender identity as a basis for developing inclusive social policies, and even persecuted, especially transwomen, on a daily basis. Hence, the LGBTI+ organizations, whether within or outside of project schemes, have been performing vital services that the state has historically refused to do, *not* on the ground of neoliberal retreat from welfare but on the ground of the state being a cis-heteropatriarchal entity. This alternative perspective of institutionalization and

professionalization suggests that technical fixes could potentially prove to have the power to politicize and mobilize solidarity against the cis-heteropatriarchal state.

Hanna Muehlenhoff questions whether NGOization directly causes depoliticization. She argues that the NGOization literature had a limited conceptualization of depoliticization; "depoliticization is neoliberal and removes issues from the sphere of political contestation by rendering them technical" (Muehlenhoff, 2019, p. 205). Although she agrees with this statement, she problematizes that the literature assumes that rendering issues technical means depoliticization *in every case*. She offers the counterargument; that "rendering an issue technical might make it possible to discuss it in the first place if the issue has not previously been part of free political debate" (Muehlenhoff, 2019, p. 205). Secondly, she argues that NGOs may become simple service providers in order to substitute for the declining welfare state and, thus, approach political issues with technical solutions and projects that are imposed upon by funding organizations (Muehlenhoff, 2019, p. 207). However, she also promotes the idea that "in contexts in which specific services have never been provided for by the state because they were not recognized as needed, performing this role is highly political" (Muehlenhoff, 2019, p. 207).

Her arguments also resonate with Sonia Alvarez's critical approach to the NGOization of the feminist movement in Latin America. Alvarez argues that feminist NGOs' political hybridity should be accounted for in grasping their ability to articulate "vital political linkages among larger women's movement and civil society constituencies" (Alvarez, 1999, p. 183). Although Alvarez acknowledges the imminent threats of feminist organizations turning into "gender experts" rather than remaining "as citizens' groups advocating on behalf on women's rights," she believes that feminisms in Latin America possess an "expansive, polycentric,

heterogeneous *discursive field of action* which spans into a vast vary of cultural, social and political arenas" (Alvarez, 1999, p. 184). Borrowing Alvarez's term 'hybridity' and inspired by Muehlenhoff's counter-arguments against depoliticizing effects of NGOs, I argue that institutionalization and professionalization do not necessarily create NGOs that are depoliticized and neoliberal agents that ease the impact of deepening inequalities and growing authoritarian tendencies of many governments including Turkey's. Instead, I show that NGOization has brought about the hybridization of the LGBTI movement, making it more resilient against depoliticizing effects of projects.

To better capture this perspective, I argue that instead of seeing the relationality between institutionalization/professionalization and depoliticization/demobilization as a consequential one – one set of processes leads to the other. We should first conceptualize depoliticization within the Turkish context and then analyze the effects of different actors and local histories in creating fractures in neoliberal governmentality and hybridizing NGOization. Histories of NGOization and neoliberalization are particularly intertwined in Turkey. In the aftermath of the harsh depoliticization by the coup d'état in 1980 and the technocratic government between 1980 and 1983, "civil society was hailed as the ideal terrain of politics, while labor movements or political parties that aimed at capturing governmental power were discredited as outdated" (Erol et al., 2016, p. 4). It is because civil society was collectively imagined to be in line with the neoliberal economic policies as they were simultaneous with the period of depoliticization, which made sure that there was no political organizing or will to oppose neoliberal technocracy (Ergün, 2008, p. 119). While some scholars like Nilüfer Göle celebrated the rise of civil society as an autonomization of politics after the 1980s, Yael Navaro-Yashin, on the other hand, warned us not to confuse "changing discourse or technique of state power with an autonomous rise of the civil society" (Navaro-Yashin, 1998, p. 4). In other words, civil society was seen as the

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harbinger of politics as a technocratic endeavor in Turkey, thus leading to "a depoliticized understanding of social movements and non-governmental organizations" (Erol et al., 2016, p. 4). Turkey's candidacy for the E.U. in 1999 (Zihnioğlu, 2019), as well as the second wave of neoliberalization after the 2001 Turkish economic crisis, have been argued to speed up the process of NGOization as the number of faith-based organizations (Z. Atalay, 2019), feminist organizations (Diner & Toktaş, 2010; Kandiyoti, 2010; Sarıaslan, 2018), and LGBTI organizations (Muehlenhoff, 2019) increased. Pre-accession Assistance and the Civil Society Facility have provided an economic incentive to flourish NGOs. In 2003 and 2004, the E.U. gave 4,2 million euros to the local NGOs, and the funds increased exponentially over the years.

During the same period, the LGBTI organizations, on the other hand, had a hard time negotiating with the cis-heteronormative state policies to legalize their existence as associations. While the feminist movement mainly dealt with the possibility that their organizations could be subsumed into the state feminism (Sirman, 1989, p. 20), the LGBTI movement's attempts to establish associations was met with outright state-sponsored discrimination and harassment. Kaos GL, Lambdaİstanbul, Black Pink Triangle Association, and Pink Life Association were ordered to disband shortly after they became associations and had to undergo lengthy lawsuits to remain open. In addition, the Provincial Directorate of Associations forced Youth and Ecology Association to remove a clause of its charter that states sexuality and gender as one of their areas of operation. LGBTI organizations also complained about frequent audits and unjustified administrative fines. The more recent examples of state-sponsored discrimination and harassment include the bans and attacks on pride parades and the bans on LGBTI-related events in cities such as Ankara, Istanbul, and Izmir.

Keeping the legal existence and operations of the LGBTI organizations intact and functional, thus, requires a constant political struggle against the cis-heteropatriarchal state in Turkey. When the state wants to disband LGBTI organizations or strictly limit their operations, they have to promptly articulate and disseminate counter-discourses against the state's justifications of discrimination and harassment. Simultaneously, they promptly mobilize intra-movement and inter-movement (LGBTI allies) networks to take concrete actions. Thus, the precarious existence of LGBTI organizations in Turkey blurs the relation assumed to exist between institutionalization/professionalization and depoliticization. This blurred relation does not, in any way, negate the fact that NGOization of the LGBTI movement in Turkey creates technical fixes out of political issues and perpetuates neoliberal governmentality. On the contrary, it results in a hybrid form of conducting queer politics in Turkey. In its most basic sense, this hybrid form is embodied in the enmeshment of technical fixes and political dissidence. While LGBTI organizations must function within the limits of international projects, which are the only constant sources of funding, they also have to develop various political repertoires of action to navigate the obstacles placed by the cis-heteropatriarchal neoliberal state.

