

University Seminar #703: Modern Greek Studies

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Speaker: Heath Cabot

Topic: "Aesthetics, Knowledge, and Judgment at an Asylum Advocacy NGO in Athens"

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Attendees: Constantine Farmakidis, Helen Dimos, Julia Harris, Jilly Traganos, Neni Panourgia, Peter Bie

Summary of Presentation:

Cabot's presentation provides a glimpse into the workings of Hellenic Refugee Support (HRS), an NGO in Greece that provides legal and social support to asylum seekers in Athens. In particular, the presentation is concerned with what Cabot calls "the aesthetics of eligibility practices" - in other words, "the role of the senses, feeling and perception" in the process by which asylum seekers are deemed eligible to receive the pro-bono legal assistance and social support offered by HRS, in a country where none is provided by the state. Distinguishing her understanding of the relationship between aesthetics and human rights from other approaches that emphasize the emotional power of images, Cabot instead considers how aesthetics as sensorial experience play an important role in the production of legal knowledge and the rendering of legal judgments. In addition to the official legal categories and bureaucratic pathways by which eligibility and protection are granted, Cabot argues that there are other, less official factors that weigh heavily on the final decision. These factors, less juridical than they are moral, often have to do with the asylum seeker's perceived credibility, the lawyers' own evaluations concerning whether the applicant is worthy of help, and the likelihood of the claim's success. Visual, narrative, performative and emotional factors are as important as analytical and juridical ones as lawyers deem applicants eligible or ineligible for protection.

Cabot states that the defining event in this process is the interview that takes place between lawyers and clients, through which the life history of the applicant is produced and recorded. After a long and uncertain waiting period, each applicant meets with an HRS lawyer for the interview, which can often take on the power asymmetries of an examination, but is also characterized by a dialogical dynamic between interviewer and interviewee. The interviews at HRS are modeled on an interview format designed by the UNHCR, which gathers detailed information about the applicant's family and kinship, religion, ethnicity, work history, and reasons for seeking asylum. At the end of the interview, the interviewer is asked to write an assessment of the case, but this assessment

is often based on more than just “the facts” as gleaned from the interview. Rather, what counts most is the legibility of the applicant’s life history as a narrative, and particularly one that follow recognized and generally accepted arcs. From both her research at the HRS and from her experience interviewing clients elsewhere, Cabot has observed that experienced lawyers are familiar with the kinds of narratives that are compelling, legally legible, and ultimately successful, and their work often involves taking rough, scattered and messy interviews and shaping them into appropriate “texts” that can serve as “refugee stories” easily recognizable to other lawyers and officials. Cabot also notes that applicants themselves learn these narrative tropes and apply this knowledge in the interview process, telling more polished stories that conform to the expectations of NGO and asylum workers. Ultimately, both interviewer and interviewee are attempting to take what is often a fragmented and discontinuous life history and - through a process that is itself often fragmented and discontinuous - produce a narrative that, by conforming to certain factual as well as aesthetic demands, will qualify the applicant as “eligible”.

As an illustration of this process, Cabot presents the case of Sarah, a woman in her mid-30s from Ghana who had received a deportation order and had come to the HRS for help. Although Sarah’s particular case history at HRS was difficult to piece together - she had been to HRS before and had even had an interview with a lawyer, but there seemed to be no information on her in the NGO’s database, and her file was nowhere to be found - the story that she told Cabot was a neat, direct and dramatic story of a woman who fled an abusive husband only to become a sex-trafficking victim, then managed to escape and was now in need of asylum. Even at this early point, Cabot started to form an informal legal judgement that Sarah was eligible for HRS services as a sex-trafficking victim - not only because of the legibility of Sarah’s story, but also because of her own moral judgments of Sarah based on aesthetic qualities, such as Sarah’s pleasant demeanor, her openness and directness.

According to Cabot, Sarah’s was not an unfamiliar story at the HRS, as the NGO has a separate team of lawyers specializing in sex-trafficking, which differs from the labor-trafficking that is also rampant in Greece and throughout Europe because it is marked as a highly gendered category, with many aesthetic associations: “contradictory aesthetics of pleasure and pain, danger and desire, darkness and nakedness”. It is precisely these associations, however, that do make Sarah’s story different from many of the other sex-trafficking cases at HRS. Often, sex-trafficking is hidden, shrouded in secrecy and darkness; the unselfconscious, direct way in which Sarah told her story diverged dramatically from the expected shame and silence of trafficking victims. Dimitris, the head lawyer on the case, was unconvinced by Sarah’s story, citing what he considered to be inconsistencies in her story. He then constructed an alternative story, modeled on similar cases of women from Ghana that he had encountered in his work previously, in

which Sarah leaves her husband after he loses interest in her and takes on new wives. When Sarah refused to change her story in order to fit Dimitri's version of the "truth", or what he understood to be a most appropriate story, he dropped the case.

