Philosophy of History

Tales of Im/mobility

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Tales of im/mobility

Unhistorying migration[1]

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Writing towards the end of the twentieth century, Giorgio Agamben argued in 'Beyond Human Rights' that 'the refugee is perhaps the only thinkable figure for the people of our time and the only category in which one may see today … the forms and limits of a coming political community' (1996: 158–9). Reasoning that the concept of human rights was tied to the political-juridical order of state-nation territory, and diagnosing that the decline of the integrity of the nation state was unstoppable, Agamben believed that the time had come to build 'our political philosophy anew starting from the one and only figure of the refugee' (1996: 159).[2] Agamben's point here was not simply that the presence of the refugee contradicted the implied universalism of human rights discourses, when these rights were primarily awarded or withheld at the discretion of nation states.[3] It was that the refugee could not be incorporated within existing categories of political philosophy without disrupting to breaking point fundamental concepts at work in that system of thought.[4]

The purpose of this chapter is to borrow the shape of Agamben's idea and apply it to a consideration of metahistorical issues in the twenty-first century. Working in this way, we look to articulate our position that the figure of the contemporary migrant[5] cannot be brought within the boundaries of conventional (Western) historiographical practices without bringing those practices into disrepute – on the grounds that they are shown to be politically redundant from the point of view of those whose struggle is, in Arendt's phrase, 'the right to have rights' (2017: 388). In developing this position, we start from the same ground as Pihlainen when he states that 'claims for the *intrinsic* value of studying the past make no sense. There is no "in itself" to historical knowledge' (2017: xv). Rather, he maintains, the purpose of 'doing' history can only be conceived of in relation to effects and consequences. If historiography cannot produce effects that work in the interests of migrants now, then a long-established critique about it being a discourse that is largely disconnected from contemporary ethico-political challenges is relevant still. This is not to make the mistake of assuming that historicizing practices are irrelevant to the experience of migration or 'refugeeness'.[6] Quite the reverse: in the main they function negatively to authorize ideas about the legitimacy of national-political communities as singularities whose cultural autonomy and territorial sovereignty need 'defending' from

outsiders who want to make a claim on them. The recent rise of anti-migrant rhetoric and violence in populist political campaigns illustrates the nature of the problem. No one seriously argues that historians are responsible for this backlash against vulnerable minorities. But the identity positions that are responsible for anti-migrant hostility seek to derive legitimacy from ideas about a historically constituted 'same' that is different from 'others'. As Hayden White argued,

> It is a troubling fact that 'history' or 'historical consciousness' or 'historical knowledge' has functioned more or less effectively over time as one of the instruments deployed by dominant social groups in the effort to 'control the imagination' of the multitude or at least of elites destined to control the multitude. (2011: 170–1)[7]

All this raises the question of whether historicization can bring anything creative to the migrants' self-management of their situation separate from other forms of 'context-work'. We will argue here that historians *qua* historians can make only the weakest of claims about the practical value of their knowledge work for migrants. Instead, we believe, other forms of past-talk should be seen as more productive resources for supporting their struggles for hospitality, dignity, rights and access to provisions and medical care.

There is a clear ideological motivation behind the approach that we take in this chapter. We seek to make a case about the political value of forms of past-focused work that engage with migrants as central subjects of the twenty-first century: a multitude whose numbers are likely to increase as movement of people is shaped by the effects of climate change, economic crises, war and border enforcement policies. Migrants experience the limits of what it is to be human when human rights are territorialized. They are a diaspora whose subjectivity is often produced by being exposed to the force of the 'state of exception' (Nyers 2006: xii). They include people whose situation when they are forced to migrate from one place to another was described by Bauman in the following terms:

> They do not *change* places; they lose a place on earth, they are catapulted into a nowhere, into [Marc] Augé's 'non-lieux' or [Joel] Garreau's 'nowherevilles', into Michel Foucault's 'Narrenschiffe', into a drifting 'place without a place, that exists by itself, that is closed in on itself and at the same time is given over to the infinity of the sea'. (2002: 112)

Those migrants who are subject to the classification regime of 'refugeeness' also experience the fact that, as Derrida remarked, every rich, capitalist country puts into practice a policy of border closings, a 'putting-into-hibernation of the principles of asylum' when it suits their

needs to do so (2002: 140).[8] In choosing to think about meta-history questions from the starting point of migrant experiences, our intention is to align our work with the fairly recent ethical turn in history theory, or with what has been called a concern with 'history in the world'.[9] This is not to claim a particular timeliness for our theoretical approach: far from it. To the extent that one might identify trends in history theory, the most recent movements in the field have been away from a focus on how language and representation function to mediate a sense of the historical, signalling that the paradigm of the linguistic turn in history theory is now most likely to be regarded as a tired orthodoxy that restricts creative thinking in the field. Against this state of affairs, we have to concede that our position remains grounded on what has become an unfashionably retro preference for the type of post-foundational or anti-representationalist critiques of the discipline that set much of the agenda in history theory since the 1970s.[10] We do not intend to use these critiques to probe the ontological status of history (in either of its guises as 'course of events' or 'textual category'). Instead, we are more interested in issues around rhetorical practices and the *consequences* of producing certain types of knowledge about the past for various circuits of consumption. For us, history theory represents a space in which to engage with the often-problematic ways that people experience or consume different types of mediated versions of 'pastness' in the present. In particular, we seek to draw attention to the fact that proposals to view the past in given ways – and in given forms – have ideological and political consequences which are rarely examined within the community of working historians.[11]

Some historians have written in detail about refugee issues, but viewed in proportional terms the subject is in the outer margins of the discipline's main areas of interest. Commenting on the strikingly small amount of work in the field, Peter Gatrell wrote that historians have shown 'actual resistance rather than simple apathy' in their engagement with the subject (2007: 43–5). This general point contains a more particular one, which is that historians rarely write about refugees *as* refugees. To the extent that they write about refugee issues at all, historians usually focus on aid agencies and relief organizations as the objects of their research (Gatrell 2013: 283). This disciplinary sense of priorities led Philip Marfleet to observe in a review of the historiography in 2007 that refugees are 'people whose absence from most historical writing is so marked that it constitutes a systematic exclusion' (2007: 136). Gatrell and Marfleet shared a hope that more historians would take up writing about refugees, primarily as a way of compensating for other disciplines' largely ahistorical approaches to the field of enquiry. Such a lack of interest in historicity was most visible in the cross-disciplinary field of refugee studies. Marfleet, for example, referred to a review by the editor of the *Journal of Refugee Studies* that

surveyed the disciplinary basis of all articles submitted to the publication between 1988 and 2000. Only 4 per cent of these articles addressed 'historical issues', leaving Marfleet to conclude that 'in effect, contributors to the journal had declined to engage with history' (2007: 136). This was a matter of regret for him, because in his view refugee crises that were current at that time in Iraq, Darfur, Zimbabwe, Sri Lanka and Somalia could not be understood without history – 'yet we invariably approach them on an ahistorical basis' (2007: 137).[12]

