LIQUID TRAJECTORIES

Documenting Illegalised Migration and the Violence of Borders

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Declaration

I hereby declare that the work presented in this thesis meets the full requirements of a doctoral dissertation in the Centre for Research Architecture (CRA) and is largely my own but also contains materials co-produced with Lorenzo Pezzani, former PhD candidate (CRA).

Signed:

Charles Heller, May 24, 2015

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ABSTRACT

This PhD thesis offers an account of my trajectory as a researcher and aesthetic practitioner seeking to document and contest the violence of the migration regime operating between Europe and Africa. I describe the successive shifts my research and practice has undergone in a "diary of practice" of sorts. Through my successive experiments with the use of a wide range of sensing devises – ranging from photographs, videos, maps, satellite images and statistical graphs – this thesis explores the intersection between the politics of migration and that of aesthetic practices. In the introduction to this thesis, I describe further my approach and inscribe it within broader theoretical fields. In the second chapter, *Image/Migration*, I follow the "lives" of the images of migration I have produced as a documentary filmmaker, and enquire into their effects. Considering images as *practices* and *objects* which produce variegated effects depending on their use by different actors, I chart the way images depicting migrants' precarious condition have become embedded in the government of migration. In a third chapter, *Forensic Oceanography*, I present a collaborative research project aiming at documenting the deaths of migrants in the Mediterranean Sea and accounting for the conditions which have led to them. I engage with the complex geography of the EU's maritime frontier and seek to reappropritate some of the tools normally used for surveillance – such as mapping and remote sensing – so as to reinscribe responsibility in a sea of impunity. In a fourth chapter, *Tactical Statistics*, I explore the potential of a critical statistical practice to register the violence of the European migration regime, which operates indirectly and leads to deaths on a structural basis. In a concluding chapter, *For Movement*, I discuss the conditions for thinking alternatives to the current migration regime in the form of a policy and right to universal freedom of movement.

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1. INTRODUCTION: LIQUID TRAJECTORIES

Figure 1: Screen capture of Google's search engine search for images with the terms "immigrant, boat, Mediterranean", accessed 16 October 2014.

DOCUMENTING ILLEGALISED MIGRATION AND THE VIOLENCE OF BORDERS

"I occasionally experience myself as a cluster of flowing currents. I prefer this to the idea of a solid self, the identity to which so many attach so much significance. These currents, like the themes of one's life, flow along during the waking hours, and at their best, they require no reconciling, no harmonizing. They are "off" and may be out of place, but at least they are always in motion, in time, in place, in the form of all kinds of strange combinations moving about, not necessarily forward, sometimes against each other, contrapuntally yet without one central theme. A form of freedom, I'd like to think, even if I am far from being totally convinced that it is. That skepticism too is one of the themes I particularly want to hold on to. With so many dissonances in my life I have learned actually to prefer being not quite right and out of place."

Edward W. Said, E. W. *Out of Place: A Memoir*. (London: Granta Books, 1999), 295.

Of Drifting People and Images

Interrogating Google's search engine for an image with the criteria "immigrant, boat, Mediterranean", tens of thousands similar images appear depicting overcrowded boats. I click on one of the first results, which appears to epitomize *the* migrant boat. The particular image is linked to an article in *The Guardian* dated 29 March 2012 (fig. 2). Here its caption reads: "Many migrants and refugees risk their lives to cross the Mediterranean from Africa to Europe. Photograph: AFP/Getty Images". As the evasive and undated caption should suffice to indicate, this is a *generic imag*e, one which in its media circulation has lost any remnant of photography's indexicality and no longer points to a specific event.[1] In effect, Google's search engine finds this image to have appeared over 180 times, at many other dates and in different media. It has become a "floating image" in the terms of Hito Steyerl, drifting from article to article (Steyerl 2013: 171). Unmoored, anonymous, perpetually dispersed, it echoes the conditions of the subjects it depicts. No longer pointing to a specific event, this and thousands of other similar images are practically interchangeable in their use: they evoke the *idea* of a structural event, that of the precarious boat overloaded with "poor" and "coloured" people breaching the borders of sanctified white and wealthy Europe.

This and thousands of other similar images however do not simply document or conjure the mental image of the event of "clandestine" boat migration and its interception.[2] In the perspective developed in this thesis, images – as other forms of aesthetic and

knowledge production – are not exterior to the events they document, but are *practices and objects* which are *part of the world and shape it in multiple ways*. By "aesthetic" I am not referring to something that is beautiful but rather to that which pertains to the senses, and I thus refer to aesthetic practices and objects as the practices that enable our perception of the world and the objects that may result from them.[3] To get a glimpse of the ways in which aesthetic practices and objects are inscribed in the *politics of migration* – a term I use to denote the conflictual force field involving state and non-state actors that shapes migrants' capacity to move across borders and their condition[4] - let us try to follow this image through some of the stages in its trajectory, from the moment and conditions of its production throughout its never-ending circulation.

Figure 2: Screen capture of *The Guardian* article "Migrant boat disaster: Europe's dereliction of duty", Philippa McIntyre, 29 March 2012, accessed 16 October 2014.

In seeking to re-moor this floating image to the conditions of its production, but in absence of any date or description of the events it depicts, I can only follow the lead of the image's credits indicating its legal owners: "AFP/Getty Images". A new search on the online AFP image archive with the term "migrant" produces over 17,000 results. I find the image in question as item PAR2176581 (fig. 3). Here I can read that this photograph was released on the 25th of September 2008 by the French Navy. According to the caption, it "shows a fishing boat carrying 300 illegal migrants in the Mediterranean sea, before their interception on September 24, by a French naval vessel patrolling for the EU border security agency Frontex. The French navy released the migrants to the Italian authorities on the island of Lampedusa."[5]

Figure 3: Screen capture of AFP image archive showing the migrants' boat image released by the French Navy on September 25, 2008, accessed 16 October 2014.

Searching for further information about this event, I quickly find that this minimal description of a seemingly smooth sequence of events in fact conceals a much more tumultuous interception: some migrants reported that during the transfer from their vessel to the French military ship, the military fired gunshots in the air.[6] This photograph was thus taken by a military of the French Navy who held a camera in his hand while his fellow crewmembers held machine guns. *The camera froze the boat in time while the migrants were being immobilised in space under the threat of violence*. The act of photography was thus deeply intertwined with the event it documented. This image is no less bound to the violence of borders throughout its subsequent circulation in the press. For as Nicholas de Genova (2013a) has powerfully argued, the constant appearance of this and similar images of intercepted/rescued boats in the mainstream media participate in the "the border spectacle". Through them, the threat of illegalised migration and the securitisation work of border control are simultaneously made visible and naturalised, in a circular way. If migrants are being intercepted through militarised means, it is because they are a threat. If they are a threat, then they must be policed with all necessary means. However, by focusing on the *scene* of border enforcement, the conditions that lie before – the state production of illegality through policies of exclusion – and after – the future exploitation of illegalised migrant labour – remain hidden as an *obscene* supplement (De Genova 2013a). There is then a fundamental link between three distinct dimensions of migrants' *exposure*: the visual exposure of illegalised migrants, their being "ex-posed" – rendered outside and excluded – of a given community and the exposure of their bodies to conditions of precarity and death.[7]

Figure 4: Screen capture of Nawal Soufi's Facebook page showing the migrants' boat, accessed 11 November 2014.

However, this image's uses and effects are neither singular nor stable. Floating images drift to multiple locations at once, where they other meanings are conveyed onto them and where they come to be embedded in other practices. In this the meaning organised by the *framing* of reality through the camera's lens in the initial moment the photograph was taken, as the meaning which is superimposed onto it by its framing by text in a particular article in its mainstream circulation are constantly destabilised and contested (Butler 2010). While I write this introduction, I stumble on another occurrence of this image (fig. 4), which Google had not revealed to me. On the Facebook page of Nawal Soufi, an Italian-Moroccan activist based in Sicily who has become a key figure supporting Syrian migrants crossing the Mediterranean sea since 2013, I find this image embed as her profile picture and "liked" by 1,158 people. Here, it stands as an icon, on the background of which figures a radical demand for a "global passport". On the image itself, written in Arabic, is a text stating: "Our state has not been able to offer fish to its citizens, but it has offered citizens to the fish". In a post dated 10 November 2014 that appears below the image, Nawal Soufi has written a poem addressed to those who have never arrived, concluding with the demand for the immediate opening of a humanitarian corridor. The image bears neither a caption for the specific event it depicts or credits for the legal image holders.

In this instance, the very anonymity of the subjects the image depicts – further exacerbated by the pixelation of the image – allows it to represent *all* illegalised migrants crossing the sea. It becomes a rallying banner, inscribed in and an expression of a practice of unconditional support to their unauthorised movement across the

borders that striate the sea. Through her Facebook page, Nawal is one the actors of the contemporary underground railroad, an abolitionist of the 21st century.[8] This image, initially produced as part of an act of violence and circulated as part of the spectacle of borders, is here re-appropriated towards this struggle and its network. This image not only circulates within, but is a vehicle that contributes to connect a transnational network, which is only partly revealed by searching for occurrences of this image baring the Arabic text on it through Google's search engine, and remains mostly hidden within social media's private forums.[9] This then is both an underground railway for the movement of people *and* images. In the process, the image is literally un-credited– or better, de-credited: its circulation has been severed from the networks of capital. It has been *emancipated*, in the etymological sense of the term – severed from ownership (Didi-Huberman 2010, p.129) even though our own gaze itself remains inscribed within an economy of attention (Beller 2007).

Staring at this image, the event it depicts and seeking to untangle the different moments in the production and circulation of the image itself, provides an entry into the core of this practice-based thesis: *the intersection between the politics of migration and that of aesthetic and knowledge production*. The main argument this thesis makes is that aesthetic practices and objects play a key role in shaping the politics of migration, either in reproducing the current migration regime or undermining it. To understand the contemporary politics of migration we have to attend not only to migrants, states, international organisations, to name some of the major actors usually taken into account in research on the subject, but also a wide range of aesthetic practices and objects – such as photographs, videos, maps, satellite images and statistical graphs – which are produced and used by an equally varied number of actors - border police, the main stream media, NGOS, international agencies, artists and migrants themselves. These aesthetic practices and objects play a key role in the politics of migration: they are used to track, police, measure, entertain, create value, produce fear of migrants or deter migrants themselves, but also document violations, contest, support and enable illegalised movement across borders. At times, aesthetic practices and objects may do many things at once, as their meaning and effects are subject to multiple breaks and shifts throughout the multifarious contexts of their circulation. This practice-based thesis explores the ways in which these multiple aesthetic practices and objects participate in the politics of migration.

In the remainder of this introduction, I describe further the object of my thesis in terms of an entanglement of *liquid trajectories*: those of illegalised migrants, bordering practices, aesthetic practices and objects and my own trajectory as a researcher, aesthetic practitioner and activist. I then introduce the research ethic and methodology of the Centre for Research Architecture which I made mine and the main phases in my research and practice, through which I outline the subsequent chapters. In the second half of this introduction I inscribe my research within broader theoretical debates, on which this thesis draws and seeks to contribute to. These are mainly (1) a focus on transformations of global political geography, borders and the government of migration (2) a postcolonial perspective on the world order and illegalised migration, (3) an understanding of aesthetic practices and objects that grounds them in the material and social world.

Liquid Trajectories at the Intersection of the Politics of Migration and of Aesthetics

This thesis brings together my research and practice as an aesthetic producer, researcher and human rights activists over the last six years – the duration of my journey through Centre for Research Architecture. During this time – as well as it before and after it – I have pursued stubbornly a single question: *How to understand, document and contest the violence of the contemporary migration regime operating between Europe and Africa?* In seeking to answer this question through research and practice, I have mainly focused on the *government of illegalised migration* across the Mediterranean Sea, and the deaths it produces on a large scale.[10] I have relied on photographs, videos, maps, satellite images and statistical graphs. In asking how these different forms of aesthetic production and documentation could be used to contests the current migration regime, I have always equally had to ask how they are put to use towards its very enforcement and reproduction. I see aesthetic practice and knowledge production as a dimension of the conflictual force field of the politics of migration.

My successive experiments in answering the question that guides me have taken me on a meandering route, one in which shifts have been spurred as much by exterior events in the field of the politics of migration, new questions that emerge through practice, and theoretical shifts in the fields I engage with. My research and practice concerns to the turbulent movements of illegalised people, those of disseminated bordering practices that seek to govern then, the "lives" of aesthetic practices and objects I attend to and

produce, and my own trajectory as a researcher, aesthetic practitioner and activist. This thesis then is "cluster of flowing currents" – in the words of Edward Said that open this introduction, an entanglement of liquid trajectories, that gives its title to my thesis. *Trajectories* may be defined as the lines traced in space by mobile objects. Contrary to a route, a trajectory has no predetermined destination, neither does it follow a fixed path. It is not an abstract line, but rather the *embodied* line that is the product of the *encounter* between the movement of the mobile object and the resistance of the real world. In this it is impossible to separate the movement of the object and the resistance that steers its course.[11]

I find the concept of *liquid trajectories* useful to characterise the different currents from which this thesis emerges. The metaphor of flow that marked the birth of migration studies (Ravenstein 1885) have come under harsh criticism, for the a-historical, deterministic and de-humanising understandings of migration it lends it self to (Papastergiadis 2000; Mezzadra 2011; Mezzadra and Neilson 2013: 209). And yet despite these problems, I am convinced of the merit of this metaphor if used carefully. Water can never be possessed once and for all. It may be stored in bottles to be sold, but not in large quantities. If one tries to grab it, it slips through one's hands. If one seeks to lock it into a lake, it overflows dams and dikes, or evaporates into its perpetual cycle. The metaphor of flow thus suggests powerfully the impossibility of possessing or halting the movement of humans. However, the flow of liquid elements should not be considered smooth, as has been too often the case in uses of this term within globalisation studies.[12] Engaging productively with the metaphor of flow demands that one emphasis the real world of unevenness flows encounter. It demands that we emphasize the *friction* that is the product of the encounter between flows and multiple forms of resistance.[13] When encountering an obstacle, migrants, like water, do not stop, but erode it over time, multiply their paths, shift routes. This liquid-like power of migration is affirmed by migrants themselves. In a workshop with fellow geographer Sebastian Cobarubbias and anthropologist Maribel Casas-Cortes, members of an association of undocumented migrants in Zaragoza, Spain, commented on an intergovernmental map of migrants' routes between Africa and Europe: "this looks like an attempt to do the impossible: control something in constant flux". They continued: "if they get to control those routes, lines are going to multiply some where else" (Casas-Cortes et al. 2014).

Policy makers and bordering practitioners are well aware of this restive nature of human mobility and perceive migrants as uncontrollable liquids, which they never the less seek to *channel* – or in the words of Panagiotidis and Tsianos, to "produce governable mobile subjects from ungovernable flows" (2007: 82). For instance, Benita Ferrero-Waldner, European Commissioner for External Relations and Neighbourhood Policy, compares migration management to *river management* in order to explain the need for interstate cooperation (European Commission 2006). Jonas Widgren, the former Director General of the European migration policy think tank ICMPD (International Centre for Migration Policy Development), describes himself as a *plumber* who mends leakages in some places, opens up for flows in others, attempting to create positive flows (Fleischer 2003).[14] So as to control the movement of *illegalised migrants* – migrants' whose movement as been made illegal by state policies[15], bordering practices have been decoupled from the line demarcating state boundaries and become mobile themselves. Disseminated and fluid, they are no less violent for that.

As the story of the floating image with which I opened this introduction should suffice to demonstrate, the aesthetic practices and objects I consider in this thesis are no more stable or possessable. Aesthetic practices are emulated between actors either enforcing or contesting the migration regime, and at time the very same images, maps or statistics are used to opposite ends. The discourse on and representations of the suffering of migrants is no longer the exclusive attribute of the critics of the government of migration, but participate in its very justification and enforcement. Following the splintered and multifarious trajectories of images, maps, statistics and discourses allows to chart these shifts and ambivalences and the multiple effects aesthetic practices and objects can produce depending on the *assemblages* of people, institutions and technologies they come to be inscribed in.

Finally, the liquid metaphor is also fitting to characterise my own trajectory as a researcher, aesthetic practitioner and human rights activist. My research and practice too evolves and shifts in relation to the resistance it encounters. Its development take the shape of bifurcated paths and ruptures, which are the product of *encounters* with an outside that forces one to think, in the terms of Gilles Deleuze (Deleuze 1986: 125-6, Zourabichvili 1994: 453). Each chapter is a temporary answer to my research question, one which necessarily encounters new problems, unexpected complicities and new demands paused by the shifting field of the politics of migration, that force a

reorientation of my thought and practice. In this my research and practice finds again echo with my quote of Edward Said in the above epigraph: it is always in place – within and against the world - and that is what sets it in motion. It too is marked by a fundamental scepticism, that is the product of the consciousness that what I do and think will have to be undone and rethought, and that my practice and its modest victories will always be a far mark off bringing the violence of borders to an end. The thesis then is a portion of my path in an ongoing trajectory which, like the cycle of water, is necessarily open-ended.

The thesis unfolds in three main chapters, constituted by research and aesthetic products articulated around a key question and during a particular phase in my practice – although this is not a story of simple succession, since several directions of inquiry advance simultaneously. Each chapter addresses a specific practice, context and theoretical field. In the following section, I will present briefly these successive stages and bifurcations of my research and practice. Before doing so, I point to the epistemology and political positioning I made mine in joining the Centre for Research architecture, and which has informed my practice.

Thesis Outline: Junctures in the Bifurcated Paths of Practice

The sinuous paths of six years of practice I chart through these pages is only a portion of a longer trajectory. The thesis in fact draws on material I have produced over the last ten years and points to projects I hope to continue in the future. My first film *NEM-NEE* (2005), which uncovered the dire condition of illegalised asylum seekers in Switzerland, was produced as part of a wide civil society campaign to defend migrants rights. My second film, *Crossroads at the Edge of Worlds* (2006), attempted to produce alternative representations of transit migration at the borders of Europe, underlining migrants' social networks and the many strategies they resort to evade state repression. This video was produced and circulated as part of the art and research project the *Maghreb Connection* (Biemann and Holmes 2006). But in 2007, as I will detail further on, my practice encountered a moment of deep crisis after I came across the International Organisation for Migration's (IOM) "information campaigns", in which they produced fictionalised representations of the conditions of precarity, exclusion and death that I had documented myself. Here, however, the aim was not to denounce the migration regime that led to these forms of violence, but to dissuade potential migrants from coming to Europe. Images of suffering had thus become tools in the government of migration, and this led me to question both the

strategies and effects of my own practice. I needed to pause and ask myself: *What did your films actually do? What political effects did they produce? Where they the ones you envisioned?* I needed, for a time, to stop producing *images of migration* and enquire into the *migration of images* themselves.