Sarah's case illustrates how, in the process of determining an asylum seeker's eligibility, "truth" becomes less about the facts of a case and more about the appropriate narrative and aesthetic qualities of an applicant and her story, in the larger framework of NGO and state expectations. For Dimitri, and for many other HRS lawyers, there is no moral imperative to tell "the truth" or "the whole story". What matters most is establishing the "general credibility" of an applicant, the "whole image" (*synoli eikona*) which includes both subjective and objective elements and is often based on the lawyer's impressions of things like bearing and even dress. For example, a number of lawyers suggested to Cabot that true sex-trafficking victims could be identified by their dress: "tight pants, revealing shirt, her long nails, and carefully braided hair [...] what lawyers described in terms of pronounced, exaggerated, or exotic feminine beauty often came to signal possible victimhood". The "truth", however it is figured, always emerges dialogically between lawyers and asylum seekers.

Furthermore, Sarah's case points to a larger problem underlying the eligibility decision-making process. It is impossible to know which is Sarah's "true" story - whether Sarah refused to go along with Dimitri's version of her story because she was ashamed and afraid of admitting the truth, or because it simply was not the truth. Rather than a "whole image" of Sarah, we are left with one that is "incomplete, riddled with contradictions and mistrust on all sides". Cabot argues that this state of uncertainty underlies all eligibility decisions, resulting from the structural gaps between the HRS workers and their clients. As lawyers attempt to bridge these gaps in knowledge, they make use of aesthetics - feelings, impressions, and sensorial elements - in order to construct a "whole image" of the asylum seeker that, whether "true" or not, will be familiar and legible to those granting asylum.

Discussion:

Q: I kind of fixated at the beginning on the word aesthetics. And you immediately talk about "icon", and I kept thinking to myself, "Why is it I'm asking myself, at the beginning of your talk, why you wouldn't choose 'poetics' or 'rhetorics'. And I put it down to what I guess used to be called my phallogocentrism or whatever, but that's a previous era, I guess. Then as you went through your examples, it seemed to me that you wanted to privilege aesthetics because you talk about the sensory and you talk about the visual a great deal. And you really take off once you consider sex trafficking and a

gendered aspect comes into the paper a great deal and it serves your interest in some ways even as at various points in your paper you talk about narratives and the viability of narratives. So I was just thinking about that a little bit, and I guess wanted to ask about your decision-making process around the issue of aesthetics and what your presuppositions there were.

A: I should mention that I did a version of this talk a few months ago, very different version actually, and people were not sold on the idea of aesthetics - people were not sold, I wasn't sold.

Q: But it might actually help if in the first page, the first time you actually mention aesthetics, you delineate the fact that you're actually talking about Kantian aesthetics. That will just clear out the space, because that's the kind of aesthetics that you're talking about. You're not talking about Winckelmann, you're not talking about Hegel, you're talking about Kant. And if you put that in the first time, the first utterance, then you just give us a space to walk on. Then we know what you're talking about from the beginning rather than thinking about beauty and the sublime.

A: I think I back into it a lot. For me, if we're going to talk about aesthetics in a broader sense, which is this whole question of a sense of something - this is why I was trying to use this term. This notion of the *eikona* - it wasn't about an image of the client. It was based on all these different kinds of sensorial inputs, that he also framed as sensorial, like the appearance, how he felt. For me, aesthetics as I'm trying to use here do function in a Kantian way, but in a broader framework, poetics are a kind of aesthetic practice. I'm using it as an umbrella to think about sensorial experience.

Q: You'd have to convince everyone of that. I think that you have to talk more about how poetics is part of aesthetics. I think that if you go back to Aristotle - you're working with these Aristotelian categories and you're trying to redefine them, so you really need to redefine them from the beginning.

A: The other thing I was responding to was a very interesting article by Lori Allen, "Martyr Bodies in the Media", where she talks about the way that certain kinds of strategies through which people were talking about suffering were based on the notion that an image - whether that's narrative, visual or whatever - can make people closer to each other. There have been a lot of discussions that I'm responding to in the paper about how aesthetics generate affect - aesthetics as affect. They generate an emotional response, and it's of a particular kind. And there have been a lot of assumptions about the kind of affective work that happens in the space of human rights, in these kinds of environments, which is "this is the suffering other". Maybe it's not even human rights. We can take it to

animal rights too, if we're going to go into Derrida and the encounter with the non-human. But it's very much about this kind of leveling, basic human emotional response. And this has been described in terms of aesthetics and affect, and certainly images can play into that, but I think also narratives, the way stories are told, also play into that generation of feeling. What I'm trying to do here is to say, "Well, aesthetics are working here, there is feeling being generated. But first of all it's not breaking down barriers; it's remaking them. And secondly, it's tied into all these kinds of labeling techniques as well.