In mitigation we do acknowledge that there are historians who write about refugee and forced migration issues without identifying their work as something that should be situated within the field of refugee studies.[13] Moreover, despite its marginal status within the academic discipline of history, there does exist a corpus of both synoptic and more narrowly specialized historical accounts of refugees.[14] Nonetheless, the real issue here is less about quantity than it is about the disciplinary self-identity that explains why historians collectively marginalize the subject. One of the most important of these assumptions is the 'methodological nationalism' by which, according to Wimmer and Glick Schiller, history and the social sciences naturalize the idea of the nation state. Notwithstanding the development of transnational, cosmopolitan, diasporic and regionally centred historical research projects, historians, they argue, 'reflect the methodological assumption that it is a particular nation that provides the constant unit of observation through all historical transformations, the 'thing' whose change history was supposed to describe' (2003: 580). Because refugees are stateless, they are predominantly excluded from historical accounts that refer to an otherwise 'uncluttered national past'.[15] This is not merely problematic at the level at which representational choices are judged to be ethically justified or not. The more critical issue is that the same discursive strategies by which refugees are excluded from narratives about imaginary 'historical communities' can also be summoned as rhetorical allies for processes by which they are excluded from the 'political communities' who have the 'right to have rights'. In this way, methodological nationalism creates the spaces in which contemporary discourses that work against the interests of refugees and migrants can be legitimized in relation to a sense of historical time – the time of the 'nation'.

Ultimately, political questions about migration involve negotiating between sets of imperatives: unconditional/conditional, absolute/relative, universal/particular (Critchley and Kearney 2001: xi). History's attachment to methodological nationalism – indeed the discipline's prime role in its development – makes it complicit with conditional and exclusionary ideas about 'belonging' to national communities that derive their sense of coherence from shared ideas about the past. This idea of 'belonging' can of course work at a

supra-national level, where states distribute citizens' rights across borders in mutual agreement with other states. At the cultural level the correlate of these extended legal frameworks are the 'affective geographies' at work in the production of new kinds of political imaginaries (Wacquant 2007). Such productions often seek to invoke their own type of historical legitimacy, referencing what they choose to claim as common traditions and experiences of the past. The 'Declaration on European Identity' issued at Copenhagen in 1973 is an example of the form, beginning as it does with members of the newly enlarged European Community defining their claim to a shared identity in relation to a 'common heritage'. But those claims to belonging were based on imagined communities that seemingly endure across historical time pull against unconditional ideas about 'hospitality' to others as fully Other. In this way, historically constituted notions of belonging function as an obstacle to the securing of residency and cultural or social rights by what Balibar called 'foreign foreigners' across the European Union, the ones who are excluded by a system of 'European apartheid' (2004: 44–5).

History as a discipline is therefore caught up in the politics of contemporary migration issues. However, we see no strong argument that academic history writing, judged as a discourse that *always produces political effects*, offers much of *practical* value to groups of migrants today. One can always consult historical accounts about forced migration in centuries past: the eviction of Jews and Muslims from Spain in 1492 and 1609 respectively, the expulsion of Huguenots from France in the seventeenth century and so forth. But such accounts do not themselves come with convincing explanations about how or why such work should be read now, nor who these histories are primarily for. This lack of direct engagement with contemporary political challenges is one of the main reasons behind the estrangement of history from refugee studies that was noted by Marfleet. Refugee studies, which largely formed in the 1980s as a nexus of law, political science, global development studies, anthropology and sociology, aims to be 'policy-relevant'. Its founding mission was to inform NGOs and states and international organizations about policy responses to urgent problems in the present. As a result, its practitioners have not been persuaded of the value of adopting the historical perspective, because they are unconvinced that studying older precedents helps them to understand contemporary iterations when the specificities of each are so different from one another. Equally, given well-rehearsed problematics concerning the ontological status of the past, and similar uncertainty about the epistemological status of claims to know the past-as-history, there are good reasons to reject any claim that historical accounts provide sufficiently stable grounds for acting within present situations.

This helps to explain why among the sixty chapters in *The Oxford Handbook of Refugee and Forced Migration Studies* (2014) only one is contributed by a historian. This single essay by Jérôme Elie, who is described in the volume as an 'independent historian and consultant on international migration and refugee issues', was framed as a plea for greater reciprocity between history and refugee studies. But, in fact, the essay is better understood as a symptom of their non-reciprocity. After acknowledging that historians could themselves do more to contribute to writing about refugees, it stressed that 'the wider refugee and forced migration studies community must start taking history seriously' (Elie 2014: 32). But in making this call Elie saw no reasons why historians should be expected to alter their practices in order to bring it about. He simply asserted that other scholars needed to recognize that 'more often than not, historians will aim to produce history of forced displacements for its own sake and not just with a "utilitarian" perspective. … Historians will (hopefully) not necessarily select a research topic or an approach solely for the benefit of other disciplines, a specific field of study, or to feed into policy' (2014: 32).

Gatrell not only shares Elie's essential point about reciprocity but also rejects the own-sakeism that accompanies it, preferring instead to offer a more nuanced explanation of how a 'historical perspective' might bring the situation of contemporary refugees into sharper focus. His main point here is that writing refugees themselves into historical accounts strongly reduces the risk of essentializing notions of 'the refugee'. By examining the different ways in which refugees have named and articulated their own experiences, he writes, we can better understand how refugees locate their self-description in extensive and intricate webs of meaning. In many cases, such webs of meaning include a sense of what Gatrell names as historical consciousness, which might function, for example, as a source of collective identity in exile or as a factor that helped to determine a given route of flight by specific migrants, literally following the tracks of earlier migrants with whom they believed they shared 'historic ties' (2013: 287–8). In other instances, it could mean invoking a historical allusion for instrumental purposes, such as emphasizing the seriousness of a predicament or supporting a claim for recognition and rights within a territory (2013: 293–4). These points are well made, however none of them really refers to the kind of historicism that continues to underpin most academic history research and writing. Instead they fit better with non-disciplinary concepts such as constructing genealogies, past-presencing, memory management and the use of the past in the production of certain kinds of subjectivities. The prime consideration here, therefore, is not one of identifying which 'historical' precedent is the most appropriate analogue for a given contemporary migration crisis. Nor is it one of historicizing the constellation of factors that produce situations of forced

migration. More important than either of these is listening to the voices of those who experience what it is to 'lose a place on earth'.

One clear disciplinary similarity between history and refugee studies is the problem of silencing migrants themselves. Within the field of policy-relevant research this issue has at least been confronted directly, if not necessarily overcome. A key text here was Barbara Harrell-Bond's *Imposing Aid* (1986), which attempted to scrutinize the emergency assistance programme in the Yei River District area of southern Sudan in the early 1980s.[16] Harrell-Bond and her team of researchers from Oxford set out to counter the 'colonial mindset' by which migrants were excluded from all attempts to critically evaluate the workings of assistance programmes that were directed towards them. Their alternative approach emphasized the importance of listening to migrants' own understandings of their experiences and situation. The ambition here was to evaluate aid programmes against a background of understanding people's own efforts to organize and develop their communities (Harrell-Bond 1986: xiv). A critical dimension of Harrell-Bond's work was its argument that migrants were not *a priori* dependent and passive; rather, it was the practices and assumptions of humanitarian institutions and political structures that created (even demanded) the dependency of migrants on donors and providers of assistance (Fiddian-Qasmiyeh, Loescher, Long, Sigona 2014: 6).