While I was volunteering for the Red Umbrella, Turkey was still under a state of emergency declared in 2016. The government was closing down NGOs with the decree laws, and the situation with LGBTI organizations was tense. When asked how they were doing, their workers usually answered, "oh fine, just waiting our turn," with a cynical half-smile. Workers of an NGO that was closed down in the first wave of the decree-laws decided to personally visit standing NGOs and teach them how to swiftly conduct necessary procedures to liquefy assets to save personal documents and information on computers. I remember people were not bringing their personal computers to the offices because of the possibility of a police raid. Thus, political tension was embedded in the organization's daily life. In the looming presence of an

unknown threat to the organization's very existence, the project funded by ECHO and UNFPA seemed to give hope to the workers, and it lessened the feeling of precariousness within the organization. The project was in its final stages for approval; only last-minute negotiations were conducted. Workers discussed among themselves that becoming an implementing partner of UNFPA for such a grand project would give them an aura of legitimacy and could politically keep them under the radar of the decree laws. They were also concerned about trans sex workers in case of suspension of activities. Trans sex workers regularly visit the organization to socialize, get free condoms, and get legal support when the police harass them. If the organization was closed, the vital assistance they receive from the organization would be immediately cut. This is why the workers believed that the act of keeping the organization and services alive and the organization's very existence was a political stance against the state's politics of silencing LGBTI people and more so for those who do sex work.

On November 18, 2017, the Governorship of Ankara announced an indefinite ban on any public event related to LGBTI issues. On the night of the announcement, people from every LGBTI organization in Ankara arranged an action plan meeting, including one representative from Red Umbrella. Soon, public statements condemning the ban emerged, and Kaos G.L. announced that they were taking the ban to court, resulting in its cancelation in April 2019. However, the more impressive mobilization of LGBTI and non-LGBTI NGOs and initiatives revealed itself two months after the ban. Pembe Hayat planned the Queerfest – a film festival screening queer movies –took place in mid-January, but the ban made it clear that the Queerfest could not be held in Ankara. Hence a group of non-LGBTI organizations came together to 'officially' screen the movies without making them about 'LGBTI' issues. I was present in one of the screenings about a Syrian woman's journey in Turkey, and the follow-up discussion about gender and migration was lively and thought-provoking. Through the solidarity links between the NGOs,

they navigated the ban by the cis-heteropatriarchal state and made the screenings possible. After the Queerfest, I interviewed one of the organizers about what had happened. She said that the funding organizations of the festival were helpful in facing the negative political pressure because they eased the conditions of conducting the project, allowing them to be more resilient and visit other cities. However, she noted that the negotiation was only possible because it was a small-scale project; if the scale were more extensive, it would mean dealing with more authorities and red tape.

NGOization has strained the relationship between the LGBTI movement and queer refugees. Vertical organization structure and red tape have had alienating effects on queer refugees who have argued that the LGBTI organizations are becoming more similar to SGDD or MUDEM, which are more prominent organizations, they do not and cannot open a space of negotiation in which queer refugees could voice their grievances individually. In both Eskişehir and Yalova, queer refugees noted that they know which organization provides which service, so they only interact with them if they need that specific service. That is to say, LGBTI organizations in these cities are considered as particular service providers, *not allies,* to co-articulate political demands. A queer refugee, Mehdi, who has been an LGBTI activist both in Iran and Turkey, was bothered by the fact that LGBTI organizations asked him to send emails instead of calling when he acted as a translator for a queer refugee after they started to implement projects for queer refugees. The reason behind the request was to indicate the emails as "official referrals," which counted towards the quota of operations they had to perform under the project contracts. Mehdi was bothered because this meant slower response time, negatively affecting urgent cases and more work for him, who spared his free time to help.

Labeled as a technical fix approach to the problems of queer refugees, such actions and operations within projects sometimes limit opportunities for solidarity since both organization workers and queer refugees have to navigate through their positionalities of 'professional service providers' and of 'beneficiaries of services.' However, it is crucial to capture and analyze moments of political resistance via structural opportunities provided by projects and NGOization. For example, Kaos G.L., who consolidated a refugee division in its organizational structure after receiving a project from UNHCR, was able to stop the deportation of a transwoman living in Denizli.[85] Because of Kaos G.L.'s official title as an implementing partner of UNHCR, it was able to intervene swiftly, provide legal consultation, and draw the attention of UNHCR. The very existence of such projects can turn into political resistance to the cis-heteropatriarchal state that legally recognizes sexual and gender identity as grounds for asylum-seeking and obstruct much-needed activities of LGBTI organizations. Thus, considering NGOization as a process of hybrid enmeshment of technical fixes and political dissidence can reveal different ways in which adverse effects of the technical fix approach. If the LGBTI organizations could balance their sources of funding – a mix of local donations, funds, and transnational funds – it would give them an upper hand in navigating the limitations of projects.

From Subjects of Queer Politics to Objects of Humanitarian Projects

Long before the arrival of Syrian refugees, Turkey has been regarded as a transit migration country: A migration route to Europe and beyond for the people displaced by the wars, conflicts,

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[85] In my interview with her, she said she was detained because she was working without a permit. She was put on fast-tracked deportation. Only after UNHCR's negotiation with the PDMM, she was released and put on administrative observation which meant she had to go to PDMM's office to give signature twice a day.

and extreme poverty in the Middle East, North Africa, and Sub-Saharan African countries. It has also been a receiving country: Labor migration from the same geographies and the former Soviet Bloc (İçduygu & Yükseker, 2012). Hence, LGBTI+ NGOs had numerous opportunities to interact with refugees over the years. In A few historical moments, they mobilized broader support of the LGBTI+ movement for queer refugees. For example, upon the execution of two gay men in Iran in 2005, four LGBTI+ groups collected over 1000 signatures, which were sent to the Iranian Embassy in Ankara, demanding an end to the persecution of queer individuals, especially queer asylum seekers who were sent back to Iran because they could not get refugee status.[86] However, before 2011, only two LGBTI+ organizations in Turkey, KAOS GL and Lambdaİstanbul were *regularly* involved in migration issues and building solidarity networks with queer refugees.

According to Mehmet, one of the founders of KAOS GL, the organization encountered and interacted with queer refugees for the first time in 2001. Its volunteers started to teach Turkish language courses upon the request of queer refugees who visited the organizations a few times.[87] Sharing the physical space of the organization to teach Turkish motivated further engagement with queer refugees. KAOS GL became dedicated to knowing more about their living conditions. It made exploratory visits to the cities that queer refugees lived in, such as Isparta, Kayseri, and Eskişehir.[88] Signing a goodwill agreement with UNHCR in 2005[89] and establishing its Human Rights Program in 2007 marked a more systematic approach to the issues concerning queer refugees. It initiated legal and social consultations for queer refugee

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[86] http://www.lambdaistanbul.org/s/etkinlik/kaos-gl-ve-pembe-hayat-iran-konsoloslugundaydi/

[87] Author interview, Ankara, October 10, 2019.

[88] Ibid.

[89] https://www.kaosgl.org/haber/kaos-gl-bes-ilde-lgbt-multecilerle-bulustu

and advocated for their rights.[90] In 2007, KAOS GL also moderated the first-of-its-kind panel about queer refugees during the 15th Pride Week.[91] Titled as "Rootless and Stateless Homosexuals", the panel addressed notably diverse issues, such as transgender individuals as internally displaced people and problems of queer refugees living in Turkey and Germany.[92] The panel could be considered as an attempt to integrate migration issues into queer politics, creating an intersectional discourse that reached a wider audience via Pride Week.