Q: The position of this lawyer, who is about to present this case in front of a panel of judges or peers, could condition this whole thing rhetorically as well. That is, in rhetoric we produce affects of various sort, and we relate by principles of persuasion in a way through narrative or disposition of arguments, we persuade, we emote. Rhetoric has all those. I guess I'm trying to get to why you are preferring, in my mind, aesthetics over these things, and you seem to be pointing to this issue of affect. I'm trying to make the case in terms of rhetoric - you know there's a tradition in rhetoric of production of affect in different ways.

A: You mean, through argumentation?

Q: You have different processes, different kinds of rhetoric that produce different effects. Some of them affective, some of them persuasive - at different levels. I don't necessarily feel that you have to define aesthetics historically, but my initial impulse is to ask "Why aesthetics?" and where some of these effects could be described otherwise, without saying that you're wrong about that. I'm just saying that I'm interested to see you put it in these terms. And without thinking this through, it just seems that the example of the sex trafficking, with this male lawyer speaking to this woman - at that point in the paper you emphasize pleasure, pain, darkness, desire. You know, it's very loaded language.

A: That was a rhetorical strategy.

Q: I wonder how they speak to the male clients as well, how they pick up the affect in the male clients. Whether, for instance, if the verbal jousting with male clients is different, you know?

A: It's very different, and it's very dependent upon the lawyers, too. Humor, actually, is something - there's definitely a lot of humor used in the encounters between men and men, and of course there are a lot of women lawyers as well.

Q: I guess I'd be interested in seeing this next to the male-male interaction and whether your terms in the male-male would be different.

A: I'm not wedded to aesthetics, except that I think that in anthropology these days, there's a lot of anthropology of affect. And then people talk about law as a knowledge practice, as if they're somehow different. The intervention I was trying to make with the paper was that they're not, actually. Especially in places like law, these affective things actually are highly codified, they're very acceptable, they're verbalized. They're not working in juxtaposition to these categories of the cognitive and the analytic - they're completely intermeshed. I think there's a bit of a false dichotomy that's emerged with this excitement around the anthropology of emotion, and I think we ought to look at how emotion fits into knowledge and maybe break down those boundaries a little bit. But I'm not necessarily wedded to aesthetics. There was a moment that it was working. Potentially, I could use the category of affect more...

Q: What you're talking about now is exactly what I wanted to ask you about, as far as the delimitation of the aesthetics. I think if I reread your paper or heard it again with this question in mind, I'd probably be able to answer it, but precisely if you're talking about two different spheres - concerning the total question of determining eligibility, if there's the aesthetic sphere, or whatever term you're going to find to match with that, and then the more bureaucratic, formed, legal sphere, or if precisely you're saying that the two are inextricable. And if that's the case, and again maybe this actually is dealt with and I didn't get that, but speaking more concretely about how those two are functioning together... Some more precise language about how these two - it's not even two strands together, because that already implies that they're separate... but this puddle. The method, the functioning.

A: You feel like the language needs to be more clear about how these different categories work together? The problem is, I don't want to use use these categories and reinscribe their being separate. I'm trying to show that. I see what you're saying, I think, but I also think that with those kinds of things, it's important to show that through the ethnography, and I don't know if I really want to go there in the end.

Q: What I found interesting was at the end how in fact it's not about affect at all, in some ways. Because what we think about when we think of the word "affect", when we think about the category of the affective or the emotional or that kind of thing, what makes it affect, what makes it emotion, in some ways is at least some kind of an assumption, if not a reality or an actual presence, of some kind of intersubjective understanding. There's some kind of an idea of an authentic experience, an authentic exchange. And in fact, with what happens in the end, it's so clear that Dimitris is not interested in necessarily getting the story from her in that sense. He already has an affect, packaged. He already has an aesthetic, he already has a narrative made. He just needs her to fit in it. Or not even

necessarily to fit in it, but to say that she does. So in the end that category of what we normally think of when we think of affective experience, that idea of intersubjective experience, isn't even in play in the end, even though it does come into play at different points in your interaction with Sarah and other people's interactions with Sarah. In the end, what happens is there's a form and that form has the name of a particular emotion, but in fact all it is is another form, right? I mean, it's the form that Dimitris knows from his past experience works.

A: Like a psychoanalytic model?

Q: But we shouldn't actually confuse affect with emotion. Affect is not emotion. Those are two different things.

A: How do you differentiate them? I'm curious, because I know that there's a lot of slippage in how people talk about them.