It was during this period of crisis and reflection that I encountered the Centre for Research Architecture, which provided an environment to make this crisis productive, and eventually lead out of it. I was drawn to the Centre for its unique research ethic: it brought together architects, artists, filmmakers and theorists who had in common simultaneously addressing political *issues* as well as the politics of their own *practice*. Politics then, was not something located "out there", but rather within the practitioners own medium, working conditions and practice. The Centre was further ideal for me since it is dedicated to experimenting with blurring the boundaries between research, aesthetic practice, and political intervention. Rather than advocating distanced observation, the Centre emphasises participation with concrete actors and social realities as a form of intervention that can generate new knowledge and aesthetic practices. While critical distance is not evacuated here, it is a distance that must be created from within the intricacies and contradictions of practice – or from a position of *critical proximity* in Eyal Weizman's words (Weizman 2013). In short, the aim was as much to "*think what we are doing*", in the words of Hanna Arendt (1958), then to *think through doing*, and *do through thinking*. In the process, the binary categories of thought and practice are challenged.

The works developed within the Centre further had a unique emphasis on space and materiality, articulating, through case studies, the infinitely small – such as the technical characteristics of images – with the infinitely big – such as global political and economic transformations. Or more precisely, this lens allowed me to *trace* from within specific cases and materialities, an expansive web of philosophical questions and political conditions. Finally, the Centre was committed to collaborative research and practice: the collective and collaboratively organised seminars were a formidable processes of turning ideas around, and "individual" projects became infused with the ideas of many others. My individual trajectory has thus been deeply shaped not only my own encounter with exterior events and theories, but by the way this encounter has been mediated by a collective thought process.

The perspective and methodology developed by the Centre has been crucial in the practice-based research that compose this thesis. It has allowed me to explore critically my own practice and its politics. It has allowed me to attend to the materiality and technologies involved in the aesthetic practices and objects I have attended to and produced, as well as to be attuned to deep global transformations. It has pushed me to engage with migrants and migrants' rights organisations as part of my research, and thereby allowed me to simultaneously contribute to (modestly) *transforming* and *understanding* the world. By engaging with aesthetic practice and non-governmental politics, I have been able to shed new light on the ongoing transformations of the politics of migration, themselves, as I will argue below, a dimension of the shifting political geographies of our postcolonial world.

While I further detail the successive moments of shifts and rupture in my practice in the prologues that introduce each chapter, it is useful to outline them briefly here. In the first moment, which coincides with the start of my PhD in 2009 and the moment of crisis in my practice produced by the encounter with the reapropriation of the images of migrants' precarity by the IOM, I trace the "lives" of the images of migration I produced over 10 years, and seek to chart their variegated effects as they themselves "migrated" through different contexts and practices. In this work, contained in *Image/Migration* (Chapter 2), I sought to challenge the way we conceive of the politics of the image, and shed light into the many ways in which image practices and objects have been put to use towards the government of migration or to contest it.

Looking at image *practices*, I attend for example to the production of Ridley Scott's film *Black Hawk Down* (2001), which was shot in Rabat, Morocco, and through which illegalised sub-Saharan transit migrants hired to act as extras secured a temporary legal status as well as cash which some used to pay for their crossing to Europe. Through such examples, I show that an attention to images as practices allows us to see new and surprising ways in which image production becomes agentic in the conflictual field of the politics of migration, and that the effects of image practices may not always be those intended by their authors. Looking at the migration of images as *objects*, I attend to circulation of images depicting the suffering of migrants, from the hands of actors who seek to govern migration to those who contest it, and back. In *Fractured Chains of Custody*, I trace the stages of the circulation of a photograph of migrants' boats set ablaze by the Moroccan military from their own documentation to my own video

project *Crossroads* (2006) which used this image to denounce the violence perpetrated onto migrants, to an IOM newsletter concerning anti-trafficking and anti-illegal migration activities and finally its use in social media to contest the violence of borders once again. Rather than the "photographed event", I attend to the "event of photography" in the terms of Ariella Azoulay (2008b), and to how the image operates within the successive institutional and technological assemblages it comes to be embedded in.

Looking at the role of image practices in the section *Perception Management*, I analyse the IOM's media governmentality, in which images of suffering are used to deter potential migrants. In the process, I am able to address some recent shifts in the government of migration by the European Union, which no longer only seeks to control the movement of people, but also to shape the wider processes that condition migration itself – such as wars, economic development and perception. This shift entails an expansion of practices of migration management in space to encompass countries of 'origin' and 'transit', reaching a scale which is at least potentially global. In the process, non-governmental and intergovernmental actors – such as the IOM – become key partners in terms of enabling operations outside of national borders and in a wide range of fields (Kalm 2012). Crucially, these organisations adopt the language and visual repertoire of development, human rights and humanitarianism to forward the government of migration.

A second moment of bifurcation in my research and practice (Chapter 3: *Forensic Oceanography*) coincides with the rupture in global geopolitics and in migratory patterns and bordering practices unleashed by the 2011 Arab uprisings, as well as with the beginning of the collaborative project *Forensic Architecture* initiated by the Centre for Research architecture in Autumn 2009. The project took its starting point from a recent shift in the field of human rights, from a practice based on gathering testimonies of violations to "mobilise shame" in the public sphere (Keenan 2004), to one relying on multiple forms of technical evidence – from videos to satellite imagery, the analysis of DNA to that of rubble – and geared towards the legal sphere. The collective research project was launched to simultaneously explore – through research and practice - the new possibilities that the "forensic turn" might offer, and on the other, reflect critically on its implications. This project opened a new political and theoretical horizon within which fellow researcher and architect Lorenzo Pezzani and I developed the *"Forensic*

Oceanography" project, which sought to forge new tools to document the violations of migrants' rights at sea and understand the conditions that shape them.

In *Forensic Oceanography*, with the assistance of technical experts and SITU Research, we seized remote sensing and mapping technologies usually used for surveillance to contest the impunity which prevails for the deaths of migrants at the EU's maritime frontier. The cases we were able to document – in particular the "left-to-die boat" case, which led to several legal complaints against states for non-assistance – allowed to untangle the complex geography of the EU's maritime frontier, which we attend to in the section *Liquid Traces*. Here, partial and overlapping jurisdictions, the patchy vision of surveillance, patterns of maritime traffic that connect the producers and consumers across the globe, mobile border patrols, and the splintering routes of illegalised migrants all converge to produce a regime of hierarchised and segmented mobility: speedy and secure for certain goods and privileged passengers, slow and deadly for the othered and dispossessed. This mobility regime is necessarily conflictual as it operates along one of the major geopolitical and geoeconomic fault lines of the postcolonial world – a division precisely contested by the unauthorised movement of illegalised migrants.

In the section *Making Waves*, I reflect further on the effects of our practice, questioning the limits and potentialities of the legal sphere's transformative capacities, and following the ripple-effects our practice has had in the field of migrants' rights and at the maritime frontier. In particular I discuss how the innovative methodology we developed for our investigation on the "left-to-die boat" case was the basis for *WatchTheMed*, an on-line mapping platform designed to enable civil society to exercise a critical "right to look" at the maritime frontier of the EU, in the aim of both documenting and preventing the violations of migrants' rights. Here, even more crucial than the sensors of remote sensing technologies, are the eyes, bodies and networks of "citizen censors", to use the tem forged by Michael Goodchild (2007). Together, they constitute a human-machine assemblage.

In a third moment (Chapter 4: *Tactical Statistics*), which has emerged from and continues in a parallel way to the Forensic Oceanography project, I ask how one might demand accountability not only for specific incidents leading to the loss of migrants' lives and the acts of individuals and institutions involved in them, but *for the more than 20.000 documented deaths at sea since the end of the 1980s?*[16] Or in other words*: How*

might one demand accountability for a policy that produces deaths on a structural basis? To answer this question I turn to statistics of migrants' deaths at sea. However, because statistics are a key *political technology* used to govern migration, I argue for the need to engage with the politics of statistics so as to define a way to appropriate statistics in a politically progressive way.[17] I show that statistics of illegalised migration are not simply descriptive, but are generated in the very process of intercepting migrants, and that, like the boat images I described above, they participate in the spectacle of borders. I also demonstrate that counting the dead is now also part of the discourse of state agencies such as Frontex, which seeks to justify its bordering practices as acts of saving. A critical statistical practice - what I call "tactical statistics" - then needs to re-connect *counting* with *accountability*, and inquire into the evolution of *mortality* as a measure of the dangerosity of crossings and how it has been shaped by migration policies. Towards this endeavour, I explore innovative statistical methodologies that were initially invented in the field of wildlife, such as Multiple Systems Equations, which could be used to make an inference of the actual (as opposed to documented) number of deaths, thereby *generating a statistical trace of the loss of lives which have left no trace*. This exploratory chapter does not seek to operate the analysis on mortality, but to outline a critical perspective on statistics of migration and migrants' deaths that I hope to engage with further in the future.

In a concluding chapter (Chapter 5: *For Movement*), I seek less to bring the findings of my thesis together than to open towards a critical engagement with what I see as the political alternative to the current migration regime: *freedom of movement*. Freedom of movement is, I argue, an ontological fact before it is a political demand or policy. The persistence of trans-Mediterranean migration over the last 25 years despite illegalisation is ample empirical proof of this. However, as a political demand, it must confront several difficulties. A historical perspective shows us that European colonisation was partly justified by what was then considered a natural right to travel across the surface of the earth (Angie 2004; Hobson 2013), thereby pointing to the need to qualify the conditions in which freedom of movement should be exercised. Furthermore, the abolition of historical migration regimes involving a high degree of unfreedom (such as the regimes of slavery, indentured labour, guest worker) has led to new forms of unfreedom and control. Can we prevent this from being the outcome of the demand for freedom of movement, if so, how? This question is particularly pressing, in a time when the demand for *more* (as opposed to universal) freedom of movement has itself migrated

from the Left and migrants' rights organisations to the discourses of international organisations such as the IOM, the UNDP (United Nations Development Programme) and WTO (World Trade Organisation) which are marked by a neoliberal agenda (Geiger and Pécoud 2009; Kalm 2010; De Genova 2013b). In this conclusion, I ask more questions than I offer answers.

To *not conclude* but rather point to directions to think critically the *necessary* demand for freedom of movement as well as next steps in my trajectory of practice, I offer a glimpse of an ongoing film project located in Tunisia (where I have lived during the two final years of my thesis). This project seeks on the one hand to account for the temporary opening towards freedom of movement which close to 30.000 Tunisians seized in the immediate aftermath of the fall of the Ben Ali regime in 2011. On the other hand, it aims to look at migration from the perspective of free and perpetual movement – of people, but also of other species (such as birds) and non-human elements (wind, water). A more poetic and philosophical project than rest of my thesis, it seeks to offer a radical displacement in the way we perceive movement – as the norm, rather than as a dangerous anomaly. This, I argue, is the condition for us to be able to open our political imagery to radical alternatives. This chapter is then a political stand, a call, a homage as well as. In all these ways it is emphatically *for movement*.

These distinct stages in my practice are woven together by a "diary of practice" of sorts: each chapter is introduced by a short prologue which situates it within my trajectory as a researcher, aesthetic producer and migrants' rights activist, as well as in relation to the particular events that spurred it and within a theoretical field. While each of these chapters brings together material produced in the course of experiments seeking to understand, document and contest the violence of the contemporary migration regime, and thus have a strong unity in this respect, they are also extremely diverse. They do not seek to answer any single research question or prove any single thesis as most theses in the social sciences would. They draw on a wide ranger of fields, theories and approaches. They also address a very wide range of practices – photographic and video images, maps, remote sensing and modelling, and statistics. In doing so, I am constantly pushed to the limits of my knowledge – finding my self at times "out of place" in the words of Said, or better, in an "extradisciplinary" position, to use the term forged by Brian Holmes to qualify artistic practices that engage with distant fields (Holmes 2007). Some may find my claim to engage with multiple fields and theories pretentious. I have

simply found it to be a necessity. Rather than approaching the world through a pre-defined perspective and practice, I have felt the need to always start again questioning and engaging with the world, and to seek or forge new forms of knowledge and practice that are adequate to this endeavour. This engagement however has not only been made possible – and necessary – by my intellectual curiosity, but the hospitality and generosity of researchers in these different fields. Without shying away from this fragmentation and multiplicity, I do see a number of common currents running through these chapters, to which I now turn.

COMMON THEORETICAL CURRENTS

In exploring the role aesthetic practices and objects play in shaping the politics of migration, either in reproducing the current migration regime or undermining it, I bring several theoretical fields together. At times, in the following chapters, I bring them to the fore, but more often they flow through them as "under currents". It is important in this introduction to make these inextricably theoretical and political perspectives explicit. They are mainly (1) a focus on transformations of global political geography, borders and the government of migration (2) a postcolonial perspective on the world order and illegalised migration, (3) an understanding of aesthetic practices and objects that grounds them in the material and social world. I address these in turn.

Global Political Geography, Borders and the Government of Migration

In my successive inquiries into the intersection between aesthetic practices and the politics of migration, I grant particular attention to novel practices of bordering, the new objects they seek to control, the specific political technologies involved, their spatialites, and the assemblages between states and non-state actors that arise in the process. The practices I attend to – such as the managing of perception of potential migrants by an international organisation (IOM) or the policing through patrols and surveillance technologies of the EU's maritime frontier - bring us a long way from what may still be imagined as border work: the control, by state actors, of the movement of people and goods across the *line* that defines the outer limit of a state's territory. In this I situate my research within debates concerning the transformation of political geography in the current phase of globalisation, and in particular what this entails for the government of borders and migrations.

A wide literature has addressed the question of the transformation of the state form in the current phase of globalisation.[18] A first generation of scholars writing at the end of the 1990s, believing that state sovereignty was being eroded by supra and sub-national flows and the proliferation of competing non-state actors, predicted the end of the nation state (Ohmae 1995*)*. These arguments were first met by a virulent and binary defence of the state, claiming that the novelty of the scale and intensity of flows described by globalisation theorists needed to be relativised in relation to earlier phases of globalisaton, and that states were alive and well and continued to dominate the global

political landscape (Hirst and Thompson 1996). This argument gained traction in the aftermath of a new round of US led military interventions and occupations that followed 9.11. In recent years, more complex perspectives have been formulated. On the one hand, these have historicised an idealised and Eurocentric perspective on the state form (Seth 2011), demonstrating that spatial fragmentation and competing claims for authority between multiple actors over the same space has been the rule rather than the exception (Benton 2010). On the other hand, authors such as Saskia Sassen have focused on the *change* of state functions and practices within the current phase of globalisation. Saskia Sassen in particular has underlined how some components of state work have been denationalised, the shifting spatialities in which these have been exercised and emphasised the way states participate in global flows as actors rather than simply being victim of them (Sassen 2006a).

Because territorial borders demarcating the outer limits of a state's sovereignty is one of the defining characteristics of the idea of the modern state (Agnew 2005; Sassen 2006a; Steinberg 2009b; Elden 2013), and because the control of the movements across these borders has equally come to be perceived as one of the attributes of sovereignty (Torpey 1999), observing the transformations of borders and the control of migration has been a key empirical site to contribute to the debate concerning changing state practices and spaces.[19] A key shift has been the understanding that *bordering practices* (Newman 2006) are not necessarily tied to territorial demarcations of state boundaries, but may evolve in a fluid way in frontier zones – as in the case of maritime patrols in the Mediterranean Sea - or operate through scattered but connected networks – as in the case of state and privately operated control of ports and airports.[20] In addition, authors such as Sandro Mezzadra have demonstrated that borders do not simply serve to obstruct flows, but to channel and hierarchize them, and that border control is not simply repressive but *productive*, amongst other things of new conditions of illegalised and precaritised labour through "inclusive exclusion" (Mezzadra and Neilson 2013: 157-165). This insight has been key in allowing us to see illegalised migration not simply as the product of the "failure" to enforce policies of exclusion, but rather as a durable migration regime that operates through failure and permanent crisis.[21]

Foucauldian perspectives on the government of borders and migration have proven to be particularly productive in analysing new assemblages of actors, discourses, rationalities, political technologies and the transnational spaces in which they are

deployed.[22] The conceptual tools box Foucault has forged allows for fine-grained analysis of the *how* of government.[23] Particularly productive has been Foucault's emphasis on the form of power he called "governmentality" – a technology of power that takes populations as its target through security apparatuses (2007: 144). Because Foucault saw governmentality as a way of managing and steering population movements and freedoms rather than obstructing them entirely, and of seeking to make them productive all the while detecting "anomalies" and "threats" within them, researchers using a governmentality perspective have been attuned to emergent forms of migration management which, as argued above, seek to channel flows, and in which freedom and securitisation are inextricably bound (Bigo 2002). Because Foucault's security apparatuses may operate at various scales and are not necessarily delimited by any particular architecture or state boundary, researchers mobilising this perspective have been less constrained by the "methodological nationalism" that has marked many studies of migration (Agnew 1995; Wimmer and Glick Schiller 2002), and been able to capture the emergent transnational spatialities of bordering practices and the government of migration. Foucault inspired perspectives have equally attended to the new assemblages of actors involving, amongst others, states, international organisations, NGOs and other private actors such as transport and surveillance companies that are key to operate in this expansive space of government (Walters 2008; Andrijasevic and Walters 2010). To capture the way these assemblages operate and the forms of government that result from them, the concept of *"migration regime"* has emerged as a key concept to attend to the way the movement of people across borders is not just determined by states, but by the encounter, conflict, cooperation and negotiation between multiple actors, norms and rationalities (Tsianos et al. 2009, Casa-Cortes et al. 2015). Finally, studies framed within a Foucauldian perspective have been particularly attuned to new technologies of government, from passports and fingerprinting to body scanners and algorithms, which often involve different forms of aesthetic practices (Amoore 2006, 2009).[24]

A question that has re-emerged in recent years within debates on changing political geographies and border studies, is the role of "non-human" actors in general, and the environment more specifically (Dittmer 2013). Seeking to understand the way the environment shapes human agency and political organisation is in no way new to political geography. These were amongst the founding questions of geopolitics. Friedrich Ratzel (1844-1904) in particular saw states as organisms, the dynamism and

territorial expanse of which was related to the blood of its people and the environment it inhabited (Ratzel 1897). Ratzel and his followers have been largely relegated to the dustbins of the discipline's history for their environmental determinism, racist perspective and complicity with colonialism (Agnew and Corbridge 1995: 49-65). However, over the last years, questions of the influence of the environment on human agency and political geography have come to the fore once again, in relation to climate change on the one hand, and what has been termed a "non-human" theoretical turn, which has decentred the claim of humans to the monopoly over agency and considers objects, matter and the environment as *actants* (I discuss this shift in more detail below). In the process, the relation between humans and the environment is being radically re-thought in a non-deterministic and mutually constitutive way (Stallins 2012; Depledge 2013; Dittmer 2013). The concept of "geopower" forged by Elisabeth Grosz, allows precisely to attend to the way the environment shapes human agency, but how in turn this geopower is shaped by human intervention (Grosz 2012; Depledge 2013). This perspective, which is important for me to attend to the way the maritime environment constrains and enables both illegalised migrants and those who seek to control them, is only beginning to be applied in migration and border studies (Nyers 2012).

