

futures they have chosen may include suffering, loss, what some might call “exploitation,” and even death.

Slavoj Žižek (2000) describes how the image of the other always remains fuzzy when looked at straight on. Rather, such images become clear only when looked at “awry,” distorted by one’s own desire and perception; in the image of the other, the subject always “sees itself seeing” (10). Through the social aesthetics of eligibility, those on both sides of the encounter respond to pictures in which they are both seen and seeing. Yet trouble cases like these leave us with images that are blurry, indeterminate, unclear.⁴ These pictures index a failure of knowledge, humanitarian aid, and rights-based protection, but they are also sites of opening: into indeterminate trajectories through which “victims” (knowingly or not) undermine the structures of power and violence in which they have been caught.

Chapter 5

Recognizing the Real Refugee

On an uncommonly warm early May weekend in 2007, I joined a group of lawyers and advocates from Greece and throughout the EU at the biennial meeting of a network of asylum advocacy NGOs. We traveled in buses from Athens, across the flat territory near Thebes, then up through the mists of Mount Parnassos. There, in an airy conference center near the small town of Delphi and the archaeological site, this international group outlined the advocacy agenda for the following six months through working groups and meetings and over dinners, lunches, coffees, and cocktails.

At a closing dinner on the last night of the conference, at the overly bright Omphalos Taverna, I sat at a table of delegates over a glass of wine, watching the presentation of toasts and awards after a heavy, too-oily meal of tourist-friendly Greek fare. The finale of the evening was a campy performance involving togas and singing, in which members from various NGOs honored a longtime colleague whose retirement was imminent. On requests for a speech, this man himself took the floor, and expressions suddenly became serious. He was an older man with white hair and spectacles, but tall and hale. He began by mentioning his years in the asylum advocacy field—the successes and satisfactions, but also the ongoing frustrations, of his work. Then he turned somber, explaining that he wanted to recount a meeting with a particular refugee that had remained important for him throughout his career. And so he began a striking narrative.

Shortly after starting to work at an advocacy NGO in London, he went to the home of a Somali woman, who was in need of assistance for herself and her children. Winding his way through a London slum, he arrived at a dank apartment building. He knocked, and a voice invited him inside, but when he entered, he did not see anyone. A voice then called to him from another

room. There in the dark, he found a woman sitting on a bed cross-legged, erect, but with her back to him, long braids trailing over her shoulders, and without showing her face, she told him how she had fled Somalia. He did not discuss the details of her story, but rather, left the audience to fill in those details with accounts of violence that they had heard in their own work. But he explained that whenever he gets frustrated and cynical, he remembers this refugee, and that there are many more refugees out there who need help.

Intrigued by this man's account, as well as his oratory, I looked around to see a room full of somber faces, some contracted with emotion—one woman with wet cheeks. The speaker's description of his meeting with this Somali woman had clearly struck a powerful chord with the audience, perhaps sparking others in the room to remember similarly significant encounters.

His narrative then switched gears, as he described the genesis of his own career as a refugee advocate. As a young man, he had been an anti-apartheid activist in Cape Town and had gotten into trouble with the authorities there, so he boarded a flight with a ticket given to him by his girlfriend's parents, arriving in London with just the money he had in his pocket. He had no idea where to go or what to do, but some helpful people directed him to the NGO where he later worked. Employees there provided him with legal assistance and everything else he needed. As he explained, he went to this organization initially for assistance, in need. But, he added, they gave him a job shortly after he was awarded asylum.

As I looked around the room again, I saw some nodding with knowing expressions, suggesting that they had heard this story before. But on other faces, I saw surprise and then recognition. The figure of the refugee, whom the speaker had conjured out of the past in his account of a faceless Somali woman in a dank London tenement, had suddenly appeared here—a white man, a colleague.

The "refugee" is often framed as a rare, even sacred, figure, who persistently eludes those who work in the field of asylum advocacy; as the lawyer Nikos explained, "there are thousands of people for one real refugee." Yet the "refugee"—the "real refugee"—also emerges as a kind of guiding light that motivates this work. With its broadly resonant imaginative and emotional power, this category is not reducible to legal frameworks, though these have important roles in shaping and reflecting the parameters of whom states do—and do not—grant refugee status. Rather, the refugee is a figure whom multiple actors and audiences make *real* through dialogical, performative processes of recognition. This chapter explores the everyday politics of

refugee recognition as they unfolded at the ARS, and the ways in which they served to make the refugee "real."

There are two specific moments in the narrative above that I want to highlight for the way they speak to broader themes in this chapter: first, the speaker's account of the Somali woman's engagement with him, and second, his own self-unmasking as a refugee. The woman, while she has her back to him, his audience, and us, conveys a certain recognizable typology of refugeeness. She certainly has unique qualities, and indeed, the speaker emphasizes how the *particular* power of his meeting with her served to inspire his ongoing work in the advocacy field. However, in his invocation of her, she in her facelessness also calls forth a series of actual or imagined refugees who also serve to guide him—and the audience as well. The dark room, her long black braids, the shrouded mysteriousness of their encounter, her Somali origin, her unspoken story of violence and loss—these factors simultaneously weave together and call forth a type, which is well known and also precious to many others in the room. The racialized connotations of his depiction also serve to typologize that figure as necessarily "other" than the audience (entirely white European except for a few attendees who came specifically as representatives of "refugee voices"). Thus, the first segment of the narrative conjures and reveals a type and an attendant series of possible encounters with refugees who, like this Somali woman, are out there, somewhere, in need of being helped.