Q: I think of affect as an embodiment, not of an emotion, but an embodiment of a positionality. The enactment and the performativity of the positionality, that is not necessarily an emotion. Emotion might be part of its properties, but the two are not confounded together. But can I go back to aesthetics? I understood that the reason why you were going to aesthetics was because of the *eikona*.

A: That was why I was going to aesthetics.

Q: So stick with it. Don't give up your aesthetics. Just defend it, I think. I was not thinking about a historical announcement of what aesthetics means, but I was thinking about delimiting the delineation of the ways in which you use, or you deploy aesthetics, as opposed to what aesthetics has come to be understood in a variety of venues, from the Village Voice to Variety to anything. Everybody talks about aesthetics. You're talking about epistemic aesthetics. Right? I think it's working.

A: So frontload that, yes? I guess my question is, is that an intervention? For some people it's obvious, but I can't tell.

Q: To clarify what I was saying earlier, and I guess I would pose this question to everybody else in the room, if it was clear precisely - because a big part of your intervention is saying that when you talk about the aesthetics of this, you're talking about the totality, the whole thing. This is the word that you want to use. This is the constellation of ideas that you want to use to describe the whole thing, not the aesthetics of it vs. something else. Is that totally clear? Maybe it was.

A: So, highlight more the knowledge part of this?

Q: When you say, to put it in an extremely coarse way, “When I talk about the aesthetics of this experience, I’m using that word to describe the whole thing, not a part of it.” I feel like that clarifies the intervention aspect.

Q: But I also felt that you slip from *eikona* as a visual thing to a narrative, so in the end I was also confused. Are you still dwelling in the visual, or the narrative? In both you have aesthetics, but somehow I started also with the impression that you were going to talk about the visual, and I had in mind the physiognomy, and all these studies of looking at pictures of people and understanding not only their race and ethnicity but also things about their psychology, etc. So I thought it would take this direction, but that’s not what you did. Then it was more about also the performativity of affect or of aesthetics, but I think this happens in all interviews, and all interrogation processes. I know of someone’s experience who went to apply for citizenship here in the US, and the first question he was asked was, “Tell me about your drinking problem”. He had no drinking problem, but that was the question. And then they asked him, “Have you ever been with a prostitute?”. It was a man, in his 40s, who had nothing in his profession with these kinds of categories, these kinds of experiences. And he was deliberately asked these kinds of questions in order to perform some kind of affect, some kind of aesthetics, in fact in the end to be disqualified, because he would have to express things, emotions, that were not allowed in this context. And he was without a lawyer. So I think that the performativity aspect is something important that removes you from the visual, but keeps the aesthetics.

A: But going back to Vangelis’ rhetoric.

Q: Rhetoric is a very good word, because the elements of logos, ethos and pathos, which are internal in rhetoric - in this you have aesthetics, knowledge and judgment, if you think of aesthetics as pathos, knowledge as logos and judgment as ethos. So I think that rhetoric would encompass this point of view as a whole, without necessarily removing the aesthetics, but seeing it in different dimensions beyond the visual. Because the *eikona* is not just the visual. But it’s confusing to somebody like me - when I came here and thought, “Oh, visual is what we see”, but you talk about insights, things beyond what we see.

Q: Also, the thing that was striking to me was that this guy was using a visual - it’s an expression, but it’s a pretty precise expression that he uses.

Q: It's an expression that has been in use for at least 60 or 70 years. σύνολη εικόνα. It's a total picture, a total impression.

A: A general picture. It was a passing thing, but the important point for him that I took from this moment was that, yes he was using a visual language, but it's a passing moment. It's not like he was choosing this poetic phrase; it's just a rote kind of term. But he was talking about the wedding of all of these different kinds of official and unofficial elements, things that were ok to talk about and things that he was talking about anyway. His point was that it was helping it all fit together. It was interesting that, when I asked him "How do you make an eligibility decision?", he made that list that he personally broke down into different kinds of elements, which do and don't map onto the encounter with Sarah. But yes, the *eikona* is not a visual thing. It's knowledge, but that contains all these different elements, these knowledge practices, and is a tie between knowledge and aesthetic practices.

Q: So the evidence derives very often from what is considered as credibility, that the person seems to be telling the truth. In these cases, can they submit evidence?

A: Yes, they can submit evidence.

Q: But for the lawyer, in order to trust, he or she has to be convinced by the aesthetics, how convincing the person is in telling the story, in feeling the pain, or in presenting the pain.