Lambdaİstanbul organized "dinners of solidarity" with queer refugee in order to collect cash or basic needs in 2007.[93] It utilized its website to inform its readers about the living conditions of queer refugees. Lamdaİstanbul and KOAS GL co-conducted a survey in 2008 to determine the needs of queer individuals. The survey included questions directed to queer refugees.[94] Starting from 2007, the Platform of LGBTT rights spearheaded by both organizations annually reported discrimination that queer people, including queer refugees, face in Turkey.[95] Two of the events during the 17th Pride Week in 2009 were about queer refugees. The first one was a press release of Helsinki's report. The second one was dedicated to discussing how to establish solidarity networks with queer refugees. While Lambdaİstanbul volunteers moderated the event, an Iraqi refugee was one of the speakers.[96]

With the increasing number of refugees after 2011, migration issues have occupied a larger space within queer politics in Turkey. Already existing solidarity networks with queer refugees

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[90] Ibid.

[91] It is first of its kind within the events of Pride Weeks in Turkey. A close inspection of Pride Week events starting from 1997 shows that a panel for migration was first held in 2007.

[92] https://www.kaosgl.org/haber/yersiz-yurtsuz-escinseller

[93] www.lambdaistanbul.org/s/etkinlik/lgbtt-multecilerle-dayanisma-yemegi

[94] www.lambdaistanbul.org/s/etkinlik/lgbtt-bireylere-yonelik-ihtiyac-belirleme-anketi/

[95] www.lambdaistanbul.org/s/medya/lgbtt-haklari-platformu-ayrimciligi-raporlastirdi/, www.lambdaistanbul.org/s/medya/escinselligin-2008-manzaralari/

[96] www.lambdaistanbul.org/s/etkinlik/17-lgbtt-onur-haftasi-programi/

have become more systematic and grown in size. Other LGBTI+ NGOs integrated into these networks either by providing resources or by making critical discursive interventions to include migration issues into queer politics. Lambdaİstanbul's telephone helpline, established in 2004, was modified to include English, Persian and Azeri-speaking volunteers in 2014 to provide legal, social and psychological consultancy for queer refugees.[97] It was queer refugees who volunteered for the helpline. Lambdaİstanbul was also the birthplace of the only self-organized group of queer refugees. In February 2015, a group of 5-6 Arabic-speaking queer refugees were having weekly meetings called Tea and Talk in Lambdaİstanbul's office, and soon the group attracted more participants. By the time I was making participant observations in the Tea and Talk meetings in 2018, the group already had around 60 regulars coming from Syria, Iraq, Iran, and Egypt.[98]

Queer refugees' determination to support each other and Lambdaİstanbul's willingness to provide a physical space for meetings had facilitated one of the most effective solidarity networks to be built for and by queer refugees. Apart from being a safe environment where queer refugees could interact with each other without fear of homophobia, transphobia and racism, Tea and Talk also has been providing crucial material needs for its members, such as clothes and accommodation. Furthermore, Tea and Talk has become an arrival hub for newcomers. One of the group's founders, Ayman, noted that upon crossing the border, Syrian queer refugees directly made their way to İstanbul hoping to find them because they heard about the group by word-of-mouth signaling to a transborder information network for queer

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[97] https://lgbtinewsturkey.com/2013/10/23/lgbti-immigrant-and-refugee-helpline-in-turkey/
[98] Author participant observations, İstanbul, December 03, 2017, and January 28, 2018.

refugees.[99] Ayman mentioned a social media group with around 700 queer refugee members where people volunteer to host the newcomers until they can find a place of their own.[100]

In 2016, Tea and Talk moved to SGSSA. Through their alliance with Tea and Talk, it was SGSSA's turn to become the new arrival hub. Nazlı, an SGSSA worker, explained this alliance's effectiveness: "We were getting calls in the office from queer refugees who just crossed the border into Turkey, asking us how they can get to the office. They came to the office with muddy shoes and clothes because they walked through the border. They know of us because there are queer refugees in Turkey advising the ones in Syria to come and find us."[101] The effects of Tea and Talk on queer politics have not been limited to the LGBTI+ NGOs with which they closely collaborate. Primarily through their direct involvement with İstanbul Pride Parades and events of the Pride Weeks, they have managed to occupy a steady presence within the LGBTI+ movement. In Pride Parades, through their banners written in Arabic, they stated that "I am Arab, and I am gay,"; "We are here, get used to it,"; "NGOs and govs (governments) need to wake up and help LGBT Syrians."[102]

Another crucial solidarity network organically developed between the Trans Guesthouse[103] and queer refugees. İstanbul LGBTİ established the guesthouse in 2013 for trans individuals who need accommodation. In response to transphobic, homophobic, and racist discrimination queer refugees face while renting houses – as one of the first inhabitants of the guesthouse noted – the guesthouse welcomed queer refugees soon after opening its doors.[104] During my visits to

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[99] Author interview, İstanbul, December 02, 2017.
[100] Ibid.
[101] Author interview, İstanbul, January 08, 2018.
[102] https://www.bradleysecker.com/mr-gay-syria#33
[103] http://www.transevi.org/turkce.php
[104] Author interview, İstanbul, March 22, 2018

the guesthouse in 2018, three queer refugees from Syria were taking shelter alongside Turkish and Kurdish transwomen.[105] This particular solidarity network also proved to be materially beneficial for all inhabitants because an international refugee organization donated to improve the living conditions after learning that queer refugees were living in the guesthouse.[106]

However, the inspiring stories of discursive and material solidarity have been, in some instances, eclipsed by anti-refugee rhetoric within the LGBTI+ movement. As the public visibility of queer refugees enhanced, the anti-refugee rhetoric in the LGBTI+ movement surfaced. The members of Tea and Talk attended the panel on queer refugees in the 24th Pride Week in 2016, and they became a part of a heated debate revolving around the discriminatory and homonational argument that "Turkish queers must first save themselves before helping refugees."[107] Similar homonational sentiments were voiced by members of LGBTI+ NGOs who wanted to spare organizational resources for "Turkish queers instead of spending them for queer refugees."[108]

Homonational discourses led Tea and Talk to withdraw into its shell as a means of self-preservation. In January 2018, Refugee Support Association offered Tea and Talk to mediate weekly meetings between them and queer citizens to foster social cohesion. An overwhelming majority of the group declined the proposal on the ground that they faced racism in the past events that brought the two groups together.[109] They decided to keep working with "the locals" they trusted. In addition, in a series of workshops organized by the Women's Solidarity

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[105] Author participant observations, İstanbul, March 22, 2018, May 24, 2018,
[106] Author interview with the administrator of the Trans Guesthouse, İstanbul, March 22, 2018.
[107] Author interview with Nazlı, one of the workers of SGSSA, İstanbul, January 08, 2018.
[108] Author participant observation at SGSSA, May 25, 2018; author interview with Selçuk, another worker in SGSSA, İstanbul, July 02, 2018.
[109] Author participant observation, İstanbul, January 28, 2018.