In our view similar processes can be seen to operate in historical research and writing. Historiography reproduces the very same sense of migrant dependency and passivity that Harrell-Bond sought to contest in *Imposing Aid.* Again, the problems at issue are those of representation, silencing and exclusions. Because of a professional attachment to a certain conception of archive-based empirical investigation, those few historians who do write about migration usually do so through the optics of aid agencies and relief organizations. In particular there has been an over-emphasis on the role of the UNHCR since it established its central archive in Geneva in 1996 – with its now 10 kilometres of shelving space and 10 million digitized documents.[17] This is why Gatrell complained that 'refugees have been allowed only a walk-on part in most histories of the twentieth century, and even then as subjects of external intervention rather than as actors in their own right' (2013: 283). Of course there are occasional exceptions to this general rule – for example, Urvashi Batalia's use of oral testimonies and personal writings produced by refugees in the wake of Indian Partition (1998 and 2001), or Tony Kushner and Katharine Knox's social history of refugees in the 'age of genocide' (1999). In the main, however, Marfleet's point that refugee testimonies are 'discouraged and *actively f*orgotten' in historiographical accounts continues to hold weight (2007: 145–6).

Historicization happens *to* migrants, without their involvement, and lacking an explicitly articulated explanation of how or why it might help them now.

Inspired by Barthélémy Toguo's work *Purification*, a vast frieze combining handwritten articles from the United Nation's *Universal Declaration of Human Rights* with watercolour images of abused and tortured human beings, the second half of this article will use sections of the *Declaration* as a rhetorical strategy for exploring how forms of past-talk and practices of historicization, particularly by artists, foreground dichotomies of im/mobility and the inequities and inequalities inherent in the necropolitics that underpins a casual acceptance, by Fortress Europe, of the deaths and dislocation of hundreds of thousands of migrants in and around the Mediterranean (Mbembe 2003: 11–40).

Article 13. (1) Everyone has the right to freedom of movement and residence within the borders of each state. (2) Everyone has the right to leave any country, including his own, and to return to his country.[18]

The globalized, post-Cold War, neo-liberal, capitalist world promised democratization, freedom of movement and egalitarian economic participation in free markets, but instead *crisis globalization* has ushered in a period of increased economic and travel inequality: a dichotomy of im/mobility (Demos 2013: xiii). The expectation of complete freedom of movement in a borderless world for those in the global north is accompanied by a securitization of their own borders and a restriction on the freedom of movement of those in the global south. The 'strong passports' of the neo-liberal economic colonizers provide fast-track security clearance as they travel nomadically through a borderless 'smooth' space.[19] Yet, those subjected to the legacies of colonialism and the machinations of totalitarian capitalism are, by contrast, the sedentary – subjected to the institutionalization of the linear, metric, optic state space; those whose movements are criminalized; and for whom militarized borders, scopic regimes, visas and detention camps populate a fractured, 'striated' geography of borders that simultaneously facilitates the flow of goods and capital while restricting the movement of people.[20] Fazal Sheikh's *Desert Bloom* provides an artistic witnessing and intervention in the subjugation of nomadic peoples to the striated institutionalized, disciplined space of the colonial occupier. Sheikh documents the forced displacement and marginalization of the Bedouin of the Negev through the repeated destruction of their villages by Israel in the interests of resource exploitation and the imposition of settlements.[21] Similar tensions arising from the colonial imposition of immobility in their subjection of the nomadic is evident in the work of Anders Sunna and his depiction of the forced enclosure of the reindeer herds of the indigenous Sámi by the Swedish authorities, as well as the colonization and appropriation of the Sápmi region

and compulsory transfers of entire Sámi communities.[22] His work, drawing on the experience of his family whose reindeer herds were forcibly removed from their pastures speaks back to the colonizing culture.[23] It tells a story of the pain and anger, of extensive institutional racism; of the subjugation of the Sámi to authoritarian architectures, assimilationist practices and policies enforcing immobility; as well as of the colonization of their space in the interests of the Swedish state's exploitation of their natural resources (Heith 2015: 69–83).[24]

Article 3: Everyone has the right to life, liberty and security of person. Article 14. (1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.

But this inequality in movement elides a far greater inequality. The denial of free movement to those fleeing from violence, oppression and economic or climatic catastrophe reveals the asymmetries inherent in the allocation of the basic human rights to 'life, liberty and security of person'. The closure of borders, the internment in camps, indeed the contortions surrounding linguistic definitions of who constitutes a legitimate migrant or refugee all actively violate article 3 and 14 of the *Declaration*. Moreover, the disassociatively negative response to migration among colonialism's heirs in the global north, and the implicit denial of human rights that this entails, arises, we argue, from the use of such narratives play in defining and legitimizing the neo-liberal capitalist system as a civilized ideology and masking the violence necessary to maintain its hegemony. It is through a contrast with an uncivilized, threatening, barbaric other that a self-image of Western democracy is created that emphasizes the values of freedom, human rights, equality and inclusive tolerance, but, perhaps more importantly, it is through this contrast that attention is distracted from the 'differential exchange value' with regard to the lives of the 'civilized' and the 'uncivilized' (Asad 2007: 94). That is, the narrative of migrants posing an existential threat provides a means by which populations in the global north can ignore the blatant unequal valuation of human life dictated by the market; they can ignore the dislocation and death of people arising from pollution, climate change and conflict; they can ignore the sale of weapons and torture equipment and the rendition of prisoners to regimes with dubious human rights' records; and they can ignore the fact that workers in the global south are exploited in order to protect capitalism and its beneficiaries. The narrative also effectively legitimizes the suppression of any resistance to this neo-economic colonialism by parsing such actions as a pre-emptive defence of borders and Western values, or the export of democracy and freedom. Yet embedded in the very concept of liberty that is at the heart of liberalism is a violence: not only the right to directly kill those perceived to be a threat to civilized order and liberal democracy but also a passive acquiescence in the incarceration, exploitation, disappearance and death of those fleeing violence, insecurity, starvation.[25]

Article 15. (1) Everyone has the right to a nationality. (2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

A stark example of the implicit violence, discrimination and colonial echoes within Western liberalism is the state revocation or denial of nationality or citizenship from the politically and socially marginalized in the interests of 'the public good'.[26] In *Where We Come From* (2001-03) Emily Jacir confronts the effective denial of nationality to Palestinians living under Israeli military curfew in the Occupied Palestinian Territories; Palestinians living in Israel, but classified as present absentees or internally displaced people; and exiled Palestinians denied the right of return to the land they were forced to leave, many of whom have not been granted citizenship of the countries in which they now live.[27] Jacir asks these Palestinians what she can do for them in Palestine/Israel: a place that she can travel freely within because of her 'strong' US passport, but they can't. She then undertakes these simple tasks of recording the act in a photo-text juxtaposition of wish and wish fulfilment. For example, she travels to Gaza to eat *sayadiyeh* as the person making the request is a Palestinian-Arab citizen of Israel and is thus prevented from travelling to Gaza; she walks in Nazareth because the person asking has a West Bank identity card and isn't permitted to travel there; she visits a mother and gives her a hug and a kiss because her son, despite having Gazan identity papers, left Gaza for Ramallah in 1995 and has not been allowed to return; for Hana, whose family were exiled to Lebanon in 1948, she travels to Haifa to play football with the first Palestinian boy she meets; and for Iyad, who lives in the Dheisheh Refugee Camp in the West Bank, she waters a tree in the village in the district of Jerusalem where his parents once lived before they were forced to leave.[28] None of the Palestinians who made the requests are shown in the photographs, and it is through their absence that Jacir 'allegorizes their deprived political status' while also demanding the universal application of the right to citizenship, family life and particularly the rights to a nationality, to equality, to freedom of movement and residency, and the right to return to one's country (Demos 2013: 104).