A: The general attitude towards papers is that papers can be forged. It has to be about the story. In fact, I have had people who have forged papers that they had back at home because they couldn't get there in time. Has anyone seen that documentary, *Well-founded Fear*, about the US's filing process? There's this wonderful moment where the asylum officer is interviewing and says, "Well, this much paper [*indicating small pile*] that can be forged. This much paper? [*indicating large stack*] That can't be forged." So yes, they do submit, and lawyers also submit those with their appeals, especially to the *symvoulia epikrateias*, even though that court is not supposed to rule on the merits of the case. They submit them anyway as a way to say, "Look, this is the story". What's interesting is how these sorts of cases that are then submitted to the high court themselves are life history narratives told in a first-person voice, "I am so and so, I was born in such and such a place".

Q: A little bit less of cultural anthropology - I have a very different background. Some of the conversation that you described between Dimitri, Sarah and you were very dramatic, a lot of back and forth, and then ultimately it sounds like Dimitri, with his ability to

advocate for this person, could really make a big difference for her, by helping her stay. My question is, in terms of the bigger context, in Greece right now there's maybe one million, or maybe more than one million people that are undocumented, and the majority of them just come into Greece. They stay, they work, and they don't even go through the process of asking for asylum. They just kind of stay illegally. So there's a lot of drama there, but they don't have to work with people like Dimitri, and they don't have to go through the Greek legal system and try to go through this process of constructing a truth that's acceptable to the Greek legal system. They just work in construction, they work in homes, they work in fields. So is there as much drama as with her? Could she just stay in Greece because so many people stay in Greece?

A: This is a very important and interesting question. I should emphasize that my work really was on the asylum process. Even the knowledge I have of other kinds of migration was inflected through that. First of all, what "documented" and "undocumented" mean can change overnight. A lot of people actually do apply for asylum, and not all of those asylum applications make it all the way to the central office in Athens. What actually happens is that people get a temporary card called a pink card, and it's now gotten very hard to get them. At the beginning of my fieldwork, people would actually issue them, without even actually asking for asylum, and so I met a lot of people who had a pink card and officially were asylum seekers who didn't know that they had applied for asylum, or who didn't seem to know that they had applied for asylum. People would refer to it as their residence permit, or their state permit. For a particular demographic of people coming particularly through the islands, this is a pretty common way of getting some papers. And in fact, if you go to *Allodapon*, most days of the week now there are hundreds of people waiting to get a pink card, and it's really hard to get them. So to get back to your point - yes, there are people who live for years without any kind of documentation in Greece, and I've met them, but there are also people who have applied for asylum and then lost an asylum application, gotten a deportation order, and then they're arrested and not deported because most of the time people are not deported, so then they're issued again with a deportation order. In fact, this man I was talking to, he was talking to some other Afghans, and he was saying how they can renew their deportation order, or the paper that is the deportation order, because if you're released from *filaki* with a deportation order saying you have a month, the way to renew it is to get arrested again, and you get a new one.

Q: You count your blessings at that point.

A: If you're arrested, you're going to have a paper that says that you're supposed to leave in a month, so basically it's a paper that people see as a way to stay. Now, the issue is, when you are in places like Athens - where you're targeted, with the increasing

militarization of Athens, it's not just directed towards migrants, but it is very much - it's important to have something to show the police, because there's really a lot of targeting happening. You'll see people pulling out papers of all kinds. I've seen people bring out their entire appeal to the high court. You'll see people pulling out pink cards, other people pulling out white papers. So "undocumented" is an interesting question - I think there's a lot of fluidity. I would guess that among the people who may not have counted as asylum seekers, they might have some kind of encounter with the asylum procedure at some point in their trajectory. But then again, it's not the kind of thing that we can really look at.

Q: Do people ask for asylum the moment they enter Greece, or do they decide to apply for asylum later on? How long after you've entered the country are you allowed to ask for asylum?

A: Technically, you're supposed to be able to ask on the border. The problem is that those applications are not happening, they're not being accepted. People will ask for asylum and, until recently - there has been a shift in the Papandreou government with this unofficial practice - because they come through Turkey, people can be sent back on the other side. One of the biggest issues for advocates in Europe is that the access to the asylum procedure in Greece - when people first come in, they're coming in miles from Thessaloniki, on an island - that they can't actually file a successful application. So a lot of the work that the NGO that I was working with did was, actually, they'd send somebody up to Komotini, they'd send somebody up to Alexandroupoli, they'd send somebody to Lesbos, to show that there's oversight here, there's some kind of lawyer who knows what's going on. Still, most of the people who were released from the border detention centers are not able to make an application until they get to Athens or Thessaloniki. I think they made 5 successful applications in Lesbos in the second half of 2008 and this refugee counsel, not the one I was working with, was ecstatic with the fact that they could get the pink card and get that person as an asylum seeker. And it's an issue of interpreters, too. And expertise, because you have to be officially trained to be an asylum officer, and they don't have someone in every little police office in Greece. You have the official way it's supposed to work, but most of the time, there are 27 officers now in Athens, and that's where most of the processing happens.