My aim in the following chapters is to build on and contribute to this research into the transformations of global political geography, borders and the government of migration, by attending to the new objects, practices and spatialities of bordering that my inquiry into the intersection of aesthetic practices and the politics of migration offers. In the section *Perception Management* (Chapter 2), relying in particular on a Foucauldian perspective, I show that potential migrants' very subjectivity is now perceived by states and international organisations as a site of bordering.[25] Unable to control the unauthorised movement of their actual bodies across borders, states operating through the IOM seek to control the way populations defined as "potential migrants" perceive migration and seek to deter them from migrating through targeted "information", circulated through multiple media ranging from videos to posters, radio to workshops in schools. As such, the practice of managing migrants' perception involves an assemblage of state and non-state actors, and a bordering practice that operates through novel means and spatialities, expanding far beyond the territorial line of the border to reach out to any place where the populations defined as *potential migrants* may be located.

In *Forensic Oceanography* (Chapter 3), by reconstructing specific events involving the violations of migrants' rights, I show that the Mediterranean Sea is a key site to observe the transformations of sovereignty. Using the concept of "geopower", I have sought to attend to the ways the liquid element both constrains and enables actors operating within the force field of the politics of migration. Water is both an element that may enable movement and constrain it deeply. However, its geopower is deeply shaped by migration policies and bordering practices. Maritime spaces do not lie outside of state jurisdictions altogether or their effective reach, but we observe forms of "unbundled" sovereignty - to use the term proposed by Saskia Sassen - where rights and obligations are separated and extended to varying spatial degrees (Sassen 2006a). Here states must negotiate with multiple actors (other coastal states, shipping companies, fishermen, international organisations to name a few) but also have a larger margin of manoeuvre to act – or refrain from doing so. The capacity of states to control the vast space of the sea is enabled by mobile patrols that extend bordering practices in space, but is also mediated by a technological assemblage of surveillance, in which multiple sources of data are combined in live operational maps. The latter are not representations produced after the event of intercepting illegalised migrants, but are linked operationally to the policing of the maritime frontier. Looking at the intersection of aesthetic practices and objects and the politics of migration as it operates between Europe and Africa is thus a productive way to cut through contemporary transformations of bordering practices and the government of migration, which participate in the broader transformations of global political geography.

Transitions of Empire and Illegalised Migration

Another field of inquiry the following chapters engage with concerns the transition between the world of formal empires and the present world order, and the way illegalised migration and its policing operates in this transition. In each of the following chapters, I refer to examples of practices of government and aesthetic production taken from the archive constituted by the history of colonialism: in *Image/Migration* (Chapter 2), the colonial cinema and its aim to shape the subjectivites of colonial subjects; in *Forensic Oceanography* (Chapter 3), the government of maritime routes linking empires and the role of colonial cartography; in *Tactical Statistics* (Chapter 4), the exploitation, policing and mortality of slaves; in *For Movement* (Chapter 5), the use of freedom of movement to justify colonialism. I do not draw any direct lines of continuity between the practices of government of migration and aesthetic practices I analyse in

my case studies and these historical examples, nor do I use them for systematic comparison. Rather I position these historical examples as moments in a fragmented and multiple trans-historical genealogy of the practices I attend to. But why choose my historical points of reference within the archive of colonialism? In short, I first consider that the contemporary world remains fundamentally marked by the history of empire and that forms of core-periphery domination continue to operate in new and transformed ways. Second, I see the control of migration as one of the key forms the government of postcolonial populations takes. Assuming this to be the case, it follows that I expect to find resources for understanding the contemporary politics of migration and of aesthetics in the archive of colonialism. Let me substantiate these claims.

Transitions of Empire

I follow a number of authors in considering the contemporary world as distinctly *postcolonial*, in that I see the present as continuing to be shaped by patterns of global domination that have emerged through the history of empires. In the words of Sanjay Seth, the "post" in postcolonialism "does not mark the period after the colonial era, but rather the effects of this era in shaping the world that is ours" (Seth 2011: 175). To understand these effects and the new forms that domination has taken in the post-independence era, we need to sketch the matrix from which empires emerged in the first place. While postcolonial theorists are of crucial importance for my work and perspective, here I find the most useful analysis in the work of Marxist theorists of the world-system such as Giovanni Arrighi and David Harvey, as well as Michael Hardt and Antonio Negri.[26]

David Harvey, outlining a Marxist theorisation of the geography of the world-system argues that, because "accumulation is the engine which powers growth under the capitalist mode of production", the capitalist system is inevitably expansionary (Harvey 2001: 237). Expansion may take the forms of strategies of intensification, or/and spatial extension (idem: 242). Through time, the expansion of capitalism comes to subsume increasing domains of life and integrate ever more geographical spaces, tearing down both spatial and temporal boundaries in the process (idem: 244). While constantly shifting in relation to the new opportunities and changing modes of production, increasingly global divisions of labour lead to a hierarchisation of tasks and rates of profits within global production chains and to the rise of global inequality (idem: 250).

This expansionary logic has historically taken different forms, in which the flows of capital and forms of state exercised territorial power have entered in different assemblages. The conceptualisation adapted by David Harvey from Giovanni Arrighi is useful here: he distinguishes between a *"territorial logic of power"*, deployed by states and driven by territorial imperatives and political interests, and a *"capitalist logic of power"*, deployed by private and corporate actors and searching for endless growth and profit-making (Harvey 2010: 204). The relation between these logics is historical and contingent, at times converging or diverging: State-led territorial conquest has opened up markets for capital and visa versa, but each have also operated independently from each other. The effective division of the surface of the globe by the leading empire-states into territorially contiguous spaces over which they claimed sovereignty only came relatively late in the history of imperialism – as of the mid 19th century. Before that time, in the words of Lauren Benton, "empires did not cover space evenly but composed a fabric that was full of holes, stitched together out of pieces, a tangle of strings" (2010: 2). "Although empires did lay claim to vast stretches of territory", Benton continues, "the nature of such claims was tempered by control that was exercised mainly over narrow bands, or corridors, and over enclaves and irregular zones around them" (ibid.). What is important in this theorisation and historical perspective on the variegated form expansion has taken, is that it allows us to see that the form of the colony within an empire-state is just one of the possible outcomes of the expansionary logic of states and capital within the world system. Considering the continued expansionary logic of capital, we can expect that the (near) demise of the political form of the colony with the wave of independence that marked the mid 20th century has not put an end to the relation of domination between the core and periphery of the world system, and that the latter have simply changed form. In the words of David Harvey, "decolonisation did not end hegemony or dominance, nor did it prevent the organisation of uneven geographical development in a way that benefited the already existing centres of capital accumulation" (Harvey 2010: 212).

I find the most robust narrative of the passage from a world divided between competing empires-states through formal colonisation to one in which relations of domination between the core and periphery of the world system operate in more diffused ways, by reading the works of Arrighi (1994, 1999, 2007) and Hardt and Negri (2000, 2004, 2009) together, despite their divergences. Bringing these authors together may appear surprising, since while Arrighi is one of the key figures of world system theories and is

concerned with large scale and long-durée cycles of change in the system, the work of Hardt and Negri, two political theorists rooted in the Italian tradition of autonomist Marxism, might be seen to be infusing world systems theory with a heavy dose of post-structuralism – their core thesis of the passage to *Empire* may be summarised as Deleuze's "society of control" gone global (Hardt and Negri 2000: 330-332). While Hardt and Negri argued the world system theories are too rigid and amount to the "eternal return of the same" (Hardt and Negri 2000: 238 and 334), Arrighi has criticised them in turn for not attending to the stability of the geography of global inequality (Arrighi 2002). However, I see more convergence and complementarities between them then these disputes seem to indicate, and in his critical review of *Empire*, Arrighi himself underlines several crucial points of convergence – including the very concept of Empire which I discuss below, against which he has "no opposition" (Arrighi 2002).

Following the Second World War which marked the definite passage from British to US hegemony over the world system,[27] a combined process of demands for national liberation in the South and workers revolutionary movements in the East, Europe and the USA, led to a radical reorganisation of the world system. Within the following 20 years, a variegated process of negotiation or armed struggle led to the largest wave of formal decolonisation since the beginning of Western global territorial conquest in 1492, all the while leading to the creation of new colonies such as Israel, and leaving "successful" – for the colonisers – settler colonies such as the USA, Canada or Australia, untouched. However the newly independent states remained inscribed in relations of highly unequal exchange of capital and trade. Despite the rapid development of several emerging economies and the rise of China which is in the process of shifting the centre of the world economy, the geography of inequality between populations of the global North and the global South inherited from the world of formal empires was largely reproduced.[28] Neither has political control over foreign territories ceased to exist in the post-independence world, but it operates predominantly through *indirect* modalities. The US led core states in the creation of international bodies of governance through which they exercise their power (Arrighi 1994: 190 – 210). The debt crisis that spread across the global South in the 1980s and the structural adjustment polices that were imposed on them in its aftermath provide a striking example of this new modality of rule, in which Western dominated financial institutions simply dictate neoliberal policies to states of the global South, without needing to formally control their territories (Arrighi 2002). State and non-state actors of the global

South have as before not been the passive recipients of this new form of rule, and have sought to reappropriate this unequal relation to their own ends through "strategies of extraversion" (Bayart 2000). Both Arrighi and Hardt and Negri see the institutions of global governance as part of a radically new configuration of power on a global scale: Arrighi sees in them the tendency towards the formation of a *world-state* (Arrighi 2003, 2009; and Silver and Arrighi 2011) and Hardt and Negri (2000) see them as a key node in an emerging *Empire* – in the singular, which would be replacing the state-based imperialisms of the past.[29]

Forms of *direct* control over foreign territories have also continued to exist in the post-independence world. Following 9/11, we witnessed a temporary and unsuccessful return to forms of territorial occupation over entire states in Afghanistan and Iraq, but this has proven too difficult and costly for the waning US hegemon and its allies. Within the post-independence world, we rather see a resurgence of a fragmented and networked geography of territorial control, reminiscent of the geography of empire prior to the 19th century push for territorial expansion (Neilson and Mezzadra 2014). Through the US and NATO's scattered network of military bases, securitized ports linking global networked factories and their scattered consumers, a continued maritime presence to police the seas, core states seek to maintain control over strategic infrastructure and police global space by striking "threats" swiftly where ever they are located and retreating (Hardt and Negri 2000: 34-38; Arrighi 2007: 255; Gregory 2011a).

In the post-independence forms of core-periphery domination, effective control of territories thus operates either in an indirect and collective way through the institutions of global governance, or through the direct control of patches of strategic and/or highly profitable territories, leaving to postcolonial states the task of controlling their "surplus populations" (Sassen 2010; Mbembe 2014). What needs to be underlined is that decolonisation was the result of the demands for *equality* of colonised subjects, who, when they did not demand independence, demanded recognition as equal subjects within "their" respective empires (Cooper 2014). However, decolonisation proved to be a scam: the colonized received formal equality for their newly independent states, but these were inscribed within *unequal* relations that perpetuated domination, and ultimately *inequality* between populations of the core-periphery. In this way, core states evaded the colonised's demand for equality. It is precisely this demand that postcolonial subjects are making anew through migration.

Illegalised Migrants: Unruly Subjects of a Postcolonial World

How does illegalised migration and its control fit within this sketch of a postcolonial genealogy of the transformations of global political space? What may seem like a long detour is crucial to take a *postcolonial perspective* on contemporary migration between Africa and Europe and its government, for which several authors have argued incisively.[30] The migration of postcolonial citizens may be seen as an expression of disillusionment with the "trick" of formal independence that had been played on them. By migrating to core countries, they demanded "*instant egalitarianism*" (Arrighi et al. 1992: 242). Through postcolonial migration, which was initiated on a large scale along former colony-metropole lines in the aftermath of the Second World War, when European countries first reconstructed and then enjoyed a period of unique economic prosperity, the citizens of newly independent states came into contact with their former colonial masters once again. Lines of migration and recruitment progressively pluralised – with say Moroccans migrating to Holland, with which they had no direct colonial tie – but maintained a strong core-periphery and former metropole-former colony polarisation. While the reaction of the former metropoles varied in space and time, the end result has been uniform: all former metropoles re-erected barriers to the movement of postcolonial migrants and their claims to rights.

There is a stunning geography of closure which spreads along a similar pattern throughout Europe: an initial phase of ambivalent opening to postcolonial migrants in a time of labour shortage is followed by marked closure and discrimination to their entry as of the beginning of the 1960s.[31] With the oil crisis of the 1973, this closure was generalised and spread across Northern Europe. While Southern European countries such as Spain and Italy were in a different phase of their economic growth and remained largely accessible to postcolonial migrants through the 1970s and 80s, these countries too erected legal barriers to non-European migration at the beginning of the 1990s when EU integration was conditioned on external exclusion. The current European regime of internal freedom of movement for EU citizens and closure towards non-EU citizens is thus inscribed within a global geography of banishment and freedom defined along a matrix class and race. Citizens of core countries of the world system are free to travel the world, while impoverished and racialised citizens of the peripheries are formally excluded from entering them. What has taken shape is what Balibar has referred to as a "global apartheid" (Balibar 1999, 2003; Van Houtum 2010), which, like the South African system has many hierarchical positions and channels.[32]

However, in none of these core countries did legal closure bring postcolonial migration to an end. Legal denial to access EU territory coincided with economic and political conditions that spurred migration on the one hand – so called "push factors", and on the other hand the continued need for cheap labour, as well as for some migrants the perspective of forms of protection through asylum laws, both of which acted as "pull factors".[33] Because the migration networks that had been established through colonial recruitment provided a human infrastructure that could not be severed, postcolonial migration continued, either through family reunification, asylum or in an unauthorised form – with a great porosity between these very categories. Illegalised migration became a large-scale and permanent feature of core countries and their economies.[34] As such, rather than resulting in the spatial exclusion of postcolonial migrants from the EU or from other core countries, legal barriers thus resulted in their illegalisation and "inclusive exclusion" (Mezzadra and Neilson 2013).

Illegalised postcolonial migrants thus found themselves not only once more in the political spaces controlled by their former colonisers, but once again legally and politically excluded from them, despite living and working there in a stable way. Etienne Balibar identified this process early on as a *re-colonisation* of postcolonial migrants who became the *subjects* of Europe.[35] Colonial expansion had now shifted inwards. However, policies and bordering practices designed to control illegalised migrants have expanded outwards as well, following migrants' splintered trajectories. As a result, postcolonial illegalised migrants became not simply the subjects of a single state or region, but at least potentially, of the entire world – wherever their movement encountered the networked and expansive bordering practices of core states. In the process, the "barracks and police stations" identified by Franz Fanon as marking the boundaries of the racial and class compartments of the Algerian colony (Fanon 1963: 37-38) have been *scaled up to* police the movement of postcolonial populations (Mezzadra and Rahola 2006). Today, they materialise in the fences and militarised patrols marking each of the global fault-lines of the postcolonial world (mainly surrounding the USA, EU and Australia).

Illegalised postcolonial migrants then *simultaneously* contest the postcolonial ordering of the world through their very movement, continuing to demand the equality that formal independence has denied them,[36] but in the process, they have been reconfigured as the postcolonial subjects of global political space. The networked and mobile

bordering dispositif deployed to control their movement is one of the key forms the projection of power outwards and inwards of the formal boundaries of core states takes in the postcolonial present. If the control of postcolonial migration is one of the forms the exercise of power within Empire takes, then one can and needs to frame the acts and struggles of illegalised postcolonial migrants as an *anti-imperial struggles*, and rethink self-determination to include the capacity of postcolonial populations to determine where they wish to live and in what condition.[37]

In the following chapters, my references to practices taken from the history of colonial government implicitly draw the above connections between the history of empire, the current postcolonial world order, the movements of illegalised migrants and the attempt to govern them. I find this postcolonial and systemic framing fundamental to make sense of the contemporary forms of the politics of migration. In this light, the study of migration and its control is not isolated from wider political processes as is too often the case, but may be seen as the study of a dimension of imperial government and resistance to it. Because of the degree of continuity between the world of formal empires and the postcolonial present, historical forms of colonial government allow me to shed light on forms of migration management today. For example, bearing in mind the dual regime of citizens and subjects defined along inextricably racial and class lines characteristic of the colonies (Mbembe 2001), we are able to see clearly the way the contemporary migration regime is structured less then by the citizen-foreigner distinction than by class and race. Borders are best thought of as *political technologies* which are, in the words of Balibar, "overdetermined" by other geopolitical divisions, social and racial boundaries, and as a result are "polysemic" in that they never exist in the same way for populations depending on their position within this matrix of divisions and boundaries (Balibar 2002: 79). Similarly, the mix of governmentality, raw violence and caring characteristic of the forms of government in the colonies brings into focus the blurring of bordering, migration management and humanitarian functions, which is a particularly important characteristic of the forms of government I observe in all my chapters – particularly in reference to the IOM (Chapter 2). The forms of aesthetic practices and objects I engage with in my research are an inextricable part of governing and contesting this postcolonial situation, and as such may also find useful points of reference with colonial practices. If the IOM's information campaigns echo colonial cinema's aim to shape the subjectivites of colonial subjects, so does the laughter with

which the campaign products were met by the IOM's target audiences echo laughter as a longstanding strategy of evasion of power by the colonised (Mbembe 2001).

