Routledge
Taylor & Francis Group

Civil modalities of refugee trauma, death and necrological transport

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In this essay, I focus on seemingly benign and innocuous civil sites, spaces and technologies – such as hotel rooms, demountables and shipping containers – and proceed to argue that, once these civil sites and technologies are situated within geopolitical relations of biopower, they become instrumental in the production of refugee trauma and death. I term the trauma and violence that refugees experience in the context of everyday civilian life 'vernacular violence'. In the process of examining how hotel rooms and containers are instrumentalised by western governments into prisons, I question the line of demarcation between the civil and the penal. I argue that what is in fact operative is a type of biopolitical power predicated on the exercise of 'civil penality'. In the latter part of the essay, I track the manner in which civil penality and vernacular violence inscribe, for refugees from the Global South, such technologies of civil transport as planes, ships and trucks. Situated within violently unequal relations of geopolitical power, these civil technologies of transport generate fundamentally disjunctive ontologies that interrogate the line of demarcation between 'letting-die' and 'making-die'.

Keywords: refugees; asylum seekers; violence; trauma; civil penality

Introduction

In the west, media representations of the trauma that refugees experience in their quest for asylum usually focus on the graphic spectacle of riots and protests within the confines of immigration prisons. These sites are positioned as places saturated by violence and trauma in contradistinction to the civilian world that lies outside these prisons. In this essay, I examine the manner in which this stark binary – penal/civilian – emerges as untenable when situated within the complex civil modalities of refugee trauma and death that transpire outside immigration detention centres and prisons. I proceed to examine the manner in which western governments – my focus will be on the Australian and Italian governments – instrumentalise civil technologies, sites and spaces – such as shipping containers, hotel rooms and demountables – into modalities of penal punishment and suffering. The very civil status of these technologies, sites and spaces effectively occludes their role in the production of refugee trauma outside of the officially designated prisons. These civil modalities of trauma belie the notion that the civic is, for refugees and asylum seekers, necessarily a 'post-trauma' locus. By tracking the continuities between penal and civil modalities of refugee trauma, I want to materialise the economies of dependence between these two seemingly different modalities.

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I conclude this essay by drawing attention to manner in which civil technologies are, in turn, deployed by refugees and undocumented subjects of the Global South as modes of escape and transport that violently resignify their First World civilian uses: rubber dinghies, trucks, containers, car boots, cargo holds and plane wheelbays become at once modes of necrological transport, self-incarceration and unseen death. Civil technologies must be seen as differentially mobilised by both western governments and refugees and asylum seekers. Whereas western governments deploy civil technologies in order to confine and incarcerate undocumented subjects who have managed to penetrate either Fortress Europe or Fortress Australia, refugees and asylum seekers draw on these same civil technologies (a shipping container, for example) as modes of escape from their countries of origin and as the means by which clandestinely to enter their destination country. In either case, I argue, these seemingly neutral and benign civil technologies are repeatedly transmuted into modes of refugee trauma and death, as evidenced by the thousands of documented refugee deaths catalogued by organisations such as United for Intercultural Action (UIA). The point of connection between, for example, the Australian or Italian government using shipping containers to incarcerate refugees and refugees deploying containers as clandestine modes of escape and transport is that this civil technology, once situated within draconian Australian and European anti-refugee and anti-immigrant laws, becomes in both cases a technology of confinement, trauma and possible death. Situated within the contexts of both Fortress Australia and Fortress Europe, a critical analysis of the differential uses to which civilian technologies are put effectively works to disclose the violent transnational asymmetries of biopower that continue to traumatise and kill refugees from the Global South.

'Australia is ordinary'

In the context of a book that examines the state of the Australian nation after the bicentennial marking of the colonial invasion of the continent in 1788, Donald Horne devotes a chapter to examining in detail the concept of Australian identity. The chapter begins thus:

> Protests groups? Elections? What is so Australian about *them*? Nothing. Most books about Australia look for the extraordinary ... Australia has been seen as exceptional in the oddities of its plants and animals. Exceptional in the bravery of its men in battle and the overall excellence of Australians in sport. Exceptional in democracy, in envy of tall poppies, in contempt for democracy. Exceptionally egalitarian, exceptionally class conscious, exceptionally classless ... Exceptionally lively, exceptionally boring. (1989, p. 67)

Horne concludes this extensive, ironic catalogue of Australia's exceptional status by declaring that, 'whatever the exceptions, if you look at Australia from the basis of modern industrialisation' what distinguishes the nation is that 'Australia is ordinary' (1989, p. 67). I am drawn to this argument that this attribute of ordinariness is a defining feature of Australianness. But, rather than accept it on face value, I am interested in examining the constitutive parts of this ordinariness and, critically, in disclosing what this ordinariness might occlude.

My point of departure for this analysis of Australian ordinariness is a photograph of a motel in the Adelaide suburb of Fullerton (see Figure 1).

Figure 1. The Arkaba Court Motel, Fullerton, Adelaide. This photograph is by Petro Alexiou. My thanks to Petro for his generosity in allowing me to reproduce this image.

The Arkaba Court Motel exemplifies what I understand by Australian ordinariness. Architecturally the motel is nondescript: it is a box-like structure, with aluminium frame windows, neutral paint scheme and a galvanised roof. Contributing to this effect of Australian ordinariness are the native trees that frame the motel: a eucalyptus on the right and an Illawarra flame tree on the left. Completing this picture of suburban Australianness is the utility parked in the driveway; the 'ute', an Australian invention, figures in the Anglo-Australian imaginary in terms of a 'true blue' Australian icon (see Hutchinson, 2002, p. 281).

I have spent some time analysing this image of a suburban Australian motel in terms of its ordinariness as, in what follows, I want both to underscore this ordinariness and to problematise it. This double movement will be enabled by my positioning of this motel within violent relations of power that fundamentally belie this ordinariness, even as they draw on it in order to efface the very exercise of violence that transpired in one of the rooms of this motel.

