Seeking asylum, autonomy, and human rights:
Eritreans in Germany and the United States

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Introduction[1]

Tens of thousands of people from the Horn of Africa nation of Eritrea have fled repression and human rights violations since the 1998-2000 Ethio-Eritrean border war and subsequent political crisis. While many have registered with the United Nations High Commissioner for Refugees (UNHCR) in Ethiopia and elsewhere, only a fraction of all Eritrean refugees may eventually be resettled in third countries. Most will likely wait for years as the UNHCR pursues the internationally preferred "durable solution" of repatriation at some undetermined time in the future, when political conditions in Eritrea are understood as having changed for the better. Hence, many people with the resources and connections to do so skip over the "refugee regime" entirely and instead pursue the chance to seek asylum in a participating country. The most fortunate arrive in Western countries like Germany, the United States, or the United Kingdom, where they seek legal status through asylum procedures that are simultaneously structured according to the international human rights norms contained in the Refugee Convention and the domestic immigration systems in the respective countries.

A concurrent development, one which coincides directly with the escalation of human rights abuses in Eritrea and the rise in the numbers of new refugees and asylum

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[1] Note to colleagues attending SOAS conference: This paper is adapted from a research proposal submitted for funding by major agencies. Your feedback on the research questions and methods is very welcome!!

seekers, has been the emergence of Eritrean exile organizations with agendas based on human rights and refugee protection. The appearance of these organizations marks a new structural shift in the Eritrean diaspora broadly defined (Hepner 2007 and forthcoming), which has heretofore been characterized by an exclusively nationalist agenda and organized groups which either support the government or represent an oppositional political agenda. These emergent movements are potentially transformative in the Eritrean transnational sphere because they appear to represent a more internationalist agenda, or what we might call a "third way," as distinct from either the government-dominated nationalist approach or the opposition political approach, which like the government-dominated model, tends to still focus on more narrow nationalist objectives and the capture of power, rather than a broader political agenda which might connect Eritreans to discourses and movements beyond the nationalist one.

The emergence of these new human rights organizations and the proliferation of what Eritreans call "civic societies," which represent various platforms for articulating social and political agendas that seem to depart from the nationalist norm, are more than changing the landscape of the diaspora, however. They are also impacting the diaspora's transnational ties with the government of Eritrea by challenging its ideological hegemony and the patterns of governance and power which operate throughout the transnational sphere (Hepner 2008). And as these new movements attempt to articulate their vision and evaluate the ongoing situation in Eritrea in terms of broader discourses like human rights and refugee rights, they seem to be connecting Eritreans to their societies of settlement, and to internationalist social movements and legal principles, in new ways.

The question thus emerges, what is the relationship between the rising numbers of Eritrean refugees and asylum seekers in recent years and the emergence of these "civic societies" and organizations with explicit human rights agendas? Or, more specifically, is there any direct relationship between the process of seeking asylum from Eritrea in the United States or Germany and the emergence of rights consciousness and action? Is this emergent consciousness articulated exclusively in relationship to Eritrea and Eritrean national identity, thus reproducing much of the nationalist orientation of diasporic and transnational life? Or does it signal the development of a broader, internationalist impulse, one which is attuned to human rights principles more generally and the protection of refugee rights globally and in societies of settlement? And finally, how does an analysis of these phenomena contribute new perspectives to current debates in the anthropology of human rights and the ethnographic analysis of forced migration, including changing asylum policies and human rights protections in the liberal, democratic West?

The research and analysis for this project focuses primarily on the United States and Germany as comparative locations in the Eritrean diaspora and transnational social field, both of which have significant Eritrean populations. While no official figures exist, researchers estimate about 100,000 Eritreans in the United States (Hepner and Conrad 2005) and about 25,000 in Germany (Schroeder, personal communication). Until recently, the highest concentration of Eritreans in Europe was located in Germany, and especially in the cities of Frankfurt, Stuttgart, and Kassel, although the UK seems to have surpassed these numbers in recent years (possibly in connection with the UK's ostensibly more liberal asylum procedures).