Foundation (WSF) with the hope of providing a physical space for queer refugees to regularly voice their problems and propose solutions, a transwoman from Syria noted that the gay bar in which they attended a Pride Week party did not let them in another night because they were refugees.[110] Continuity and sustainability of shared physical and discursive spaces with queer refugees, thus, requires reflexive queer politics. Discriminatory arguments, racist sentiments, and homonational discourses within the LGBTI+ movement have become crucial reminders for the movement to reflect on its drawbacks and imagine ways of being and living together with queer refugees that do not merely exist within national borders.

All in all, sharing discursive and physical spaces between queer refugees has moved migration from the peripheries of queer politics to its center, especially after the exponential increase in the number of refugees in 2011. They marched in the Pride Parades and moderated panels in the Pride Weeks, challenging homonational discourses emerging from within queer politics and pushing for a multi-lingual space of solidarity. They have shared living spaces with trans individuals in the Trans Guesthouse, becoming a part of their daily lives and support mechanisms, and upkeeping as well as bettering the living conditions of everyone. They transformed LGBTI+ NGOs into hubs for newly arriving queer refugees, providing phycological, social and financial help. In other words, instead of being solely represented as victims of forced displacement or objects of humanitarian and social cohesion projects, queer refugees have been able to construct their political subjectivities within these solidarity networks, notwithstanding homonational and racist pushbacks.

The second section demonstrated that in shared discursive and physical spaces with LGBTI+ NGOs, queer refugees claim their subjectivities by challenging the assumption that queer

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[110] Author participant observation, İstanbul, March 23, 2018.

politics is for citizens. They have been reshaping LGBTI+ NGOs, making their discourses and operations more inclusive and intersectional. This section, on the other hand, focused on cases where queer refugees were treated as objects of humanitarian projects, not subjects of queer politics. By drawing upon examples in which queer refugees had to interact with LGBTI+ NGOs within the bounds of projects, I show that structural limitations of project-based hierarchy overlook the subjectivities of queer refugees and, thus, hinder the establishment of solidarity networks. Projects come with a hierarchy of donors setting the limits of what can be done within projects, LGBTI+ NGOs implementing the projects, and queer refugees benefiting from services. Such a hierarchy leaves little room for queer refugees to negotiate with LGBTI+ NGOs, limiting their interaction options to pre-determined services.

Finally, the juxtaposition of 'queer refugees as subjects of queer politics' with 'queer refugees as objects of humanitarian projects' highlights that LGBTI+ NGOs cannot establish solidarity networks with queer refugees without interactions that respect and actively affirm the subjectivities of queer refugees. In order to capture the importance of affirming subjectivities of queer refugees while sharing discursive and physical spaces and in creating solidarity networks, I use the term *dirsek teması* – a direct translation of which means elbow contact. Inspired by the physical contact—touching elbows—when standing close to others at protests, dirsek teması indicates a need to be near physically and learn to construct and share actual safe spaces for and with people coming from different SOGI positions, ethnic backgrounds, economic statuses, ages, and so on. Dirsek teması includes but goes beyond the discursive tools that would make intersectional politics of solidarity and resistance possible in Turkey. Dirsek teması calls for learning how to share physical spaces and to make those spaces safe for everybody. Because of its history within queer politics in Turkey and its repeated use during

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my participant observation, I believe that elbow contact has ethnographic depths to embody the power of sharing discursive and physical spaces that are subjectivity-affirming.

The mainstream usage of dirsek teması in the LGBTI+ movement can be traced back to the unprecedented enmeshment of various social groups during the protests and communal life at the Gezi Park Movement in 2013. Within the physical space of Gezi Park and Taksim area, actors of the LGBTI+ movement fostered political alliances and co-existed with social groups who had no or little previous dialogue with them such as soccer fans, nationalists, anti-capitalist Muslims, blue-collar workers, communists, Kurds, Armenians and so on (Birdal, 2015, p. 130). Although the common goal of resistance to the Justice and Development Party's neoliberal and neoconservative politics brought together such diverse social groups, co-existing in close physical proximity required constant dialogue and reflexivity (Örs & Turan, 2015, pp. 460–461). For example, sexist, homophobic, and transphobic slurs used during protests were met with resistance, giving way to discussions on why not to use such language. The images of the rainbow flags planted on the barricades built by the protesters circulated on social media. Dubbed as LGBTI+ bloc, queer people occupied a part of the Park with their tents and were an integral part of the communal life which lasted until the police attack on June 15, 2013. They regularly marched amongst the tents waving rainbow flags demanding equality for queer people and making the LGBTI+ movement physically visible in the Gezi Park Movement. The 21st İstanbul Pride March, held on June 30, 2013, attracted around 100.000 people making it the biggest pride march in the history of Turkey (O. Atalay & Doan, 2019, p. 120). The press release on June 24, which marked the start of Pride Week, noted that the LGBTI+ movement's

"dirsek teması has increased: We got closer to *çArşı*[111] and ate *kandil simidi*[112] with anti-capitalist Muslims."[113]

As the intimate political and physical encounters were still fresh in the memories of the committee members of the İstanbul Pride Week, which oversees the organizations of each year's events, they chose *temas* (contact) as the overarching theme of the 22nd İstanbul Pride Week in 2014. The description of two consecutive panels, contact and dirsek teması, stated that "While the LGBTI movement has left twenty years behind, with the Gezi Resistance, it has come into contact, more than ever before, with the subjects of social opposition varying from soccer fans to revolutionary Muslims."[114] The panels aimed to reflect upon "the experiences of establishing contacts with the subjects of social opposition both before and after Gezi; upon what these physical and discursive contacts mean; and upon how to move forward in the future."[115] Other panels of the Week were designed to increase the contract with- what the program called as - subjects of the social opposition, which also included queer Iranian refugees. One panel named Iran hosted three Iranian LGBTI+ activists, one of whom was a refugee living in Turkey and volunteering for Lambdaİstanbul.

Embedded in the context of Gezi Resistance and İstanbul Pride Weeks, dirsek teması signifies the transformative effects of various social groups sharing discursive and physical spaces on queer politics. Dirsek teması moves beyond discourses of toleration and liminal political representation as a minority group. It envisages the LGBTI+ movement occupying the same physical spaces alongside various social groups and establishing intersectional solidarity

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[111] The most influential soccer fan group of Beşiktaş football club.
[112] A pastry that is baked and distributed on the holy days of Islam.
[113] https://m.bianet.org/bianet/lgbti/147897-21-lgbt-onur-haftasi-basladi
[114] From my personal archive of pamphlets for Pride Week programs.
[115] Ibid.

networks. I argue that the frequent appearance of dirsek teması during my participant observations and my interviews reflects (1) LGBTI+ NGOs' desires to open up their discursive and physical spaces to affirm subjectivities of queer refugees and (2) their critique of NGOs who are discursively inclusive but spatially exclusive of queer refugees.