Vernacular violence

Returning home from having delivered a paper at a conference on law and terrorism, in the transit lounge of Melbourne airport I read the following report in the back pages of *The Age*:

The Immigration Department has been accused of ignoring the recommendations of the Palmer inquiry into detention by taking four detainees out of psychiatric care. A fifth

detainee is being held in a hotel room. The asylum seekers, cared for at Adelaide's Glenside Hospital after becoming mentally ill in detention, were being returned to custody against the advice of their treating doctors, the Asylum Seekers Resource Centre in Melbourne said. (Jackson, 2006, p. 11)

The Palmer inquiry was conducted soon after the scandalous revelation that an Australian resident of German heritage, Cornelia Rau, suffering from schizophrenia, was wrongfully imprisoned: firstly in a criminal prison and then in an Immigration Detention prison. During her nine-months of imprisonment, Rau never received proper medical care for her mental illness. Mistaking her odd behaviour in prison for recalcitrance, the prison guards repeatedly punished Rau by placing her in an isolation cell that only aggravated her condition. Even prior to the wrongful imprisonment of Rau, there had been repeated alarms raised by the medical profession that the detention of refugees and asylum seekers in prison-like conditions was producing trauma-induced psychiatric illness for many of these imprisoned subjects who had already undergone their own personal trauma in fleeing war, violence and persecution in their countries of origin.

The newspaper report continues:

Centre co-ordinator Pamela Curr said the four men, who had been suicidal and depressed, were to be placed under guard in a three-bedroom demountable building in the Immigration Department's Port Augusta residential housing project. 'We are deeply concerned that placing them back in detention could send them back into this (depressed) state, undoing all the good that care at Glenside has done', she said. (Jackson, 2006, p. 11)

Placed under guard in a demountable building within the Immigration Department's Port Augusta residential housing project, the four men suffering psychiatric illnesses are denied professional care as they are removed from Glenside Hospital and reinscribed within the context of another type of prison. This prison is apparently different, however, from the more notorious Baxter Immigration Detention Centre, surmounted by electrified razor wire fences and steel palings with trident-like finials: it is, the reader is told, a 'residential housing project'. Yet, its status as a residential site is undone precisely by the presence of guards who will proceed to imprison the men in their three-bedroom demountable and who will keep them under twenty-four hour watch, just as if they were in prison. What is evidenced in this news story is the inventiveness of the Department of Immigration in its ability to transmute various modalities of civilian accommodation into prison-like structures.

For those of us who have grown up in Australia, the demountable is a familiar type of building put to a variety of civic uses. As a child, I experienced the demountable in the context of its use as a temporary school classroom, as a municipal library extension and as travelling medical unit screening people for such diseases as tuberculosis and polio. Its status as a 'temporary' building would often be belied by the fact that it too often became a permanent structure in lieu of promised brick and mortar buildings that failed to eventuate. In the context of the Immigration Department's Port Augusta immigration residential project, the demountable assumes a carceral signification that overrides its established civic uses. Viewed in this light, the carceral demountable is positioned within a series of sinister analogies that must remain inadmissible in the face of its officially proclaimed 'residential' status: criminalised ward for the 'insane', surveilled

container for the 'unauthorised' and the 'illegal', and demountable prison whose 'transitory' status is brutally transmuted into yet another space of carceral confinement.

The newspaper report continues:

> Ms Curr said the centre was also concerned that a man who was too ill to be returned to detention, Turkish Kurd Ali Beyazkilinc, 45, had been locked up 24 hours a day in a room in the Arkaba Hotel in Adelaide since mid-February ... His hotel accommodation was a temporary measure due to ongoing court action. The department said he could still be deported. The Government's attempt to deport Mr Beyazkilinc last month was averted after a court found this was likely to worsen his condition. He was transferred to Glenside Hospital after being assessed by a psychiatrist.
> Visitors reported that guards refused to allow him to spend even 15 minutes outside his room, Ms Curr said. (Jackson, 2006, p. 11)

Operative here is the insidious colonisation of civic sites by the Department of Immigration and the consequent transmutation of these same sites into suburban 'residential' prisons. The resignification of a hotel room in terms of a prison cell serves to violate the lexicon of the Australian vernacular; indeed, this linguistic turn instantiates what can only be called *vernacular violence*: this is a violence that is masked by its very ordinariness; this is a violence made invisible by its very vernacularity. The vernacular features of this quintessential suburban building and site – its native trees and its nondescript architectural elements – belie the anguish and suffering that takes place in one of the hotel rooms-cum-prison cell. At the same time, the relation between the Australian vernacular and this type of violence is not exactly something new. In Sydney, Villawood Immigration Detention Centre, a prison surmounted by staggered razor wire fences and surveilled by prison guards, sits incongruously in the very heart of suburbia. This prison is surrounded by the ubiquitous Australian eucalyptus and nondescript fibro houses with their gardens and lawns.

Attending numerous pro-refugee protest marches, I have walked with friends up the suburban streets of Villawood toward the immigration prison and felt a sense of disturbing incongruity: as we shouted our pro-refugee chants, 'ordinary' Australians looked on from their 'ordinary' suburban homes, watering their gardens, playing with their children, and walking their dogs. 'Ordinary' Australia, in this context, must be seen as supplying the very suburban fabric and infrastructure of this immigration prison. 'Ordinary' Australia is what enables – legislatively, culturally and spatially – the exercise of vernacular violence. It is the very vernacularity of this violence, its very ordinariness, which enables it to occlude its everyday production of violence. Australian vernacular violence occupies a type of interstitial or in-between space in the national imaginary: vernacular violence falls between the spectacular and officially situated violence of events that unfold in sites such as Australia's Immigration Detention Centres (with their mediatised riots and protests) and the banality of the suburban everyday. This is the strange space best described as *interstitial Australia*. Interstitial Australia is hard to grasp and hard to see: its banal and ordinary guises make it quasi-invisible. Precisely because it is routinised in the context of everyday civic locations and civil practices, it bespeaks the idiom of the ordinary and the practices of the vernacular. Vernacular violence is rendered opaque because it is indissociable from the everyday. Interwoven in the cultural fabric of

Australian everyday life, vernacular violence is what cannot be registered as violence as such.