The second segment of the speaker's narrative, however, achieves not just a moment of revelation but a reversal in the Aristotelian sense, enacting a switch in the expectations that the former narrative has set up. Through his rather mundane description of his own experience of flight and his application for political asylum in England, the speaker again calls forth a *refugee*. However, the refugee is no longer an imagined figure or type but now stands before the audience, in the body and person of the speaker. This moment does not unravel the former type, but rather, makes it simultaneously present and transcendent: present, in that the refugee becomes suddenly manifest; transcendent in that this figure exceeds both the body of the speaker and the typologies that were implied earlier. This tall, white-haired, pale-skinned, refugee advocate is no more and no less a refugee than the woman he remembers. But his narrative highlights how the category of refugee can be *recognized*—revealed, embodied, individuated, and made real—in multiple sites and forms. The refugee is no longer dark, vulnerable, with a dramatic history of violence and flight. Rather, the speaker reminds the audience of

how the category of “refugee” was (perhaps) once envisaged to be, and as it is certainly often characterized: as a universal form of protection against forms of violence and displacement that could happen to anyone—including even “us.”

In legal discourse, the term “recognition” describes the process through which a person or group is granted a particular status through the confirmation that they, in effect, were entitled to that status all along. Recognition is an important logic in indigenous politics and in discussions of minority rights, but it also describes the adjudication procedure through which asylum applicants are awarded protection in a particular nation state. Asylum seekers become refugees by being “recognized” as such by the state and the law. Among refugee advocates, however, the crucial question is also whether they themselves recognize someone as a refugee, regardless of what the state may ultimately decide about a case. Such everyday politics of recognition deeply shape the kinds of cases lawyers take on, their engagements with clients, and the ways in which they do (or do not) strive to make particular cases successful.

These everyday politics of recognition are fruitful sites to explore the performative logics embedded in refugee recognition, which are often elided in its formal juridical formulation. While “recognition” implies the authentication of an experience or personhood that, in many ways, was already there, in the juridical logic of recognition what is often *mis*recognized is the fact that this process itself serves to make persons recognizable as refugees. Recognition is performative in the sense conveyed by J. L. Austin (2001 [1962]), in that it both produces and enacts that which it signifies: the process of recognition itself makes the refugee real. Everyday processes of recognition can have many modalities. Sometimes, recognition can appear to be almost instantaneous, taking place during just one meeting, client interview, or even in one particular moment, as in the speech I described above. At other times, recognition unfolds through successive meetings and interviews, through the drafting of multiple documents, and layers of suspicion and mistrust; over a sometimes protracted series of encounters, one can see a refugee slowly carved and whittled out of a mess of information and uncertainty. Across these different modalities of recognition, however, the *refugee* always emerges in hindsight as a figure who appears to have been there all along.

For some lawyers and advocates, encounters with “real refugees” can serve to make both law and labor meaningful, as the moment of recognition is also, in many ways, a moment of redemption. For the speaker above, his

remembrance of his encounter with the Somali woman carries him through the frustrations of his work. The moving response to his speech perhaps attests to a similar sentiment among others in the audience who, we can imagine, navigate tragic dilemmas and uncertainties much like those that ARS workers face, which persistently thwart their capacities to provide assistance. For Athenian refugee advocates, the cases of those whom they themselves recognize as refugees often provide moments of legitimization in often frustrating and deadening work. The possible (if rare) presence of the “real refugee” thus also makes legal aid and asylum advocacy legitimate, useful, and “real.”

The Real and the Non-Real

The oft-discussed performative quality of law, which serves to produce the very thing that it names, is often taken to imply a binary between social constructedness and the “real,” suggesting that law and legal categories have no grounding outside the semiotic systems in which they are embedded. During my field practice, I was perpetually reminded to temper my interest in how categories are “produced” and to consider them in their profound salience for the advocacy lawyers with whom I was spending my time: and to quote the ARS lawyer Phoevi, for many legal practitioners law describes and responds to the “real world.”

Coutin and Yngvesson (2006) helpfully nuance discussions of performativity by considering how law does not simply produce but shapes and (re)configures social realities. They write that both “legal and ethnographic accounts retroactively instantiate realities that potentially existed all along” (63). From this perspective, the performative effect of refugee recognition is not that it creates refugees *ex nihilo*, but rather, that it consolidates a person’s life history, country of origin, and the various elements of the asylum case and makes them legible according to this category. Nevertheless, that person *could* have been “recognized” differently—as an economic migrant, a trafficking victim, or a humanitarian case—through his or her encounter with the law.

Those found recognizable as refugees are particularly rare at the ARS, and even more so in Greece, given its historically extremely low refugee recognition rate (even as this may be changing in the wake of reform processes). This elusiveness does not emerge just from the prevalence of cases that may not

meet the tightly defined criteria for refugee status (such as “economic” or “humanitarian” cases) but also from the persistent presence of *non-real* refugees, cases lawyers deem variously to be false, fake, or fantastical. Take, for example, my exchange with Dimitris on an afternoon in November 2006. As he prepared to conduct an eligibility interview with a man from Nigeria, he explained to me, “He is from Nigeria. He does not have a problem.” He added that most people from Nigeria were economic migrants [not refugees]. But, he smiled, “they tell very good stories.”

Heath: If you are so sure that he does not have a problem, then why do you do the interview?

Dimitris: Because there is a one in a thousand chance that someone might actually have a problem, and we don’t want to miss them. There are real refugees out there—we have to find them. That is why we do interviews with everyone.

Later, when I asked him about the interview, Dimitris told me that it was more complicated than he had expected, not what he described as the “usual story” about Muslims and Christians. He explained that the interviewee had told him his father was a Satanist, who expected him to follow in his footsteps—but he did not want to. He had claimed his life was in danger from Satanists who wanted him to join them, and he had to leave the country, because there were people loyal to Satanists all over Nigeria. Evidently taking for granted that the story was untrue, Dimitris laughed and shook his head in what seemed like admiring incredulity. Then turning serious, he commented, nodding sagely: “No one tells the whole truth about his life. You have to look behind the curtains.”