In both the US and Germany, as in other Western countries, new refugees enter into a dynamic and stringent environment as a result of changing asylum policies since 9-11 and the consolidation of the European Union (Gibney 2004; Hellmann 2006; Husymans 2006; Steiner 2000; Tazreiter 2004). Even arriving in these countries has become increasingly challenging, dangerous, and costly, as asylum becomes "externalized" through the imposition of policies which intentionally obstruct or screen out as many asylum seekers as possible in "way-station" countries such as Libya, Egypt, Malta, and Italy (cite). For those who do make it, new challenges emerge in relationship to the legal procedures themselves. Eritreans come from a context in which political violence, nationalism, and authoritarianism have been the norm for decades. As asylum seekers in the West, they must articulate their experiences in terms of two distinct and often unfamiliar frameworks: first, the international human rights concepts by which their refugee status is determined, and second, the national legal norms, policies, and prevailing social attitudes towards migrants in Germany and the US. These legal, policy, and socio-political issues in and of themselves are difficult enough to navigate, especially if an asylum seeker finds him or herself in detention on arrival.

But the challenges extend even further beyond this context: asylum seekers also join the deeply conflicted Eritrean diaspora. Formed over the 30-year war of independence with Ethiopia (1961-1991) by successive waves of forced migrants, the diaspora has historically been marked by transnational interference by the ruling regime, the Peoples Front for Democracy and Justice (formerly the EPLF), and is deeply divided by the legacies of armed conflict in the Horn of Africa (al-Ali et al 2001; Conrad 2005; Hepner 2008, 2009a; Kibreab 2008; Koser 2003). Many opposition parties also exist in

the diaspora, and they often deploy the language of human rights in their political and ideological challenges to the government, but they tend to lack widespread legitimacy among new refugees, who view them as mired in the outdated politics of the 1970s and 1980s (Treiber 2007).

Thus, many refugees have begun trying to establish movements which represent a "third way" in their autonomy from both the Eritrean government's transnational interference and the co-optation by opposition parties. These groups draw explicitly on human rights discourses, norms, and laws to challenge existing cultural patterns and power relations in the diaspora and to press societies of settlement to uphold refugee rights. Many of these groups have been created and led by recent refugees and asylum seekers, suggesting a clear correlation between the rising numbers of refugees and the emergence of human rights discourse and organization. But how might the legal procedures associated with refugeehood, and especially with asylum in the US and Germany, come into play? Are these "triggers" for transformations of consciousness and action that contribute to the growth of these new movements based on human rights and refugee rights?

To fully comprehend the scope of the problem, and to provide some answers to these questions, the analytical lens must be widened beyond the conventional attention in the literature to the cultural, political, and legal frameworks of sending and receiving states, the individuals traversing these frameworks, and the mediators of refugee resettlement (e.g. NGOs; national judicial systems). It must also account for the transnational presence of the Eritrean government in the US and Germany (Hepner 2008, 2009a,b; Conrad 2005, 2006). Indeed, preliminary evidence from both the United

States and Germany indicate that the transnational presence of the PFDJ regime impacts the asylum cases of individuals. One example is the Eritrean government's practices of requiring asylum seekers to sign letters of apology for treachery (with the process of fleeing and seeking asylum in the West understood as a form of betrayal), and agreements not to organize against the government in diaspora, in exchange for documents needed for asylum cases. Another example are the threats issued to asylum seekers by PFDJ officials and party members that if they speak out publicly against the government, then their families in Eritrea will be harmed. And finally, preliminary data from both Germany and the US indicate that the PFDJ government has issued documentation to asylum seekers in the same counterfeit names under which people arrived in the West, this becoming complicit in form of migration illegality that provides the government with leverage to control asylum seekers whose fraudulence they could always reveal to the American or German authorities. This raises clear questions about how the interaction between Eritrean political transnationalism and asylum procedures create structural opportunities for continuing repression by the sending country. Further research in both the US and Germany is expected to bring clarification of these issues.

And yet, human rights organizing in the Eritrean transnational social field continue to increase in the US and throughout Europe. A working hypothesis to explain this cluster of phenomena might be proposed as follows: abuses and repression in Eritrea, the experience of forced migration, and the challenges of seeking asylum in the West, push Eritreans to reconceptualize themselves, and to demand recognition, as rights-bearing subjects. This changed consciousness may then result in political action in diaspora. But this process is not linear, nor is it inevitable in its outcomes – that is, not

all asylum seekers become human rights advocates, and not all human rights advocates of Eritrean origin have passed through asylum procedures. Preliminary data gathered in the US and Germany indicates that some asylum seekers reject organized political activity of all kinds, while others continue to support the sending government that persecuted them. Is this related to the way in which the Eritrean government has found structural spaces to interfere in asylum claims? Is it due to fearfulness that the government will harm loved ones in Eritrea? Is it due to cultural isolation and longing for the cultural environment left behind? Or is it related to the disillusionment that many newcomers to the diaspora feel when faced with the simultaneous rigors of life in the West and the bitter politics of the Eritrean diaspora more generally? Given the long-established capacity of the Eritrean government (and first the EPLF) to manage and control so much of organized diaspora life (Hepner 2005, 2009), do recent Eritrean refugees and asylum seekers shun community life altogether as a strategy for escaping government interference?