Someone walking past the Arkaba Motel would fail, for example, to see that one of its guest rooms had been transmuted into a prison cell in which a traumatised asylum seeker, Ali Beyazkilinc, suffering mental illness, was kept locked up 24 hours a day, with his guards prohibiting him from spending 'even 15 minutes outside his room' (Jackson, 2006, p. 11). Everything about the Arkaba Motel militates to signify a civilian reality far removed from trauma and unjust imprisonment. The large graphic sign situated prominently at the entrance to the motel advertises the commonsense understanding of what one expects to unfold at such a place: 'video, spa baths, pool, Jacuzzi, sauna'. Everything here is, as it should be, oriented toward leisure, pleasure and relaxation. The hotel is a space of rest, refuge and replenishment. Yet behind this comforting façade, an asylum seeker, Ali Beyazkilinc, experiences the motel as a site of pain and punishment that is at once coextensive with the official immigration prison, Baxter, in which he has previously been held – to the detriment of his mental health.

Inscribed within invisibilised economies of vernacular violence, the hotel space, as civil space, is violently transmuted into a site that accommodates the socially dead: 'unauthorised' refugees and asylum seekers who are disenfranchised at virtually every level of the human rights supposedly guaranteed within the very United Nation protocols and conventions to which Australia is a signatory. Across the threshold of Ali Beyazkilinc's hotel room, the civilian citizen-subjects rest, play and enjoy the pool, spa and jacuzzi, while he is precluded from spending 'even 15 minutes outside his room'. Ali Beyazkilinc's room becomes a site of sequestration and punishment. His punishment involves not just the absolute suspension of any civil liberties – for example, the right to even limited free movement outside his hotel-prison-room – but also the withholding of appropriate mental health care.

The vernacular violence of civil penality and ubiquitous carcerality

If the border between institutional violence and civic life is clearly marked and made hyper-visible by the materiality of the razor wire fence that separates the immigration prison from its civilian surrounds, as in Villawood Immigration Detention Centre, then the illusion of a type of reassuring topological separation is seen to be visibly maintained in the eyes of Australia's citizen-subjects: the violent practices engendered by brutalising regimes of institutional power – including riots, suicide and the refugees' suturing of their eyes and lips – are safely quarantined by these fences, enclosing the absolute barbaric other of the citizen-subject (Pugliese, 2002, 2007). These official immigration prisons are, by definition, marked off as sites of 'non-Australia' because of the non-citizen status of the 'unauthorised' subjects they both imprison and punish (Perera, 2000, 2002 and forthcoming). The symbolic importance of the official immigration detention prisons pivots on the manner in which they are instrumental in constructing and maintaining narratives of innocence for the citizen-subject. Refugees and asylum seekers are incarcerated because they have 'broken the law' (a lie disseminated by government officials and reproduced by the media). The punishment meted out in these prisons is officially represented as the just result of the exercise of law; and, in the end, the violence that unfolds within these prisons is nothing more than the violence endemic to such institutions.

Yet, I would argue, the 'invisible', mundane and routinised vernacular violence that is unfolding within such civilian sites as demountables and hotel rooms must be seen as coextensive with the spectacular and mediatised violence that transpires within the official immigration prisons and that is visibly relayed, via the media, into Australian suburban homes. Indeed, this vernacular violence is perhaps more disturbing because of its invisibility and the seamless manner in which it is imbricated with the practices and sites of quotidian Australian civilian life. Everyday civilian subjects – including hotel managers, clerks, caterers and cleaners (not just immigration officials, guards and police) – are mobilised and implicated in the production and maintenance of this state-sponsored vernacular violence: they reap the economic benefits of this occluded violence. In other words, the line of demarcation between civilian-subject and agents of the state's repressive apparatuses is here blurred: what emerge are points of convergence and continuity. Only when this complex enmeshment is disclosed can the operations of what I would term *civil penality* become intelligible.

Civil penality must be seen as a logical extension of *penal asylum*: this oxymoronic formulation encapsulates Australia's politico-juridical criminalisation of hospitality for asylum seekers and refugees (Pugliese, 2002). Civil penality articulates the colonising of civic sites and civil practices by the state; it names the transmutation of hotel rooms and demountables into extensions of Australia's punitive and violent carceral apparatus. Civil penality is enabled and maintained by the nation's citizen-subjects within the civilian spaces of the suburbs. Its existence within suburban locations is rendered 'invisible', as I argued above, by its vernacularity. The adjective 'civil' occludes the violence of its instrumentalising penality.

Civil penality underscores the fact that what Giorgio Agamben terms the 'space of exception' or the 'camp' is structurally imbricated with the actual rule of law in the civil spaces and vernacular practices of everyday life, so that 'the state of exception' and the exercise of 'juridical rule enter into a threshold of indistinction' (1998, p. 174):

> we must admit that we find ourselves virtually in the presence of a camp every time such a structure is created, independent of the kinds of crime that are committed there and whatever its denomination and specific topography. The stadium in Bari in which the Italian police in 1991 provisionally herded all illegal Albanian immigrants before sending them back to their country, the winter cycle-racing track in which the Vichy authorities gathered the Jews before consigning them to the Germans ... or the *zones d'attentes* in French international airports in which foreigners asking for refugee status are detained will then equally all be camps. In all these cases, an apparently innocuous space (for example, the Hôtel Arcades in Roissy) actually delimits a space in which the normal order is de facto suspended. (Agamben, 1998, p. 174)

Agamben's point that, regardless of denomination and specific location, 'we find ourselves virtually in the presence of a camp every time such a structure is created' becomes particularly salient in the context of the recent closures of both Woomera and Baxter Immigration Detention Centres in Australia. Even as these officially designated spaces of exception are shut down, virtual camps are transposed and reconstructed, as I have demonstrated, in such innocuous spaces as hotel rooms and civilian demountables.