Here, Dimitris points to a crucial contingent of the *non-real* at the ARS: those who do “not have a problem” but nonetheless tell “very good stories.” He expresses a certain admiration for these good storytellers, for both their creativity and their entertainment value. However, many of these stories could, on the face of it, make their tellers recognizable as refugees, closely resembling other stories that have been told by successful asylum applicants in the past, both in Greece and elsewhere in Europe. Dimitris refers specifically to the “usual story” about Muslims and Christians. During this period (late 2006), many Nigerians came to the ARS saying that they had fled conflict between Muslims and Christians in the north, in Kano province. A few months earlier, following a widely publicized exodus of Christians from this region, one Nigerian asylum seeker had been recognized as a refugee by the Greek state; he had even acquired refugee status from a first-instance hearing

at the police, which was even more extraordinary. Yet as some of the key aspects of his story were repeated and reproduced in various forms by many Nigerian visitors to the ARS, this formerly legitimate narrative became the object of suspicion and mistrust as a likely fake.

These many similar stories about Muslims and Christians, which recall a story that was deemed to be authentic by the state, appeared to many ARS lawyers to be reproductions of that “authentic” story, without the aura of the actual or imagined original. Benjamin (1986 [1936]) famously explored how reproduction challenges the concept of authenticity, writing that “the authenticity of a thing is the essence of all that is transmissible from its beginning, ranging from its substantive duration to its testimony to the history which it has experienced.” The reproducibility of these stories is what makes them appear fake, suggesting that the *real*, in part, may be located in the appearance of uniqueness and originality, with its history, duration, and testimony. In this specific instance, however, the extraordinary, even fantastical, individuality of this particular Nigerian asylum seeker’s narrative about Satanists renders it *non-real* for Dimitris: its lack of precedent, and its dissimilarity to any other story through which it could appear grounded, substantive, or possible. The *non-real* lies in part in the appearance of reproducible, hollow, fake similitude, on the one hand, and extraordinary, but fantastical, individuality, on the other.

The suspected presence of fake and fantastical stories constitutes the terrain on which the recognition of “real refugees” always unfolds (see Mountz 2010). Bubant (2009: 556), borrowing Umberto Eco’s phrase (1998), describes the “force of falsity” as the “efficacy and affectivity” of the false. Here, falsity defines the narrative terrain on which stories can be deemed authentic or inauthentic and even grants to particular nationalities and accompanying phenotypic characteristics and racial categories the aura of the fake and the fantastical (for instance, rendering Nigerians “economic migrants” who are “good storytellers”). Dimitris suggests that the task of finding “real refugees” centers, in large part, on weeding out that which appears false, getting at the truth behind the curtains people hide behind and the good stories they tell.

If, however, the *non-real* can span such a broad spectrum, this begs the question how a true or authentic story could possibly stand a chance of being recognized. If, indeed, reproducibility challenges the appearance of authenticity, we can see the difficulty entailed in ever making a story about “Muslims and Christians” appear authentic. Meanwhile, the other narrative’s fantastical qualities recall the stories some recognized refugees tell, which

often speak of all-permeating terror and persecution that extends everywhere; to some, such stories could appear paranoid, exaggerated, conveying not just “actual” events, but also nightmares. The experiences of those who have fled violence may, in many cases, be beyond belief or comprehension for the listener (see Malkki 1998), and the real may have the apparent fantasy of fiction. Moreover, as I suggested in Chapter 4, for asylum advocates, not just the story and the content of the narrative distinguish “real” from “non-real” refugees but also the social aesthetics through cases takes shape. Thus, elements such as performance, language, textuality, emotion, and other much more nebulous qualities are crucial to making the “real” recognizable. Yet while in Chapter 4 I showed how such aesthetic qualities can often incite forms of mistrust and suspicion between lawyers and clients, here I consider how some cases do in fact become successful.

I now turn to two ethnographic accounts of the process of recognition that together gesture to the diversity of ways recognition can take place. The first account, which explores the case of Mahmud, focuses on the perspective of the refugee himself. This case highlights the extensive work many asylum seekers put into effecting recognition, in terms of both documenting and performing the “real.” This case, however, also highlights how the process of recognition serves to instantiate and make “real” normative institutional, legal, and bureaucratic typologies. The second account, however, which centers on the case of Balram (introduced in Chapter 2), performs a reversal in these typologies. Focused on the perspective of the lawyer, Dimitris, this account demonstrates the protracted ways in which recognition often takes place. As he renders Balram’s story into a legally salient text, Dimitris gradually begins to characterize the case differently. Most important, however, this case points to the flexibility of the category of the refugee, showing how bureaucratic and legal procedures themselves may effect the recognizability of surprisingly unlikely cases.

“A Good Actor”

I first met Mahmud at the ARS office, where he often came to chat and to pass the time. Numerous NGO workers had told me he was someone I “should” talk to, because he was a legally recognized refugee, and had a particularly interesting case. It was an unusually cold fall day; he was wearing a wool jacket, a sweater, and a scarf, an ensemble that, in combination with his neat

mustache and thinning hair, made his appearance markedly professorial. I sat in a chair in front of him and introduced myself, and he answered with a wide smile.

We chatted, and he asked with puzzlement what I was doing at the ARS. I told him that I was doing a project on the role of NGOs in the Greek asylum process. He responded quickly, almost cutting me off: “I would be able to answer you in one word: ‘*Tipota*.’ Nothing.” He then explained that he had received asylum in Greece six years ago, but on his own, with no help from any NGO. When I asked him how, he responded with a sly smile: “Perhaps I had a very strong case. Or I had been a very good actor.”

At the very beginning of our discussion, Mahmud thus introduced ambiguity into the question of what made his case successful, situating his own refugeeeness tenuously between the inherent strength of his case and his being a “good actor.” As Mahmud then told me in detail how he came to Greece and applied for asylum, it became clear that he framed his success in terms of both of these qualities. Specificities of his life history, both in Sudan and in Greece, emerged later, over multiple conversations, and in a three-hour recorded interview that we conducted at my flat, over dinner. Here, however, I want to focus on this initial meeting, in which he denoted a few elements that he himself found most important to his successful recognition as a refugee.