Q: But when they enter, don't they by law have to declare the fact that they're seeking asylum, even though they cannot submit an application? So these are two different steps.

A: Yes, and they do. But the problem is, what if the person doesn't speak their language? How to communicate that you're applying for asylum as well? Even sometimes they would have people who go to Athens to make your application.

Q: So trafficking would be a reason for asylum? Or it would be humanitarian help?

A: Sorry, I know this is confusing. The reason why this was interesting in this context was because there are three different categories of eligibility, and this was one of them. But it's a different legal framework that's based on anti-trafficking legislation. It happens all over but there are particular kinds of legal frameworks in the EU, which in 2005 and later in 2008 has really tried to enforce those kinds of criteria. It's a temporary protection that's granted - they're supposed to get a *prosorini tautotita* of some kind. It's a temporary thing, but what's interesting is that you have people who have been identified as trafficking victims, testified and have done all this, and have a residence permit of some kind, but they still have to find other, more permanent kinds of legalization pathways later on. But I think those are renewable every year. At that point somebody can find another legalization pathway. The point is that these legalization pathways and non-legalization pathways move back and forth a lot. There's a lot of slippage between them.

Q: Do you know how that compares to the US? Because in trafficking cases here, you're much more likely to be guaranteed permanent residence, so I don't know why in the EU, trafficking grants you less power to become a permanent resident.

A: That's in Greece. There is an EU movement, but I actually don't know the specific trafficking legislation for multiple EU countries.

Q: But still you have to be able to prove the fact that you're a victim of trafficking.

Q: But once you prove it in the US, then you have permanent residence, I think. It's a special visa, sorry. If you're under the age of 18, and there's any possibility that you were a sexual trafficking victim, you have to prove so much less, actually, and to get the visa becomes much simpler. I know because I worked with immigrants here. I didn't do the legal side of it but it seemed like, if they found someone who was a minor that had any sort of indication that they may have been trafficked, it would be a very simple process for them to get a visa. So I'm just surprised that in Greece, it's a temporary thing, that every year you would have to renew it.

A: Well, honestly it changes, and there has been new legislation. But definitely it's a temporary residence permit, but so are most residence permits. The trafficking categorization was always seen as a good thing to get. But in order to have more permanent kinds of residence, a green card is better to have than one of those. So, in hierarchies of documents to have... Certainly for minors, that's a double whammy of

vulnerable groups. There are a lot of issues around who's a minor. Especially in the EU, not in Greece, they do employ different kinds of testing. They probably do in the US, too.

Q: What do you mean by testing?

A: I think they measure the bone from the clavicle to the breast. In Belgium, they do that, I think, to determine age. But they don't do that in Greece.

Q: You know, Maria Kouroukli has been working for years now as an expert witness. Have you talked to her about this?

A: Yes. In fact, she's organizing a seminar this year in Athens at the Institute Francais, but she hasn't been talking too much openly about it. There's a woman who was at Princeton in the fall, she was working with Didier Fassin, and she's working on the French courts, the judicatory procedure at the state level. The "expert witness" is so interesting, so she's dying to talk to Maria. In Greece there's no expert witness, it's an interesting difference between the two systems.

Q: If you talk to her, you will see that, even though France does have the expert witness, what you described, its no different from what Maria has described, at all. Civilized countries actually just make things look more civilized.

Q: Were you always interested in the relationship between the aesthetic and cognitive criteria, or you arrived to that as you were there?

A: Completely the latter. All the work I did in my writing was really trying to write from the ethnography. So the *eikona* was the ground, I started with that. As I've been rewriting, I try to do the theoretical work from the ethnography.

Q: Do you remember the moment when you arrived to that? Something that was shockingly more aesthetic than you expected, or did you find an imbalance, more leaning to the aesthetic and less to the cognitive types of knowledge?

A: I think part of this is that it's still very fresh. It's only been a couple of years, and I've written the dissertation, I have a few articles that I'm working on, but for me there are still these moments of experience that I have now made into a text, by writing them, and it still feels so hard - how to do ethnographic writing in a way that you don't impose the theory, but also that you can communicate theory in way that is legible for people not just in your field, and also people that are in your field. So I think it would be hard for me to break that down. One major issue is that I'm an anthropologist, I'm not legally trained,

and even if I were legally trained... Beth Mertz, she's at Princeton this year, she's a legal anthropologist, she talks about the training that law students go through - it literally is learning a new language, it's learning a new way of talking about the world and seeing the world, where people are systematically taught to stop worrying about things like moral judgements. Now, that's a very specific climate in the US law school education, but there's a whole knowledge practice that I have only a certain kind of window into. I can interpret some parts of a law or understand what this form means, but the technics of that, I'm not going to see. I can talk about these other things, and the lawyers themselves would say, "Wow, I wouldn't have seen that going on." But I think that's why I'm talking about aesthetics, all these other things, the non-expert kinds of elements, because I'm not an expert, I'm not seeing the world the way Dimitri does. I think the major issue for Dimitri was the workability of the case. It wasn't about her being a good person, I don't think. I think for other lawyers, it was very much about someone being a good person. He's really just about being successful. It's not just about his winning. I mean, he really would take some pretty doomed people on sometimes because they were a challenge. But once you get to the stage of having to make an appeal to a high court, that's a big commitment.