Secondly, many of the most visible organizers of "civic societies" or of diaspora organizations that profess a human rights agenda have been longtime residents of Western countries, having arrived as students or resettled refugees during the independence war with Ethiopia. Many of them were also affiliated with the historic Eritrean Liberation Front, which represents the original "opposition" to the EPLF/PFDJ government. Thus, a human rights approach often becomes muddied and mixed with one based on historic opposition, with political roots that extend deeply into the Eritrean nationalist movement. Does the meaning of a "human rights" discourse among these longtime residents and proponents of political opposition mean the same thing, or

something different to those who embrace it? Why do new asylum seekers, including those interested in human rights organizing, often seem to avoid becoming involved with these individuals and organizations? Preliminary data from Germany, and findings by Lily Harmon-Gross in Ethiopia, indicate that like the transnationally-coercive PFDJ regime, these opposition organizations also attempt to intervene into the fates of refugees and asylum seekers. Lily Harmon-Gross found that opposition organizations in the Shimelba refugee camp in northern Ethiopia sometimes provided information (whether true or not) to UNHCR or ARRA officials which could render some refugees ineligible for resettlement, and that this may be a strategy used to coerce refugees into "joining" the opposition movements. Additionally, at a demonstration held in Frankfurt, Germany in July 2008, which was organized by leaders of the historic opposition but articulated a human rights discourse in its critique of Eritrea, a flyer was circulated which condemned new asylum seekers whose claims included "political opposition" as a ategory of protection but who had failed to become active supporters of existing opposition organizations. This seems to suggest that the asylum process for new Eritrean refugees in the West is clearly interfacing with existing transnational politics, which I have examined in depth elsewhere (Hepner 2008; 2009a, b).

Testing the hypothesis above, and answering both the central and ancillary research questions, therefore requires taking into account the transnational realities of Eritrean social and political life, which render any diaspora organization or individual vulnerable to political interference by the sending Eritrean government, as well as its opponents. But it also requires analyzing the changing asylum procedures in the United States and Germany, which may differentially impact Eritreans' consciousness and

action, may shift that consciousness and action in specific ways (e.g. the importance of "conscientious objection" in the German context) and may set up specific kinds of structural conditions that expedite interference from established political actors such as the government or opposition. Hence, a larger objective of the research is to examine how the policies and laws that manage forced migration are sites of constraint and also of opportunity for Eritrean refugees, whose own changing identities and political agency may or may not become sources of social transformation in Eritrea, the diaspora, and in countries of settlement. Once again, preliminary evidence from Germany and the US indicate that some new asylum seekers do indeed become leaders of these new human rights organizations, and in a half-dozen interviews conducted in Washington DC, a pattern seemed to be emerging that suggested the asylum procedures themselves, and the individualization of this process wherein people must frame their experiences in a language consistent with the human rights principles at work in the Refugee Convention, in fact led them to think about themselves, and about political intolerance, in new ways. There appear to be several possible meanings of "human rights" at work for Eritreans, and these may be structured according to the historical and political contexts and conditions under which people fled Eritrea and the processes through which they arrived in the West.

Broader Relevance of the Research

 The topic of changing refugee policies and procedures in Western countries and the contemporary socio-political and economic contexts which give rise to, and shape, processes and experiences of forced migration, has received renewed attention since the

end of the Cold War and the rise of the War on Terror. Research on asylum, especially as it pertains to broader debates in political and legal anthropology, human rights, refugee studies, and transnational studies, is a small but important element of this larger topic. With its comparative, ethnographic focus on new Eritrean refugees in the US and Germany and emergent human rights initiatives amid the pressures of changing asylum policies and transnational political conflict, this project draws together several literatures and contributes to key debates therein. It is also germane to applied and policy-related concerns with respect to the causes and consequences of seeking asylum in Western countries.