Soon after entering the field, I observed a workshop where participants frequently used dirsek teması. In December 2017, WSF sent out a general call for a roundtable workshop that aimed to develop a coordinated action plan for queer refugees with NGOs and solidarity groups that address issues related to refugees, gender or both. The number of organizations that sent representatives to the workshop was impressive: thirty-three organizations, including long-established LGBTI+ NGOs such as KAOS GL, Lambdaİstanbul, and Pembe Hayat, as well as recently mobilized groups such as Genç LGBTİ Association İzmir or Zeugmadi- Gaziantep LGBT. The roundtable moderator, a well-known transwoman activist Zühre initiated the discussion by stating that refugees and queer Turkish citizens are mistreated and discriminated against in similar ways. She mentioned the fact that landowners do not rent to refugees or transgender individuals. Alternatively, they overcharge both groups for flats that are in bad condition or uninhabitable.

Zühre continued her speech, providing examples to underpin her point of how refugees and queer citizens share similar vulnerabilities in Turkey. Then she went on to argue that since queer refugees face a combination of racial and gendered discrimination, they have heightened vulnerabilities that require coordinated attention of NGOs. She explained how queer refugees living in satellite cities are discriminated against not only by the locals because they are refugees but also by non-queer refugees because they are queer. Her intersectional approach to queer refugeeness created a powerful moment of solidarity, at least discursively, which imprinted

itself on the rest of the conference. For four hours, every participant shared their encounters with queer refugees, their observations about the problems that queer refugees face, and possible ways in which attending NGOs and groups could establish solidarity with queer refugees. As the workshop progressed, a few participants questioned why there were no queer refugees in the workshop. Their remarks sparked a heated debate over the adverse effects of speaking on behalf of queer refugees and the lack of dirsek teması with them. Participants argued that the workshop lacked dirsek teması; queer refugees must be physically present in such conferences and workshops to be able to articulate and convey their grievances and demands. They noted that NGOs must provide necessary resources for queer refugees to self-organize and to ensure their participation in such events.

Dirsek teması signified the corporeality of solidarity networks. Discursive acts of solidarity are necessary to establish a shared political repertoire through which various social groups coordinate their demands, yet they are insufficient. Overlooking of subjectivities of queer refugees and lacking physical encounters between these social groups can prevent the formation of solidarity networks or create asymmetrical power relations in which one social group speaks on behalf of the other, misrepresenting their needs and demands. In an interview, Buğra, one of the founders of HEVİ, stated that LGBTI+ or other NGOs organize events discussing queer refugees but do so without Arabic and Persian translators, which discourages the attendance of queer refugees. He argued, "(Such) events prevent dirsek teması with (queer) refugees. Only the same (queer) one or two refugees who speak Turkish attend these events. So, nothing new is discussed, nobody knows the different problems (queer) refugees face". Mahdi, an Iranian gay man living in Yalova, echoed Buğra's concern stating that "they (participants of events) discuss issues about us without us. Since I speak Turkish, I can attend the events. But my friends have stopped going. They (NGOs who organize events without translators) ask me to bring my

friends, but my friends refuse. They do not feel like their opinions matter. So even if they learn Turkish, they only hang out with other Iranians."

Furthermore, Mahdi draws attention to the fact that these events were organized because the projects of NGOs demanded it. One of the means of demonstrating the social impact created by a project, NGOs report to the donors the number of events they organize and the number of attendees. Mahdi stated that in a few instances, he felt that NGOs considered queer refugees as mere numbers, which discouraged them from attending other events. He gave the example of a birthday party gone wrong. He asked an NGO to open their office for the birthday of a queer refugee. The NGO said yes, and he organized the party. By the time everyone arrived at the office, one of the workers was holding an attendance sheet, asking queer refugees to sign it. Mahdi realized that the attendance sheet showed the birth party as an event by the NGO. Angered by the attendance sheet, Mahdi said many of them stopped attending the NGO's events. Both Buğra and Mahdi's accounts suggest that the lack of necessary infrastructures (translators in this case) for physical encounters and treatment of queer refugees as mere project beneficiaries can make or break alliances between LGBTI+ NGOs and queer refugees.

Every time I heard the phrase dirsek teması during conferences, in group and friend discussions or during my interviews with organization workers, I was reminded of Liisa Malkki's warnings against the humanitarian projects in which "the necessary delivery of relief and also long-term assistance is accompanied by a host of other, unannounced social processes and practices that are dehistoricizing" (Malkki, 1996, p. 378). Projects operate with "the assumption that to become uprooted and removed from a national community is automatically to lose one's identity, traditions, and culture" (Malkki, 1995c, p. 508), treating "the refugee experience" as "a single essential transhistorical condition" (Malkki, 1995c, p. 511). Malkki continues: "This

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dehistoricizing universalism creates a context in which it is difficult for people in the refugee category to be approached as historical actors rather than simply as mute victims. It can strip from them the authority to give credible narrative evidence or testimony about their own condition in politically and institutionally consequential forums…" (Malkki, 1996, p. 378). Instead of convening with queer refugees and interacting with them in determining their day-to-day needs, which differ for every refugee, projects come into the satellite cities with the assumptions of what queer refugees need and limit LGBTI + NGOs' ability to be responsive.

By renouncing universalizing humanitarian approach, dirsek teması calls for being in close discursive and physical proximity with queer refugees so that they can affirm their subjectivities, use their own social and political voice, and shape queer politics. Dirsek teması resonates with Trinh T. Minh-ha's famous words about postcolonialism and positionality; "… not wish to speak about, only to speak nearby…" (Chen, 1992, p. 87). Instead of speaking about queer refugees as if they are the object of a humanitarian or social cohesion project or as Mallki puts mute victims, dirsek teması points to the importance of sharing both discursive and physical spaces to speak nearby each other, to learn each other's similar as well as particular vulnerabilities, and to co-existence in solidarity when facing transphobia, homophobia, and racism.