In addition to the denial of citizenship and nationality to exiled Palestinians or those who live in the Occupied Territories is the threat to Palestinian-Arab Israeli citizens of the revocation of their Israeli citizenship if they are deemed to engage in activities disloyal to the state. In 2017, Israel revoked the Israeli citizenship of Palestinian-Arab Israeli Alaa Raed Ahmad Zayoud after he attacked and injured four people. The court's deputy president argued that in the attack he had violated his commitment to maintain loyalty to the state (Wilford 2017).[29] That such a

move is indicative of an entrenched and institutionalized inequality between different categories of Israeli citizen based on ethno-cultural or religious background and state colonial ambitions is evident from the fact that Jewish-Israelis who attack other Israeli citizens are not subject to such a revocation of citizenship. This existence of a de facto two-tier system of citizenship between 'real' citizens and 'deprive-able' citizens is not limited, however, to Israel (Mantu 2018: 39).[30] Increasingly, over the past few years UK citizens have been subjected to the forced removal of citizenship (and therefore either denial of re-entry to the country or deportation from the country). Ostensibly in a UK context such a denial of citizenship can only occur when the person either holds, or has the potential to hold, dual citizenship: a stipulation which limits the forced removal of citizenship to UK citizens who themselves migrated from elsewhere or whose parents or grandparents migrated to the UK. While not exclusively the case, many of the UK citizens who might find themselves subject to this revocation have ancestors from former British colonies, and thus the practice demonstrates an inconsistency in the rights accorded to UK citizens that is rooted in the legacy of British colonial inequality and racism. The case of Shamima Begum illustrates how the 'public good' defence can often be used to deny entry to those who have not been convicted of any crime, but have simply expressed opinions deemed to pose a threat to civilized order and liberal democracy. Begum, a UK citizen born in the UK, left when she was a child aged fifteen to travel to Syria in support of ISIS and married an ISIS fighter. Following the reporting in the British press of her comments made to a reporter from a Syrian refugee camp in February 2019, in which she expressed no regret for her initial decision to go to Syria, the Home Secretary chose to revoke her British citizenship.[31] This decision was based on the fact that her mother had originally been a Bangladeshi national, although Shamima herself had never been to Bangladesh, did not possess Bangladeshi citizenship, and Bangladesh had said that they would not grant her citizenship. In revoking her UK citizenship, the Home Secretary effectively left her stateless, without a nationality and immobile in a Syrian refugee camp despite the fact that she was a UK citizen.

Article 9. No one shall be subjected to arbitrary arrest, detention or exile.

Migration and the flight of refugees is often thought about in terms of mobility, but it may be more useful to think about it in terms of immobility: migrants are subject to diverse varieties of spatial control: incarceration, detention, periods of enforced waiting or exile. Much of the art of Emily Jacir makes a clear demand for the universality of all human rights while visualizing 'the inequality between those with rights and those without' in the context of

Palestine/Israel (Demos 2013: 123). *Crossing Surda (a record of going to and from work)* provides a visual testimony to the ways in which the spatialities and architectures of Israeli military occupation in the West Bank produce uneven geographies, minimize Palestinian mobility and thus fragment society in socio-economic, political and cultural terms.[32] For eight days Jacir filmed her daily commute to Birzeit University through the Surda military checkpoint which blocks the road between the town of Ramallah and thirty nearby Palestinian villages, illustrating the difficulties and uncertainty Palestinians face in their basic daily travels.[33] Jacir notes that when 'Israeli soldiers decide that there should be no movement on the road, they shoot live ammunition, tear gas, and sound bombs to disperse people from the checkpoint'.[34] When the Israeli soldiers saw Jacir filming they confiscated her video recording and detained her at gunpoint for three hours. Israeli checkpoints in the Occupied Palestinian Territories are not solely, or even primarily, intended to function as part of the apparatus of surveillance or security, but are instead designed to produce uncertainty and humiliation and thus minimize, not regulate Palestinian movement (Handel 2011: 268–71). It is through this transformation of space that the colonization of the West Bank is facilitated. Road closures, the establishment of militarized checkpoints, arbitrary, temporary detention of those travelling and the random revocation of travel permits have effectively not only fragmented the Occupied Palestinian Territories into a territorial patchwork of unconnected, sealed spaces but also disconnected the Occupied Palestinian Territories from the Israeli labour market and disrupted local businesses by denying Palestinians access to their places of work, farm land and market places, thus crushing the Palestinian economy (Weizman 2012: 146, 156).[35] Furthermore, Hammond makes the point that by disrupting access to higher education (Birzeit University) the Surda checkpoint contributes to the Israeli policy of encouraging the 'transfer' of indigenous Palestinians from the area (2007: 264).[36] In a similar manner Jacir's *Entry Denied (a concert in Jerusalem)*, 2003, addresses the immobility of Palestinians through their exile. *Entry Denied* is a film of a musical performance by three Austrian nationals in an empty theatre in Vienna. Having been originally invited to perform at the 2003 Jerusalem Festival by the Austrian Embassy and the United Nations Development Programme, one of the three musicians, Marwan Abado was, at the last minute, detained by the Israeli authorities at Tel Aviv airport before his visa was revoked and he was sent back to Vienna (Kholeif 2013: 18).[37] Although in possession of Austrian citizenship, a valid visa and an official invitation, Abado was denied entry to his country of origin, presumably precisely because it was his country of origin.

In a very different way Muhammad Ali's series of drawings *Endless Days* (2015a) through its images of individuals stuck in rubbish bins or jars also conveys the inescapable immobility of those subject to an unequal recognition of their human rights as a result of conflict.[38] Young men hang suspended from their rucksacks, lie crushed by rocks or stand balanced on precarious platforms leaning forward trying to move while held back by restraints of some form, while others stand immobile with both feet sticking out of one trouser leg. During the present war in Syria the options for leaving were limited; people waited for safe passage, for visas, for an opportunity to leave besieged areas; people waited, hoping things would get better.

Article 25. (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

Muhammad Ali's drawings and video work also depict an otherizing that is not that of the neo-liberal otherizing of migrants as a threat to Western democracy and lifestyle, but an otherizing that happens to people and communities in situations of extreme violence and stress, a breakdown of human relations. His series of drawings *Post-Thousand and One Nights* (2015b) features deformed, parasitical, insect-like creatures who swarm together, steal, cheat, deceive, assault and hate each other: a visual metaphor for the desperate, dehumanizing situation of those living through a conflict of particular horror.[39] Similarly, *Neither Human, Nor Stone* (2014) is an allegorical representation of the collapse of society.[40] Here Muhammad Ali bears witness not only to the collapse of individuals on the streets of Damascus but also to the collapse of society manifested by the fact that although others see the distress of those who have fallen they do nothing and continue on. This collapse of society, the intolerable physical, emotional and mental strain people endure is generally elided and ignored in narratives of migration in the global north beyond an almost casual 'aestheticization of misery' and the scopic border spectacle that frames migration as an 'unmanageable crisis' (Demos 2013: xvii).[41] We choose not to see what has forced people to move, instead we speculate on what potential disorder migrants may bring to our lives. Despite the prevalence of a transnational globalized economy and free-market capitalism, for many the freedom such an economic system brings is restricted to the free movement of goods, not people. Nation states are militarizing their borders and restricting the movement of people in an attempt to maintain the privileged position of particular, and exclusive, political and economic communities (Demos 2013: 109). Such a position suggests that the Muhammad Ali's depiction of the collapse of society should not simply be read as a consequence of war in a particular country, but it could

perhaps more pertinently describe the violence of Fortress Europe's border regime and its refusal to provide support and refuge to those who need it.