There is a final insight that emerges from this postcolonial genealogy of the world order and illegalised migration, which allows to challenge one of the most dominant narratives concerning the historical development of migration control in migration and border studies. What starts to emerge from the analysis above is that the contemporary political technologies used to govern mobile populations have more connections with the government of colonised subjects across empire-states than with the progressive consolidation of the nation state in Europe and the concomitant passage from the policing of mobility from the local scale to the external rim of national borders, as this dominant narratives would let us believe (see for example Torpey 1997, 1999; and Cresswell 2006, 2010). This narrative within border and migration studies is but a "sub-narrative" of what has been critically labelled the "Myth of Westphalia" (Krasner 1993; Osiander 2001; Teschke 2003), which essentially situates the birth of the interstate system in 1648 with the peace treaties of Westphalia. The treaties are seen as the founding moment of the system composed of mutually exclusive and territorially defined states and the principle of mutual recognition, before the state form was exported to the rest of the world through colonisation and decolonisation and became a universal political form. This narrative excludes entirely the persistent form of the *empire-state* and the emergence of the territorial state form *within* a history of competing empires (Cooper 2005; Seth 2011). The Eurocentric myths of the consolidation of the territorial state and the emergence of border controls are intimately related.

What might be termed the "Myth of Westphalia 2" claims that the historical shifts in the control of mobility evolved from (1) local controls in Europe exercised at the level of landlords or of towns for example over vagrants, to (2) controls over the crossing of state borders with the consolidation of the nation-state and the emergence of the citizen-foreigner distinction, to (3) progressively form an imperfect international mobility regime in which states maintain sovereign decision over the crossing of their border but are framed by a dense if not coherent body of international law and institutions. The shift is thus seen as one of scale – from local, to national to partly global – and is related to shifts from the medieval overlapping sovereignties to the territorial national state so central to the "Myth of Westphalia 1". The problems with this narrative are in turn

similar to those of the foundational myth on which it is grounded: while it may be partly valid for Europe, it fails to account for the empire-state form, the innovations in the racialised government of mobile populations that occurred in the colonies and their circulation between metropoles and colonies, and finally it fails to account for past and present migration regimes which involved a mix of scales, ranging from the local to the global. One need only think of the multiple and trans-imperial slave regimes (Peabody 2007) to exemplify the fact the migration prior to the consolidation of the nation state was not managed on a "local" level or not exclusively. Conversely, contemporary forms of migration management in Europe or in the USA today (Stuesse and Coleman 2014) as well as the Hukou system in China (Chan 2010) which continue to have a highly localised dimension, exemplify the persistence of the local scale of migration control today. While the "Myth of Westphalia 1" has been deeply questioned on both theoretical and historical grounds (for recent contributions see Seth 2011 and Branch 2012), its sub-myth in migration and border studies has not received sufficient critical scrutiny.

A critical genealogy of this narrative lies beyond the scope of this chapter, however it would include a critical review of the works of John Torpey (1997, 1999) and Tim Cresswell (2006, 2010). An alternative genealogy of political technologies of mobility control that explores its ramifications within the history of empire has only been initiated by authors such as Mezzadra and Rahola (2006) in relation to the emergence of the form of the camp or fingerprinting (2006), but the recent works by global historians of migration such as Adam McKeown (2008) are progressively constituting a historiography that should allow us to radically rewrite this narrative. In relation to the policing of the seas, I am able to add here the practice of the "right to visit" which was defined in relation to campaigns to police the slave trade after British abolition in 1807 (see *Tactical Statistics*, Chapter 4), but one could mention also carrier sanctions which emerged as a way to make shipping companies responsible for implementing the racialised exclusion of colonised subjects from white settler colonies at the end of the 19th century (Blue 2013). Tracing this fragmented postcolonial genealogy of the government of mobility promises to allow us to revise this dominant Eurocentric narrative of the emergence of border control and equip us better to understand the forms of government of migration at work today. This is an endeavour I hope to continue to pursue in the future.

A New Grammar of Aesthetic Politics: Aesthetics, Practices, Objects and Sensors

I thus see illegalised migration and its policing as a key site to observe and contest the changing political geography of our postcolonial world. But what role do and could photographic and video images, maps, statistics play in this configuration? What does looking at them tell us specific and unique about the transformations sketched out above? And first of all, what links and differentiates the practices and objects I engage with in the following chapters, that range from photographs and video images, to mapping and remote sensing, and statistics? I can summarise my response to these questions as follows: all the above-mentioned practices are ways of *registering* the movement of illegalised people and/or the violence done to them through the policing of borders. They are *sensing devices* (Weizman 2012a: 7). However, the practices I am interested in do not simply produce "representations" of migration and borders, but are rather linked immediately and operationally to the practices of bordering and of contesting them. In fact, these sensing devices are some of the novel political technologies used to police the movement of illegalised migrants, and as a result become sites of struggle against this very policing. Such an understanding of the politics of aesthetic practices and objects needs to be further situated in on-going debates concerning the politics of media, particularly within the fields of cinema, art and human rights.

In what follows I first discuss the dominant causal model used to think and practice the politics in these fields, which I argue is mainly articulated around the causal triad representation-perception-behaviour. This causal model has been challenged by several authors in each of the fields of media studies, cinema, art and human rights. I then seek to outline an emergent grammar of aesthetic politics that operates outside of this causal triad, which I articulate around the categories of *aesthetics*, *practices, objects* and *sensors*. It is this grammar on which I both build and seek to contribute to in the following chapters as I enquire and experiment with the intersection of the politics of aesthetic practice and objects and that of migration. In what follows I am not seeking to offer a general understanding of how media systems shape society. My engagement with media theory is from the perspective of a practitioner. What I have sought for are theorisations and examples of practice that allow me to attend in my research and practice to very concrete forms of media (micro)politics, that operate more on the level of political technologies of government and counter-government. What I outline below is then a theoretical toolbox rather than a general theory.

Challenging the dominant causal model of media theory, political art and human rights

I think it is fundamental to situate innovative theorisation and practice of the politics of aesthetic as a multidirectional attack on a long established causal model used to understand and practice the politics of media, and specifically within the fields of cinema, art and human right: that articulated around the causal triad *representation-perception-behaviour*. Within media studies, a long tradition of research has inquired into *media effects* by seeking to understand how the mass media shape the perception and behaviour of audiences (Livingstone 1996; Curran 2002; and Dominick and Wimmer 2010). A classic media studies research design would ask: how do certain *messages* of (distant) events affect the *perception* of their users, and in turn shape their *behaviour* – such as aggressiveness, apathy, protest or voting behaviour.

Stuart Hall has formulated one of the most trenchant critical genealogies of this research agenda, tracing it from the emergence of critical and theoretically rich inquiry into the effects of media by the Frankfurt School before the Second World War, to the migration of this agenda – through the movement of some of its researchers – to the USA where it took on a positivist and behavioural turn (1982: 58). Hall argues that "in the approach which succeeded the European critique, the main focus was on behavioural change. If the media had 'effects' these, it was argued, should show up empirically in terms of a direct influence on individuals, which would register as a switch of behaviour. Switches of choice - between advertised consumer goods or between presidential candidates - were viewed as a paradigm case of measurable influence and effect" (idem.: 59). In this research agenda Hall continues, "larger historical shifts, questions of political process and formation before and beyond the ballot-box, issues of social and political power, of social structure and economic relations, were simply absent, not by chance, but because they were *theoretically outside the frame of reference"* (ibid.).

Hall and related researchers working within the field of Cultural Studies sought to formulate an alternative critical perspective. They understood the media as a major cultural and ideological force within broader class, race and gender relations, theorised media messages as complex texts and underlined how media messages are "decoded" by their audiences (Hall 1973; Hall et al 1980: 104-05; Curran 2002: 107). While this theorisation embedded each of the moments in the media process within a critical theorisation which allowed to complexify research into audiences and embed it within wider social processes, this alternative perspective continued to be articulated *around*

the dominant causal triad. If the media process mattered it was in the way the reception of media messages by audiences reproduced or contested the dominant ideology. Whether within the mainstream or critical traditions, research into the impact of media messages on audiences continues to be one of the dominant strands in media studies, and is also part of the common sense understanding of the power of media.

For practitioners who seek to intervene politically through media practices, this causal model has several problems. First, its main problem is not that it is entirely wrong or that the relation representation-perception-behaviour is unimportant, but rather the wealth of other causal mechanisms which operate outside the dominant triad and which this model occludes. Spurred amongst others by the rise of the Internet, which challenged the very concept of audience, there have been fascinating shifts in (new) media studies which challenge or sidestep this causal triad. Innovative research has for example attended to the materiality and technologies of media forms, the politics of media archival and intellectual property, the way the activity of viewing and sharing content through social media is directly productive of value regardless of the specifics of media content, the use of media within practices of surveillance and the surveillance of media practices, as well as the ecological impact of the fabrication, use and recycling of media hardware (Cubitt 2013).[38] Here the effects of media operate regardless of the influence of media circulated messages on the perception and behaviour of audiences. Aesthetic practitioners need to engage with these multiple forms of media politics, for the new potentialities they offer but also because they may fall complicit to inadvertent negative effects of their practice if they do not.

Secondly, while much of the media effects studies focus on negative effects of viewing violence or on misrepresentation of particular groups or political issues, this model also upholds optimistic assumptions and expectations which are key in the work of politicised aesthetic practitioners. Two particularly dominant ones are first that the viewing of violent events will spur reaction from citizens aiming to bring violence to an end, and second that the production of more accurate representations of particular social groups will lead to change in public opinion and eventually policy. The first of these assumptions however begin to be deeply problematic when passivity in the face of news of violence is the rule rather than the exception or when the spectacularistion of violence is part of the violence itself – think only of the photographs of *Abu Ghraib* (Butler 2009). Concerning the second, the aim to influence public opinion in order to

influence policy seems to be a far too distant and ambitious aim for many issues. We need only think of representations of migration in a context when anti-immigrant discourse dominates the entire political spectrum. These problems have lead to a number of critical re-evaluations in the different fields I engage with, of which I will discuss only a select few which have been particularly important for my research and practice: the practice and writings of Jean-Luc Godard for cinema, the critique of spectatorship of Jacques Rancière for art, the critique of the "mobilising shame" paradigm formulated by Thomas Keenan for human rights.

The field of cinema has a long tradition of critical thinking in relation to the politics of cinematic practice. The writing and practice of Jean-Luc Godard between 1966 and 1980, when he became explicitly politicized and influenced by Maoist movements and thought, challenges the dominant causal triad in several ways. For Godard, it was not sufficient to oppose to "imperialist films" – those in which the screen sells the voice of the boss to the spectator – alternative films that would simply narrate the story of violent oppression or progressive struggles, which would be "revisionist" (Godard 1991: 70). What was needed were "militant films", which combined (1) a revolutionary *content* – by using film as a blackboard on which the political forces in a given struggle can be sketched (Godard 1991: 71-82); (2) a revolutionary *form* that sought to deconstruct the aesthetics of mainstream cinema – for example by undoing the established canon for the relation between sound and image – sound always being in the subaltern position of serving the image both in Hollywood cinema and in "political documentaries" (McCabe 1980: 59); (3) a refusal of the capitalist mode of cinematic *production and distribution* and its reappropriation (Godard 1991: 65). Here Godard's position echoes that advocated by Walter Benjamin for whom the solidarity of the cultural producer with workers on strike remained reactionary as long as it was expressed in terms of ideology and not as a material practice in the field of cultural production (Benjamin 1970: 3). In this sense, while Godard did not seek to operate entirely outside the causal triad of representation-perception-behaviour, he supplemented it with a focus on the entire process of production and distribution of cinema, which was seen to have its own politics, independently of any supposed effect on the viewer by the content and forms of a given film.

Concerning political art, Jaques Rancière has recently formulated a critique of the aim of seeking to achieve political effects through artistic practice, basing him self on a

critique of the dominant causal triad. Rancière argues that the ongoing debate on "Art and Politics" that have been played out within major art institutions over the last years is framed by the critique of the "society of the spectacle" – in which images are used to perpetuate our ignorance of the mechanisms of our domination and leave us as passive spectators of our very lives (Rancière 2009a: 57). For Rancière, this understanding of the spectacle in turn frames the understanding of the way art may spur action: if our oppression is the product of our ignorance and our position as passive spectator, then art that seeks to affect political change must educate the people by representing forms of domination and break the lethargy of spectatorship by using strategies aiming to shock and distance the viewer or even disrupt the very condition of spectatorship itself, so that we may regain life and action (ibid.). Rancière is deeply critical of the assumption that both apathy and action are causally related to images. On the one hand, he affirms that viewing is always already an activity since it involves interpenetration - thus echoing the above mentioned argument by Stuart Hall (1973) but without acknowledging him. On the other hand, he considers that the causal link between aesthetic forms, knowledge and political action is hard to demonstrate or to calculate. He argues that while the weakness of this causal link had been hidden by the reality of strong political mobilisations, it is now laid bare by simultaneous multiplication of representations of violence and the weakness of movements mobilising to contest them. In this context, critical art risks remaining isolated and disconnected from real political change.(idem.: 75-76). Rancière thus offers a critique of the dominant causal triad representation-perception-behaviour to which I adhere, but rather than seeking to renew the analysis of the actual effects of artistic practices that might allow to practice political art anew, he advocates what he terms the "aesthetic efficacy" which supposes a *discontinuity* between an aesthetic production and its effects, the suspension of any determinable relation between the intention of an artist, an aesthetic form, the gaze of the viewer and a state of the community (idem.: 62). I find such an advocacy for the abandonment of the aim to produce any political effect through artistic practice disempowering for aesthetic producers and that it risks perpetuating their isolation from political processes, but also paradoxical coming from Rancière since, as I will argue below, his political philosophy of aesthetics is part of the tool box that allows to renew the politics of aesthetic practice.

Finally, in relation to the imaging of war and the field of human rights, Thomas Keenan has challenged this causal model as well (Keenan 2002, 2004). While Keenan

demonstrates that the dominant mode of action within the field of human rights is "mobilising shame" – a practice based on the assumed causal chain image of atrocity - knowledge of atrocity - public opinion outrage - make the world act - bring violence to an end, the role of image-making in the Yugoslav wars led him to a critical appraisal of this model. Keenan argued that the live broadcasting of the war did not lead to any form of action that succeeded in bringing violence to an end, and that as such the causal chain needs to be thoroughly rethought and with it all the terms involved: "event", "representation", "public", "action", "politics". But Keenan further asks: in what way might the presence of cameras be in fact *related to the violence*? Amongst many examples, Keenan enquires into the role of cameras in the daily shooting in the centre of Sarajevo: did cameras document the violence occurring on "sniper alley", or did it happen there *because* the cameras were watching – and through them, the world? Keenan argues the latter, and sees images and the practices that give rise to them *as a field of action in its own right*. For Keenan, images do not simply represent reality but take part in shaping it in decisive ways, which however cannot entirely be accounted for within the dominant causal triad. He concludes: "*we need to attend to sounds and image not just as accounts of war but as actions and weapons in that war.*" (Kennan 2002) What Keenan's incisive analysis allows us to do is both challenge the dominant understanding of the politics of images and rethink this politics starting from the premise that image practices do not only document events, but *shape* them. However, to explore such a claim, a new grammar of aesthetic politics was necessary, to which I now turn.

Aesthetics

Keenan urged us to rethink the terms "event", "representation", "public", "action", "politics" (Keenan 2002), he might have added importantly "aesthetics". This contribution came through the work of philosopher Jacques Rancière. For Rancière, politics is not the exercise of power or struggle for power, but rather resides in the "configuration of a space as political, the framing of a specific sphere of experience" (Rancière 2006). As such, politics hinges first and foremost over what he terms "the partition of the sensible": the distribution and re-distribution of times and spaces, places and identities, that way of framing and re-framing the visible and the invisible, of telling speech from noise and so on. For Rancière, politics can thus be characterized as an "*aesthetic*" activity. While I draw on Rancière selectively – put simply, I do not entirely adhere to his definition of politics which I find too limited, he provides an important

point of reference in terms outlining *aesthetic mechanisms* that have important political implications within which the effects of images and image practices can be thought.[39]

In enquiring into the various aesthetic practices referred to in this thesis, I grant particular attention to the way they shape a particular sensorium, conditions of appearance, ways of being together or being apart, of being inside or outside. In particular, images, maps or statistics may be at least as revealing for what they contain as what they leave out, their hors-champ. In this sense, there is a *border politics* to aesthetic forms and practice. In *Tactical Statistics* (Chapter 4), I show how statistics of interceptions at the EU's maritime frontier create an impression of invasion by *not* including statistics of migration on the southern shore of the Mediterranean, where in fact, the real migration crisis is currently occurring. In addition, Rancière enables Lorenzo Pezzani and I to look at other processes that do not necessarily involve the production of aesthetic objects but have important aesthetic dimensions: for example we discuss in *Forensic Oceanography* (Chapter 3) the ambivalent aesthetics of border control, which seeks to shed light on acts of unauthorised border crossing but to keep in the shadows the violence and violations that are structural to its practice. Precisely, our common project can been seen as an intervention into the partition of the sensible of the maritime frontier, in seeking to revert this economy of (in)visibility.

Practice

Keenan calls us to look at images not only as representations but as actions, or what I will refer to as *practices*. The politics of an image is not just located in the produced image and its possible effects on viewers, but in the bodily presence of the cameraman/women, the relation he or she establishes with the photographed or filmed protagonists. In the field of photography, a major contribution enabling to attend to these practices came from philosopher and media theorist Ariella Azoulay. Azoulay importantly distinguishes the "*photographed event*" - what the photograph represents – from the "*event of photography*" - the power relations at work in all moments of the photographs production and circulation (Azoulay 2008b). In such a perspective, a photographic image becomes a material diagram through which it is possible to reconstruct the power relations at work in the *photographic encounter* – between a photographed subject, a photographer, other actors present in the sean, and last, but not least, the scattered publics which view the image in different sites and formats. For example, in photographs of captured Palestinians during the 1967 war, she detects the

downward perspective of the camera held by an Israeli soldier –identical to the downward perspective of the soldiers guarding the prisoners on a bus – as participating in a common colonial *habitus*. Conversely, she identifies the refusal of a Palestinian prisoner to look at the camera as an act of limited agency and resistance (Azoulay 2008a). This then is a relational and processual understanding of aesthetic practices, which can be applied as well to mapping and statistics.[40] What matters is not simply their "result" – an image, a map, a statistical graph, but the totality of relations that go into producing and circulating it. This perspective has been very helpful in allowing me to attend to the way the practice of photography, filming, mapping and the production of statistics are embedded in the government of migration. In *Fractured Chains of Custody* (Chapter 2) I attend to the practice of photography of the Moroccan military, who systematically photographed the migrants' boats they captured and set ablaze. It is amongst others the shadow of the military photographer projected in the sand in one of the photographs, that allows me to discuss the event of photography that we can read through these images.

