College try

A student law clinic wins asylum for a gay Jamaican man—and presses on in the human rights struggle

By Beth Greenfield

SAFE HAVEN Simrin Parmar, left, and Jennifer Stark helped Ven Messam win asylum. When Jamaica-native Ven Messam was granted U.S. asylum earlier this month following years of homophobic persecution, it was a remarkable victory. Finally, after decades of being threatened, harassed, attacked and literally chased out of several towns, Messam finds himself free to stay and create a new life in New York City.

What’s even more noteworthy about the win, though, is the determined team that fought the case for him: a foursome of Columbia Law students—Jennifer Stark, Simrin Parmar, Jonathan Lieberman and Eileen Plaza—who, in a far cry from the more typical coursework, spent nearly a year gathering evidence and researching gay rights conditions in Jamaica before achieving their hard-won victory.

“It’s fantastic,” said professor Suzanne Goldberg, director of Columbia Law’s Sexuality and Gender Law Clinic, which introduced Messam to the students and, at the same time, has supervised the budding lawyers through several other hands-on projects. “The students demonstrated incredible leadership and made a huge leap forward, from sitting in a classroom to making a difference in the world.”

Goldberg—a former Lambda Legal attorney who’s worked on cases including the landmark Lawrence v. Texas sodomy suit—was instrumental in founding the Sexuality and Law Clinic, which welcomed its first students just over a year ago. It was the first clinic of its kind, and is still the only sexuality-and-gender-focused one in the country that’s run by a full-time faculty member. This semester’s had a total of eight students.

“Sexuality and gender law is an incredibly developing field,” says Stark, 27, about her decision to enroll in the clinic. “And the chance to think critically in a field that has lots of room for improvement seemed like a once-in-a-lifetime opportunity.” Parmar, 25, signed up because it was her senior year, and, she says, “I really hadn’t done anything in line with my own interests. Thinking about social change wasn’t something I was really getting from my other classes.”
Once in the clinic, Stark and Parmar were drawn to Messam’s case—which was referred to the clinic through the national organization Immigration Equality—in part because of a heartfelt e-mail he wrote to the students about his struggles. “I really wanted to help,” Parmar says. “I felt so ignorant. I wasn’t aware of the situation in Jamaica.”

Messam (who declined to speak with TONY) told the students that he first experienced homophobia when he was just six years old. That’s when a group of aggressive adults, already perceiving that he was gay, harassed him and his family until they moved to another town. In the years since, Messam, who had a successful career in Jamaica as both a hotel manager and print-ad model, has been menaced by weapon-wielding gangs, chased by a mob from his mother’s funeral and forced to move several times after being unceremoniously outed by vandals who slashed his billboard ads with a machete and spray-painted them with BATTY BOY HAFFI DEAD (“Fag must die”).

Messam’s complaints were always ignored by police, who are backed by Jamaica’s antigay laws as well as by its government and social culture, which openly call for the murder of gay men. Such killings are shockingly common, and have long prompted human rights groups to declare the country one of the most homophobic.

The Columbia students had an overwhelming amount of evidence to prove their client’s case. And though the U.S. government doesn’t track asylum grants in a way that indicates how many are based on sexual orientation, they are not rare, says Goldberg. “Unfortunately, places like Jamaica make these cases not so terribly difficult to win.”

Not long after the clinic began in 2006, its students won their first asylum case, for a lesbian from Turkmenistan. Other ongoing projects include working against the federal ban against HIV-positive people entering the U.S., preparing a how-to guide for LGBT folks who want to bring discrimination cases before the New York City Human Rights Commission and advocating on behalf of a Massachusetts inmate who was denied parole because he is gay. “Sometimes I pinch myself,” says Stark, who has a year left at Columbia. “If I could have a career that allows me to do this kind of work, I would go to bed happy every night.”

Learn more about the law clinic at law.columbia.edu/focusareas/clinics/sexuality.