He explained that in Sudan he had worked in a white-collar job, and while he had not been very politically active, he had been caught up in a plot against the government, placing him in danger from the authorities. Rather than leaving at once, he took some time to prepare, collecting “papers and other things” to use later in his asylum claim. He explained that he came to Greece because of what he knew of the climate (warm, like Sudan), and because he had known Greek people in Sudan and liked them, finding them also warm. He explained that there was a large Greek diaspora population in Sudan, indicating that one of the workers in the ARS social department had, in fact, been born there to a Greek family.

Mahmud emphasized that he arranged to go to Greece legally, obtaining a Sudanese passport and a Greek visa, traveling not through smuggling routes but on a plane. Shortly after he arrived in Greece, he applied for asylum. Meanwhile, new acquaintances advised him to obtain a lawyer, so he went to the ARS, speaking with a highly experienced lawyer who agreed at once to take his case. But ultimately her services were unnecessary. Just thirteen days later, Mahmud explained, “Some policemen came to my door and asked me to come down to the main police station. I got my *adhia paramonis* [άδεια

παραμονής] (residence permit). I took this to my lawyer and she could not believe it." He reached into his pocket and pulled out the passport-like document given to legally recognized refugees. The rapid process Mahmud describes here—thirteen days from initial application for asylum to recognition as a refugee—is almost unprecedented. Like the Nigerian case described earlier, his was one of those extraordinarily rare applications that received a positive decision at "first instance." Judging from the quick decision of not just the lawyer, but also the state, to recognize him as a refugee, Mahmud would appear impressively "real" even among "real refugees."

I asked him again why he thought he was so successful in his asylum claim, and he noted a few elements. First, he told me again that he made a strong effort to travel to and enter Greece legally, and he was convinced that this helped set his case apart. In his repeated emphasis on the legality of his movements, through both documentary legitimization and the routes and methods of his travel, he positioned himself apart from others who enter Greece through smuggling routes without passports or visas. His appreciation for and commitment to legality emerged also in other interactions, particularly in his open disapproval of the prevalence of drugs and drug dealing among young Sudanese asylum seekers and migrants in Athens. In a later conversation, however, he told me that when he applied for asylum, he had falsified his identifying information to ensure his safety. This additional information destabilizes the image of his fully documented, legal entry into Greece, which he emphasized so strongly in our first meeting. While he highlighted legality as key to making his case successful, it was ultimately unclear if this legality emerged more through substantive documentary legitimization or more through his being a "good actor" by carefully managing the appearance of documentary forms.

Mahmud then went on, citing the fact that he did not have an interpreter as crucial to his successful case. "I did not want them to hear my case second hand. When I went for my hearing, they said 'OK, we all speak English here, no problem.'" This may have enabled more precise communication, or it may have come at a price; while Mahmud's mastery of English is highly sophisticated, we do not know how well his interviewers understood every word. However, precision of word-for-word exchange is not what he emphasizes. Rather, he stresses the importance of directness, and thus also control.

Then he stated again: "I was a good actor."

Heath: "How did you act?"

Mahmud chuckled: "At the end [of the interview], I said [hanging head

dramatically, looking weary], 'I am an old man, and I don't have the rest of my life to look forward to. All I want is to be able to drink my coffee in my house quietly with my family.'" Here, acting appears not as a strategy of dissemblance, but as a way to elicit sympathy from his audience. Mahmud's "good acting" conveys a notion of the "real" based not just on notions of authenticity, but on intimacy, affect, and emotional proximity.

Finally, he explained that his carefully collected supporting documents also strengthened his case. But then he added: "I must confess—some of the documents I had were real. And others—I confess—I cooked. . . . These ones would have come anyway, but I did not have the time to wait." Then he remarked with a sly grin: "They [forgers] can make some of them very well—they look very good." He thus cited, in rapid succession, the well-documented quality of his case and the clever production of fake documents that look real, but finally asserted that these were forgeries of real documents.

Mahmud is a recognized refugee who himself recognizes the importance of documents, asserting that he took the time to collect them before leaving Sudan. However, a "real refugee," whose life may be in even greater danger than Mahmud's, may not have such preparation time. Thus, at least in theory, an asylum case should be able to stand on its own, without documents. Furthermore, as we see here, documents are easy to forge, and were always a point of suspicion in ARS and state assessment practices. When inspecting a set of questionable documents brought by an asylum seeker who had, nonetheless, a plausible and compelling story, Angeliki explained that people "can make anything," so she tried to focus on the interview, not the papers. Dimitris emphasized a similar ethic of focusing on the interview and the story, adding that if someone falsifies documents, it does not necessarily mean he or she is not a refugee. Likewise, for Mahmud, falsified documents did not undermine his case, because these documents were, in a way, real—they simply had not arrived yet. Moreover, these "cooked" papers perhaps looked *real enough* to his audience, and may have contributed to supporting his case. It is also possible, however, that like Dimitris and Angeliki, Mahmud's audience may have chosen to overlook these false documents, focusing instead on his interview.

As Mahmud emphasizes here, despite their physical fragility, replicability, and susceptibility to fakery, documents that look real enough can lend weight to the substance of a case. This weight is not just figurative, but rather, often emerges literally in the physical size and heaviness of a file or stack of papers. In September 2006, I did an interview with a former journalist from Iraq who was, like Mahmud, ultimately recognized as a refugee, though over a much

more protracted period. During our interview, conducted in his one-room flat at a housing facility administered by another NGO, he used his hands to indicate the enormous pile of papers he had accumulated to support his asylum case, including documents brought and sent from Iraq, as well as newspaper clippings and other research he had done in Greece. Nasdar, the interpreter assisting us, explained that this man had had a “huge, huge stack of different kinds of proofs,” and that when he went to his asylum hearing, his bag was so big the clerk initially told him to leave it by the door (thinking it was just a bag of belongings). Nasdar then added that journalists are “like old people, they save everything.” Collecting, saving, preparing, even forging documents *can* make a case appear more *real*. Yet despite the, often literal, weight documents can lend to a case, the distinction between the “real” and the “cooked” is always slippery.