Also in the direction of images as practice, the concept of *"operational images"* put forward by Harun Farocki has been particularly important. For Farocki, operational images, "do not try to represent reality but are part of a technical operation" (Farocki 2004).[41] As sensory automata, they are used to extend or even replace the human senses (Paglen 2014). Farocki uses this concept to refer for example to the images produced by cameras mounted on missiles in the 1991 war on Iraq.[42] One could certainly look at various forms of heat detectors, or surveillance cameras located on borders in this light. In *Forensic Oceanography* (Chapter 3) I rather attend to what one might term *"operational maps"*. I argue that the integrated surveillance systems used to monitor borders, in which the detections by multiple sensors are displayed ever changing digital maps, do not so much represent illegalised migration than they are central to its policing.

Objects

The relational and processual understanding of aesthetic practices proposed by Azoulay benefits from a fine-grained understanding of images, maps, statistics as *objects*. What is needed is an attention to their very material and technological qualities, and to the way their effects may vary depending on the multiple social and technological assemblages they come to be embedded in. Here I have found recent theoretical shifts in

the directions of "new materialism", "object oriented philosophy", "assemblage theory" and "actor network theory" particularly helpful (Parikka 2010; Bennett 2004; DeLanda 2006; Latour 2005). While these theoretical orientations have their specificities and divergences, they have recently been tentatively brought together under the umbrella term the "non-human turn" (Grusin 2015). In effect, these perspectives converge in considering the categories human, nature and technology on a continuum rather than corresponding to clear-cut categories, since "nature" is deeply shaped by human activity and technology is increasingly integrated into our lives and very bodies. "Things" enter multiple and always evolving relations – or assemblages. In this perspective, humans have no monopoly over the capacity to act, rather they are one amongst multiple "actants": unlike the term "actor", an actant can be either human or non-human, it is that which does something, produces effects and alters situations, independently of any intentionality. However agency is variegated and does not depend solely on the nature of the actant, but rather on its assemblage with other actants (Bennett 2004).

Recently these perspectives have been brought to bear on media forms (Parikka 2010; Casemajor 2015), where they are helpful in attending to the materialities aesthetic practices and forms are made of, and allow to account for the way their agency may vary depending on the assemblage they are inscribed in. In the artistic and theoretical work of Hito Steyerl for example images are understood both as representing the world and being a material part of it and producing variegated effects as they are produced and used by different actors (Steyerl 2011: 50-51). The questions we are able to formulate when contemplating documentary images though this prism are less "does the image represent reality well or not?" but rather "what is the reality of this image, in its inextricably material, technical, social affective properties?". For Steyerl, images are no less made of "crystals and electricity", then by our "wishes and fears", as well as the social and economic circuits in which they circulate. Bundled in an image, these different dimensions can often be read in the material properties of the image. An image of poor resolution – bearing pixels, distorted sounds – often attests to conversion, compressions, copying, cropping, and circulating through digital networks. What matters in such images may be less what they represent – the "imaged event" (to modify slightly Azoulay's terminology) – than the very material properties of an image through which one can read the multifarious "events of images".

Through such a perspective, we are able to see that the content and effects of an image are never determined once and for all, but are marked by a structural instability related to its circulation. As Judith Butler has remarked in reference to the images of *Abu Ghraib*, the image which is the product of this first *act of framing* – the moment the camera's shutter is triggered, selectively carving up sensuous experience according to the perspective of the photographer – may potentially be destabilised and politically contested by multiple subsequent acts of framing, those related to the contexts in which the image subsequently circulates and the variegated perceptions of viewers (Butler 2009: 10-24). Frames then can then never entirely contain and confine meaning, but are subject to structural breakages of meaning and effects. While the photographs and videos of Abu Ghraib were produced as an intrinsic part of the acts of torture they documented, their circulation outside the confines of Abu Ghraib across the internet contributed to a visceral turn against the war.

I have found the combination of these perspectives – an attention to the *materiality* of images and other aesthetic objects and to their *circulation* as objects particularly useful.[43] The production and circulation of photographs of burning boats set ablaze and photographed by the Moroccan military discussed in *Fractured Chains of Custody* (Chapter 2) is read amongst others through the material properties of the images they handed over to me – a small black corner that shows that the photographs were first printed, displayed in an album before being rescanned. These details show that these images were not simply produced for an internal archive, but to be *displayed*, and that this display is part of their politics. Looking at the migration of these images as objects, I trace the subsequent stages of their circulation.

A key insight that resurfaces again and again in the following chapter, one that is the product of the methodology of reading the lives of aesthetic practices and objects through their material properties, is that those who enforce borders and those who contest them operate in an *immanent field*, in which practices, objects and discourses circulate, are reappropriated, transformed into something else. On the one hand, we see images, discourses statistics relating to the deaths of migrants or the precarity of their condition being produced not only by NGOs but by states and their agencies to lend a humanitarian varnish to their policing activities – this is particularly apparent in *Image/Migration* (Chapter 2) and *Tactical Statistics* (Chapter 4). But on the other hand, we see actors who contest the current migration regime – in which I count myself – use

some of the tools initially developed and applied by states to govern migration. In *Forensic Oceanography* (Chapter 3) in particular, we reappropriate remote sensing technologies usually applied to detect acts of unauthorised border crossing to document the violence of borders instead. In the process, a crucial question must be addressed: what does it take to appropriate the tools of the government of migration without becoming complicit with the politics that is engrained in these technologies? Using the tools of power requires very careful thinking and engagement with technical characteristics which can only emerge through practice – such as the threshold of resolution for the satellite imagery we used in our reconstruction of the "left-to-die boat" case and allowed us only to detect the large ships in vicinity to the drifting vessel, not the migrants' vessel itself nor others like it, separating an uncritical act of unveiling from what we call a "*disobedient gaze*".

Sensors

This brings me back to one of the questions with which I opened this section: what links and differentiates the practices and objects I describe and engage with in the following chapters, that range from photographs and video images, mapping and remote sensing, and statistics? Following Eyal Weizman, I have called these technologies and methodologies that allow to register the material and social world, "*sensors*", or "*sensing devices*" (Weizman 2012a: 7). In this thesis, they are alternatively used to register the movement of illegalised people and/or the violence done on to them through the policing of borders. The reflexion developed by Eyal Weizman and Susan Schuppli in the frame of the *Forensic Architecture* project is very useful to think these sensors together. Both their contributions might be summarised by an axiom: *when images become objects* (in the sense that we examine their materiality), *objects can* in turn *be seen as images*. Objects and materials may *present* traces of an event rather than *re-present* it in the form of an image. Here the claim of images to the monopoly over representation is radically decentred, and this is one more direction taken in the attack on the causal triad representation-perception-behaviour with which I opened this section. Eyal Weizman (ibid.) considers architecture itself as a senor or even an image of sorts, in the sense that it bears the *imprint* of events – think of the damage produced by gunshots on walls or the rubble left by bombs. With the right lens, these traces can be read to reconstruct the events that have led to destruction. Weizman argues that while we tend to think of architecture as a static thing, in fact physical structures and built environments are elastic and responsive, and that these movements are where

information is registered. Architecture for Weizman can thus be thought of as a "political plastic"—social forces slowing into form (ibid.). Susan Schupli as well has contributed to thinking in this direction by forging the concept of the "*material witness*" — "an entity (object or unit) whose physical properties or technical configuration records evidence of passing events to which it can bear witness" (Schuppli 2015). In her important video (2014) named after this concept, she argues that grass, trees, the environment bear traces of lethal events – here of the 2009 massacre in Northern Sri Lanka perpetrated by the Sri Lankan government who used heavy weapons in the densely Tamil populated conflict area. However, in the absence of external witnesses, the very traces of violence left in the environment – destroyed makeshift houses, mortar impacts on the ground, mass graves – are best read through satellite imagery, whose sensors are attuned to differentiate between elements in the environment (near-infrared sensors register variations in vegetation cover, rocks and soil for example).[44] Here we see that not only do images become matter and matter images, but that there is a *porosity* between both, since *technological sensors* are needed to read the *environment as sensor*.

Such perspectives are on the one hand useful to think the practices I engage with on a continuum – *as multiple registering devices attuned to the violence of borders*. But even more important is the way they allow us to attend to the agency and sensorial capacity of material surfaces and the environment. In *Forensic Oceanography* (Chapter 3), by combining this perspective with that of "geopower" I discussed above, we are able to understand the sea as *perpetrator and witness* in the "left-to-die boat" case. Unassisted by several actors, it was the wind and maritime currents that were making the migrants' drift to a slow death. But interrogated for us by an Oceanographer the winds and currents revealed their vessels trajectory, producing a piece of evidence that was key in our reconstruction of events and demand for accountability.

In seeking to think the different sensing devices I engage with together, I also draw inspiration from a historical figure: Etienne-Jules Marey (1830-1904), one of the scientists whose experiments contributed to the invention of the cinematograph. Marey's aim was not to produce a device for conveying the impression of movement or for narrating artistic stories, his preoccupation was rather to capture, arrest movement, so as to discover its laws (Bouisset 2005; Manning 2009). To this effect, he used several inventive methods and created new machines: a chronophotographic gun, a

seismograph, sound-recording instruments, smoke machines to name a few. Marey praised one of these devices – that invented by Poncelet and Morin to measure the fall of bodies, as indicating a tendency towards the invention of "machines that have done away with the human intermediary between the phenomena and its notation, machines that force, so to speak, *matter to write itself the changes of states it undergoes*" (Marey 1888: 174, my translation and emphasis). This description is certainly accurate for several of the machines he would invent, as well the cinematograph which Marey's experiments contributed to bring into existence.

I find it stunning how this multiplicity of registering devices that were part of the scientific experimentations that led to the invention of the cinematograph has been lost in cinema's subsequent development into an artistic and entertainment industry. Even though the erasure of the human intermediary is certainly a fantasy – since even the most "objective" registering devices need humans to read and interpret them – I find a deep connection with the inventive attitude of Marey and his quest to find new ways to register movement. I too have sought use whatever registering devices at hand or sought to invent new ones to understand my subject. The radical difference of course is that I do not seek to understand the laws of movement, but the violence done to people whose movement across class, racial and state boundaries is unauthorised. I do not seek to uncover new scientific laws but to challenge unjust laws. Not to capture but to free movement. In this sense, I have sought to let my practice be guided by the thought of how a "Marey of borders" might seek to register the violence of the liquid borders of Europe.

2. IMAGE/MIGRATION

Figure 1: Video still from the IOM's clip for the "prevention of irregular migration" in Cameroon 2007, showing a fictionalised representation of a migrant's precarious condition in an unidentified European city. IOM: International Organization for Migration.

PROLOGUE

7 July 2007

On the 7th of July 2007, the newspaper *Le Temps* revealed that the Swiss government had provided US$150,000 to the International Organisation for Migration (IOM)'s "information campaigns" in Cameroon, with the aim of deterring potential illegalised migrants (De Graffenried 2007 and 2008). Soon the video clip that was the main component of the campaign was made available on the website of the Swiss German populist newspaper *Der Blick*. The video displayed a fictionalised representation of a Cameroonian migrant's survival strategies in an unidentified European city. The article was framed by the title: "This is how we scare Africans" (Moser and Odermatt 2007). The video clip, which I describe in detail further on in this chapter, was greeted critically by the press. The polemic was mostly that it portrayed Switzerland in an excessively dark light, in which Switzerland appeared unworthy of its illustrious humanitarian tradition. The outrage I felt when first viewing the video was however the

product of opposite reasons: in my 2005 film *NEM-NEE*, I had precisely documented the conditions of illegalisation of asylum seekers and their ensuing survival strategies, and participated with this film in a campaign that demanded the Swiss authorities to change their policy. Now, a fictionalised representation of the very same condition was being used in the aim of deterring migrants. The shame we had thought to inflict on the Swiss authorities had certainly come to an end. This was not only a shocking reflection of Swiss society, but of my own practice. Viewing this video spurred the following questions: *What was the effect of my politicised film practice if that which it sought to uncover was now spectacularised as part of the very policies I sought to critique? And what role did the IOM's information campaign play in the governmentality of migration?* These were the initial questions that would guide an exploration that would lead me to re-evaluate both the main assumptions of mainstream political filmmaking and of my own practice, and shift for a time my focus from producing *images of migration* to inquire into the *migration of images* them selves, the practices and effects they contribute to, and how in particular images of suffering migrants had become part of the governmentality of migration.

I began exploring these questions by seeking to analyse as concretely as possible, the way the IOM's campaign operated, but also by reconsidering my own video work spanning 10 years. In the process, I sought to forge a theoretical toolbox that would allow me to account for the multifarious practices images are generated through, and the new practices they come to be embedded in as they circulate in the world as objects. The practices and effects I was interested in and discuss below could not easily be accounted for within the causal triad representation-perception-behaviour that dominates both media studies as well as politicised art and human rights practices. What I was looking for were theories and examples of aesthetic practice that would allow me to look at images not as *representations* of the world, but as the product of practices and as objects that are *part of the world* and produce immediate effects within it, independently of the supposed impact of an image on the perception and behaviour of a distant viewer. In short, I sought for an understanding of aesthetic practices and objects that grounds them in the material and social world.

While I discuss in the introduction to this thesis both this dominant causal model and the alternative theoretical toolbox I assembled and which is the main lens I apply in this chapter to understand the IOM's information campaigns and the effects of my own

practice, I had to engage with a wide range of other theories and literature as well. Because the IOM's campaigns sent me a troubling reflection of my own well intentioned practice, I was naturally drawn to explore the question of the complicity of forms of care – through the various practices and discourses of humanitarianism, development and human rights – with forms of violence – from war to the policing of migration. There is a wide literature concerning these questions. In relation to the ideologies and practices of development, the work of James Ferguson (2006) and Tania Murray Li (2007) have been important for me; concerning humanitarianism, the work of David Rieff (2002) was influential. More specifically related to migration, the work of Michel Agier (2011) on the government of migration through the (denial of) the status of refugee and camps was a direct inspiration. Agier argues incisively that the "protection" of refugees in the camps of the global South is only the other side of the coin of the massive rejection rates of asylum demands and the militarisation of the borders in the global North, and thus operates as a form of humanitarian government of the undesirables of the world. Where all these authors converge is in showing how the languages and practices of development, humanitarianism and human rights are not simply providing exterior responses to various forms of crisis and violence, but are rather deeply enmeshed in and at times highly complicit with them.

However, the most inspiring analysis of these complicities and ambivalences from the perspective of an aesthetic practitioner, is the critique and search for a tenable position by humanitarian and human rights practitioners themselves. Eyal Weizman's book *The Least of All Possible Evils (2012)* is in this respect remarkable, since it is both written from the questions spurred by his own practice, and enters into dialogue with several other practitioners. Rony Brauman, a former president of Médecins sans frontières (MSF), recalls the different moments of rupture in his practice, such as the realisation that the "aid" MSF and others were bringing to combat the 1984 famine in Ethiopia was being used by the government to lure populations of the rebel zones into places where they would be forcefully transferred, and where tens of thousands would die (29-32). As a result, Brauman realised that "the more aid was coming to Ethiopia, the more people were dying" and as a result came to consider that abstaining from helping, withdrawal, was better than action (33). Equally thought provoking is the realisation by Michael Sfard, an important human rights lawyer working in Israel/Palestine, that in winning court cases aiming to contest the path of the separation wall, while he may have saved the houses and the means of subsistence of Palestinian populations, he also became an

unwilling architect of the wall (65-98, see also Sfard 2014). What is important here is that self-critique is led by the aim of *doing better* – and self-critique may be a form of doing in its own right. Because I approach this field of ambivalences as an aesthetic practitioner, the self-critical films of Jean-Luc Godard and Anne-Marie Miéville such as *Ici et Ailleurs* (1972), have also been particularly inspiring.

In the first section of this chapter, *Image/Migration*, I reconsider my video practice in terms of the effects it may have – or failed to – produce. By attending to the context of viewing my 2005 video *NEM-NEE*, I draw attention to the way the screenings of "migration films" often reproduce the very segregation politicised authors claim to contest.[45] By looking at the circulation of my 2006 video *Crossroads*, I draw attention to the networks of circulation of images rather than the strategies of representation that go into making them as a crucial dimension of the politics of image practice. In attending to the production of Ridley Scott's film *Black Hawk Down* (2001), which was shot in Rabat, Morocco, and through which illegalised sub-Saharan transit migrants hired to act as extras secured a temporary legal status, I draw attention to some of the surprising ways in which image production becomes agentic in the conflictual field of the politics of migration. In all these instances, the effects of image practices are not or not only those intended by their authors, but are rather the product of what multiple actors do with them.

In the section *Perception Management*, I analyse the IOM's media governmentality, in which images of suffering are used to deter potential migrants. In the process, I am able to address some recent shifts in the government of migration by the European Union, which no longer only seeks to control the movement of people, but also to shape the wider processes that condition migration itself – such as wars, economic development and perception. This shift entails an expansion of practices of migration management in space to encompass countries of 'origin' and 'transit', reaching a scale which is at least potentially global. In the process, non-governmental and intergovernmental actors – such as the IOM – become key partners in terms of enabling operations outside of national borders and in a wide range of fields (Kalm 2012). Crucially, these organisations adopt the language and visual repertoire of development, human rights and humanitarianism to forward the government of migration, which poses new challenges for those who seek to critique the government of migration.

In the section *Fractured Chains of Custody*, by reading the traces of the circulation of an image through its very material properties, I trace the stages of the circulation of a photograph of migrants' boats set ablaze by the Moroccan military from their own documentation to my video project *Crossroads* (2006) which used this image to denounce the violence perpetrated on migrants, to an IOM newsletter concerning anti-trafficking and anti-illegal migration activities and finally its use in social media to contest the violence of borders once again. Rather than the "photographed event", I attend to the "event of photography" in the terms of Ariella Azoulay (2008b), and how the image operates within the successive institutional and technological assemblages it comes to be embedded in.