Data compiled by the United Nations High Commissioner for Refugees (UNHCR) indicates that the numbers of refugees and displaced persons worldwide has increased over the past decade, largely due to political conflicts, civil wars, and economic and environmental instability within countries or regions (UNHCR 2008). Despite the mechanisms for the protection and management of refugees established after World War II (Malkki 1995), events like 9-11 and heightened concerns about "security risks" under conditions of globalization have precipitated important changes designed to "protect" countries of destination by deterring, detaining, and deporting migrants (Bohmer and Shuman 2008; Farnam 2005; Gibney 2004; Hellman 2006; Huysmans 2006; Loescher 2001; Tazreiter 2004; Whittaker 2006), and "externalizing" asylum procedures (cite). This research examines how these changes have played out in two Western contexts with respect to Eritreans, who are fleeing repression and making rights-based demands on Western countries whose own changing policies may signal a diminishing commitment to refugee protection. This research is therefore situated within

a critical analysis of current refugee and asylum policy vis-à-vis global political transformations and foreign policy orientations of the US and Germany/the EU, as they relate to human rights protections for Eritrean refugees.

The shift towards more stringent asylum policies in the West has occurred at the same time that human rights discourse and the potential for empowerment through internationally-recognized norms have proliferated in non-Western contexts. Anthropological research has recently focused on the ways that different populations understand and deploy human rights concepts in culturally and politically specific ways (Cowan et al 2001; Merry 2006; Wilson 1997, 2001), as well as the role of non-governmental organizations, researchers, and other advocates as mediators or "translators" between grassroots, national, and international rights concerns or discourses (Bob 2008; Coutin 2000; Goodale and Merry 2008; Merry 2005; Tazreiter 2004; Speed 2005). This project builds on these findings to examine the "vernacularization" (Merry 2005) of human rights among Eritreans in two different Western contexts, and the multiple meanings that appear to inhere in the ways that Eritreans are using human rights concepts today (including the government view, which embraces some human rights concepts and strongly rejects others). The comparative approach taken here not only will illuminate the potential for changes in the legal consciousness and agency of Eritreans of different generations, migration vintages, and political backgrounds, but also will examine how the specific rights environments of the US and Germany (including the asylum process) might provide particular resources or constraints for Eritreans. For example, in the German context, the concept of "conscientious objection," non-violence, and resistance to war generally have been

adopted by Eritrean activists there. In the United States, the focus of human rights organizing and action among Eritreans more closely follows the lobbying model, wherein Eritreans strive to comprise an "ethnic lobby" much like other immigrant populations who have made inroads into the political landscape. However, an important issue remains related to the way that commitments to asylum in the West appear to have been diminishing in recent decades as a result of the War on Terror in the US and the "Fortress Europe" phenomenon in the EU. How do these different features of both rights environments and policy environments impact the development of human rights consciousness and action among Eritreans, if at all?

In comparatively addressing the role of the particular society of settlement in how human rights issues are taken up among Eritreans, this research contributes to the debates among social scientists who have charted the impacts of growing refugee and asylee communities on the societies of settlement, and vice versa (e.g. Essed et al 2004; Kneebone and Rawlings-Sanaei 2007; Koser and Lutz 1998; Koehn 1991). Additionally, by foregrounding the agency and experiences of asylum seekers as they interact with the state, with asylum officers, judges, and attorneys, and with other advocates, this analysis contributes to some of the most interesting and exciting work to emerge on this topic to date (Bohmer and Schuman 2008; Good 2007; Joly 1996; Mahmood 1992). However, this research is also contextualized relative to previous research findings that the Eritrean socio-political environment is thoroughly transnational, which significantly impacts how Eritreans in diaspora, and thus new refugees, behave (al-Ali et al 2001; Bernal 2004, 2005; Conrad 2005, 2006; Hepner 2008, 2009 a,b; Hepner and Conrad 2005; Koser 2003; Treiber 2007) Indeed, transnational identities, social practices, and forms of

governance are germane to the contemporary global order, and most analyses of legal processes are now contextualized with respect to these dynamics (Benda-Beckmann et al 2005; Falk Moore 2007; Goodale and Merry 2008). The transnational socio-political terrain that all Eritreans navigate is absolutely crucial to understanding the significance of emergent human rights initiatives and the behavior of new refugees. Moreover, attention to the sending state's capacities to subvert rights-based organizing and to structurally intervene into asylum procedures in the West is an important, original contribution this work will make to several developing debates and literatures.

Finally, the most recent analyses of post-2001 developments in Eritrea and the diaspora reveal why so many people are fleeing Eritrea, and provide an important context for understanding the challenges associated with articulating human rights claims in the Eritrean transnational social field (Bernal 2004, 2005; Conrad 2006; Hepner 2008, 2009a,b; Kibreab 2008; Mengisteab and Yohannes 2007; O'Kane and Hepner 2009). This research therefore contributes to cutting-edge analyses of developments in the Horn of Africa and its diasporas in the West, which are together of increasing concern for both American and EU foreign and domestic policy, from issues of state securitization vis-à-vis refugees, to transnational peacebuilding through rights-based initiatives among diasporic actors.