For the refugee and asylum seeker, this ongoing exercise of state violence must be endured across seemingly heterogenous sites and spaces, including both the officially

designated prison *and* the civilian hotel room. The violence experienced within civilian sites must be seen as perhaps even more intolerable than that endured within the immigration prisons as it effectively obliterates any lines of separation between the carceral and the civilian. What is particularly intolerable about this vernacular violence is that it destroys the hope that there might be the possibility to occupy another space – the civic – that is not generative of trauma and violence. The transposition of state-sponsored violence from institutional prisons to civilian sites engenders the normalising of this violence. Within the locus of the civilian (hotel room), the pain and anguish of the refugee and asylum seeker assume a normative status as they are now experienced within the unexceptional spaces and sites of everyday civilian life. In other words, those charged spaces designated by Giorgio Agamben as 'sites of exception', within which the rule of law is suspended and anomic violence is exercised (Agamben, 1998, 2005; Perera, 2002), must be seen as also *unexceptional*, as anomic violence is reproduced within the vernacular guise of the quotidian and civil.

Under the jurisdiction of this regime of civil penality, the asylum seeker is riveted to the structure of a ubiquitous carcerality where what is denied is the promise of an 'elsewhere' (the space of the civic) that would offer refuge from ongoing imprisonment. In precluding the site of the civic as a possible site for refuge from trauma, the asylum seeker is trapped within an absolute interiority that offers no escape and no relief: the civilian outside of the prison – a hotel room – is the inside of another prison. The outside is always already inside: there is no exit, no possibility for escape from imprisonment and violence. This traumatising regime of 'no exit' is effectively what is also reproduced by Australia's use of 'temporary protection' visas for refugees and asylum seekers released from the immigration prisons (Pugliese, 2004b).

What is brought into sharp focus here is the manner in which institutional violence is constitutive of civic spaces and civilian life. The capillary reach of institutional violence into the quotidian practices of civilian life only gets obscured by mobilising that untenable binary that pits immigration prisons against civic sites. The deployment of this binary structurally effaces the inextricable link between the one and the other. Unlike the immigration officials, prison guards and police who are in direct government employ, the hotel manager, clerks and cleaners operate under the guise that they are free agents whose civilian hands are clean of violence. In other words, they are marked by a disavowal of their own investment in economies of violence that cut across seemingly discrete categories, sites and subjects. Civil penality – the hotel room as prison cell – demonstrates the manner in which institutional violence operates by diffuse strategies and modalities. The diffusiveness of these strategies and modalities – in the context, for example, of its application and reproduction within civic sites – functions to attenuate its point of origin for its civil agents and to blur lines of division between institutional/civic penal sites for the target subjects of this violence.

This is perhaps most graphically exemplified by the violent expulsion of two hundred refugees from their residential squat in a school that had been disused for years in Via Saponara, Milan, Italy. On the night of 27 December 2005, Italian police, who were dressed in riot gear and who wielded truncheons, forcibly evicted the refugees, who were fleeing war and political persecution in Sudan, Eritrea and Ethiopia. After the refugees were evicted, all entrances to the disused school were walled up by police (Republica.it, 2005a). The refugees, including babies, children

and women, were left out in the winter cold and snow. Wrapped in blankets, they camped on the streets, close to Via Buenos Aires, Milan's famous shopping strip which leads to the civic *salotto* ('salon') of the city: Galleria Vittorio Emanuele II. The following morning, the refugees were rounded up and bused to the north-western periphery of Milan, where they were housed in shipping containers situated in a large open field (Republica.it, 2005b). Forcibly exiled from the civic heart of the city, these refugees were literally and symbolically disenfranchised of exercising any basic civil or human rights. Dispatched to the margins of the city, as so much detritus visually polluting Milan's civic 'salon', they were placed out of sight and out of mind. Housed in disused shipping containers in an isolated field, they were compelled to live their transitory and marginal status politically, geographically and architecturally. Invisibilised because of their forced removal from the civic heart of the city, their politico-cultural intelligibility can only signify in terms of ontologically transient subjects, that is, as subjects naturally destined to occupy a marginal status within the structures and relations of civilian life.

This structural marginalisation – political, geographical and architectural – of refugees and asylum seekers in the context of the Italian nation-state was formally legislated through the establishment of the oxymoronically named *Centri di permanenza temporanea* or Cpts (Centres of temporary permanency) under the infamous *Turco-Napolitano Act* of 1998. Cpts were initially established as centres in which refugees, asylum seekers and undocumented immigrants could be detained whilst they underwent official checks with regard to their identities. However, precisely because these centres were given powers to detain their captive subjects, they were necessarily modelled on prisons (Einaudi, 2007, p. 275). Because of public outcry at having these pseudo-prisons situated in their own backyards, and the fear that Cpts would become 'magnets' attracting masses of 'illegal' immigrants, these detention centres were 'established in peripheral areas, often without being able to use buildings of bricks and mortar, and having recourse to containers . . . thereby creating degrading conditions [for their captive subjects]' (Einaudi, 2007, p. 276). Graphically paralleling the abject conditions within which refugees and asylum seekers are held in Australia's own immigration detention prisons (Perera, 2002; Pugliese, 2002, 2004a), the Italian Cpts have generated cries that they be shut down because they violate basic human rights. The president of the southern Puglia region has described the Cpts as:

> degraded prisons, surrounded by razor wire, enclosing a massed humanity that lives in stinking conditions. Disenfranchised of even the rights given to an imprisoned criminal. And eyes, despairing and burning. And cries. Many. Heartbroken. Because there is nothing that wounds more than knowing you are imprisoned without knowing why. Especially if you are escaping from war, persecution, horror. (quoted in Einaudi, 2007, p. 340)

Representatives from *Médicins Sans Frontières* have documented cases of refugees being drugged before being imprisoned in the Cpts containers in order to keep the detainees 'pacified' (Einaudi, 2007, p. 338). These are allegations that have documented parallels in the Australian refugee prisons (see Whitmont, 2003).