Conclusion

Mahsa had lived in Eskişehir for four years when we met in February 2018. She escaped Iran because of her family's relentless psychological and economic pressure to "dress and look more feminine" and marry a man. Upon arriving in Turkey, she had to undergo a long series of transnational bureaucratic steps in order to get her refugee status and be resettled to a third country. She first registered with ASAM, then with the Provincial Migration Office of Eskişehir, and finally had a refugee status determination (RSD) interview with UNHCR. Upon receiving her refugee status, she waited to be assigned to a third country which turned out to be the USA. She had two interviews with the International Catholic Migration Commission (ICMC) – the INGO, which conducts the resettlement interviews on behalf of the USA. Each interview lasted approximately 8 hours. However, shortly after her second interview with ICMC in late 2017, President Donald Trump announced his travel ban on five countries, including Iran. Among its myriad adverse effects, the ban effectively suspended resettlement procedures of refugees from the five countries on Trump's list. Mahsa contacted HRDF[116] in Eskişehir to learn if her resettlement dossier could be submitted to another country. The only advice she got was to wait and see. Mahsa was sad and angry over the fact that she had been waiting for four years for resettlement and that being assigned to a new country meant starting over the resettlement produce and perhaps enduring her life in limbo for a few more years.[117]

While dealing with the problems caused by the travel ban, a new transnational bureaucratic tangle arose in September 2018 when UNHCR announced its withdrawal from registering and

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[116] A local NGO that is implementing partner of UNHCR. They have access to UNHCR's resettlement system; hence they can update refugees on the progress of their resettlement application.
[117] She was resettled to a third country in early 2022.

interviewing conditional refugees under international protection in Turkey. PMOs assumed the responsibilities that UNHCR relinquished. One of the first decisions that PMOs took was to "update refugees' information," which proved to be a method of reassessing refugees' given legal status[118]. When Mahsa went to the PMO of Eskişehir, the asylum officer asked why she had come to Turkey. Upon hearing the reason, he said that he did not know anything about the lives of lesbian women in Iran and asked Mahsa to come back a week later so that he could "study the situation in Iran."

Mahsa's experience of asylum-seeking as a lesbian woman from Iran resists telling a simple story of displacement because of the transnational bureaucratic entanglement that each queer refugee embedded in Turkey. Furthermore, RSD interviews only reflect a small amount of the bureaucratic work that dominates the daily lives of refugees in general and queer refugees in particular. In every step of exercising their fundamental rights, such as healthcare, queer refugees must be able to successfully navigate the transnational bureaucratic barriers and cis-homonormative expectations of street-level bureaucrats. Shouleh's story of starting hormonal treatment in Turkey as a transwoman from Iran reveals the transnational bureaucratic steps of exercising fundamental rights.

It was a sunny summer morning in Eskişehir during one of my routine field visits. One of my key interlocutors – a transwoman from Iran – and I decided to walk alongside the Porsuk Streamlet to enjoy the sun. We started sharing the details of the past month we spent apart while

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[118] Ayşe, working for Red Umberalla in Ankara, which is an implementing partner of UNFPA, noted that PMOs were not trusting UNHCR's decision so they decided to reevaluate their legal status. Elif, working for HRDF noted that two transwomen from Iran who had held refugee status for two years, were called into the PMO in Eskişehir and were told that their residence permit will not be renewed. The officials based their decision on the argument that they had lived in Iran after their hormonal treatment and gender transition surgery which means they were not persecuted in Iran.

walking. Shouleh told me that she finally got her second appointment from Hacettepe Hospital in Ankara for her psychological "evaluation" – one of many steps to be taken for transgender people in Turkey to start their gender transition process and their hormonal treatment. Six months ago, she decided to continue her hormonal therapy in Turkey as she had been waiting for a year to be resettled, and UNHCR told her that resettlement could take years. She started her treatment back in Iran, but it was interrupted when she came to Turkey. After a year of not taking hormones, she was feeling the physical and psychological effects of the interruption. It was through her determination to start her hormonal treatment again that we had a chance to meet. She was referred to me by a common friend so that I could act as her translator when she came to Ankara in early February 2018, where I was living at the time. Unfortunately, she could not go to the hospital alone because she did not speak Turkish. In some cases, implementing partners of UNHCR – the Association for Solidarity with Asylum Seekers and Migrants (ASAM) and the Human Resource Development Foundation (HRDF) – can provide translators for visits to the hospital. Still, their resources are usually spread thin, and on that day, they could not send a Persian-speaking translator.

HRDF bought her train ticket to Ankara, and I met with her at the train station as it was close to the hospital. On the way, she told me that hospitals in Eskişehir refused to start her hormonal treatment. HRDF in Eskişehir tried to convince the doctors in these hospitals, but they were told that she needed to go to Hacettepe Hospital and get an official document from one of a few doctors who specialized in the gender affirmation process in Turkey stating that she could start taking hormones. On that day, we learned that she had to undergo a psychological evaluation for at least six months in order to convince the doctors that she was a "genuine" transwoman. After a one-hour-long interview and filling pages of psychological tests for another hour, the doctor told us that she would convey the case to the specialist, and we will get a call for an

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appointment for the first psychological evaluation session. We did not hear a word for four months from the hospital, and our every attempt to reach them by phone was fruitless. Finally, HRDF asked KOAS GL – one of the oldest LGBTIQ organizations in Turkey that have been working with queer refugees since the early 2000s – to use their connections with the specialist and get an appointment. They managed to get the first appointment for the next month, in June. The second appointment was given for July 26.

And we were having our walk alongside the streamlet on July 25. When she mentioned the appointment, my first instinct was to ask if she got her permission paper from the Provincial Migration Office (PMO) to leave the city as the appointment was one day later. She was shocked, not because she had to get permission – she very well knew that she needed that piece of paper to live in the city she was assigned to – but because she thought it was July 24, not 25. After an anxiety-ridden moment of confusion, we stopped and planned the steps she had to take to get permission on that day. She first needed to return to her house and get the official document saying that she had an appointment at Hacettepe Hospital on July 26. The last time she went to the PMO, they told her that she was asking for too many permissions and that they would not give her permission unless she brought an official document from the doctor. After taking the official document, she needed to go to ASAM in order to fill out another official form stating that she needed to go to the hospital. After taking both documents, she had to go to the PMO and submit the documents and wait for permission. Finally, after three hours of a bureaucratic nightmare, she got permission.

Both Mahsa and Shouleh's stories show NGOs have been integrated into transnational refugee governances as mediators of capillaceous transnational formal and informal ties between queer refugees and other local/international/transnational actors. In every step of the complicated

process that I have just described, queer refugees appease multiple actors' usually conflicting sets of norms and values about what it means to be persecuted based on SOGI. To get conditional refugee status and start their resettlement process in a third country, queer asylum seekers must present a narrative of persecution that UNHCR finds credible. To get access to the limited rights that their city of residence in Turkey has to offer, they must negotiate with PDsMM. To resettle in a third country, they must be able to present narratives of persecution which that country's representatives will evaluate based on their own criteria. Above all, to navigate this immense field of conflicting norms and values, queer refugees must fit into NGOs' persecution criteria. If they manage to do so, NGOs mediate their negotiations with each of these actors.

I coined the transnational matrix of deservingness to signify this immense field of conflicting norms and values that queer asylum seekers must navigate to get refugee status, rights, and financial assistance. The term draws attention to the fact that refugee status and rights have been fractured across time and space, and emerging fractions have been differentially re-articulated under the mandate of local, international, and transnational actors. Each actor utilizes their own values and norms to decide whether to grant access to the re-articulated fractions that they hold control over. In short, the transnational matrix of deservingness suggests that refugee status and rights do not adhere to the principle of entitlement upon which universal human rights have been assumed to be built. Instead, a principle of deservingness has been put in place via which queer asylum seekers must go to extreme lengths to get access to one fraction of the potential legal statuses and rights.