Q: That's the way the word *client* does come into play, because he's also priming the client, or at least projecting and thinking how this client might be primed in order to make the right *eikona*, some kind of profile to the court, in the space of the court. But also that he would work on them beforehand.

A: Definitely. Particularly in a trafficking case. Of course in the *symvoulio epikrateias*, the person is not there. But in a trafficking case, they are on the stand, they're seeing the traffickers.

Q: It's like a rape case.

A: Yes, it is. So the whole question of the *eikona* and how that appears in the space of the court is really important.

Q: Let me ask, were you in Athens around 2005 and 2008 doing fieldwork, around that time?

A: Yes, I did my fieldwork from September 2006 through September 2008.

Q: I just have a general question about living in Athens and working through the NGOs and working with foreign workers or migrants, how you saw things change over the period of time you were there and the status of their lives their, but also the city.

A: For me, everything changed after I left of course, because that's when everything exploded. That was an extraordinary thing to not be there for. If I go back and look at my fieldnotes and what I was experiencing, I would have told you a story of hope and excitement and transformation. Which I'm not saying isn't there, I think there are some of those things. It's also my own naivete, and being in the field. But it's hard for me to go back, because there's such a rupture I feel that happened. Toby and I were talking about that...

Q: You mean, with the elections?

A: With the riots. That's when everything became scary and a state of emergency. For some people, for Demetri Dalakoglou, it's very exciting, he's very excited about that. I saw first of all the whole issue of asylum in Greece, within that period of time, it became this major European issue. I showed up, and the next year it was being discussed in European Parliament. I went to that discussion, and all of sudden everybody's talking about Greece. So that issue became a big question. The language changed. People would talk about *prosfyges*. Of course you had to figure out which refugees you were working with - were you working with Greek people who were refugees, or the new refugees? The language I think got much more heightened around *lathrometanasteusi*, illegal immigration. This is all anecdotal, from my experience. I think there was much more nervousness around the situation, by the time I left. But definitely not like after the riots.

Q: When I was in the field, and this was after you had left, there was an incident when I went to a *Xrysi Avgi* demonstration, this far-right group. It was down off of Omonia, and it was really interesting - the dynamics were very interesting. They attacked a building where refugees or asylum seekers were staying. In part of the demonstration, they walked there and then they went onto that narrow street where that building was, and they were throwing sound bombs. What was interesting then was that the people in the building actually started throwing chunks of concrete down onto the street. So when you were doing fieldwork, were they any of these kinds of anti-immigrant public demonstrations?

A: No, none at all. There were not. Two things have happened since I left. One, that kind of activity, what happened last summer - the unofficial mosque and the *kafeneio* in the Afghan community were destroyed, really crazy stuff, that I did not see. And I was in the places where I would have seen them. But the other thing is that there's been a huge proliferation - maybe it's been cut now with the funding - but by the end, the number of NGOs that were working on this and people working on these kinds of issues proliferated. And also, the migrant communities in Athens are much more - I'm talking newer demographics of migrants, Mali, Sudan, Afghans - they're incredibly organized

now. When I was there, it was really just emerging - the first anti-racist festival happened then, I think. Now people are organized, you have websites, and that's really exciting. There was a big demonstration this summer, and there was this Afghan organization and this one and this one, and there are politics among all these organizations. There was one Sudanese community organization when I was there. So that's been interesting, too, to see how that's popped up, to see that polarization of these kinds of issues.

Q: So from 2006 to 2009, out of about 40,000 claims, 502 people were granted asylum, right? Do you know what the numbers were for these years in Europe, in European countries?

A: I don't. Let's say 40% of people were recognized. I have percentages, in Austria. I should have more of this information. Sorry about that.

Q: Well, 40%, but then the total number of refugee seekers would be much much lower.

A: It's much lower in Austria.

Q: I remember in Ireland, in summer 2008 or 2009, there was a big discussion about asylum seekers, and I think Ireland at that time had been granting about 15%, and the discussion within Ireland was that it was too high. I don't know what the application rates were, but percentage-wise, the immigrants to Ireland were about the same as Greece, a tenth of the population. 4 million in Ireland and they had about 400,000.