Civil modalities of mobile trauma and violence

The network of civil penality and vernacular violence that I have been mapping needs to be further extended in order to take into account the modalities of civil transport that, in the Australian context, are mobilised by the Department of Immigration in the transportation and deportation of its refugee and asylum seeker prisoners.

Prior to his temporary incarceration within his hotel room, Ali Beyazkilinc experienced what can only be described as an extraordinary itinerary of enforced movement at the hands of the Department of Immigration. Here is a brief synopsis:

> The South Australian public advocate, Jonathan Harley, has ... expressed serious concerns about the wellbeing and the treatment of the man from Turkish Kurdistan, and recent suicide attempts have seen him transferred from Baxter to the Glenside facility, back to Baxter and again back to Glenside.
> Reports received from advocates suggest that, after the DIMIA Superintendent overruled medical advice of doctors, psychiatrists and the public advocate and returned the man to Baxter from Glenside, DIMIA intends to deport the man, *if need be by force*, tomorrow or Thursday. (Project SafeCom, 2006, emphasis added)

Viewed in this context, mental illness and suicidal despair signify nothing. Rather, the asylum seeker is inserted within a circuit of transfers from one institution to another and back again that only exacerbates his mental instability. I want, at this point, to bring into focus an otherwise invisible link in this chain of penal power: modes of civil transportation as critical in maintaining the links in this chain of state-sponsored vernacular violence.

On my television screen of a night, I have briefly caught sight of refugees and asylum seekers being deported out of Australia or being shunted from one prison facility to another. I have seen faces of anguish mouthing silently to the reporters as they film a van or bus whisking the deportees to the nearest immigration prison or airport. Some can be seen to be gesticulating frantically while others appear fatalistically resigned. In the space of a few seconds these images vanish off the screen. Buses and vans are deployed by the Department of Immigration to deport and to transfer captive refugees and asylum seekers from one penal facility to another. As transient modes of incarceration, they extend the governmental regime of penality beyond the fixed confines of the immigration prisons. Civil modes of transport, such as coaches and buses, are hired by the Department of Immigration. Civil workers, such as bus drivers, are employed by the Department of Immigration. The state, in this context, can no longer be viewed in terms of some monolithic entity that possesses a monopoly on 'legitimate' violence (Weber, 1994, p. 311); rather, the state must be seen as effectively producing *distributive relations of violence* in which citizen-subjects become agents that reproduce and extend state power in various capillary forms.

The expansive and arrogative dimensions of that economy of vernacular violence that I drew attention to above can now be clearly seen. Everything is grist to this penal mill: hotel rooms, demountables, coaches, vans, buses and planes – all are instrumentalised into technologies of civil penality and vernacular violence.

> Immigration Minister Amanda Vanstone supports 140 seats being reserved on a commercial flight from Sydney to Istanbul to deport just one Turkish Kurd [Ali Beyazkilinc]. The Immigration Department yesterday defended the reservation, saying taxpayers were required to pay for only six of the seats and the decision not to allocate the remainder was made by the airline. Senator Vanstone said it was appropriate to

provide 'sufficient buffer room' on commercial flights, in case deportees misbehaved. (AAP, 2006)

An airline cabin in a commercial jet of Qantas (Australia's national airline), is commandeered by the Department of Immigration and is transmuted into another form of (mobile) prison. The mentally ill patient-prisoner is constructed as a potential menace to travelling civilians. A *cordon sanitaire* is consequently established within the confines of this passenger jet. A space of interdiction is cleared and Ali Beyazkilinc is positioned in a place quarantined from civilian passengers. Even in the context of a commercial flight, the burden of Beyazkilinc's penal status overrides all other significations: the plane is now a mobile (psychiatric) prison. In the context of a space evacuated of civilian passengers, the plane cabin radiates a surreal zone of containment of imagined threat: 'sufficient buffer room' for Ali Beyazkilinc to indulge in 'misbehaviour' while he is kept under guard by 'three police [officers] and a psychiatric nurse' (AAP, 2006). Beyazkilinc is neither a mass-murderer nor a certified terrorist; rather, he is a Kurdish asylum seeker fleeing political persecution in Turkey who, after two years of unjust imprisonment, is suffering post-traumatic stress and depression.[1] Furthermore, what needs to be underscored here is that the deportation of asylum seekers by the Department of Immigration too often results in the imprisonment, execution or 'disappearance' of asylum seekers once they have been forcibly returned to the country of origin from which they had fled (Corlett, 2005).

These mobile forms of civil penality harrow lines of vernacular violence across the Australian landscape. Inscribed in the invisible tracks these mobile forms of penality leave, as they transport refugee deportees, are the corporeal articulations of those branded as Australia's refuse. Socially dead, their embodied cries are sealed and contained within mobile prisons that will usher them to a jet and thereby effectively erase their transitory presence in this country. Yet, regardless, something remains, mere traces and invisible sedimentations mark their journeys across this landscape. The anguish incarnated by this human cargo in transit cannot be entirely effaced: its shadow falls on the self-complacency of Australia's civic pride and civil achievements. That face of utter destitution pressed up against a coach window, shuttled from one hell to another, articulates the silent contours of an accusation: your civil penality, how does it differ from that other prison?