Intellectual Contributions to Anthropology

The anthropology of law has long emphasized the ways in which legal concepts and systems impact and express consciousness and culture (e.g. Asad 1973; Comaroff and Comaroff 1991; Harris 1996; Nader 1969; Rosen 2006). Cross-cultural analyses of

human rights have also revealed that in order for these international rights concepts to be efficacious and ultimately transformative, they must become resonant with existing cultural knowledge and practices (An-Na'im 2002; Merry 2005, 2006, Mutua 2008; Wilson 1997). At the same time, specific political, legal, and historical contexts set limits on how human rights are understood and acted upon (Tate 2007; Wilson 2001). For Eritreans, the specific environments of the US and Germany are likely to be an important factor on precisely how human rights consciousness and action develop, as has already been pointed out. Likewise, the limits set by transnationalism (al-Ali et al 2001) will also strongly impact human rights organizing among Eritreans.

But given that any cultural group is internally diverse and characterized by power struggles and conflicts even over core values, can we draw a clear link between a consciousness of rights and mobilization for rights? In a situation where the sending government and its opponents dominate the transnational terrain, as do patterns of narrow nationalism and authoritarianism, does Eritrean human rights activism represent a transformative politics, or does it mainly manipulate these "hot" concepts while leaving the underlying logic of nationalist political intolerance untouched? This is a key issue which must not be underestimated. Given that human rights and democracy have become dominant, if not hegemonic, languages for the expression of both aspiration and dissent among diverse groups worldwide, how can we be certain that the use of human rights discourse is not simply the latest dressing for what remain more narrowly nationalist objectives? Similarly, if the asylum experience raises consciousness about the rights of individuals qua individuals, does any transformation of consciousness for the asylum seeker extend to an understanding of human rights qua humanity as a whole?

The answer to this latter question seems to point us back to the former: if successful asylum seekers articulate and demonstrate an understanding of human rights concepts beyond their personal experiences, and indeed beyond the Eritrean case, then this might suggest that the discourse has moved beyond a superficial and ultimately self-serving dimension into one which may indeed represent a larger socially transformative process at work.

While the topic of forced migration and the changing policies that manage migrants have received considerable attention recently, there is still a tendency to under-analyze or insufficiently theorize the agency and dynamism of refugees themselves. While much attention is given to the ways that policies and laws act upon migrants, less attention is given to how these may be productive and transformative of individual consciousness and collective action (Coutin 2000; Thieman-Dino and Schecter 2004; Verdirame and Harrell Bond 2005). Additionally, most analyses of forced migration remain more or less limited to the framework of sending and receiving societies (Essed et al 2004; Kneebone and Rawlings-Sanaei 2007; Koser and Lutz 1998), with little sustained attention to the impacts of transnational political interference by the regimes from which people flee. As Verdirame and Harrell-Bond (2005:21) note, further scholarly, socio-legal studies of refugees, asylum, and human rights are needed. This research promises to contribute interesting new material that will refine and develop these debates.

Research Methods

How is research like this to be done? How do we simultaneously account for the policy, law, consciousness, activism, and social change dimensions of this project in a multi-sited ethnographic approach? An array of qualitative methods must be marshaled, each of which provide important pieces for cross-checking and corroboration. The researcher has extensive experience in Eritrean communities in the United States and has conducted preliminary research with Eritreans in Germany (Frankfurt metro and Kassel) in summer 2008. Networks of willing research participants are already in place in both the US and Germany. Major field sites in Germany include Frankfurt and its environs (e.g. Offenbach and Wiesbaden) and Kassel, with some attention to Stuttgart and Köln. Major field sites in the United States include Washington DC and Chicago, with some attention to Atlanta. Each of these localities is characterized by organizations related to both the Eritrean transnational governance structure, as well as organizations that represent the political opposition and the "civic societies" and emergent human rights movements. Each locality is also populated by Eritreans of different migration "vintages," from former students and resettled refugees who arrived in the 1970s and 1980s, to recent migrants who have come via various migration routes, including asylum procedures, since Eritrean independence in the early 1990s. Additionally, many of these organizations are networked amongst each other, connecting Eritreans in the US localities directly with those in the German ones. Thus, rather than representing distinctive sites, these locations are all nodes in the larger Eritrean transnational social field.