In the mediatized border spectacle that underpins the articulation of the intertwined ontology and sovereignty of Fortress Europe, it is the body of the migrant, which is 'inscribed in the order of power' (Mbembe 2003: 12, 14). As Mbembe has argued, sovereignty is the capacity to define who matters and who does not; who is disposable and who is not; it is embodied as a power over mortality (27, 11–12). Embedded in the exercise of sovereignty by Fortress Europe is an ongoing racism that permits the exercise of Foucauldian biopower and ultimately works to create 'the condition for the acceptability of putting to death' (Mbembe 2003: 17). Against the dominant media narratives that frame migration in terms of states of 'exception, emergency and a fictionalized notion of the enemy', the *Liquid Traces – The Left-to-Die Boat Case* (2014) project led by Charles Heller and Lorenzo Pezzani is an example of a militant investigation into the power asymmetries and necropolitics behind Europe's transformation of the Mediterranean into a zone of exclusion and a space of death for the disposable, those consigned to unfreedom (Mbembe 2003: 16–17, 34, 39). This project documents the deaths of sixty-three migrants on a boat off the Libyan coast in 2011, not simply to bear witness to their deaths but to make visible the violence perpetuated by, and inherent in, the securitization of the European border regimes.[42]

The 'left-to-die' vessel left Libya early in the morning of 27 March 2011 with seventy-two migrants on board, heading for Lampadusa. Approximately fifteen to eighteen hours later, running out of fuel, the migrants placed a distress call by satellite phone, and the position and distress status of the vessel was signalled to all boats in the area by the International Maritime Rescue Coordination Centre (MRCC); NATO HQ Allied Command was also informed. During this time period, as a result of the enforcement of a NATO arms embargo off the coast of Libya starting 23 March 2011, the Libyan coast was under an exceptional degree of surveillance and monitoring which certainly would also have allowed NATO to monitor the boat in distress. Yet, following the distress signal the vessel drifted unaided until 10 April when it ran aground on the coast near Tripoli. During this time, the vessel was approached by a military ship, but no assistance was offered; two military helicopters also flew over the boat, and one dropped biscuits and water.[43] In a manifestation of the disobedient gaze, the project deliberately repurposed the various sensing technologies, instruments and methodologies of state surveillance and control usually employed to police migration in order to make visible the violence of the border regime and those subject to it. In so doing, the data from these surveillance technologies has not only recognized 'that each act of escape is an act of political

struggle, where subjects do not need to be legitimized by sovereign powers "to claim and perform (citizenship) rights, protection and movement"', but it also constitutes a digital archive of the violence perpetuated against migrants (Mazzara 2019: 13). The fundamental motivation behind this project is to hold to account those responsible for 'a crime that should not be mistaken for an accident'.[44] As such the data has not only been presented in numerous art exhibitions but also been submitted as evidence of responsibility for the crime of non-assistance in legal proceedings in France, Belgium, Spain and Italy.[45]

How can those read as an existential threat, consigned to the 'bare life' (Demos 2013: xix), a form of death-in-life in 'globalization's shadows' (Mbembe 2003: 21) be politically represented?[46] How can the state of exception in which they are confined be made visible and challenged? How can the necropolitics that underpins the inequalities arising from neo-liberal capitalism be made visible? How can the ethnographic gaze, the patronizing 'compassionate heart', the 'otherizing' hostility towards migrants be avoided in representation, and replaced with recognition of both shared humanity and an acknowledgement of the injustice of extant inequality? Can there exist a 'reciprocal extraterritoriality' that decentres national identities and the dichotomies of us/them inherent in narratives of migration (Demos 2013: xix)? Art as a form of past-talk can raise provocative and necessary questions about the disparity in the value of a human life, im/mobility and justice. It also gives voice to the experiences and narratives of migrants in a way that history doesn't.[47] The artists discussed here challenge us to recognize that sentimental displays of empathy with refugees, or proclamations of solidarity with their plight, are insufficient; that they are used as too-easy moralizing gestures.[48] Instead they defy us to desist in conspiring in the inequality of the distribution of human rights; they emphasize the need to understand the struggle of migrants as 'the price humanity is paying for the global economy' and instead demand the universal applicability of human rights (Zizek 2016: 101, 110). They draw attention to the hypocritical irony that for the global north migrants have a greater visibility, and are accorded more compassion, in death than life.[49]

Although Gatrell argues that writing refugees themselves into historical accounts strongly reduces the risk of essentializing notions of 'the refugee' through an examination and location of the refugee experience in broader webs of meaning, we are not so sure. As Dening, citing Marcuse, argues, in an important way the reification of experience into an authoritative historical account is a 'transformation of lived experience into things' and that in turn leads to a silencing: a forgetting (2007: 103). Dening counters such an exclusion by advocating historying: a moral act; an unclosed action of making histories that refuses closure, reification and the transformation of lived experience into a single authoritative narrative; a process by

which pasts are transformed into words, images or performances. Dening wonders whether to be truly compassionate his stories should in fact be poems. We think maybe he is right, and that neither history nor historying can fight the reification, otherization and objectification of the stories of migrants. We think that at the present time the praxis and politics of institutionalized historicization processes (including historying) do not provide a productive resource or practical intervention into securing the human rights of migrants. In contrast, artists have far more successfully mobilized the image of the migrant in their past-talk as an oppositional force against, and a critique of, the unequal political and economic implications of globalization. Maybe Marcuse was right, and in the end it is only art that effectively fights reification; that the only way to effect the necessary compassion to secure the human rights of everyone is through an unhistorying (Dening 2007: 103).

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[1] Discussions with Muhammad Ali about his work were pivotal in our reconception of migration as a problem of im/mobility and a denial of basic human rights including the freedom of movement https://www.mhd-ali.com/ accessed 12 June 2019. We are very grateful for the time Muhammad Ali gave in discussing his work with us. While undertaking research for this article we also became aware of Jacir's invocation of the concept of (im)mobility and her use of it in her artist statement '*Where We Come From:* (Im)Mobility', *What's* Up 15 (2003), n.p. cited in T. J. Demos, *The Migrant Image: The Art and Politics of Documentary During Global Crisis* (Durham and London: Duke University Press, 2013), 273.

[2] Explaining the political urgency of his project, Agamben argued that 'the refugee should be considered for what it is, namely, nothing less than a limit-concept that at once brings a radical crisis to the principles of the Nation-State and clears the way for a renewal of categories that can no longer be delayed', 162.

[3] Nonetheless, the observation is correct. As Agamben stated, 'There is no autonomous space in the political order of the Nation-State for something like the pure human in itself', 161. His thinking here was indebted to Hannah Arendt, 'The Decline of the Nation-State and the End of the Rights of Man', in *The Origins of Totalitarianism* (Orlando, FL: Harcourt Brace & Company, 1973), 267–302.