Necrological transport: Shipping containers, truck axles and wheelbays

In a video installation titled 'Made in Ghana (Man in a Box; On a Journey)', the contemporary Ghanaian artist Mawuli Afatsiawo depicts a man in a shipping container-like box.[2] Literally boxed in on all sides, the man is shown encased in his container, crawling on hands and knees, trying desperately to find an exit. This picture of imprisonment and entrapment in a shipping container is juxtaposed against a backdrop of bustling shops and markets in which the viewer witnesses the free and unrestricted flow of goods and commodities. In his video, Afatsiawo graphically materialises the stark disjunctions that inscribe globalisation: the free flow of commodities is predicated on the restrictive movement of the subjects of the Global South. In their attempt to circumvent this geopolitical double standard, refugees, asylum seekers and 'unauthorised' immigrants clandestinely insert themselves within shipping containers, vans, trucks and other modes of transport

instrumental in enabling the global flow of goods and services. These modes of transport become at once clandestine forms of mobility and suffocating containers of trauma and death for thousands of subjects from the Global South attempting to make their way to the countries of the Global North. In the final section of this essay, I want to elaborate on civil modalities of refugee trauma and violence precisely by focusing on the violent resignification of such seemingly innocuous modes of civilian transport as trucks, trains and ships once they are situated within transnational and geopolitical relations of biopower.

The European network against nationalism, racism, fascism and in support of migrants and refugees, United for Intercultural Action (UIA), maintains a harrowing catalogue of the 'documented refugee deaths through Fortress Europe' (UIA, 2006). The catalogue of refugee deaths, last compiled on 3 March 2006, documents 7182 fatalities. This catalogue of refugee deaths lists the date when the refugee dead were found; the number of dead; their name, if known, otherwise listed as 'N. N.' [No Name]; country of origin, if known, otherwise listed as 'unknown'; cause of death; and source of information.

Reading through the thousands of deaths listed in this catalogue, what emerges is the stark fact that so many of these refugee deaths occurred in the context of otherwise relatively safe civil modes of transport, trade and commerce: dinghies,[3] trucks, shipping containers, airplanes, buses and trains. Table 1 is an edited version of the thousands of deaths listed at the UIA site.

The refugee deaths that unfold in the context of civilian and commercial modes of transport articulate two spatio-temporal planes that operate synchronically at the level of technologies of transport but that are violently disjunctive at the ontological level. In the context, for example, of a commercial jet plane, two synchronic but violently disjunctive axes of geopolitical power literally distribute and allocate the possible positions that subjects may inhabit. The space of the passenger cabin of the plane, a space of warmth, comfort and safety, must be juxtaposed with the space of the wheelbay, a space of thundering noise, terror and sub-zero temperatures. Temporally, the passenger of the Global North is travelling toward her or his future, the journey itself a mere interlude between departure and arrival. For the refugee from the Global South hidden in the plane's wheelbay, this is a journey toward an uncertain future that will in fact end in harrowing death and absolute terminus: the body of the refugee, exposed to sub-zero temperatures, freezes solid around the contours of the plane's wheels and then is unceremoniously dumped, on the opening of the wheelbay, onto the roads or runways of the destination city: Paris, London, Milan, Frankfurt.

Inscribing these violently disjunctive axes of geopolitical power are two co-dependent ontologies: an ontology of the visible and an ontology of the invisible or clandestine. The privileged status of the civilian passenger of the Global North enables a being-in-the-world predicated on the right of free movement and untrammelled visibility as he or she makes his or her way through the world. Conversely, clandestine refugees from the Global South – as undocumented, unauthorised and 'illegal' – must, in their attempt to enter the privileged domain of the Global North, shroud and invisibilise themselves. Their clandestine status at once offers the possibility for undetected entry and for unanticipated and unseen death. The geopolitics of life is inscribed precisely by a biopolitics of life, inflecting and shaping the very modes of being and dying. Where, for the passengers of the Global North, the technologies are placed at their service, and are built to

Table 1. United for Intercultural Action (UIA) catalogue of documented refugee deaths.

Found dead	Number	Name	Country of origin	Cause of death	Source
13-8-05	4	N.N. [men]	Sub-Saharan Africa	Stowaways, suffocated in container coming from Casablanca (MA) in Rotterdam	PICUM
12-5-05	3	N.N.	Africa	Stowaways, found dead in a container on a Danish ship between Morocco and Spain	MAG
30-11-04	1	N.N. [man]	Africa	Stowaway, fallen from wheelbay of a plane, body found in Louvain (B)	MNS
16-11-04	1	N.N.	Africa	Stowaway, found dead in wheelbay of plane arrived in Paris (F) from Mali	ANA/ANSA
29-8-04	2	N.N.	Unknown	Stowaways, bodies found in two trucks in Cairo (Egypt) on their way to Italy	ANA
24-8-04	1	N.N. (25, man)	Morocco	Stowaway, found dead in the roof luggage rack of a car on way to Spain	MNS
21-7-04	1	N.N. (20, m)	Cuba	Stowaway, frozen in landing gear of airplane from Dominican Republic in Dusseldorf	Spiegel
5-2-04	2	N.N.	Unknown	Stowaways, decomposing bodies found on cargo ship from Ghana to Hull	Metro/RR
25-2-03	1	N.N. (man)	Mali or Gabon	Stowaway, fell from plane wheelbay under flight path to airport near Paris	MNS
16-5-03	1	N.N. (30, man)	West Africa	Stowaway, found dead in the wheelarch of a flight from Ghana to Great Britain	IRR
15-3-02	1	N.N. (young man)	Sub-Saharan Africa	Stowaway, his body caught in the axle of a lorry from Morocco to Melilla (E)	MNS
1-2-02	2	N.N. (men)	Morocco	Stowaways suffocated hidden in false compartment in bus from MA to Spain	MNS
1-1-02	1	N.N. (man)	Unknown	Electrocuted on top of a train in the Channel Tunnel heading for the UK	IRR
30-10-01	1	N.N. (boy)	unknown	Stowaway, fallen from lorry and rolled onto motorway from B to Calais (F)	IRR
1-6-01	12	N.N.	Albania	Drowned after dinghy loaded with migrants sunk near Trani (I)	IRR/Vita/TL/La Sicilia
12-4-01	1	N.N. (young man)	Afghanistan	Electrocuted trying to board clandestinely a Eurostar train at Calais (F)	MNS
1-2-00	1	N.N. (man)	Bosnia	Stowaway, died by asphyxiation trying to enter Sweden illegally in boot of car	MNS

accommodate their needs and comfort, for the clandestine refugee of the Global South, the obverse applies: clandestine refugees must instrumentalise their bodies into material adjuncts of the technologies of trade and transport.