Participant Observation and Participatory Research

The classic anthropological approach of participant observation in Eritrean diasporic and organizational life will be utilized, along with participatory and dialogic methods that engage Eritreans' own concerns and shape the ongoing research questions. The research will entail attendance at meetings, workshops and demonstrations organized by new Eritrean human rights organizations, opposition groups, and associations referred to as "civic societies" by Eritreans. In addition, the ethnographer will regularly socialize at Eritrean clubs, restaurants, and in private homes. These methods will enable examination and comparison of the collective action of these groups and how human rights concepts and/or legal norms are discussed and mobilized by Eritreans in Germany and in the United States. Attention will also be paid to the interactions between Eritrean refugees of different generations, migration vintages, and political perspectives within informal spaces, which are themselves often identified with particular political orientations. (For example, at least two Eritrean social clubs in Frankfurt, although located within two city blocks of one another, are identified with different political perspectives and affiliations). The researcher will endeavor to attend Eritrean government-sponsored events as well, although admittance is not assured, as the Eritrean government in diaspora often restricts access to its events by Eritreans who hold differing political views, and by foreigners whose research or advocacy is known to be critical of its policies and practices.

Substantive Interviews

The researcher will conduct open-ended interviews with longtime residents and newcomers to elicit information about how new refugees and asylum seekers fit into the German and American Eritrean diasporic landscape; how they perceive and are perceived by earlier generations of migrants; and how and why they do or do not engage in public political action, and of what kinds. Interviews with successful asylees about their experiences along the continuum of persecution to asylum procedures will especially be sought to test the extent to which the asylum process itself is implicated in changed consciousness and action vis-à-vis human rights, and to detect how interference by the Eritrean government and its opponents impact asylum seekers and their legal cases. In so far as this interference can be documented, such as through original letters issued by the Embassies or Consulates (e.g. the "apologies" asylum seekers have allegedly been coerced into signing), the researcher will attempt to secure copies of the documentation. Most importantly, data from interviews with individual asylum seekers will be compared with how these same individuals render their stories in the specific legal formats required by asylum procedures in Germany and the US, to further examine and compare how policy and legal mechanisms may be implicated in the transformation of human consciousness and behavior. In the United States, the researcher has participated as an expert witness in over one-hundred asylum cases. Research participants will be solicited from among this population; successful asylees will be approached by the researcher, asking them to participate in substantive interviews about their experiences from flight to asylum, and asking them for their permission to utilize their asylum application (I-589 and additional affidavits) for research purposes. It is

expected that interesting patterns might emerge that flag shifts in consciousness and reveal transformative aspects of the asylum procedure when interview data is systematically compared to information in asylum documentation. Informed consent will be obtained from asylum seekers to examine their legal documentation (e.g. asylum applications) and compare them to the oral narratives as conveyed in interviews and their reflections on the asylum process itself. The latter is an important element in the ethnographic analysis of asylum policy and procedure in both Germany and the US and its impacts on those who experience it.

Contextual Analysis: Advocacy and Rights in Germany and the US

Finally, critical attention to the wider attitudes and approaches in both countries to human rights and refugee protection is necessary for understanding the socio-legal contexts Eritrean refugees must operate within. This will be achieved through analyzing contemporary primary and secondary literatures in both Germany and the US. Limited interviews with Germans and Americans involved in refugee advocacy, and with specific knowledge of Eritrean claims, will provide insight into how policies and social attitudes in Germany and America interface with Eritrean experiences and expectations. (In Germany, an example would be attorneys affiliated with the organization Pro-Asyl, located in Frankfurt, with whom preliminary interviews were conducted in 2008 and through whom access to asylum documentation may be secured). The systematic comparison of the German and American data overall will then reveal both similarities and crucial differences between these two locations and how their respective asylum policies, and approaches towards human rights and refugee protection, interface with the

Eritrean transnational terrain in both locales, thus illuminating whether differences in

asylum procedures and socio-political and cultural contexts produce different outcomes

for Eritrean consciousness and action about human rights. If at all possible, the

researcher will endeavor to attend asylum hearings, though because these are typically

closed procedures, direct observations may be impossible. However, in the US, the

researcher's role as an expert witness in many asylum cases, allows for unique insights

into these procedures. Human Subjects clearance has been secured through the

University of Tennessee for this project, and informed consent procedures will be

carefully observed. The confidentiality of all respondents will be assured through the use

of pseudonyms and altering identifying details of their lives.