Mahmud’s account provides a number of insights into the work that goes into becoming recognizable on the part of asylum seekers themselves. We can point to a number of elements that may be salient in effecting his recognition: his advance preparation of his case, his age, his education, his emphasis on legality, his carefully crafted sympathetic performance, and his class background all perhaps contribute to making him more likely to be recognized as a refugee. But we also see the complex shifts between conceptions of real and the non-real that, in his account, are also crucial to making his case successful. In our conversation, the elements behind his recognition as a refugee move fluidly between legality and illegality, substance and sympathy, and the real and the “cooked.” Nevertheless, in recounting this first meeting with Mahmud, I am struck by the fact that despite his own description of the ambiguities of recognition, I never once doubted that he was a “refugee.” Certainly, I was less concerned about his refugeeness than his ways of talking about his life in Sudan and in Greece, his excellent jokes, and his insights into numerous topics, including NGO work and the asylum procedure in Greece. Given his reputation as a “real,” recognized refugee, the topic of his refugee status often emerged in our interactions. I always approached everything he told me about his asylum narrative with the confidence that it was “true,” and thus, *real*, perhaps more so than I did with other interlocutors.

I have drawn on my own encounters with Mahmud because they highlight elements of the process of recognition that I cannot describe otherwise: recognition entails entering dialogically into a way of seeing. This is, in some ways, a kind of conversion. Susan Harding (2000), drawing on Althusser (1971), gives a memorable account of how she, as an ethnographer, experi-

enced a moment of “conversion” when listening to a Pentecostal minister. As he delivers a powerful discourse on salvation, she feels herself gradually pulled into a narrative, imaginative, and emotional world that was, hitherto, alien. This process is realized only later, however, when she narrowly avoids a car accident after leaving the church, and she asks herself—without even thinking—“what is God trying to tell me?” Žižek (1989: 36) discusses the process through which subjects come under ideological authority also in terms of a conversion through which belief is rendered material. He writes: “the subject believes without knowing it, so that the final conversion is merely a formal act by means of which we recognize what we have already believed” (36). Through the moment of refugee recognition, a particular ideological world consisting of law, bureaucracy, and institutional practice is “materialized in our effective social activity,” in how we experience our everyday lives and perceive other persons.

Likewise, my own increasing entanglement in the imaginative, emotional, and discursive climate of NGO legal aid work encouraged me also to participate in that shared repertoire of practices, categories, and sentiments. My engagement with ARS bureaucratic culture, and with asylum law more broadly, enabled me not just to see Mahmud as a “real refugee,” but also, in a powerful way, to apprehend his refugeeness as something real, material, and essential—not as an imposed framework of legal and bureaucratic authority, but as a quality woven into his life, his body, and his person. The “real refugee” does not emerge just from the apparent facts and merit of the case, though these have an important role in anchoring, substantiating, and sometimes literally, adding weight to the real. Nor is the “real refugee” produced just through the work of good acting. Rather, only the act of recognition itself makes the real refugee “really real.”

Reversals and Transformations

On a warm afternoon in July 2007 at the ARS, Rahman, the Bangla interpreter, stopped me in the hallway and introduced me to the young Bangladeshi man named Balram, whom we first met in Chapter 2. He had done an eligibility interview at the ARS a few months earlier, but he had not yet received a decision as to whether he was “eligible” for ARS legal aid services. Meanwhile, his asylum claim had been rejected, the police had taken his pink card, and he had received a deportation order demanding that he leave

Greece within a month. He needed to know if the ARS would support his case.

Searching for Balram's result, I sifted through the files of hundreds of Bangladeshis who had recently done interviews at the ARS. All—including Balram—had been rejected, with the formulaic phrase that interviewers had inscribed at the bottom of each interview form: "economic problems, ineligible." In a clear but nonetheless not wholly uncommon violation of ARS protocol, the interviewer had neglected to identify him/herself on the file, and had given no details about either the interview or the case. Furthermore, Balram had never even been notified of his rejection. Thus, unsupported by the ARS, unable to afford a private lawyer, and perhaps also unaware of the need for one, Balram had gone to his asylum hearing alone, and his performance had resulted in a rejection of his asylum claim. His situation had become urgent: as a rejected asylum seeker, he would soon be vulnerable to arrest or even expulsion. The only way for him to remain legally in Greece was to find a lawyer to apply for an annulment of the negative decision on his asylum application to the Council of State, a very expensive and labor-intensive procedure. Balram was again very much in need of ARS legal services.

But let us fast-forward a few months, to December 2007. By then, ARS workers had reexamined Balram's application for legal aid and not only found him eligible but determined that, according to the NGO institutional criteria, he deserved to be recognized as a refugee according to article 1A2 of the 1951 Geneva Convention. One of the ARS's most successful lawyers had taken on his case, and the Greek Council of State had granted him permission to remain in Greece legally while his case was under review. He could thus continue to live and work in Greece while his claim was under examination, and in the meantime, he might be able to acquire the necessary contacts and papers to employ other methods of regularization, in the event that his asylum claim was ultimately rejected. How did Balram undergo this transmutation from an "economic migrant" to someone who had become recognizable as a "real refugee" to NGO workers?

During much of my fieldwork, applicants from Pakistan and Bangladesh comprised approximately half the asylum cases in Greece,¹ and were the largest demographic of visitors seeking support at the ARS. However, these asylum seekers from South Asia were also generally assumed—by both state bureaucrats and NGO workers—to be "clandestine" economic migrants, owing largely to a fast-growing South Asian community engaging very visi-

bly in labor activities, such as street vending, construction, and small-business entrepreneurship. Country of origin reports attest to political violence in Pakistan and Bangladesh, but they imply that, most often, persecuted individuals can relocate *within* territorial borders. Greek asylum policies routinely placed Pakistani and Bangladeshi applicants in an accelerated procedure reserved for cases deemed to be "manifestly unfounded," or when the applicant is from a safe third country or a designated "safe" country of origin. However, this also created a cycle, in which these applicants had much less time to prepare and appeal their cases. South Asians thus came to constitute ineligible cases par excellence at the ARS. Workers began streamlining the process of assessing the eligibility of Pakistani and Bangladeshi claimants, in a sense creating their own "accelerated procedure." Interviews were distilled to just two questions: Why did you leave your country? What would happen if you were to go back? These questions clearly grant asymmetrical emphasis to that person's narrative capacities and legal knowledge, as opposed to life circumstances that may also figure into an asylum claim.