As I have discussed in more detail in my introduction, the research material contained in this chapter first challenges the dominant frame through which media theorists, activists politicised artists and filmmakers think and practice the politics of aesthetics, and contributes to opening a new repertoire of political aesthetic practice. Second, I show that aesthetic practices and objects are a fundamental component of contemporary bordering practices, and thus necessarily also a site where these can be contested. However, while the thesis is geared towards the experimentation with forms of intervention through aesthetic practice in the filed of the politics of migration, one may ask: What was the aesthetic practice and what were the political effects of this research?

In the frame of this research, I produced a short video titled *Perception Management* which was shown in 2009 within the *Maghreb Connection* exhibition in Abidjan and at the Bamako Biennale of Photography – that is in countries targeted by the IOM's information campaigns. But I do not consider this video a fundamental aesthetic product, nor do I see it as having had fundamental effects, since it was rarely shown independently. However, rather than screened as a standalone piece, excerpts of this video were frequently embedded into what I see as a more important aesthetic performance: the numerous presentations of this research I gave over several years, which may be thought of as aesthetic interventions in their own right. The project resulted in a moment of suspension in terms of visual practice that lasted two years in which I presented stories in the "lives" of images to different audiences, mostly within events and institutions dedicated to art, cinema or video activisms.[46] In this the presentations in these contexts could be seen as *staging a refusal*. I asked myself and fellow practitioners to pause to "think what we are doing" in the words of Arendt (1958), but

in the process, I showed images and video excerpts. The result was I believe a productively paradoxical form: by appearing in front of audiences to discuss the lives and effects of images, I underlined this reflective suspension and refusal to simply produce new images, but the articulation of images and a voice that questioned them in my live presentations operated not unlike an essay film would have.[47]

While these presentations led to many heated discussions which I hope may have spurred practitioners to think the ambivalences of their practice and explore new directions of aesthetic politics, this project's self-reflexive stance nonetheless left entirely intact the IOM's campaigns and the violence of migration management. This position became untenable when, in spring 2011, I watched the number of migrants' deaths in the Central Mediterranean dramatically increase during the NATO led military intervention in Libya. The project *Forensic Oceanography* Lorenzo Pezzani and I initiated was an attempt to respond to this situation. While I have thus "moved on" in relation to the research and my position as a practitioner in *Image/Migration,* this phase in my research was crucial as a moment of reorientation in my practice, through which I forged a lens to inquire into the intersection of aesthetic practices and the politics of migration that would continue to inform subsequent projects. In particular, the need to position one's practice strategically in relation to the ever-shifting language and images mobilised by those who uphold the government of migration, continues to guide all the projects contained in the subsequent chapters.

IMAGE/MIGRATION: FROM IMAGES OF MIGRATION TO THE MIGRATION OF IMAGES[48]

My encounter with the IOM's information campaigns forced me to pause and ask myself: *What did your films actually do? What political effects did they – or fail to – produce?* In the introduction to this thesis, I discussed different traditions of "effects research" within media studies, and the multiple challenges to the representation-perception-behaviour causal model on which it is founded which have been led in several disciplines. I discussed in particular Jacques Rancière's recent work *The Emancipated Spectator* (2009) in which, after deconstructing this causal chain, he argues that it should not be the aim of political artists and filmmakers to calculate effects, but, on the contrary, that an emancipatory practise becomes possible only when one abandons any targeted or presupposed relation between aesthetic form and its effects on viewers. Many more grounds for doubt might be evoked against the idea of seeking to decipher the effects of ones own or others aesthetic practice – for example might this not be seen as introducing into the field of political art and filmmaking the logic of evaluation that permeates so many institutions in the neoliberal era?

Despite these possible risks, I choose to hold onto a tradition of political art which Bertolt Brecht's text *Five Difficulties in Writing the Truth* (1935) epitomises in urging writers to speak the truth "with a view to the results it will produce in the sphere of action" (2).[49] I argued in my introduction that rather than abandoning the targeting of effects as advocated by Rancière, what is needed is to fundamentally renew the very grammar within which effects are thought. I am convinced that an enquiry into effects of image practices and objects does not have to be boringly deterministic if it makes two important shifts in relation to the dominant framework.

First, one must attend to the effects of image practices and objects at all stages of production and circulation. The circulation of images may affect the way people think and feel, but throughout their production and circulation image practices and objects may operate on many more levels and shape human affects, the disposition of bodies, and have important economic, political, ecological and legal dimensions (see Cubitt 2013 for a review). Images are not simply representations of the world, but rather are *part of the world* at every moment of their social life. Second, one must abandon direct

and singular cause and effect models and rather approach image practices and objects as actants that come to be embed in various institutional and technological assemblages and are one element within a wider field of forces, the totality of which generate effects (Benett 2004; DeLanda 2006; Latour 2005). Within such a field, the effects of image practices may occur at times despite or even against the intentions of an image's initial author. It is through this lens that I seek to review my video work over the last 10 years.
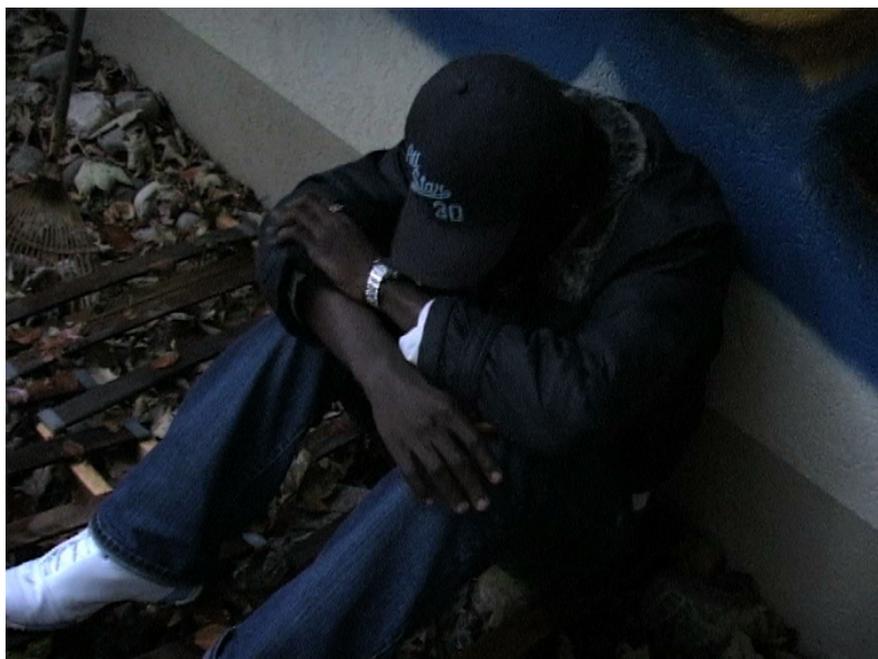
Figure 2: Video still from *NEM–NEE* (Heller 2005), in which a rejected asylum seeker shows how he sleeps outside on the outskirts of the Swiss city of Solothurn. Link for full video: https://vimeo.com/128189652

NEM-NEE

In 2004, I directed my first video *NEM-NEE* – the acronyms for "Non-entrée en matière" in French and "Nichteintretensentscheid" in German, the administrative decision according to which the Swiss authorities refuse to *consider* asylum demands in function of different criteria, such as coming from a "safe country" or not having identity documents. It documented the condition of asylum seekers in Switzerland and was mainly shot in the city of Solothurn. Six months before we started filming, a change in asylum law had effectively illegalised anyone whose asylum demand the Swiss authorities refused to consider – the "NEM" – and deprived them of assistance. The political aim of the legislation had been clearly stated in several government reports: to not only deprive asylum seekers from access to social aid, but to actually make these people "disappear here or elsewhere" (Kopf 2010). At the time, it was still difficult to

assess how this policy was being applied and what were its concrete effects on the lives of illegalised asylum seekers, precisely because most of the so-called "NEM" were disappearing as planned. But in the small city of Solothurn the authorities had illegalised over 100 people at once, thereby creating a strong commonality in fate. Thanks to the support of the NGO IGA SOS Racisme the "NEM" had mobilized collectively and became visible to contest the policies that affected them.

On a cold October day, the NEM of Solothurn showed me their strategies of survival. Left without shelter or resources, they slept in toilets or forests, and were constantly harassed by the police and even the local population. The video material we produced was handed to the European Rapporteur on Human Rights towards his report on Switzerland. In addition we felt it was necessary to make this reality known to a broader public. This meant to inscribe these images of deprivation in the political conditions that had produced these situations in the first place. The video ended up being widely screened by many NGOs in most Swiss cities, generally with the participation of at least one of the migrants who appeared in it. The film further circulated within political institutions. In addition to the European Rapporteur, it was sent to all representatives in the Swiss national parliament, and was screened at the United Nations' Human Rights Council in Geneva.

In this video, if the strategy of the Swiss authorities was to illegalize the so-called NEM and make them invisible, ours was to make their condition as visible as possible. The mobilization of the NEM itself had already had an "aesthetic" dimension since, in taking a public stance, they had disrupted the "partition of the sensible" the Swiss migration regime sought to impose on them - they had challenged their targeted disappearance. The video in turn amplified the public visibility they had already gained through their voices and bodies so as to shame the Swiss authorities into changing their practice. In this sense *NEM-NEE* largely remained within the dominant causal triad described above and within the strategy of "mobilising shame" that is so central to human rights practice (Keenan 2004). While it is difficult to evaluate precisely the effects the circulation of the film had on public perception and political behaviour, its circulation through local collectives and NGOS allowed these to offer viewers immediate forms of local action as opposed to leaving the public with a feeling of helplessness. The political movement the video contributed to coalesce did lead to some localized victories—such as changing the way the legislation was applied in the city of

Solothurm itself following a positive ruling by the Swiss Federal Tribunal. However, by attending to *NEM-NEE*'s reception beyond the causal triad, we are able to decipher other less evident dimensions of its politics.

I vividly recall the premiere of the video in an improvised viewing room in Bern (the Swiss capital), at which over thirty of the so-called "NEM" from Solothurn were present. While the video had a very serious and alarming tone—invoking Hannah Arendt and Giorgio Agamben to attend to the logic of stripping of rights and the ensuing exposure to arbitrariness—the group from Solothurn regularly burst into laughter when seeing each other appear on the screen. Before long their laughter spread to the rest of the public, which was mostly composed of concerned Swiss citizens and journalists. I could never fully explain this reaction. What is certain is that the presence of illegalised migrants at the screening of a film concerning them affected the viewing conditions and revealed their usual *absence* on such occasions.

The experience of the film's premier caused me to reflect on the way in which the circulation of a film brings people together but also apart, and to think of cinematic dispositifs beyond the usual attention to the relation between technology, bodies, and subjectivity—for example how the technology of projection, the positioning of the screen, the seating of viewers affects conditions of spectatorship and carries an ideological dimension (Comolli 2009). Cinematic dispositifs should also be thought of as cut through with many other lines of fracture, such as race and class. They can be read as well through a Rancièrian political aesthetics (Rancière 2006) that allows to look at the "partition of the sensible" operating within the screening room and between its walls and the outside world. In this light, in addition to the questions usually formulated when enquiring into cinematic dispositifs, we should ask also: *Who is included in and who is excluded from the screening room itself? How are people positioned in the space in light of their social and political condition? How are they seen and heard?* Asking such questions is important because the venues where "critical migration films" are viewed do not lie outside society and they may therefore be marked by the same forms of segregation that we criticise in our films. It is due to those very forms of segregation that illegalised migrants normally enter our screening rooms only as *shadows* projected on a screen.

Reviewing the social life of *NEM-NEE* allows to underline the importance of the circulation of the video as a crucial dimension of its agentic capacity. If the video had any productive effects operating within the representation-perception-behaviour causal triad, it is certainly because of the work that went into circulating it within particular publics and institutions. However, the description of the video's premier points to a moment of the politics that is entirely independent of this causal triad, and operates immanently to the conditions of viewing themselves. The time of viewing a film is not simply that of receiving a representation that may enable politics at a subsequent time, but is rather at least potentially a moment of transformation in its own right.

Figure 3: Video still from *Crossroads at the Edge of Worlds* (Heller 2006) showing local television news footage of the destruction of migrants' boats by the Moroccan military in Southern Morocco. Link for full video: https://vimeo.com/58023858/settings

Crossroads at the Edge of Worlds

My next video, *Crossroads at the Edge of Worlds* (2006), on migrants crossing through Morocco in the hope of reaching the EU, was produced in the framework of the *Maghreb Connections* art and research project directed by Ursula Biemann. The multiple forms of violence perpetrated on Sub-Saharan migrants transiting or residing for longer in Morocco were certainly an important concern. I filmed for example the arrests of migrants in the forest of Bel-Younesh, where migrants set camp while waiting to cross over into the Spanish enclave of Ceuta. I filmed the Moroccan police monitoring the train stations near Oujda to prevent migrants from using the rail

infrastructure to circulate through the country. I showed footage of the destruction of migrants' boats by the Moroccan military in Southern Morocco before they could even embark on them towards the Canary Islands (fig. 3). However, a strategy of uncovering hidden violations similar to that used in *NEM-NEE* seemed insufficient in relation to the daily images of boats intercepted in the Mediterranean and the dozens of reports produced by governments and NGOs alike. Simply producing additional footage of migrants in distress in this border zone would have risked contributing to the "spectacle of the border": the spectacularisation of both of the transgression of the border by illegalised migrants and of the policing of their movement, which in turn legitimises the deployment of militarised means to police the borders of the EU (De Genova 2012). A more complex strategy than that of "uncovering" violations was necessary.
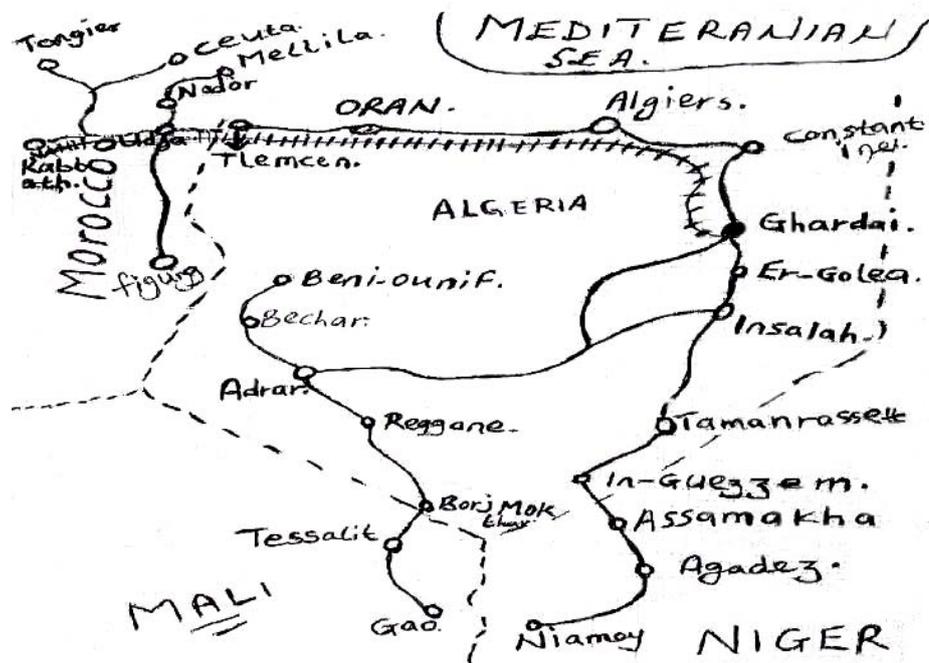
Figure 4: Video still from *Crossroads at the Edge of Worlds* (Heller 2006) showing a migrant's hand drawn map of possible trajectories through the Maghreb.

My assumption was that if the framing of migrants crossing the southern borders of the EU as a massive invasion led to policies that sought to block their movement by all necessary means, one could contribute to alternative policies by producing alternative representations. My attempt in *Crossroads* was thus to shift the very grounds on which the imaginary of invasion is founded. I first attempted to shift the focus from one overexposed strand of mobility to a wider network of uneven economic and political relations between both sides of the Mediterranean – for example by attending to the

mega port of Tangier-Med located on the other side of the Bel-Younesh forest where migrants set camp. I then sought to account for the complexity of migrants trajectories across the region, which, as the hand-drawn map shown in figure 4 exemplifies, evolve in stages in the course of months and years and come to form a dense transnational network. Finally, so as to undermine migrants' victimisation that justifies the management of their lives by others, I underlined the multiple strategies they resort to so as to evade state repression (on all these points see Heller 2006a and Alioua and Heller 2013). These strategies are at work in the section of the film dedicated to Rabat. Here *Crossroads* follows migrants into the slums, a space less tightly controlled by the state where they manage to find a temporary refuge and rent collective flats between "brothers" from different countries who have met on the road. I also filmed them queuing up in front of the UNHCR where they must shape their life trajectories so as to fit into the categories of political persecution considered valid by the UN organization. The sociologist Mehdi Alioua explained how they change clothes and appearances according to contexts and needs: over- victimizing themselves for the gaze of NGO personnel in order to access their services, and dressing hip when coming into the centre of town so as to appear as wealthy students and escape the scrutiny of the Moroccan police.

Crossroads thus sought to produce a more complex representation of transit migrants in Morocco, and attempted to think this representation politically: producing an alternative representation to undo the imaginary on which the EU's repressive policies are founded. But it remained largely confined within the untested dominant causal triad representation-perception-behaviour, and failed to think the conditions that are necessary for what might be a progressive representation to start effectively operating in the field of the politics of migration. The video was circulated mainly within art institutions as well as a few festivals and was only seldom shown by NGOs. It failed to enter political institutions in any substantial way. Therefore, despite my intentions and the aesthetic strategies I adopted, I believe that whatever *Crossroads* succeeded in doing, it did for such a limited public that it failed to shape either the local situation or broader migration policies in any significant way.