Bibliography

Al-Ali, Nadje, Richard Black, and Khalid Koser. 2001. "The Limits to 'Transnationalism': Bosnian and Eritrean Refugees in Europe as Emerging Transnational Communities." *Ethnic and Racial Studies* 24:578-600.

An-Na'im, Abdullahi Ahmed, ed. 2002. *Cultural Transformation and Human Rights in Africa*. London and New York: Zed Books.

Asad,Talal. 1973. *Anthropology and the Colonial Encounter*. New York: Humanities Press.

Benda-Beckmann, Franz von, Keebet von Benda-Beckmann, and Anne Griffiths, eds. 2005. *Mobile People, Mobile Law: Expanding Legal Relations in a Contracting World*. London: Ashgate.

Bernal, Victoria. 2004. "Eritrea Goes Global: Reflections on Nationalism in a Transnational Era." *Cultural Anthropology* 19(1):3-25.

_____. 2005. "Eritrea On-line: Diaspora, Cyberspace, and the Public Sphere." *American Ethnologist* 32(4):660–75.

Bob, Clifford, ed. 2008. *The International Struggle for New Human Rights.*
Philadelphia: University of Pennsylvania Press.

Bohmer, Carol and Amy Shuman. 2008. *Rejecting Refugees: Political Asylum in the 21st Century*. London and New York: Routledge.

Comaroff, Jean and John Comaroff. 1991. *Of Revelation and Revolution: Christianity, Colonialism, and Consciousness in South Africa.* Chicago: University of Chicago Press.

Conrad, Bettina. 2005. "'We are the prisoners of our dreams': Exit, Voice and Loyalty
       in the
Eritrean Diaspora in Germany." *Eritrean Studies Review*. 4(2): 211–61.

_____. 2006. "'We are the Warsay of Eritrea in Diaspora': Contested Images of Eritrean-ness in Cyberspace and in Real Life." In Munzoul Assal and Leif Manger, eds. *Diasporas Within and Without Africa. Dynamism, Hetereogeneity, Variation*. Uppsala. The Nordic Africa Institute.

Coutin, Susan Bibler. 2000. *Legalizing Moves: Salvadoran Immigrants' Struggle for U.S. Residency.* University of Michigan Press.

Cowan, Jane, Marie-Benedicte Dembour and Richard A. Wilson, eds. 2001. *Culture and Rights: Anthropological Perspectives*. Cambridge: Cambridge University Press.

Essed, Philomena, Georg Frerks, and Joke Schrijvers, eds. 2004. *Refugees and the Transformation of Societies: Agency, Policies, Ethics, and Politics*. New York: Berghahn Books.

Falk Moore, Sally, ed. 2007. *Law and Anthropology*. London: Blackwell Publishing.

Farnam, Julie. 2005. *US Immigration Laws Under the Threat of Terrorism*. New York: Algora Publishing.

Gibney, Matthew J. 2004. *The Ethics and Politics of Asylum: Liberal Democracy and the Response to Refugees*. Cambridge: Cambridge University Press.

Good, Anthony. 2007. *Anthropology and Expertise in the Asylum Courts*. New York: Routledge.

Goodale, Mark, and Sally Engle Merry, eds. 2008. *The Practice of Human Rights: Tracking Law Between the Global and the Local*. Cambridge: Cambridge University Press.

Harris, Olivia, ed. 1996. *Inside and Outside the Law: Anthropological Studies of Authority and Ambiguity*. London and New York: Routledge.

Hellmann, Gunther. 2006. *Germany's EU Policy on Asylum and Defence*. New York: Palgrave MacMillan.

Hepner, Tricia Redeker and Bettina Conrad. 2005. "Introduction: Critical Reflections on the Global Diaspora." In Tricia Redeker Hepner and Bettina Conrad, eds. *Eritrean Studies Review*
Special Edition. 4(2): v-vxii.

Hepner, Tricia Redeker. 2008. "Transnational Governance and the Centralization of State Power in Eritrea and Exile." *Ethnic and Racial Studies*. 31(3): 476-502.

_____. 2009a. *Soldiers, Martyrs, Traitors and Exiles: Political Conflict in Eritrea and the Diaspora.* Philadelphia: University of Pennsylvania Press.

_____. 2009b. "Seeking Asylum in a Transnational Social Field: Struggles for Autonomy and Human Rights." In O'Kane and Hepner, eds.

Huysmans, Jef. 2006. *The Politics of Insecurity: Fear, Migration, and Asylum in the EU*. London and New York: Routledge.