Finally, I showed that two crucial social and economic phenomena give transnational refugee governance a sense of ostensible functionality and relative coherence despite conflicting norms

and values that are used to determine deservingness. At the core of the first one lies the fact that refugee status determination (RSD) is a bureaucratic procedure that allows street-level bureaucrats to operate with a high degree of personal discretion. Their personal discretions come to exert more influence on RSD for queer asylum seekers since SOGI evades quantification. Thus, they utilize socially available cis-homonormative discourses to categorize SOGI and evaluate whether queer asylum seekers' narratives of persecution are credible. Using Dorit Geva's concept of rational informality, I argue that cis-homonormative discourses establish a minimum basis for functionality and coherence in the intra-mandates of local, international, and transnational actors.

As for the inter-mandates of these actors, migration industries establish necessary political infrastructures for NGOs to be influenced by transnational organizations and to negotiate with local administrative bodies. I maintain that since NGOs are economically bound to transnational organizations in the form of project funding, the cis-homonormative discourses perpetuated by these organizations influence the services NGOs provide and the form and content of their rights advocacy. In other words, I demonstrate that local NGOs working with refugees have become dependent on funding from UN bodies (regardless of whether they are implementing partners of UNHCR). The economic dependency gives enough political power to local NGOs, allowing them to negotiate with local administrative bodies that are adamant about excluding SOGI as a ground for seeking asylum. On the other hand, this dependency leads to a partial convergence of norms and values about deservingness – at least between those of local NGOs and UN bodies. In negotiating with local administrative bodies for the re-articulated rights of queer refugees, they utilize these norms and values about deservingness, thus, creating a sense of ostensible functionality and coherence in a highly fractured, multi-mandate transnational refugee governance.

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Chapter 1 gives an overview of the theoretical frameworks used in the thesis and situates theoretical contributions that other chapters make. The literature on migration studies is surveyed with a strong accent on the concepts of migration networks and transnational migration. Since functionalist and structuralist approaches to migration silenced the agency of migrants in giving shape to their own migratory process, migration networks theory aimed to analyze meso-level social structures such as "... the networks, communities, and localities which are most relevant for the daily social interaction of migrants" (de Haas, 2010, p. 1591). In the face of structural limitations set by restrictive state policies, global markets, and politically perpetuated anti-migrant rhetoric, migrants establish, sustain, and mobilize meso-level social structures to migrate and lead a viable life in the destination country. I argue that the critiques migration networks have received from the scholars of transnational migration are crucial in building the migration industry as a comprehensive concept capable of accounting for power asymmetries in transnational refugee governance. It is because the idea of the migration industry is exclusively built on migration networks theory without amending its shortcomings.

Transnational migration has criticized migration network theory's tendency to take nation-state and ethnicity as sole units of analysis. This tendency has resulted in assimilationist discourses that depict migration as a process of being uprooted from one nation-state and then assimilated into another one. In the end, migrants are assumed to cut all social, economic, and cultural ties with the nation-state of origin. The past and future of migrants are thus fixated upon the moment of crossing nation-state borders. Others have taken membership in an ethnic group as the basis of establishing migration networks that facilitate migratory movements as well as settlement in

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the country of destination. They have ignored other pathways to incorporation into the destination country, focusing solely on ethnic enclaves or ethnic entrepreneurship.

Inheriting methodological nationalism and the ethnic lens from migration networks theory, the migration industry depicted migration entrepreneurs as for-profit actors – migrants or former migrants/returnees – facilitating the border crossings of their co-ethnics. The migration industry has only considered nation-state borders and ethnicity as units of analysis, centering on for-profit economic activities involved with the penetration of nation-state borders by a group of people assumed to share the same ethnic background. In other words, since "every move across national frontiers becomes an exception to the rule of sedentariness within the boundaries of the nation-state" (Wimmer & Glick Schiller, 2003, p. 585), scholars only found the for-profit facilitation of border crossing academically intriguing enough to research on. As a result, economic activities profiting from limiting and controlling migratory movements remained under-researched until the 2010s. As a result, non-migrant actors who limit and control migratory flows for profit have escaped scholarly attention. I assert that the sole focus on co-ethnic actors facilitating border crossing has obstructed the asymmetrical power relations via which rights-breaching, inhumane, and torturous practices of for-profit actors who limit and control migratory flows are legalized, while migration networks and smuggling are illegalized. Private companies that sell and administer high-security border control technologies or run detention and deportation centers receive government contracts that yield vast profits. Migration networks that provide relatively safe passage and much-needed solidarity ties are criminalized, and migrants are pushed to use trafficking routes that make them more vulnerable to violence, exploitation, and slavery. I also mention one crucial theoretical text that entertains the idea that NGOs can be one set of actors in the migration industry, which will be amply discussed in other chapters.

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In the second section, I present queer migration as an overarching critique of migration studies that have operated with the persistent assumption that migrants are cis-heterosexual and that their social relations adhere to cis-heteronormativity. I add that earlier gendered approaches to migration studies have also had the same premise, researching only the autonomous migratory movement of women who are assumed to be cis-heterosexual. Queer migration, on the other hand, scrutinizes different ways in which SOGI has shaped people's reasons to migrate, the routes and methods of migrating that they choose, or pathways to incorporation into countries of destination that are available to them. Then I point out two problems within queer migration. The first problem is its uncritical use of the distinction between refugee and migrant, perpetuating the dichotomy of political vs. economic reasons to migrate. Separated from its economic dimensions, reasons for migrating based on SOGI have been reduced to political persecution, entirely discarding economic persecution, primarily based on SOGI, that queer people escape from. Secondly, the literature does not pay attention to UNHCR as a perpetrator of exclusionary inclusion and differential inclusion or how it reshapes the meaning of queer refugees in a transnational manner.

In Chapter 2, to avoid reproducing bureaucratic narratives of SOGI and state-centric discourses of persecution, I introduced an analytical distinction between LGBT and queer refugeeness, which considers both political and economic persecution within simultaneous multi-stranded social relations across borders. In the first section of the chapter, I examine how the emergence of refugeeness after World War II split social dynamics underlying the reasons for migration into two assumably distinct categories: political persecution and economic motivation. In the second section of the chapter, I follow the capillaceous transnational ties of refugee governance in four localities of Turkey to show how UNHCR utilizes cis-homonormativity as rational

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informality to introduce SOGI as a ground to seek asylum in Turkey as well as in the Global North countries which are involved in the resettlement schemes. In the final section of the chapter, I introduce an analytical distinction between LGBT and queer refugeeness to reclaim economic persecution as a crucial part of the migration narratives of queer refugees.

I define LGBT refugeeness as an assemblage of cis-homonormative discourses of SOGI and reductionist cultural representations of the countries of origin, transit, and destination. State bureaucrats, workers of local and international NGOs, and transnational organizations such as UNHCR, UNDP, and UNFPA, as well as queer refugees, cultivate and utilize this assemblage to navigate the application procedures for refugee status. I define queer refugeeness as an assemblage of queer refugees' narratives of political and economic persecution which does not adhere to cis-homonormativity in their representations of SOGI. Queer refugeeness draws attention to power asymmetries across borders that have contributed to the political and economic persecution based on SOGI in the first place, such as colonial laws banning homosexuality or the international LGBT movement discarding local dynamics and further feeding anti-LGBT rhetoric in those localities.