[4] The contemporary situation of refugees, migrants and displaced people, for example, calls into question the limits of abstract terms like 'the people', 'sovereign nation' and 'citizen rights'. This issue is also identified by Étienne Balibar in *We, The People of Europe? Reflections on Transnational Citizenship*, trans. James Swenson (Princeton, NJ: Princeton University Press, 2004), 33. For an extended discussion of the same see Kelly Staples, *Retheorising Statelessness: A Background Theory of Membership in World Politics* (Edinburgh: Edinburgh University Press, 2012).

[5] Following Mazzara, we favour the use of the terms 'migrant' and 'migration' wherever possible in our discussion because they encompass a range of different migratory circumstances (including voluntary and forced movement) while also acknowledging the shared right of free movement for everyone regardless of the motivations behind each decision to move. Federica Mazzara, *Reframing Migration: Lampedusa, Border Spectacle and Aesthetics of Subversion* (Oxford: Peter Lang, 2019), 3. Where we employ the term 'refugee', we do so because we are referring to instances where it has been used within given classificatory and discursive contexts.

[6] We take the term 'refugeeness' from Peter Nyers, who uses it because it 'highlights the very political process of becoming refugee'. Refugees, he argues, should be seen as subjects of the classification scheme of refugeeness. See Nyers, *Rethinking Refugees: Beyond States of Emergency* (Abingdon: Routledge, 2006), xiii, xv.

[7] By 'imagination' here White meant political imagination, something that was akin to Althusser's use of the term 'ideology'. Indeed, he referred specifically to Althusser's description of the process of 'interpellation' by which political regimes transformed individuals into subjects by inducing in them an identity or subjectivity that was submissive.

[8] This setting aside of the principles of asylum happened across Europe in 2015–16. It culminated in the EU-Turkey Agreement on Refugees in 2016, which sought to confine Syrian refugees in Turkey and out of Greece and other EU states.

[9] Recent examples from key meta-history journals illustrate the point: *History and Theory* published an issue on 'Historians and Ethics' in 2004; *Rethinking History* produced themed issues on 'Politics and History' in 2009 and 'Historical Justice' in 2014. Also, the International Network for Theory of History's second conference, in Ouro Preto, Brazil in August 2016, was on 'The Practical Past: On the Advantages and Disadvantages of History for Life'.

[10] For a detailed discussion of how deconstructionist approaches simultaneously set academic agendas and provoked an intellectual backlash, both of which peaked in the mid-1990s, see Ethan Kleinberg, *Haunting History: For a Deconstructive Approach to the Past* (Stanford: Stanford University Press, 2017).

[11] Again, we are indebted to Kalle Pihlainen's argument that despite a 'broad and vocally expressed desire to move on' from questions around language and representation, it is far too early to cease thinking about postructuralism and the politics of historical representation. Pihlainen, *The Work of History*, xiii.

[12] We note here that Marfleet did not explain at any length how or why an ahistorical perspective on these refugee crises was necessarily problematic.

[13] For example, they might focus on these issues in relation to subjects such as slavery, colonial partitions, dislocations caused by the world wars, the situation of displaced persons in post-war Germany or the chaotic effects of different genocides and ethnic cleansings.

[14] A representative and by no means comprehensive list would include works such as Gil Loescher and John A. Scanlan, *Calculated Kindness: Refugees and America's Half-Open Door, 1945 to the Present* (New York: Free Press, 1986); Tony Kushner and Katharine Knox, *Refugees in an Age of Genocide: Global, National and Local Perspectives during the Twentieth Century* (London: Frank Cass, 1999); Michael Marrus, *The Unwanted: European Refugees in the Twentieth Century* (Philadelphia: Temple University Press, 2002); Maud S. Mandel, *In the Aftermath of Genocide: Armenians and Jews in Twentieth-Century France* (Durham, NC: Duke University Press, 2003); Vazira Fazila-Yacoobali Zamindar, *The Long Partition and the Making of Modern South Asia: Refugees, Boundaries and Histories* (New York: Columbia University Press, 2007); Dawn Chatty, *Displacement and Dispossession in the Modern Middle East* (Cambridge: Cambridge University Press, 2011); Peter Gatrell, *The Making of the Modern Refugee* (Oxford: Oxford University Press, 2013). We also note here a special issue of the *Journal of Refugee Studies*, 25 (3) 2012, that examined how 'the refugee' as a category of

person developed in different post-war settings, and a double issue of *Patterns of Prejudice* on 'Refugees Then and Now: Memory, History and Politics in the Long Twentieth Century', 52 (2–3) 2018.

[15] The phrase is from Shahid Amin, 'Writing Alternative Histories: A View from South Asia' (unpublished paper).

[16] Since 1979 Sudan had been faced with the arrival of refugees from Uganda, an influx that rose to emergency proportions in 1982.

[17] https://www.unhcr.org/uk/archives-and-records.html, accessed 5 April 2019.

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[20] The fact that many migrants originate in areas of former European colonial occupation and areas where Europeans subverted existing property arrangements dominated and controlled the extraction of raw resources and themselves migrated en masse to – is conveniently elided in the media representation of migration. Victoria Burgher's work *Don't Let Them Drown* draws attention to the central role that European colonialism plays in current migration through her rewording of Ambalavaner Sivanandan's aphorism on post-colonial migration, from 'we are here because you were there' to 'they are here because we were there' – see the catalogue from the exhibition *Sink without Trace: Exhibition on Migrant Deaths at Sea*, curated by Federica Mazzara and Maya Ramsey at P21, London (13 June–13 July), 10.

[21] Fazal Sheikh, *Desert Bloom* (Göttingen: Steidl, 2015). It is Volume 3 of *The Erasure Trilogy*. See also Fazal Sheikh and Eyal Weizman, *The Conflict Shoreline* (Göttingen: Steidl, 2015), which provides a narrative essay in response to *Desert Bloom.*

[22] Anders Sunna, *Area Infected* (2014), http://anderssunna.com/, accessed 14 March 2019. A selection of his work was shown in *The Moderna Exhibition 2018*. *With the Future Behind Us* (Stockholm: Moderna Museet, 20 October 2018–6 January 2019). See also

Koncessionsrenskötsel (2014) http://anderssunna.com/2014-2/; *States* (2017) http://anderssunna.com/2017-2/#!prettyPhoto[1]/http://anderssunna.com/wp-content/uploads/2017/09/states-2-1280x781.jpg, accessed 15 July 2019.

[23] *Struggle #1with Anders Sunna* https://www.youtube.com/watch?v=owKXQGztVx0, accessed 15 March 2019. He states that in 1986 the government forced his family away using police patrols, forbade their reindeer marks and built a 30-kilometre fence to prevent the reindeer migrating back to their original pastures. He adds that his family received more than 300 police notifications for guerrilla reindeer herding. Although most of the instances of Sami forced relocation occurred in the first half of the twentieth century there have been more recent instances: two of the most well known are the removal of land use rights from the Sami village of Girjas in 1993 (which was successfully challenged in 2016) and the movement of the city of Kiruna onto Sami reindeer pastures as a result of mining causing the collapse of the original city. Richard Orange 'Swedish Reindeer herders win historic land use case', *The Telegraph,* 3 February 2016, https://www.telegraph.co.uk/news/worldnews/europe/sweden/12139166/Swedish-reindeer-herders-win-historic-land-use-case.html and David Crouch 'Sweden's Indigenous Sami People Win Rights Battle Against State', *The Guardian,* 3 February 2016, https://www.theguardian.com/world/2016/feb/03/sweden-indigenous-sami-people-win-rights-battle-against-state. Chris Michael '"Will I have existed?" The unprecedented plan to move an Arctic city' *The Guardian,* 2 December 2018, https://www.theguardian.com/cities/2018/dec/02/kiruna-swedish-arctic-town-had-to-move-reindeer-herders-in-the-way, accessed 15 March 2019.