What is operative here is a geopolitical technologisation and biopolitical instrumentalisation of disposable bodies: clandestine refugees embrace and weld themselves to a plane's landing gear, they imbricate their bodies with a lorry's axle or they mimic commodities in shipping containers. In the process, they must divest themselves of their human corporeality and become machines. This is their life and death gamble. As instrumentalised bodies that become superfluous adjuncts to the transport technologies of the Global North, they gamble on the suppression of the vulnerabilities of their corporeity: in a sealed shipping container, they will not need a reliable supply of oxygen; ensconced in a plane's wheelbay, they will survive sub-zero temperatures; intertwined with a lorry's axle, they will survive the violent jolts of a speeding vehicle.

These biopolitical ontologies of the visible and invisible also shape and inscribe modes of seeing and unseeing. One looks at a departing truck but cannot see the body embedded in the axle; one looks at the plane flying overhead but cannot perceive the body frozen solid to the wheels. In the visual field of First World perception, the clandestine subaltern, tautologically, cannot be seen. The unseen deaths of clandestine refugees can only be discovered after the necrological fact. After the necrological fact of death, they achieve a minimal degree of visibility: decomposing bodies of Ghanaians found in a shipping container on arrival at the port of Hull; the electrocuted body of an Afghan refugee on the train tracks of the Channel Tunnel; the shattered body of a Cuban found on Gatwick's airport runway after being dropped from a plane's wheelbay.

Situated within this geopolitical and biopolitical regime of techno-instrumentalisation of bodies, clandestine refugees must be seen as corporeal subjects that are compelled to disavow their corporeality in order to be transmuted into the technological infrastructure of First World modes of transport and commerce. As mere technological infrastructure they are at once divested of human rights and instrumentalised into so many disposable parts. This is why the deaths of clandestine refugees are largely *unseen* deaths: as embodied techno-infrastructure of First World modes of transport, they are instrumentalised into invisibility. I stress the role of instrumentalisation here in order to counter claims that the clandestine refugee deaths are solely due to the subjects' voluntary actions. Effaced in such claims are the larger geopolitical discursive relations of biopower that fundamentally shape questions of voluntarism. As I argue elsewhere, whereas for First World subjects the agentic exercise of (liberal humanist) free will fundamentally shapes their understanding of their relation to the world, for Third World subjects violently axiological relations of power discursively preclude the possibility to assume such privileged positions (Pugliese, 2007, pp. 73–79), In other words, the violent axioms of First World border militarisation and border security laws – 'detain!' 'charge!' 'arrest!' 'imprison!' 'deport!' – compel clandestine refugees from the Global South to become decorporealised as they are transmuted into the components of First World transport infrastructure. As techno-instrumentalised and decorporealised subjects, they are invariably disembodied of names and other human identificatory attributes: the majority of the refugee deaths listed in the UIA catalogue of deaths are nameless.

The two geopolitically inflected ontologies that I drew attention to above – visible/invisible – ramify along two other axes: transcendent and immanent. First World subjects transcend technology: in the exercise of their human rights and privileges, they command and deploy technology in order to fulfil their goals and desires. In contradistinction, clandestine refugees are wholly immanent in the technologies of transport within which they ensconce themselves in order to escape poverty or persecution: they are infrastructurally embedded within the technology – within axles or wheelbays – often to the point of death.

The violent resignification of civilian technologies of trade and transport that I have been tracking cuts across multiple domains. In my focus on shipping containers, for example, I have drawn attention to the manner in which these technologies operate at once as objects of trade, as Cpt refugee prisons and as clandestine modes of escape for asylum seekers and undocumented immigrants. I want to conclude this section by focusing on the military uses of these containers in the so-called 'war on terror' and the way in which shipping containers have been deployed as technologies of torture and mass murder. After a series of fierce battles with US forces and the Northern Alliance in Afghanistan, thousands of Taliban and al-Qaeda combatants surrendered at Konduz. They were then transported, under orders of General Dostum, 'in sealed metal containers':

> During the long journey they received no food or water, and the containers had no ventilation openings. Crowded together, the prisoners began to die of dehydration and suffocation. Some drivers, hearing the screams, punched small air holes in the walls and passed through water. Others would have done the same, but they were beaten or otherwise prevented by the guards. One driver reported that when his container truck was opened, all 200 of the prisoners inside were dead: 'They opened the doors and the dead bodies spilled out like fish'. According to the Afghan Organization of Human Rights, more than a thousand prisoners died in this manner. (Harbury, 2005, pp. 2–3)

These dead prisoners were buried in mass graves. 'Disturbing questions about the US role in this massacre have never been adequately answered' (Harbury, 2005, p. 3).

The unstable limit between 'making-die' and 'letting-die'