While my aim had been to intervene through this video within the field of the "politics of representations", I had failed to take into account its circulation, the networks that must be activated, the institutional assemblage it must enter, in order for a

representation to become operative. Contrary to *NEM-NEE*, no NGO network really seized upon this video to do the work of circulation for me. Here again Brecht's insights are revealing, when in *Five Difficulties in Writing the Truth* he seems to comment precisely on these limitations:

"Many people, proud that they posses the courage necessary for the truth, happy that they have succeeded in finding it, perhaps fatigued by the labour necessary to put it into workable form and impatient that it should be grasped by those whose interests they are espousing, consider it superfluous to apply any special cunning in spreading the truth. For this reason they often sacrifice the whole effectiveness of their work." (1935: 4)

Neglecting this crucial dimension, which is essentially the passage from a film as representation of the world to a film as object part of and circulating in the world, relegated *Crossroads* to political impotence. This failure to think the politics of circulation plagued the practice of politicised artists in the time of Brecht as it does today and, as Sean Cubitt notes, continues to affect the field of media studies as well (Cubitt 2005).

However, in the course of producing this video I also encountered another aesthetic practice, one that had much more material effects which however operated outside of the dominant causal triad. Still in the chapter on Rabat, I show an instance in which transit migrants had to literally "act out" a particular role in order to achieve their ends: the shooting of Ridley Scott's film *Black Hawk Down* (2001), "reconstituting" the 1992 US military intervention in Somalia. Shot in the area of Rabat-Salé in 2000, the film attempted to reconstruct the Mogadishu setting as precisely as possible. The Moroccan slums were an ideal setting, but one element was missing: the black Somali population. To solve this problem, illegalised transit migrants were asked to act as extras, for which they received not only a salary but also temporary legal status. With the extra cash many of them were able to cross over to Europe. I find striking how the production of Ridley Scott's film, which is of course deeply conservative in its content, had much more of a material effect in allowing illegalised migrants to overcome the barriers to their legal existence and mobility than my critical video documentation. By making the Moroccan state temporarily suspend its repressive migration regime, the process of production of *Black Hawk Down* became an unwitting actor in the politics of migration.

Figures 5 and 6: Stills from *Crossroads at the Edge of Worlds* (Heller 2006), showing (top) footage from Ridley Scott's *Black Hawk Down* (2001) and (bottom) its making-of during the shooting of the film in Rabat-Salé in 2000, with temporarily legalised migrants acting as extras.

Reviewing my video practice and its effects, what begins to emerge are the multiple moments of an image practice, and the many ways through which it may produce effects in the world. It is not that none of these operate within the representation-perception-behaviour causal triad, but the latter is insufficient to account for this multiplicity and multidirectionality of effects. In the two following sections, I chart further the circulation of the types of representations and actual images used or produced for *NEM-NEE* and *Crossroads* across multiple hands and practices. Both the IOM's information campaign and the Moroccan military practice of photography further challenge the dominant causal triad by showing how the imaging of suffering can be an integral part of the policies inflicting it in the first place.

PERCEPTION MANAGEMENT[50]

Let us come back the IOM's video, which has sparked the need for the reconsidering of my practice described above. The short video clip (1min. 48 sec.) that was first released on the website of the populist newspaper *Der Blick* depicts a young man calling his father in Cameroon from a phone booth on a rainy night in an unidentified Western city. While he assures his father that he is well, lives in a comfortable flat-share and has started his studies, we see flashes of his "reality": his begging on the streets and being chased by the police (figs. 7-8). The dire reality of the young man not only contrasts with his lies but also with the comfortable, warmly lit middle-class living room in which we see his father sitting. The clip ends with the slogan "Leaving is not always living: don't believe everything you hear". Among the other elements accompanying the IOM's clip (which I will detail further on) was a poster showing in the background a sinking boat of the type used by illegalised migrants, and in the foreground a boot washed ashore on a sandy beach as the only remains of the boat's passengers. The slogan on the poster deplores the deaths of migrants attempting to cross the EU's maritime borders and, like the video's concluding message, urges migrants to remain in Cameroon (fig. 9).

Images depicting both the precariousness of migrants in Europe and the risk of death at Europe's frontier, which I had denounced in my films, were thus being used as deterrent representations geared at potential migrants within the IOM's information campaigns (here after "ICs"). The shocking spectacle of the suffering of migrants was used not to denounce, but to justify and deepen the migration regime that produced it in the first place, all the while covering it with a humanitarian varnish. "This is what will happen to you if you migrate to Europe", "*Don't do it*", said the inverted slogan addressed to the excluded of globalisation. *But how precisely did these images contribute to migration management?* In what follows, I seek to answer this question, starting by drawing a comparison with the historical practice of colonial educational cinema, then seeking to inscribe the rationale of the aim of managing perception within broader trends in migration management, and finally by attending to how the IOM's campaign in Cameroon operated on the ground.
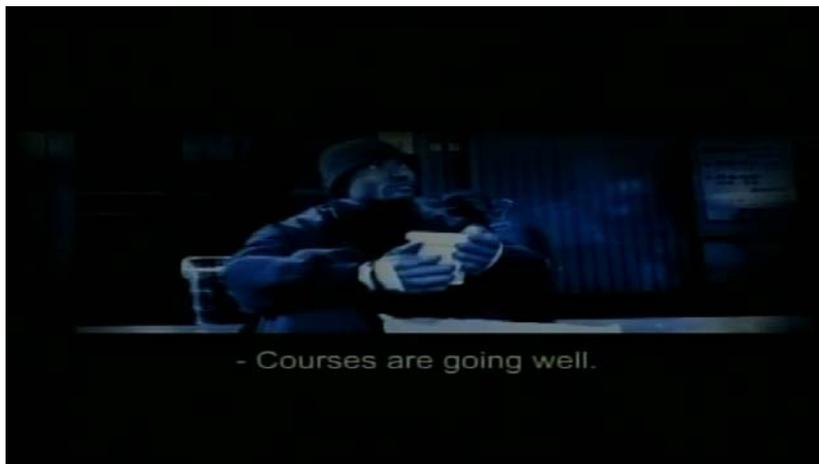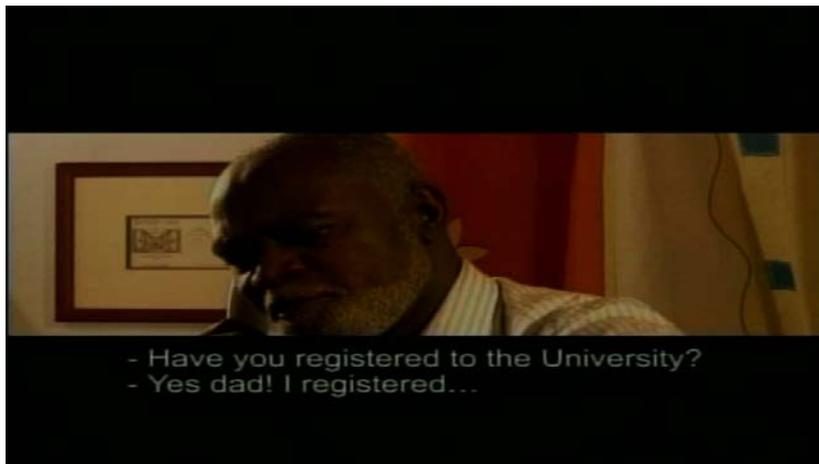
Figure 7-9: (Top and middle) Video stills from the IOM's clip for the prevention of irregular migration in Cameroon 2007, showing the comfortable environment in which the migrant's father lives in contrast with the "reality" of the migrants' precarious condition.

(Bottom) Poster of the IOM's campaign for the prevention of irregular migration in Cameroon 2007 showing a shipwrecked boat.

Shaping Irrational Subjectivities: Colonial Precedents of Educational Cinema

Why would colonial cinema be of use to this inquiry? I believe that there are several levels of similarity that may shed a revealing light on the IOM's ICs. Like the IOM's migration management, the modalities of rule of colonial regimes blended to indiscernibility control and violence, on the one hand, and caring and improving, on the other (Mbembe 2001: 31). The violence of colonisation was legitimised by its self-proclaimed civilising mission: raising the backward natives to the level of human beings, among others through education, and here cinema was central. In *Signal and Noise* (2008), anthropologist Brian Larkin provides a fascinating reconstruction of the deployment of cinema in the British colonies as of the 1920s, focusing particularly on Nigeria.[51] There, William Sellers, a health officer in the Nigerian government, started using films to illustrate health lectures. In 1939, a Colonial Film Unit was founded – with Sellers as director – and, by the end of the war 20 mobile cinema trucks were equipped and over two million Nigerians were seeing mobile cinema each year. It is worth underlining a few characteristics of the practice of colonial cinema that echo with those of the IOM's ICs.
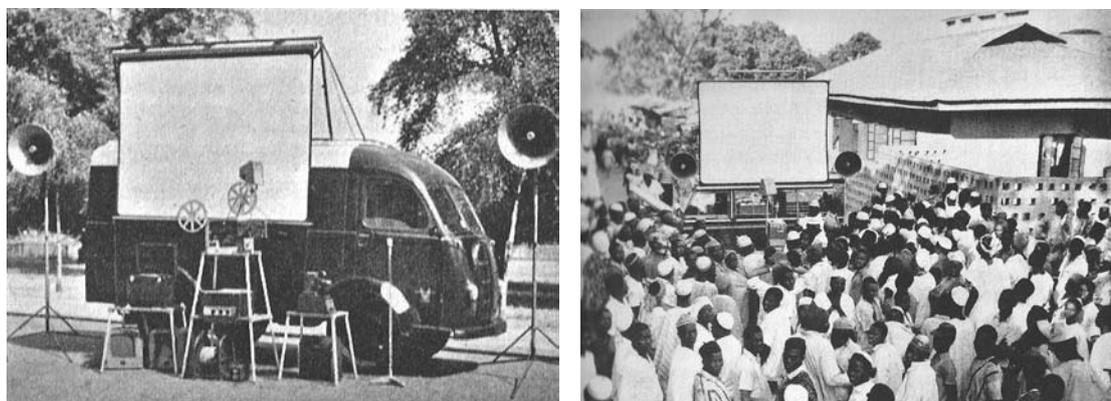
Figures 10-11: Colonial cinema van displayed and with audience gathered around it in Northern Nigeria. Source: Larkin 2008.

First, although Africans were perceived as naturally inferior, it was nonetheless considered that by training them, they could produce modern *rational* subjects. The mobile film units showed documentaries, newsreels and fiction films, instructing the audiences in "modern" modes of health, farming and civic participation, as opposed to "traditional" practices. As I will show, this echoes the IOM's belief that the migrants leave their countries based on ill-informed and irrational decisions and that, with better information on risks provided to them, they will not leave.

Second, the mobile film unit quickly formed a pattern of film distribution involving a complex of different media (Larkin 2008: 84). The work of the mobile cinema started as soon as it arrived in a village, town or neighbourhood: the van would drive around announcing the night's performance from loudspeakers and distribute leaflets. The crew would also meet the local elite before the projection, educating them so that they could in turn educate their people. The screenings were accompanied by speeches and more leaflets. Educational colonial cinema was thus a practice that comprised, but was not restricted to, the projection of the film itself. It was composed of multiple media forming what Larkin (2008) calls a "technological complex" (74) and which, using a term coined by Franco Berardi, I rather refer to as a *media dispositif* – a network of media practices designed to intervene strategically within and to modulate a particular field of forces.[52] The practice of each distinct medium and its assemblage was carefully thought out in order to maximize the desired effect: here that of educating backward audiences. Similarly, as we will see, the IOM's video clip is but one element within a carefully planned assemblage of different media forms and networks, and the IOM also relies on local actors to disseminate its message.

Finally, Larkin shows the agency the 'natives' retained within this practice. He mentions for instance the report on mobile cinema by British anthropologist Peter Morton-Williams, who noticed that the prevalence of educational documentaries and the slowness of their rhythm in order to accommodate African minds were often greeted critically by the audience, with shouts such as 'where is Charlie!', for they would have preferred the latest Charlie Chaplin movie (Larkin 2008: 95). Unintended bursts of laughter were also recorded which left Morton-Williams puzzled. This will be an important reminder for us that one should not assume that the IOM's media governmentality actually succeeds in its planned effects since the perceptions it seeks to manage are far from docile. While I trace no direct link between colonial educational cinema and the IOM's ICs, placing it as a historical reference will be useful to identify the contours of the IOM's practice.[53]

From Integrated Border Management to Perception Management

It is now necessary to sketch current tendencies in migration management so as to understand how the IOM's ICs operate within them. The tendencies in the management of the EU's borders over the last 25 years have been well charted by a number of scholars (see also the introduction to this thesis).[54] Simultaneously – or one might say

consubstantially – to the emergence of a European citizenship and of freedom of movement for EU nationals, we have witnessed the increasing denial of the legal right to reside and work in the EU to non-EU nationals, particularly those constructed as radically other and deprived of economic resources. While 'unwanted' migration has continued despite legal denial, various forms of control have been deployed both within and without the borders of the EU. The state borders' functions of selection and control have expanded without the legal borders of the EU through military patrols of member-states and of Frontex – the European border agency – and through the subcontracting of migration control activities to neighbouring countries – such as those of the Maghreb. The *bordering practices* of the EU are thus not restricted to a juridical line, but operate within an expanding zone – both inward and outward – with no clearly defined limit. They come into being wherever their function of sorting is exercised.

This expansive logic was further heightened when the increasing number of illegalised migrants entering the EU at the beginning of the new millennia led to new shifts within migration management. To respond to the failure of border controls, as of 2005, the concept of the "Global Approach" to migration management was adopted by the EU and, as of 2008, that of "Integrated Border Management" (Casas-Cortes et al. 2012; Pécoud and Geiger 2010, 2012). Through these approaches, the attempt was no longer only to control the movement of people, but also to shape the wider processes that condition migration itself – such as wars, economic development and, as we will see, perception. This shift has thus entailed on the one hand a further expansion of migration management in space to encompass countries of "origin" and "transit", thus reaching a scale which is at least potentially global, and on the other it has led to a "globalisation" in terms of the processes that may come under the concern of migration management. In this shift, non-governmental and intergovernmental actors – such as the IOM – have had a crucial role to play in terms of enabling operations outside of national borders and in a wide range of fields (Kalm 2012).

Set up in the aftermath of World War II, in 1951, the IOM's main purpose was to find new homes for those who had been uprooted by the war. Today, the IOM has emerged as the next-to-largest intergovernmental organization in the field of migration after the United Nations High Commissioner for Refugees (UNHCR). As of January 2014, the IOM had 155 member-states, with a further 11 states as observers. It has more than 400 field locations and 7000 staff members who work on more than 2800 projects all over

the world. While the IOM's migration management activities are extremely wide and it is difficult to summarize them, Fabian Georgi and Susanne Schatral usefully distinguish five main areas of activities: (1) those directly supporting the movements of emigrants, migrant workers and refugees, such as resettlements and overseas job placements; (2) those building up the capacities of states for migration control; (3) activities directly implemented by the IOM itself, from the running of detention camps to assisted 'voluntary returns' and ICs; (4) humanitarian emergency operations after natural disasters and wars and (5) discursive practices resulting in a wide variety of publications and conferences (Georgi and Schatral 2012; see also Andrijasevic and Walters 2010). Through these activities, the IOM claims "to promote humane and orderly migration for the benefit of all". However, and as this list of activities should suffice to indicate, this is a highly ambivalent mission: while it is states that constitute the IOM and fund its activities, it is clearly the imperative of "order" that prevails over that of humanity.

The IOM's ICs must be understood within the policy shift sketched out above, as a way to manage migration by shaping the perception and behaviour of those designated as *potential migrants* before they actually cross the legal borders of the EU. The first ICs were launched after the fall of the Berlin wall and in the hope of preventing a massive inflow from Eastern countries. From Romania (1992–1996) and Albania (1992–1995), ICs expanded to the Philippines (1997–1999), Vietnam (1998–1999) and Ukraine (1998). There has been an increase in ICs since 2000, accompanied by a shift in geographic focus towards Africa. In all these instances, the IOM operates as a service provider, establishing campaigns in response to the requests emanating mainly from Western states (Nieuwenhuys and Pécoud 2007: 1677, see also Andrijasevic 2007).

But why try to influence migrants' perception, one might ask.[55] The section dedicated to "managing perception" on the IOM's website is illuminating. Here, we read that "the decision to migrate is not entirely rational in the straightforward sense of evaluating pros and cons and then making a decision. It is governed by personal beliefs and desires, hearsay, wishful thinking, and stereotypes".[56] The IOM thus considers that migration is irreducible to economic and political "push and pull factors" and views subjectivity as a key factor in shaping this process. In response to the inaccurate beliefs and irrational decisions that the IOM believes dictate the decision to migrate, the IOM's aim is to "provide migrants information as to legislations, thus allowing them to take an informed decision in function of possibilities and risks". But the ambivalence that lies at

the heart of its mission can also be found at work here. Immediately after describing its campaigns as aiming to enable "rational" decisions for the betterment of migrants, the website states the extent to which they are geared towards the interest of the states:

"Governments can use mass information as a migration management tool to increase the impact of law-enforcement measures or of legislation. For example, legislated disincentives to irregular migration, whether through repatriation of illegal migrants or restrictive immigration measures, only serve their deterrent purpose to the extent that they are understood and recognised by prospective migrants."

As such, while the IOM claims to be "saving lives" by making migrants aware of the risks involved, it also contributes to developing the very repressive regime that threatens those it attempts to "save" in the first place. In the eloquent words of Antoine Pécoud (2008), the IOM ultimately attempts to "erect, in the minds of migrants, the territorial borders the EU has not succeeded in controlling on the ground".