[24] The mining, hydroelectric and forestry industries are the main reasons for appropriating or curtailing Sami reindeer pastures. For more on the history and legislation of Sami reindeer herding in Sweden, see https://www.laits.utexas.edu/sami/diehtu/siida/herding/herding-sw.htm and Margaret Carstens, 'Sami land Rights: The Anaya Report and the Nordic Sami Convention', *Journal on Ethnopolitics and Minority Issues in Europe,* 15 (1) 2016: 75–116 https://www.ecmi.de/fileadmin/downloads/publications/JEMIE/2016/Carstens.pdf, accessed 15 March 2019.

[25] Asad, *On Suicide Bombing*, 59 citing Richard Tuck, (1999), *The Rights of War and Peace: Political Thought and International Order from Grotius to Kant* (Oxford: Oxford University Press). For overwhelming evidence of a societal acquiescence in and antipathy to the deaths of hundreds of thousands of migrants one only needs to consider that despite the evidence in daily newspapers about these deaths, they are rarely a subject of conversation nor of action by

individuals or governments (https://www.theguardian.com/world/2019/jun/09/mediterranean-sea-of-blood-migrant-refugee-rescue-boats-un-unhcr). In November 2017, EU migration commissioner, Dimitri Avramopoulos, noted that 'we are all conscious of the appalling and degrading conditions in which some migrants are held in Libya' and yet since then EU member states have spent millions of euros developing the Libyan Coast Guard's ability to intercept migrant boats, return migrants to the degrading and brutal conditions in Libyan detention centres and thus prevent them from reaching Europe, https://www.hrw.org/news/2019/01/21/libya-nightmarish-detention-migrants-asylum-seekers; see also https://www.irishtimes.com/news/world/africa/deaths-pile-up-in-libyan-detention-centre-leaked-un-report-shows-1.3937256;
https://www.independent.co.uk/news/world/middle-east/libya-airstrike-tripoli-migrant-centre-refugees-detention-death-toll-a8985431.html, accessed 31 July 2019.

[26]https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/631643/deprivation-nullity-Chapter-55.pdf, accessed 15 March 2019.

[27] The denial of a right of return to Palestinians who fled the conflict in 1948 in contravention of UN Resolution 194, article 11, contrasts with the Israeli Law of Return that grants non-Israeli Jews the right to immigrate to Israel and subsequently claim Israeli citizenship. Similarly, while the Law of Return also grants citizenship to the non-Jewish spouse of a non-Israeli Jew, amendments to the Israeli Citizenship and Entry Law have made Palestinian inhabitants of the Palestinian Occupied Territories (the West Bank and Gaza Strip) ineligible for the automatic granting of Israeli citizenship that usually follows marriage to an Israeli citizen (https://en.wikipedia.org/wiki/Israeli_citizenship_law#Citizenship_by_marriage and https://en.wikipedia.org/wiki/Citizenship_and_Entry_into_Israel_Law, accessed 30 July 2019). This law also prevents the reunification of Palestinian families who live on different sides of the Green Line, see Elia Zureik (2016), *Israel's Colonial Project in Palestine: Brutal Pursuit* (London: Routledge, 124). Although Palestinian present absentees (but not Palestinian refugees) were granted Israeli citizenship in 1952 they were prevented from returning to their homes and land which were then subsequently expropriated by the state under various Absentees' Property Laws and the Transfer of Property Law (1950). There are four distinct groups of internally displaced Palestinians living in Israel: those displaced as a result of the 1948 conflict; those displaced post-1948 as a result of internal transfer, house demolition and land appropriation; those displaced as a result of the 1967 conflict; and those displaced since 1967 especially in East Jerusalem as a result of the revocation of residency rights, land expropriation and so on. For these definitions and a greater discussion of present absentees see

the introduction by Masalha in Nur Masalha (ed.) (2005), *Catastrophe Remembered: Palestine, Israel and the Internal Refugees* (London: Zed Books); N. Masalha, *The Palestine Nakba: Decolonising History, Narrating the Subaltern, Reclaiming Memory* (London: Zed Books, 2012), 229–33; and https://en.wikipedia.org/wiki/Present_absentee, accessed 30 July 2019. The ongoing destruction of the villages of the Negev Bedouin documented by Fazal Sheikh and discussed earlier is in part facilitated by the fact that Israel classifies them (and their descendants) as internally displaced peoples and, as a consequence, their villages are 'unrecognized'. A similar inequality is present in the de facto citizenship restrictions imposed on Palestinians living in East Jerusalem. Following Israeli occupation of East Jerusalem in 1967 and its annexation under full Israeli sovereignty, Palestinians of East Jerusalem should technically be able to apply for Israeli citizenship, but in practice they are instead offered the special status of 'permanent residency' thereby denying them citizenship of the state in which they live. Rassem Khamaisi, 'Territorial Dispossession and Population Control of the Palestinians', in Elia Zureik, David Lyon and Yasmeen Abu-Laban (eds), *Surveillance and Control in Israel/Palestine: Population, Territory, and Power* (London: Routledge, 2011), 335–52, 338–9.

[28] For examples from Emily Jacir, *Where We Come From* (2001–3), see Emily Jacir, Stella Rollig and Genoveva Rückert (eds), *Emily Jacir: Belongings. Arbeiten/Works 1998-2003* (Wein: Folio Verlag, 2004), 50–9. For further examples and images from her installation see Pat Binder and Gerhard Haupt, 'Emily Jacir: Where We Come From', *Nafas Art Magazine* (October 2003), accessed 13 March 2018, https://universes.art/nafas/articles/2003/emily-jacir-where-we-come-from/.

[29] He was also sentenced to twenty-five years in prison. The revocation of his citizenship will leave Zayoud stateless, and it is therefore a violation of international human rights law. Up to 2600 Bedouin Israeli citizens were also stripped of their Israeli citizenship after a registration error – see https://www.jpost.com/Israel-News/Government-strips-2600-Beduin-of-citizenship-due-to-registration-error-503664, accessed 30 July 2019.

[30] In Norton and Donnelly 'Thinking the Past Politically: Palestine, Power and Pedagogy', *Rethinking History,* 20 (2), 2016: 192–216, we consider the decision by the United States to revoke the US citizenship of Palestinian-American Rasmea Odeh.

[31] For interviews with Begum, and the Home Secretary's decision to block her return and revoke her nationality see https://www.theguardian.com/uk-news/2019/feb/17/shamima-begum-who-fled-uk-to-join-isis-has-given-birth-say-family, accessed 15 March 2019. It

should be noted that Begum acknowledged the oppression and corruption of the regime and stated that because of this it deserved to be defeated.