In a profound meditation on the contradictions that inscribe the laws of certain First World countries, such as the USA, where murder is outlawed but capital punishment is sanctioned, Jacques Derrida raises the unsettling biopolitical question that haunts what he terms 'the unstable limit between "making-die" and "letting-die"' (Derrida & Roudinesco, 2004, p. 90). In moving toward the conclusion of this essay, I want to situate my final remarks on the fault line of this unstable and unsettling border. The violent relations of power that shape and enable the different biopolitical ontologies of the Global North and the Global South all pivot on this unstable border. The co-implicated binaries that I have tracked – First World/Third World, civil/penal, visible/invisible, human/technological, legal/clandestine, transcendent/immanent – all are enabled and reproduced at the unstable limit between making-die and letting-die. In the context of the unequal relations of geopolitical power that divide so graphically along that polarised North/South axis, to what degree does the difference between making-die and letting-die become so attenuated as to cease to signify as a categorical distinction? To what degree is the Global North's exercise of wealth, power and privilege – genealogically predicated on the contemporary exploitation

and historico-colonial enslavement of the subjects of the Global South – not fundamentally dependent on a letting-die driven by economies of starvation, exploitation, expropriation and unequal distribution of wealth? To what degree is this letting-die of the subjects of the Global South not already, in its violent geopolitical instrumentality and juridico-political rationalisations, a making-die? The exercise of vernacular violence in the civil societies of the Global North bespeaks of the disavowal of letting-die as, in fact, another form of making-die: the one necessarily bleeds into the other. At the borders, welded to the axles of trucks, sealed in containers or embedded in the wheelbays of planes, the bodies of clandestine refugees bear necrological witness to this violent disavowal. Civil modalities of refugee trauma and death? They are mere stock-in-trade: at Györ, they opened the doors and they found the bodies of 18 Sri Lankans who had suffocated in the sealed container. At Dover, they opened the doors and they found the bodies of 58 Chinese who had suffocated in the sealed container. At Waterford, they opened the doors and found the bodies of seven Kurds who had suffocated in the sealed container.

Notes

All transulations from Italian are by the author.
1. Ali Beyazkilinc's lawyers managed to obtain 'an urgent Federal Court injunction, successfully arguing he was too ill to travel' back to Turkey where he was to be deported. On 16 November 2006, he was finally granted a permanent visa after spending more than two years imprisoned in Baxter Immigration Detention Centre (James, 2006).
2. Afatsiawo's video installation was screened at the 2006 Contemporary Commonwealth exhibition, Australian Centre for the Moving Image, Melbourne, February–May 2006.
3. For a detailed discussion of the thousands of refugee and asylum seeker deaths due to ruptured dinghies off the coasts of southern Italy, and the consequent retrieval of drowned bodies from the fishing nets of Sicilian and Calabrian fishermen, see Pugliese, 2006.

References

AAP. (2006, January 20). One prisoner, 140 airline seats. Retrieved 21 January 2006 from http://www.theage.com.au/news/national/one-prisoner-140-airline-seats.htm.
Agamben, G. (1998). *Homo sacer.* Stanford: Stanford University Press.
Agamben, G. (2005). *State of exception.* Chicago & London: University of Chicago Press.
Corlett, D. (2005). *Following them home: The fate of the returned asylum seekers.* Melbourne: Black Inc.
Derrida, J., & Roudinesco, E. (2004). *For what tomorrow . . . A Dialogue.* Stanford: Stanford University Press.
Einaudi, L. (2007). *Le politiche dell'immigrazione in Italia dall'unità a oggi.* Roma-Bari: Laterza.
Harbury, J.K. (2005). *Truth, torture, and the American way.* Boston: Beacon Press.
Horne, D. (1989). *Ideas for a nation.* Sydney: Pan Books.
Hutchinson, G. (2002). *True blue: A to Z of Australian icons.* Camberwell: Viking.
Jackson, A. (2006). Anger as detainees taken out of care. *The Age,* 12 April, 11.
James, C. (2006, November 16). Visa for mentally-ill Kurd. *Adelaide Now.* Retrieved 17 November 2006 from http://www.news.com.au/adelaidenow/story/0,22606,20768582.
Perera, S. (2000). A line in the sea: *The Tampa,* boat stories and the border. *Cultural Studies Review, 8,* 11–27.
Perera, S. (2002). What is a camp . . .? *Borderlands, 1*(1). Retrieved 6 March 2006 from http://www.borderlandejournal.adelaide.edu.au/vol1no1_2002/perera_camp.thml.

Perera, S. (forthcoming). A Pacific zone? (In)security, sovereignty and stories of the Pacific borderscape. In P.K. Rajaram & C.G. Warr (Eds.), *Borderscapes*. Minneapolis: Minnesota University Press.

Project SafeCom. (2006, January 18). Minister for Immigration attempts to deport suicidal detainee. Retrieved 18 January 2006 from http://www.safecom.org.au/news-1801-2006.htm.

Pugliese, J. (2002). Penal asylum: Refugees, ethics, hospitality, *Borderlands*, *1*(1). Retrieved 22 February 2006 from http://borderlandsejournal.adelaide.edu.au/vol1no1_2002/pugliese.html.

Pugliese, J. (2004a). Subcutaneous law: Embodying the *Migration Amendment Act 1992*, *The Australian Feminist Law Journal*, *21*(December), 23–34.

Pugliese, J. (2004b). The incommensurability of law to justice: Refugees and Australia's temporary protection visa. *Law and Literature*, *16*(3), 285–311.

Pugliese, J. (2006). Bodies of water. *HEAT*, *12*, 12–20.

Pugliese, J. (2007). The event-trauma of the carceral post-human. *Social Semiotics*, *17* (1, March), 63–86.

Republica.it. (2005a). Sgomberata la casa degli immigrati. In 200 passeranno la notte in strada. Retrieved 21 February 2007 from http://www.republica.it/2005/l/sezioni/cronaca/vialecco/v/vialecco/vialecco/vialecco.html.

Republica.it. (2005b). Milano, gli immigrati di via Lecco convinti a lasciare la strada. Retrieved 21 February 2007 from http://www.republica.it/2005/l/sezioni/cronaca/vialecco/convinti/convinti/html.

United for Intercultural Action (UIA). (2006). List of 7182 documented refugee deaths through Fortress Europe. Retrieved 23 January 2009 from http://www.unitedagainstracism.org/pdfs/actual_listofdeath.pdf.

Weber, M. (1994). The profession and vocation of politics. In P. Lossman (Ed.), *Weber: Political writings* (pp. 309–369). R. Spiers (Trans.). Cambridge: Cambridge University Press.

Whitmont, D. (2003). *... About Woomera*. D. Whitmont reporter, *Four Corners*, Australian Broadcasting Commission, May 19.