Q: Because you said that they were meeting levels of process, that Greece was not meeting levels of processing. And then there are figures, then there are successful applications, two different things.

A: The major critiques that have come out are, yes the low recognition rate, but these figures are of course related, because it's not just an issue that Greece is not granting enough recognition - the issue is not processing the claims, that's the bigger problem. I think that these acceptance and rejection rates are actually more indicative of how slow the process is going and how few people are able to make it through the process. Mostly people who are recognized have been in the system, I would say, for at least 5 years. In 2008, there was a big spike, and about a third of that were Christians from Iraq. There was a massive spike, 68 people were right there issued, and they had been in the process since 1999. Chaldean Christians from Iraq.

Q: Well, the fact that they were Christians from Iraq...

A: Of course, but they had been in the system since 1999. So it's a very different political moment in Iraq, a very different rationale, but they had been in Greece since 1999, and 2000 and 2001. All of the cases I looked at, and they had actually been initially rejected from the NGO.

Q: But they were finally granted...

A: Well, they turned around and they jumped right on board those cases as soon as a few of them were issued. Nikos, one of the lawyers, actually ended up supporting people he had originally rejected.

Q: And the funding for the NGO?

A: Well, that's a very interesting story. The funding comes, as you might expect - or not, I don't know - largely, a lot of it comes from the Ministry.

Q: Ministry of...?

A: Well, right now, *prostasias tou politis*. But before that *esoterikon*, and before that *dimosias taxis*, the different ministries that have processed the asylum requests. And if you go right on their website - I mean, this is not a radical organization, by any means, that's fairly obvious - if you're on their website, they list, "Who do we work with." The ministry is at the top of the list. Other funding comes from private donors, and then every year it's really hand-to-mouth EU programs. And this past year, they couldn't pay people for 6 months, they lost almost their entire legal staff, and there were interpreters working without pay for months, probably still are. Just really hand-to-mouth, but most of the funding comes from either supra-national or national government bodies. So of course that line between what's the state and what's not the state...

Q: The ministry now, they just this week listed 130 NGOs that are going to be looked into for embezzlement. To be analyzed, not that there are any accusations, but it's a way of saving money as well.

A: And the whole NGO climate is so competitive because of the lack of funding. I think that's true in a lot of places. But with the proliferation... If I were to go and hang out at a different NGO, no - that would close all the doors at this one, and the door was already closed before I arrived at the other one because of this whole funding thing. There's just one other thing I'd like to say about the client thing, just an interesting anecdote - Dimitris has left, and is now a private lawyer. He does a lot of pro bono work, but it was interesting, and I'd like to bring this into the book at some point, we talked last summer

about the difference, and he much prefers being a private lawyer, even though he was the bad guy. Not that he gets paid - most of the customers who are migrants don't pay him, because they don't have the money, but they come in and ask him for things, and he says that there's a trust, they tell him things that they would never tell him before, so there's a sense of "You're serving me. You're actually serving me, cause I'm paying you". The relationship is not "We're doing you a favor, because we're helping you out." It also freed him up to do things that he otherwise would not have done. So it's good to be a *pelatis* and not too good to be a *xipiretoumenos*.

Q: There are people who say that the reason why they don't process these applications is because there is not enough space in refugee camps. Who is eligible to stay in a refugee camp and who not? If someone asks for asylum, will they get into a camp for a period?

A: No. Actually, in Greece, after you make the asylum application, you're back out on the street. Now, if you are a minor, many minors don't want to go to camps, but you probably will go to a camp. But if you actually show up at an NGO, where they'll know you're a minor and care that you're a minor, they'll send you to a camp. Police don't really do a lot of screening, as far as I can tell, and the number of minors I've seen just fall through the state bureaucratic process - the NGOs really do work to put minors in camps. There are very few beds available, they're mostly for families. There's one fairly large state-funded refugee camp within an hour of Athens, and there are I believe 120 beds, and that wasn't a detention center - that was a place where people could stay.

Q: So this is not a real argument, that there's no space in the refugee camps. There are some people there, but they don't need to have space for all the people who are seeking asylum.

A: No.

Q: Because in some countries I think you have to stay in a refugee camp.

A: Well, in Germany for instance, you do, and you can't work, in a lot of places, like Holland and Germany, and most of the camps are in the woods, and you're away from urban centers, and you can't travel. A lot of people who come into Greece are asking for housing, but the kind of housing you might get is not the kind of housing that you want. The nice thing, I guess, for some people who do want to work is that you can work as soon as you apply. You're eligible for a work permit, and you can work, legally, with IKA and everything. But people don't always - well, it's another bureaucratic process.