My hallway meeting with Balram and Rahman the interpreter occurred after a few months in which Rahman had worked closely with Dimitris, interviewing large numbers of Bangladeshi visitors (15–25 a day). Dimitris invited me to observe and assist with their work, and thus we formed what some other workers jokingly called an *omadha* (team) on Bangladesh. While other lawyers characterized Bangladeshi cases primarily as a burden, Dimitris had volunteered to handle these cases, which initially surprised me, given his reputation as an experienced and successful lawyer both in asylum hearings and in trafficking courts. However, he insisted that he enjoyed working with Bangladeshi visitors, that he found Bangladeshis to be extremely pleasant and good-natured people. And so together, he and Rahman created a warm, even jovial atmosphere that contrasted almost absurdly with the seriousness of the proceedings, as they joked persistently about NGO work and the law. He also gave out information and advice to most of those he interviewed, educating them about the asylum process and their legal options; though he found most to be ineligible, he often put them in contact with private lawyers he knew to be reputable and honest.

Despite his jovial interactions with Dimitris, Rahman almost never intervened regarding the cases of aid applicants, usually treating them with neutrality as well as an apparent disinterest that veered on boredom. However, when I delivered the bad news that Balram was ineligible, he shook his head and responded: "I really think he has a problem. He is Hindu. Hindus have

real problems in Bangladesh.” Struck by Rahman’s concern, I suggested that we should both talk to Dimitris, and as expected, Dimitris agreed to reexamine the case.

A couple of days later, Balram came to an interview to initiate the reassessment of his case. In a mix of English, Greek, and Bangla, and often with the help of Rahman, Balram explained that Muslim neighbors and local police had targeted his family because they were Hindu. He had moved to India for protection, but he had also had difficulties in India, because he was illegal there. So, returning to Bangladesh, he hid his wife with family and friends and left, spending some time en route in the Middle East, then ultimately traveling to Greece. Balram also explained that he had worked for a few years at an NGO in Bangladesh, though he did not give many details.

The story that emerged from this first meeting resonated with the religious persecution clause of the Geneva definition of refugee. After this first meeting, Dimitris said that he was convinced that some Hindus do have “real problems” in Bangladesh, but that he was not sure whether Balram was “really Hindu.” He asked Rahman to call Balram and request some confirmation of his Hindu background. A couple of days later, Balram returned to the ARS with photos of himself and his wife as tourists in India and a letter from a Hindu temple in Greece certifying that he was a participant there. He explained in English about some Hindu beliefs and practices, pointing to his wife’s clothing in a picture and a mark on her forehead.

However, the case quickly became more complex. A week later, he brought a thick stack of paper, in an envelope bearing the stamp of Bangladesh. These papers, including informational material and letters of reference, described his work at an internationally known Christian aid NGO. He also brought photocopies of multiple police documents attesting to “false accusations” through which police in Bangladesh had tried to arrest him on a charge of attempted murder. Finally, a few days after that—unsolicited—Balram brought Dimitris two DVDs. One of these contained home videos of him and his family engaging in Hindu celebrations; the other was a video of Balram taking part in a rally with the Awami League, the more progressive political party active in Bangladesh. At that time, its members reportedly had often faced discrimination and some harassment by the party then in power, the BNP (Bangladesh National Party).

This new information regarding Balram’s work history, the “charge sheets,” and his political activity added important new dimensions to his case, suggesting that he had experienced political problems, not just religious

problems. But it also created points of contradiction, producing an informational and narrative gap between the existent account of this case—the text—and this new material. This also created a site of potential doubt, uncertainty, and even mistrust: why did he not speak about this before? Moreover, charge sheets like those that Balram brought are known among lawyers to be forged in Athens for a fee and are generally treated by ARS staff as part of a standard repertoire of false cases, owing to their wide circulation and apparent easy reproducibility. But the information regarding Balram’s work history was material that no NGO workers had seen before, and the videos introduced an immediate vividness into his accounts of both religious and politically relevant activities.

In the meantime, over two weeks had gone by, and the deadline for Balram’s application to the Council of State—if he were to make one—was drawing close. With this added pressure of time, Dimitris decided to accept Balram as eligible, explaining that he had decided to give Balram the “benefit of the doubt.” He began to draft the application to the Council of State, or STE, which at that time was the court in charge of ruling on (and potentially nullifying) possible breaches of procedural matters in second instance asylum hearings. As the highest court of administrative law in Greece, STE had a very particular role in the asylum procedure. It did not officially rule on the merits of the asylum case, but instead on the procedural integrity of the adjudication procedure through which the case was assessed. If the court found a deviation from procedure, it would likely nullify the former asylum decision with the implication that the case be reexamined. Yet a positive decision from STE did not necessarily mean a positive asylum decision would result on reexamination.

Officially, grounds for applications to STE were always procedural, and in Balram’s case, Dimitris claimed the asylum committee had misrepresented the interview Balram had given. And indeed, the asylum committee had been sloppy; the transcript of Balram’s interview confirmed that he had given an account much like the one he had given in his ARS interview, whereas the wording of his negative asylum decision explained that *he* had said that he came to Greece for “economic reasons.” Dimitris thus had concrete grounds for the application. Despite the official procedural focus of the high court, however, a number of lawyers told me that a positive decision at STE could unofficially lend weight to the merits of the applicant’s asylum case and, thus, might have a positive effect on its reexamination. Moreover, shortly after each application was submitted, the lawyer had to file an additional

application for suspension of deportation, which would grant the asylum seeker interim protection in Greece while his/her case was examined. In ruling on the suspension of deportation, the Court assessed the apparent danger or *vlavi* [βλάβη] (damage) that the applicant would face if deported to his or her home country. Not many applicants were granted interim protection—particularly applicants from Bangladesh and apparently “safe countries.” Thus, in a backhanded way, the high court did render a judgment on the substance of the asylum seeker’s claim.² This judgment had an immediate effect on that person’s future in Greece and could impact further assessments of the case.