Chapter 3 scrutinized the role of SOGI in constructing a transnational matrix of deservingness through which multi-level governance actors differentially and selectively allocate refugee status, resettlement spots, and services in cities of Turkey. I put the matrix forward in criticism of the literature that uses the "hierarchy of deservingness." The concept holds that asylum seekers are sorted into this hierarchy and receive limited and fragmented rights according to their position in the hierarchy. I argued that the idea of hierarchy assumes that migration officials use a relatively consistent set of norms and values for determining the deservingness of refugee status. Focusing on only one set of actors (refugees, policymakers, or news outlets)

in producing knowledge runs the risk of creating a consistent hierarchy of deservingness out of conflicting sets of norms and values that exist in the fieldwork. The polyphonic nature of fieldwork is silenced because of the methodology employed. As a result, the concept of "hierarchy of deservingness" can presume and even perpetuate a universal experience of vulnerability that may become the very criteria through which exclusionary practices towards certain refugees are justified.

To avoid methodological nationalism and to encompass and represent a conflicting set of norms and values in the fieldwork, I put forward the concept of a "transnational matrix of deservingness." In its most basic sense, this concept argues that transnational refugee governance functions through deservingness, *not because* a consistent set of norms and values exists. It operates through, what I call, consistency as everyday negotiation. Every actor brings in their sets of values and norms, which, in many instances, conflict with one another. For example, refugees decide which newly arriving asylum seekers deserve their help and cooperation. Local NGOs create a hybrid set of values and norms in response to the demands of local migration offices, transnational partners, and donors. Thus, intra-negotiations (amongst the same set of actors) and inter-negotiations (amongst various sets of actors) determine who deserves refugee status and gets access to rights and services. Asylum seekers who manage to find their way into one or more networks become involved in intra-negotiations and, hence, may have a higher chance of benefiting from inter-negotiations. Finally, the chapter will demonstrate that while the matrix gives those deemed deserving incentives to remain immobile in Turkey and construct legal subjectivities recognized by transnational refugee governance, the matrix provides those deemed undeserving incentives to be mobile, searching for ways out of Turkey since they could not construct their legal subjectivities.

In Chapter 4, I brought NGOs forth as subjects of analysis in the migration industry by following the flow of transnational funds into Turkey to manage the migration from the MENA region to the rest of the world, especially the E.U. Taking 2011 as an important historical conjuncture, this chapter showed how the increasing transnational funds for refugee-oriented funds in Turkey had created a migration industry within which local NGOs are the main actors in channeling transnational funds and in sustaining transnational governance of refugees as well as their sexual orientation and gender identity (SOGI). In doing so, the chapter established the migration industry as an overarching concept, moving beyond the dichotomy of for-profit actors as the subjects of analysis and NGOs as the object. The existing literature on the migration industry analyzes economic activities that "capitalize on migrants' desire to move, or on the struggle governments face to manage migratory flows." (Sørensen & Gammeltoft-Hansen, 2013, p. 2) Thus, it has an interest in actors that make a profit out of enabling as well as controlling and limiting migration flows. Finally, I argued that the migration industry has intensified the NGOization of civil society that is interested in establishing ties with queer asylum seekers and refugees. As a result, NGOs have become a nexus of norms and values for LGBT refugeeness, via which a sense of ostensible functionality and coherence is achieved in the transnational matrix of deservingness. I demonstrated that technical fixes limit possibilities of horizontal solidarity with queer asylum seekers and refugees, imposing a relatively vertical scheme of engagement with them. In other words, queer refugees are not considered subjects of queer politics. Instead, they are treated as objects of humanitarian projects. This treatment itself achieves a sense of ostensible functionality and coherence in the transnational matrix of deservingness.

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Appendix

Appendix 1

NGOs that have refugees in their mission	Date of establishment
Uluslararası Göçmen Kadınlarla Dayanışma Derneği	2018
İltica ve Göç Araştırmaları Merkezi	2013
Mültecilerle Dayanışma Derneği	2008
Mülteci Hakları Merkezi	2015
Mülteciler ve Sığınmacılar Yardımlaşma ve Dayanışma Derneği	2014
Sığınmacılar ve Göçmenlerle Dayanışma Derneği	1995
Small Projects Istanbul (Zeytin Ağacı Derneği)	2015
Sened Derneği	2013
Al-Resala Foundation	2012
Mülteci Destek Derneği	2014
Mülteciler ve Sığınmacılarla Yardımlaşma Dayanışma ve Destekleme Derneği	2018
Dünya Doktorları Derneği	2015
Afgan Mülteciler Dayanışma ve Yardımlaşma Derneği	2014
İnsani Şam Derneği	2011
Kırkayak Kültür Derneği	2011
HayatSür Derneği	2013

Appendix 2

NGOs that do no have refugee in their mission	Date of establishment	When did refugee-oriented projects start?
Hayata Destek Derneği	2005	after 2011
İnsan Kaynağını Geliştirme Vakfı	1998	before 2011
Yeryüzü Doktoraları Derneği	2000	before 2011
Sağlıkta Genç Yaklaşımlar Derneği	2004 (2015)	after 2011
Pozitif Yaşam Derneği	2005	after 2011
Maya Vakfı	2015	after 2011
Mavi Kalem Sosyal Yardımlaşma ve Dayanışma Derneği	2012	after 2011
Kırmızı Şemsiye Cinsel Sağlık ve İnsan Hakları Derneği	2014	after 2011
Kadınlarla Dayanışma Derneği	2001	after 2011
Yuva Derneği	2010	after 2011
KAOS GL	1994	before 2011
SPOD	2011	after 2011
HEVI LGBTI+	2015	after 2011
Tarlabaşı Toplum Merkezi	2007	after 2011
Toplum Gönüllüleri Vakfı	2002	after 2011

Appendix 3

NGOs that have refugees in their mission	Date of establishment	When did refugee-oriented projects start?
Sığınmacılar ve Göçmenlerle Dayanışma Derneği	1995	
Mülteci Destek Derneği	2014	
Mülteci Hakları Merkezi	2015	
NGOs that do no have refugee in their mission		
Sağlıkta Genç Yaklaşımlar Derneği	2004 (2015)	after 2011
İnsan Kaynağını Geliştirme Vakfı	1998	before 2011
Pozitif Yaşam Derneği	2005	after 2011
Kırmızı Şemsiye Cinsel Sağlık ve İnsan Hakları Derneği	2014	after 2011
Yuva Derneği	2010	after 2011
KAOS GL	1994	before 2011
SPOD	2011	after 2011
HEVI LGBTI+	2015	after 2011
Tarlabaşı Toplum Merkezi	2007	after 2011
Toplum Gönüllüleri Vakfı	2002	after 2011