Joly, Daniele. 1996. *Heaven or Hell? Asylum Policies and Refugees in Europe*. New York: St. Martin's Press.

Kibreab, Gaim. 2008. *Critical Reflections on the Eritrean War of Independence*. Trenton: The Red Sea Press.

Kneebone, Susan and Felicity Rawlings-Sanaei, eds. 2007. *New Regionalism and Asylum Seekers: Challenges Ahead*. New York: Berghahn Books.

Koehn, Peter. 1991. *Refugees from Revolution: U.S. Policy and Third-World Migration*. Boulder: Westview Press.

Koser, Khalid. 2003. "Mobilizing New African Diasporas: An Eritrean Case Study." In Khalid Koser, ed. *New African Diasporas.* London and New York: Routledge.

Koser, Khalid and Helma Lutz, eds. 1998. *The New Migration in Europe: Social Constructions and Social Realities*. New York: St Martin's Press.

Loescher, Gil. 2001. "The UNCHR and World Politics: State Interests vs. Institutional Autonomy." *International Migration Review, Special Issue: UNHCR at 50: Past, Present and Future of Refugee Assistance*. 35(1): 33-56.

Mahmood, Cynthia Keppley. 1992. "Asylum, Violence, and the Limits of Advocacy," *Human Organization* 55(4): 493–98.

Malkki, Liisa H. 1995. "Refugees and Exile: From 'Refugee Studies' to the National Order of Things." *Annual Review of Anthropology* 24:495-523.

Mengisteab, Kidane and Okbazghi Yohannes. 2007. *Anatomy of an African Tragedy: Politica, Economic, and Foreign Policy Crisis in Post-Independence Eritrea.* Trenton: The Red Sea Press.

Merry, Sally Engle. 2005. "Transnational Human Rights and Local Activism: Mapping the Middle." *American Anthropologist.* 108(1): 38-51.

_____. 2006. *Human Rights and Gender Violence: Translating International Norms into Local Justice*. Chicago: University of Chicago Press.

Mutua, Makau. 2008. *Human Rights: A Political and Cultural Critique*. Philadelphia: University of Pennsylvania Press.

Nader, Laura, ed. 1969. *Law in Culture and Society.* Chicago: Aldine Publishing.

O'Kane, David and Tricia Redeker Hepner, eds. 2009. *Biopolitics, Militarism and Development: Eritrea in the 21st Century*. New York and Oxford: Berghahn Books.

Rosen, Lawrence. 2006. *Law as Culture: An Invitation.* Princeton: Princeton University Press.

Speed, Shannon. 2005. "At the Crossroads of Human Rights and Anthropology." American Anthropologist 108(1):66-76.

Steiner, Niklaus. 2000. *Arguing About Asylum: The Complexity of Refugee Debates in Europe*. New York: MacMillan.

Tate, Winifred. 2007. *Counting the Dead: The Culture and Politics of Human Rights Activism in Colombia*. Berkeley: University of California Press.

Tazreiter, Claudia. 2004. *Asylum Seekers and the State: The Politics of Protection in a Security-Conscious World*. Aldershot, UK and Burlington, VT: Ashgate.

Thieman-Dino, Angela and James Schecter. 2004. "Refugee Voices: The Missing Piece in Refugee Policies and Practices." In *Human Rights: The Scholar as Activist,* eds. Carole Nagengast and Carlos M.Vélez-Ibáñez. Oklahoma City: Society for Applied Anthropology.

Treiber, Magnus. 2007. "Dreaming of a Good Life – Young Urban Refugees Between Refusal of Politics and Political Asylum." In Hans Peter Han and Georg Klute, eds. *Cultures of Migration: African Perspectives*. Berlin: Lit Verlag and New Brunswick, NJ: Transaction. Pp. 239-260.

United Nations High Commissioner for Refugees (UNHCR). 2008. *2007 Global Trends: Refugees, Asylum Seekers, Returnees, Internally Displaced and Stateless Persons*. Geneva: UNHCR.

Verdirame, Guglielmo and Barbara Harrell Bond. 2005. *Rights in Exile: Janus-Faced Humanitarianism*. New York and Oxford: Berghahn Books.

Whittaker, David. 2006. *Asylum Seekers and Refugees in the Contemporary World*. London: Routledge.

Wilson, Richard A., ed. 1997. *Human Rights, Culture and Context: Anthropological Perspectives.* London and Chicago: Pluto Press.

Wilson, Richard A. 2001. *The Politics of Truth and Reconciliation in South Africa*. Cambridge: Cambridge University Press.