Interestingly, the structure of the applications to STE themselves reflected the important unofficial role of STE in the asylum procedure. The numerous applications of ARS clients I read place the narrative of persecution front and center, repeatedly returning to this narrative; the procedural material appears only toward the end. In crafting Balram’s application, Dimitris drew on the diverse components of the file, the interview form, and his various meetings with Balram to create a text, a first-person life history narrative told in the voice of Balram, which is the standard format. And Dimitris himself delivered it to the Council of State on his motorcycle, his *mikhani*, on the very last possible due date. Balram’s life history, as presented in his application to STE, is a narrative of a man targeted by police for his political and professional activities and who was *also* harassed because he was Hindu. If we take a closer look at the text itself, we see that the gaps are smoothed over, and the contradictions are made to work together to create a fuller and more substantive narrative of persecution. In the very first paragraph, both his activities at the NGO and his Indian origin are given as the reasons for his flight (reproduced in my own direct translation of the Greek text):

In my country of origin I inhabited the area _____, and worked in _____, a worldwide Christian NGO which has as its key primary objective the help of those who have need, and I was an active member of this organization, as evidenced by correspondence which I attach. This activity of mine as well as my Indian origin forced me to leave my country and go abroad owing to fear of persecution and danger to my life in 2004.

The text goes on to describe a generalized condition of violence in Bangladesh, in order to substantiate his claim to protection.

The unstable political situation in my country of origin, and the anomalous functioning of democratic process, had created during that period a particular tendency toward political violence. The state mechanisms of public order (police, army) were functioning in these contexts outside the framework of the law, serving various political goals.

The narrative then gives account of the events leading up to his flight to India (his first flight):

During the elections of 2001 the BNP (Bangladesh National Party) came to power. The day after the elections when I was returning to my house I found the door marked [stamped], with a statement above that said “this house is now the property of Mr. _____” [a local BNP leader]. Both I and my brothers were arrested by the authorities and we suffered serious beatings during the period of our imprisonment. I was set free twenty-four hours after my arrest without any charge. Upon my return to my house I received threats on my life from my neighbors. Both I and my brothers went to India while I made arrangements so that my wife would be brought across the border.

Through a description of his return to Bangladesh and his second experience of persecution, the narrative then accounts for the “charge sheets,” thus incorporating and rendering them legitimate through the internal integrity of the text.

Because I was illegal in India I was forced to return to Bangladesh. Upon my return I tried to appeal the seizure of my home and property with the police authorities. Unfortunately, not only was the appeal not accepted but I was falsely accused of attempted murder [note pointing to the documentary evidence].

The next portion of the narrative focuses on the situation faced by Hindus in Bangladesh, thus substantiating his claim to a well-founded fear *throughout* the territory of Bangladesh on account of his ethnicity and religion:

The situation for Hindus in the country of Bangladesh is extremely dangerous. . . . Although I tried to hide my Indian ancestry that was

impossible, as physical characteristics, my surname, and my religious occupations suggest otherwise. The Muslim extremist group Jamaat Al Islam collaborates with the party BNP, and it is known that it is associated with terrorist attacks. The same applies to individuals who seized my home and my property, generally of a party belonging to the BNP. It is clear that both I and many others like me are in grave danger, while the situation in the country of my origin becomes more and more dangerous. I fear for my life throughout the territory of Bangladesh.

Finally, the narrative describes his flight to Greece:

Upon hearing of these accusations, I ran away . . . because if I had stayed it was likely that I would be imprisoned without ever having the possibility of countering these unjust accusations.

The text closes by asserting that *all* these reasons combined constitute his fear of persecution.

So, my fear of persecution is not based solely on the fact of my participation in this nongovernmental organization, but the particular circumstances of my case, circumstances related to my ethnic origin and the political situation in my home country.

Balam's life history thus shifted from that of an "economic migrant," with economic problems, to that of a "refugee," with "real problems," both political and religious.

Entextualization

Balam's application to STE—like his interview—is both a performance-based and a textual artifact. It emerged through a series of encounters involving multiple performers and audiences and diverse modes of representation. Bauman and Briggs (1990), however, have shown that texts serve to bracket off and remove discourse from its emergent, messy social contexts. They define "entextualization" as the "process of rendering discourse extractable, of making a stretch of linguistic production into a unit—a *text*—that can be

lifted out of its interactional setting" (73). Entextualization can be initiated through written, oral, and visual and gestural signals—whatever serves to mark off a stretch of discourse such that the audience beholds it as a self-referential unit. The "texts" that interviewers produce on interview forms, and the text that Dimitris produced on the application, bracket off the asylum seeker's account, allowing the narrative itself to become the object of focus.

This process of entextualization plays a crucial role in rendering Balam recognizable as a refugee, though this does not necessarily mean that he will acquire refugee status. Entextualization, nonetheless, engenders a new range of potentialities for his case, a set of conditions in and through which recognition could occur. The text serves in a way to remake not just Balam's case but his legal personhood through this apparently seamless, coherent narrative of persecution. Yet the gaps, imperfections, and points of uncertainty underlying this text, which became visible as we reconsidered it in the context of its interactional setting, are also integral to effecting recognizability. Why, of so many cases, did Rahman intervene in this one? Perhaps he really thought Balam had problems, but perhaps he was paid (NGO interpreters are often offered bribes). Was Balam really Hindu? Were those charge sheets real? What exactly was the relationship between his religious orientation and his NGO work? Was he even from Bangladesh? Maybe he was a Bengali speaker from India. These gaps, on the one hand, may undermine his asylum claim, but on the other hand, they provide opportunities for crucial forms of creative work by each of the individuals involved. Dimitris's legal expertise, Balam's pictures and papers, and Rahman's intervention are all necessary to the production of the narrative. In the text, however, this creative work is elided and the narrative appears to be self-evident, smooth, seamless, a "matter of fact."