[32] Emily Jacir, *Crossing Surda* (*A Record of Going to and from Work*) video 30 minutes (2003a).

[33] https://www.ibraaz.org/publications/42, accessed 11 June 2019.

[34] Cited in Azadeh Saljooghi, 'From Palestine to Texas: Moving along with Emily Jacir', *Spectator*, 29 (1), 2009: 23–9, 28; reference is given as Emily Jacir (2003) www.daratalfunun.org; Joe Sacco, *Footnotes in Gaza* (London: Jonathan Cape, 2009) 19, 35, 128–33, provides an account of the effects that roadblocks, checkpoints and a separate road infrastructure system for Israeli settlers had on Palestinian residents in the Gaza Strip before Israel withdrew. B'Tselem The Israeli Information Centre for Human Rights in the Occupied Territories records the routine harassment that arbitrary Israeli roadblocks, checkpoints and the closure of military-installed village gates cause for Palestinians see https://www.btselem.org/freedom_of_movement/20190520_military_blocks_access_roads_to_four_villages, accessed 12 June 2019. See also the Human Rights Watch report on restrictions to the freedom of movement of Palestinians and arbitrary detention https://www.hrw.org/world-report/2019/country-chapters/israel/palestine accessed 12 June 2019. See the OCHA (United Nations Office for the Coordination of Humanitarian Affairs) factsheet on Movement and access in the West Bank (2017) https://www.ochaopt.org/content/west-bank-movement-and-access-west-bank, accessed 12 June 2019.

[35] All of Weizman chapter 5 is useful on the forensic architecture of checkpoints. For more on the sociocultural and economic effects of the Israeli restriction of Palestinian movement see B'Tselem https://www.btselem.org/topic/freedom_of_movement accessed 12 June 2019.

[36] See also Hass, 'Transfer of Palestinians in Word and Deed', *Haaretz*, 12 June 2019 https://www.haaretz.com/opinion/.premium-transfer-of-palestinians-in-word-and-deed-1.5465292, accessed 12 June 2019. See also the OCHA fact sheet on Palestinians at risk of forcible transfer https://www.ochaopt.org/content/west-bank-palestinians-risk-forcible-transfer, accessed 12 June 2019.

[37] The work was part of Jacir's exhibition at the Whitechapel Gallery, London 2015–16, https://www.whitechapelgallery.org/exhibitions/emily-jacir-europa/, accessed 12 June 2019.

[38] Muhammad Ali, *Endless Days* (2015a), https://www.mhd-ali.com/copy-of-dra-2-2009-self-violence-1, accessed 13 March 2019. A selection of drawings from this series were shown in *The Moderna Exhibition 2018. With the Future behind Us* 20 October 2018 to 6 January 2019.

[39] See https://www.mhd-ali.com/pro-1-2012-15-from-the-diary-of-a-r accessed 12 June 2019. There are also instances of compassion in these images, occasions where the figures feed others from their body. His work *366 Days of 2012* similarly features fantastical drawings of disturbing and disturbed figures inspired by his encounters with Syrians in 2012. These grotesque creatures are reminiscent of the mythical creatures of medieval travel books that depict an 'other' people so different from ourselves that they have only one large foot, a single eye, a face in their chest, multiple limbs or wings.

[40] Muhammad Ali, *Neither Human Nor Stone* (2014), https://www.mhd-ali.com/videos, accessed 13 March 2019. This video was shown in *The Moderna Exhibition 2018. With the Future behind Us*, 20 October 2018–6 January 2019.

[41] Mazzara (2019), 1–2, notes that the term 'scopic regime' appears in an essay by Martin Jay, 'Scopic Regimes of Modernity', in Hal Foster (ed.), *Vision and Visuality* (Seattle: Bay Press, 1988), 3–23.

[42] Information about the project, including an eighteen-minute long video is available on their webpage https://forensic-architecture.org/investigation/the-left-to-die-boat. The video has been shown at a number of art exhibitions, the most recent being the *Sink without Trace* exhibition http://p21.gallery/exhibitions/exhibition-sink-without-trace/ see also https://www.sinkwithouttrace.com/, accessed 3 July 2019.

[43] According to witness testimony fishing vessels were also signalled by those on the boat, but they offered no assistance.

[44] Catalogue from the exhibition *Sink without Trace: Exhibition on Migrant Deaths at Sea*, curated by Federica Mazzara and Maya Ramsey, 12. The quote is from a discussion of photographer Max Hirzel whose work also featured in the exhibition.

[45] https://forensic-architecture.org/investigation/the-left-to-die-boat, accessed 3 July 2019.

[46] Mbembe describes the creation of death-worlds, forms of social existence where people are subjected to conditions of life conferring on them the status of the living dead 40.

[47] For example, a number of the artists exhibiting their work in the exhibition *Sink without Trace* themselves are migrants or work with migrants to establish archives, make films and run workshops that document and promote the migrant voice. See for example Dagmawi Yimer, Art Refuge UK, Aida Silverstri, Shorsh Saleh, Mariwan Jalal, catalogue from the exhibition *Sink without Trace* 38, 32, 30, 28, 14

[48] Of course, as Max Hirzel points out art can also function as a sentimental display of compassion that absolves us from responsibility and action to rectify the unequal distribution of human rights. See his comments on the lack of contextualization and audience reactions to

Christoph Büchel *Barca Nostra* in Kathryn Bromwich '"We should be ashamed": Bearing Witness to Migrant Deaths at Sea', *The Guardian,* 8 June 2019, https://www.theguardian.com/artanddesign/2019/jun/08/migrant-deaths-at-sea-exhibiton-sink-without-trace, accessed 3 July 2019. He notes that the boat functions as a 'monument to European compassion' in a broader narrative that treats the deaths of migrants in the Mediterranean as some kind of natural disaster rather than a consequence of the formation of a European militarized judicial regime that imagines the Mediterranean as a zone of exception that creates 'the condition for the acceptability of putting to death'; see also Mbembe 17 citing Foucault Il faut défendre la société, 228. Hirzel's work *Migrant Bodies* is featured in the *Sink without Trace* exhibition at the P21 Gallery https://www.sinkwithouttrace.com/, accessed 3 July 2019, see also https://maxhirzel.photoshelter.com/index/G00004NTbJ8ILraE, accessed 15 July 2019.

[49] Dagmawi Yimer *Asmat.Nomi per tutte le vittime in mare [Names in memory of all victims at sea]* names the 368 Eritreans who died at sea when the boat they were travelling on sank on 3 October 2013. In so doing, Yimer not only works 'to defy the attention and patience of the public, in order to bring back the numbers of the tragedy to the reality of names', but also forcefully notes that 'we are more visible dead than alive'; see catalogue from the exhibition *Sink without Trace*, 38–9. It is particularly ironic that those migrants who survive crossing the Mediterranean are criminalized, detained or deported, whereas those who die during the attempt are embraced, however temporarily, as possible citizens – see the comment of Italian prime minister Enrico Letta in 2013 that 'the hundreds who lost their lives off Lampedusa yesterday are Italian citizens as of today'. Kim Rygiel, 'Dying to Live: Migrant Deaths and Citizenship Politics along European Borders: Transgressions, Disruptions, and Mobilizations', *Citizenship Studies*, 20 (5) 2016: 545–60, 550.