Shortly after our collaboration on Balam's case, I spent an evening with Dimitris, his wife Fani, and Stavros, at a bar in a suburb of Athens. A large part of our conversation centered on the topic of Bangladeshi cases. Dimitris had begun to do extensive research on Bangladesh, and he expressed surprise at the discrepancies between his findings and the assumptions among many lawyers regarding Bangladeshis and "economic problems." Citing both a UK Home Office Report and a report issued by the U.S. Department of State, he commented: "Bangladesh is a country that is in a state of emergency. And when a country is in a state of emergency, there are no trials, no nothing. There are many people," he explained, citing exact numbers, "who are in prison and who have not been to the court." He continued by highlighting

that Bangladeshis are excluded from having legitimate asylum cases: "The UNHCR does not give any directives on Bangladesh. And England does not recognize anyone from Bangladesh [even though the UK home office recognizes that there are many problems there]". Finally, he concluded: "The Bangladeshi people we see are just poor, so poor they don't even know they have rights. Rights for humans—human rights. And some cultures do not allow for this idea, this understanding."

After working on Balram's case, Dimitris had begun to question the frameworks and assumptions through which refugees are most often made recognizable. He suggested that Bangladeshis might, indeed, have "real problems." Moreover, he considered that the concept of "economic problems," rather than signifying problems that are not "real," might indicate even particularly powerful forms of exclusion. He argued that many Bangladeshi asylum seekers in Greece lacked access not just to rights, but also to the knowledge and language of rights, owing to overwhelming poverty and in many cases also lack of education.³ Dimitris thus began to shift somewhat the way in which he approached the everyday politics of recognition at the ARS. Months later, the ARS received news that the Council of State had ordered that Balram be given his temporary ID card back, allowing him to remain legally in Greece while awaiting the ruling. On telling me this news, Dimitris never mentioned his initial doubts about Balram, emphasizing instead the strength of the application (attesting not just to the strength of Balram's story, of course, but to his own expertise). Furthermore, by this time, Dimitris had also made Bangladeshi cases a project of sorts, taking on a number of other Bangladeshi individuals as eligible and bringing their cases to the high court. In ARS meetings, he expressed increasing frustration with the organization's practice of rejecting such cases routinely, and he had begun to advocate openly for a reconsideration of so-called "economic cases." As he explained to me, "I want to show that there are real refugees from Bangladesh too."

I do not want to assume a direct, causal relationship between Balram's case and Dimitris's changing approaches to his work. Yet it does appear that Dimitris had been pulled into a larger process of recognition through his frequent contact with Bangladeshi individuals, including Balram, through which he had begun to question ARS eligibility practices. Dimitris's recognition of Balram and other Bangladeshi applicants as possible refugees was incremental, cumulative, emerging also across multiple points of inconsistency. But just as the final text of Balram's application smoothes over narrative and informational gaps, when Dimitris discussed the case after the fact, he refer-

enced Balram as a refugee who had, in a way, been there all along—Dimitris just "needed to find him." This process of recognition, effected through an ongoing dialectic between performance and entextualization, retroactively instantiates Balram's refugeeness. Meanwhile, just as Balram's case had a role in shifting Dimitris's own approach toward state and NGO policies, Balram's case could also change from the bottom up some of the assumptions of state actors regarding refugee status determination: perhaps people from Bangladesh could be real refugees too.

Conclusions

A successful asylum case involves much more than simply fitting into a pre-carved legal category; rather, performance, narrative, and entextualization are all crucial to effecting recognition. Through these many-layered, multivoiced components of the politics of recognition, the category of "refugee" is made real: vivified, pulled, redelineated, and sometimes also reshaped. Yet while the "real refugee" always takes shape dialogically, the question of power is also always central. As Judith Butler (1997: 49) asks in her influential rethinking of Austin, "If performativity requires a power to effect or enact what one names, then who will be the 'one' with such a power, and how will such a power be thought?" Butler argues that this "one" is often, in fact, multiple, lying in the sovereignties of citizen-subjects. Yet in the politics of refugee recognition, this power is asymmetrically concentrated in the agents of the state and the law, highlighting the role of juridical and state sovereignty in uttering the "word" that, ultimately, makes subjects recognizable as refugees. Likewise, it is the lawyer's decision, not the asylum applicant's assertion, that ultimately makes that person's refugeeness recognizable to colleagues and, potentially, also to agents of the state.

The figure of the refugee finds its power precisely in this uneasy combination between an asymmetrical authority, which effects and legitimates recognition, and the fluid and dialogical encounters that lie behind it. In disarticulating the processes that underlie that decision or utterance, however, we see that the politics of recognition can throw into the domain of the "real" surprisingly fluid figurations of the category of refugee. To return to the initial vignette, the switch the speaker performs accomplishes the recognition of both himself and the Somali woman as refugees by his audience, enabling this category to move powerfully across diverse contexts, acquiring

a broad, even “universal” resonance. Mahmud’s case points to the complex tacking between “acting” and “substance” that underlies the process of recognition. Yet the engagements between Balram, Rahman, and Dimitris made a so-called “economic migrant” recognizable as a refugee, shifting also the parameters of what constituted the “real.” While one who is structurally in a position of greater power may have a greater role in effecting recognition to agents of the state and the law, the question of whom and what that person recognizes, and why, is highly variable. This capacity of the category “refugee” to move both robustly and smoothly, to be both particular and general, to describe both specific and universal notions of human suffering, is how it acquires its peculiar power.

ACT III

Citizenship

May the dust never drink the black blood
Of fellow citizens, in their lust for revenge,
Hunting for murder to answer murder
To the ruin of the city.
Rather let them give joy for joy. . . .

—*The Eumenides*, 980–984