The IOM's Media Dispositif in Cameroon

We are now in a position to understand the rationale of the IOM's ICs and may attend to the way they operate on the ground. ICs in West Africa operate according to a regional plan to combat irregular migration, defined in 2006 (IOM 2006). Although they are adapted to local contexts, their stages and main messages are essentially the same. Laurentiu Ciobanica, IOM's head of mass information activities, outlined these in an interview included in my video *Perception Management* (2009) in a passage which is worth quoting at length:

"There are fundamentally three stages. First, there is a preliminary research stage. We conduct research on what we call audience profiles. What we try to ascertain are demographics and psychographics: where the migrants come from, their social and economic background, but also what they think, what their perceptions and motivations are regarding migration. Once we have all this information in place, we analyse it and design the appropriate information materials and activities. So we decide on campaign slogans, main messages, what channels we will be using targeting whom? This is the second, relatively short phase of product design. Then we do a testing of these messages on migrant audiences, and then there is the implementation stage proper. In a graded scale, we would like to have an impact on information levels, then move on to perceptions, then attitudes, and ultimately try to influence, for the better, the behaviour of migrants."
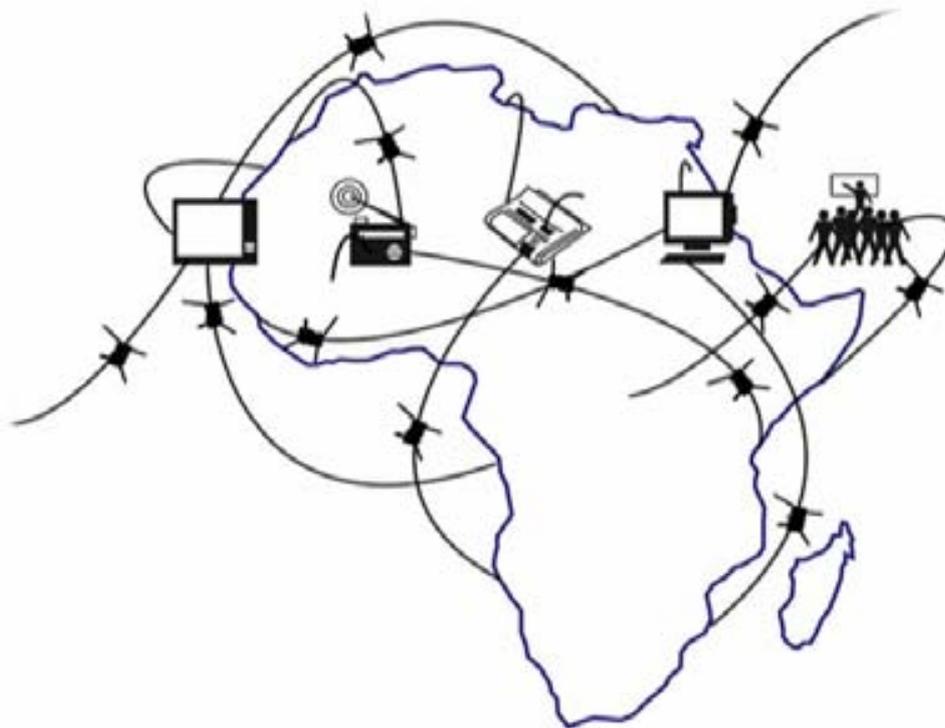
Figure 12: Graphic illustrating the IOM's media dispositif. Still from *Perception Management* (Heller 2009).

In Cameroon, the 2007 campaign on which I focus here lasted 12 weeks.[57] During the first 'research phase', the IOM found that it was mostly the youth who emigrated. It decided to focus on specific cities – Yaoundé and Douala, but also smaller cities such as Bafoussam, Bamenda and Buéa. Laurent De Boeck, at the time acting as deputy regional representative of IOM Dakar and whom I also interviewed for my video, summarized his findings as to potential migrants' perceptions:

"People believe it is easy to come to Europe, to gain direct access to a job, a beautiful car, a big garden, and being able to return money easily every month and entertain the entire family. And those people can then pay quite a lot of money to those smugglers, those networks, to get on boats, or to get on buses to cross the desert or the sea."

These perceptions, Ciobanica argued, are mostly formed through informal networks:

"Overall we found out that information is gathered by potential migrants where ever available, but first and foremost through informal networks. Migrants, diasporas, acquaintances. Then there is the large field of the mass media. Then official sources. Migrants collect data from all these networks, and in the measure of possible, we try to enlist the help of all these networks in our ICs."

This research into population, perceptions and media consumption patterns determined in turn the main messages of the campaign (which were essentially the same as for other West African countries): (1) the deadly dangers of irregular migration, (2) the possibilities of succeeding in one's life in Cameroon and (3) the alternative of legal migration (Robert and Freudiger 2009: 55). The multiplicity of information sources oriented the IOM towards what it refers to as a "media mix" – what I rather call a media dispositif – ranging from video clips screened on national TV to debates in schools. In this use of multiple and interwoven media it is reminiscent of the colonial film unit's educational activities.

Figure 13: Awareness-raising performance in a school in Cameroon (IOM 2007).

Following a short testing phase to which I will return below, the third "implementation" phase was conducted. In Cameroon, as elsewhere, the IOM relied on local communication agencies to do the actual product design, here the Douala-based communication agency MW Marketing Services (Robert and Freudiger 2009: 55). The video clip, which was the central element of the mass media outreach in Cameroon, was broadcast during 10 days (from 3 to 13 December 2007), just before and after the evening news on the national TV (CRTV) (Robert and Freudiger 2009: 57). The clip aimed to produce an electroshock. By opposing the son's "lies" to stark images of "reality", and using a flash effect in the editing, it was supposed to wake Africans from their dream fantasy. The mass media outreach also involved radio debates and announcements, billboards throughout the city, and articles in newspapers were also used to target the well-educated youth. But if mass media were used for their wide outreach capacity, they were understood by the IOM as insufficiently accessible and trusted by IOM's target populations and, as such, "*you have to move through the informal*", as Ciobanica explained. The IOM thus printed leaflets and handbooks

distributed in cybercafés and by local NGOs, consulates or schools. It also organized awareness-raising performances in educational institutions (fig. 13). These consisted in inviting NGOs or failed migrants to "inform" the youth of the dangers of "irregular migration". However, based on Ciobanica's recognition of the crucial importance of "informal networks" as a source of information, we can see another dimension of the IOM's aims: not only to *circulate* a dissuasive message through them, but to *disrupt* the circulation of competing messages. This is evident in clash between the rosy "lies" and harsh "reality" staged by the video clip, which did not only aim to show potential migrants a harsh image of what they might find in Europe, but also to discredit what the IOM calls "informal networks" and what many would rather call family and friends.

What remains outside of Ciobanica's tripartite phase description is the phase of evaluation of the ICs' effects. In Cameroon, there was none, and this appears to be the case elsewhere as well. In an interview, Odile Robert of the OIM in Berne (Switzerland) explained:

"It is not possible for us to evaluate the real impact of this campaign. One would need to produce a comparative analysis of the understanding of the phenomena of migration before and after the campaign, which was not planned, and the effective result residing in any case in the impossible comparison of the number of clandestine departures ..." (Robert and Freudiger 2009: 58)

The actual effects of the IOM's campaigns are probably quite limited. In a context in which information circulates through multiple different networks, which vary in scale from the local to the global, controlling information – let alone its reception – seems an impossible task. While I have not had the chance to lead interviews with IOM audiences in Cameroon, Moise Merlin Mabouna, a director from Cameroon living in Berlin at the time, reported to me that his friends had seen the IOM's clip projected during the halftime of a football game. He recounted they burst into laughter and exclaimed, "These whites are crazy if they think this will be enough to stop us from leaving!" Odile Robert similarly recalls being troubled by the laughter observed in public during the test phase of the clip (Robert and Freudiger 2009: 59). These bursts of laughter, which also startled the observers of colonial education cinema, should be sufficient to hint at critical viewing and agency, for laughter has long been used by West African populations as a form of resistance to the propaganda of their authoritarian regimes – colonial and postcolonial (Mbembe 2001).

If laughter points to the limits of the possibility of "managing perception", one should also question the very assumption that, should the perception of the dangers of migration be altered, migrants would not leave. In a detailed research led through sustained interviews of aspiring migrants in Senegal, Jørgen Carling and Maria Hernandez Carretero found that people leave despite being well aware of the risks of migrating across the sea, but that risk information is filtered through the prism of life opportunities. With the economic situation for the youth already amounting to a form of social death, they prefer taking their chance at seeking a better life elsewhere, even at the risk of their lives (Carling and Hernandez Carretero 2012). It is thus highly unlikely that any amount of information will change migrants' behaviour should these social conditions fail to change in the first place. While this itself is unlikely to occur in the immediate term, the only solution to prevent the deaths of migrants at sea and the conditions of illegality, precariousness, exclusion and exploitation they face on European soil is to grant migrants visas so that they may migrate legally. This, however, is not on the EU's or the IOM's agendas.

Positioning one's Practice within The Multifarious Trajectories of Images

The untested assumptions of politicised artists are thus at work within the IOM's media governmentality as well. Despite the limited effects they probably have, IOM's use of images of suffering as a tool to govern migration should lead to important questions for politically engaged aesthetic practitioners. Certainly if we uncover that which is already put on display by the state itself, we risk at best being ineffective, at worst becoming complicit despite ourselves of the spectacle of power. Further more, if oppression increasingly comes cloaked in the language of human rights and development, does this mean that we should no longer seek to uncover and denounce the violation of the rights and lives of migrants through aesthetic practices?

One answer to this question which may be necessary in certain circumstances is to refrain from showing the "suffering of migrants", as Maria Iorio and Raphaël Cuomo have done in their remarkable video *Sudeuropa* (2005-7). Filming in Lampedusa at a time when the bodies of migrants only appeared under the constraint of the state – as they disembarked the boats of border guards under heavy lit spots and in front of rows of journalists – before being made invisible in the island's detention camp, Iorio and Cuomo decided to refuse to film any recently arrived migrants. Through this refusal, they shifted the focus from migrants' overexposed bodies to the regime of visibilisation

and invisibalisation operating on the island. I see my research on the IOM's campaigns and the several articles and presentations it gave rise to as a move in a similar direction: refusing (for a time) to produce more images of migration, and shifting instead the focus to the migration of images.

Figure 14: Still from Maria Iorio and Raphaël Cuomo's film *Sudeuropa* (2005-7), showing the back of cameraman in the port of Lampedusa.

But I think refusal is not the only answer – as will become clear in the subsequent chapters. The condition however to continue to produce forms of representation of the violence of the border regime is to position oneself strategically and tactically in relation to what is made (in)visible by the state, and seek to challenge the regime of (in)visibilisation of migration. However, this is an ever-shifting field, and further more, as I argued in the introduction, in a context where the circulation of images is multifarious and uncontrollable, there is an inherent instability and unpredictability in their meaning and effects. Whatever representations we produce, they may be appropriated by many other sides in ways we had never imagined. However, if actors and agencies that uphold the government of migration may reappropriate our images, the opposite is also true, as I demonstrate in the next section in relation to images of migrants' burning boats set ablaze and photographed by the Moroccan military. However, this is best done not if we simply use the images of power as representations of violent events, but seek to read through them the way the images practices themselves participate in this violence.

FRACTURED CHAINS OF CUSTODY[58]
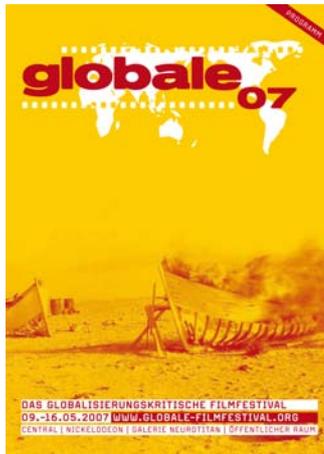
Figure 15: Globale film festival poster 2007.

In May 2007, the walls surrounding the *Nickelodeon* cinema in the centre of Berlin were covered with the bright yellow posters of the *Globale* film festival, which each year brings together filmmakers and activists whose work reflects critically on "globalisation." The image that appeared on this particular year's poster was that of wooden boats ablaze. Boats which had been built by migrants' bare hands in the Southern Moroccan desert in the hope of using them to cross over to the Canary Islands. Boats that were set on fire—and photographed—by the Moroccan military after the migrants had been intercepted and captured.

The film festival had chosen this image from my video project *Crossroads at the Edge of Worlds* (2006), which was produced with the *Maghreb Connections* project and explored the networks and strategies of illegalised transit migrants in Morocco, and which I described in more detail above. The image had been handed to Ursula Biemann and me by the Moroccan authorities in the course of our research and filming. It provided a striking expression of the violence with which the desire to migrate to Europe is met. In the image, one can read the clash between the self-organized networks of migrants spanning the entire Maghreb and the constantly expanding European border regime (see Heller and Alioua 2013).

While until 2004 migrants had paid for the services of fishermen along the coast, pressure from the European Union led the Moroccan authorities to increasing control over the fishermen's boats, forcing illegalised migrants to resort to the services of

smugglers who made them build their own boats in the desert. But the Moroccan police and military deployed ever more resources to patrol the desert (at times with their Spanish counterparts onboard their jeeps and helicopters), capture migrants, and destroy their means of mobility.

Figure 16: Photograph of migrants' boats being set ablaze. Gendarmerie Royale (Moroccan Police), region of Laayoune internal publication 2005.

My use of this image followed the common impulse of human rights activism: to document legal and political abuses in the aim of "mobilizing shame" (Keenan 2004). However, when making the video and using this image in various communication materials, I did not inquire sufficiently into the initial conditions and reasons for its production and circulation. *Why were the Moroccan military not only burning these boats but photographing them? What did this act of imaging have to do with the violence the images displayed?*[59] In short, I had been excessively concerned with the "photographed event"—that which the photographic image represents—rather than "the event of photography" which, according to theorist of photography Ariella Azoulay, refers to the (co)production and circulation of the photographic image through multiple hands and spheres (Azoulay 2010). By drawing from some of the methodologies used by forensic science that treat the image as both practice and object, I will try to answer these questions and probe the exposure of illegalised migration in all the interwoven senses that this polysemic word conjures: the visual exposure of illegalised migrants, their being "ex-posed" – rendered outside and excluded – of a given community and the exposure of their bodies to conditions of precarity and death.[60]

The Chains of Custody

Within a legal context, establishing the chain of custody of an image is central to consolidating its truth claim. The term "custody" derives from the Latin custodia, "guarding, watching, keeping." The chain of custody, then, is the detailed recording of the journey of evidence (its custodial handling) from the site of a crime to the court, in order to maintain the integrity of the image. Ideally, a photograph's chain of custody should answer the following questions: "Who captured the image and when? Who had access to the image between the time it was captured and its introduction in court? Has the original image been altered in any way since it was captured? Who enhanced the image and when? What was done to enhance the image and is it repeatable? Has the enhanced image been altered in any way since it was first enhanced?" (Berg 2000).

In asking these questions, legal practice recognises the image's material and semantic instability: all images are carriers of information that is subject to change as they move between different contexts and users, change formats, and undergo actions of cropping, sequencing, captioning, and copying. As such, in order for the law to mobilize photography's perceived claim to objectivity, it must first engage with the image's unstable "objectity" – a term I borrow from Bruno Latour to point to an image's unstable status as an object (Latour 2004). In this the methodology associated with the practice of the chain of custody echoes shifts in the understanding of images within contemporary media theory, which increasingly perceives them not only as representations of reality, but rather as practices and objects that are part of the world (Steyerl 2010).

The Violence of the Frame

The image of burning boats had been handed to Ursula Biemann and myself by the Laayoune police in Southern Morocco on a CD that contained over one hundred such images. Taken both from the air and from the ground, the images clearly illustrate the systematic tracking down and capture of migrants, the destruction of their belongings and, most of all, of the boats they were building.

Figure 17: Aerial photographs of migrants intercepted in the desert. Gendarmerie Royale (Moroccan Police), region of Laayoune internal publication 2005.

Figure 18: Photograph of remains of migrants' boats showing the shadow of the photographer in the foreground. Gendarmerie Royale (Moroccan Police), region of Laayoune internal publication 2005.

In one of the images, the shadow of the photographer is apparent (fig.18). While it does not disclose much about the identity of the photographer, it is almost certain that he is a policemen or a military officer accompanying several operations, as indicated by the systematic character of the documentation provided by the CD full of images. Furthermore, according to Hicham Rachidi of the Moroccan anti-racist organization GADEM, since 2005 raids performed throughout the country have been frequently photographed or filmed. The camera, then, had become just one more weapon in their arsenal. But in this very same image, another graphic element, this time less explicit, points significantly to its conditions of production and circulation: it bears a white *frame*. The image of the burning boats that I have so often used also had a frame of thin white angles of this sort, but these were always cropped out for publication. What is this frame?

Figure 19: photograph of intercepted migrants showing a binding of the printed out photograph. Gendarmerie Royale (Moroccan Police), region of Laayoune internal publication 2005.

This image above (fig. 19) provides a probable answer to this question. In addition to a thin triangular frame that is visible as the angled black areas bordering the image (which show that it is a clumsy "image of an image") it also bears the marks of a binding. This establishes that the photographs of boats burning on our CD were scanned or photographed from a printed format that had been arranged for circulation and display. The hundred or so images we were handed thus record the materiality of the photographs and their storage—the "event of photography" referred to above—as much the "photographed event." While the practice of the chain of custody in the legal sphere is marked by the demand to maintain sovereignty over the image, in my attempt to understand how these images operate in the world, the material transformation of the images evidenced above is crucial. Their "borders" become the centre of attention in that they point towards their status as an object and beg the question: How and why were these images displayed by the Moroccan authorities?
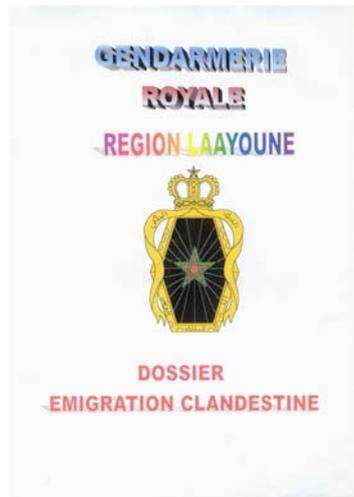
Figure 20: Cover of the "Dossier: Clandestine Immigration". Gendarmerie Royale (Moroccan Police), region of Laayoune internal publication 2005.

Certainly, the images were displayed as illustrations and evidence in their reports (of which they even handed us the front page; see fig. 20). Clearly, they were used as handouts for curious journalists—or for artists like us—in place of the live event of a boat bonfire on the Moroccan beach that the police were not able to present directly. But why would the Moroccan authorities need to document the capture of migrants and the destruction of their boats so systematically? And why would they be so willing to publicize what appears to us to be evidence of violent repression? My interpretation is that for the Moroccan police and military, these images are evidence of a job well done. Evidence, directed to its own population, that the Moroccan state is capable of managing the flow of people across its borders, one of the main attributes of sovereignty. Evidence, directed to Morocco's powerful European counterparts, under whose pressure the Moroccan authorities perform their duty, for which they receive significant funding. In this case we need to ask the following question: Does the image simply document the event of violation, or is the event produced to a certain extent for the camera and with an eye on the future circulation of the image? I believe the latter. If it is not the act of photography that sets the migrants boats ablaze before deporting them, the practice of the image has a distinct agency in shaping these events. The Moroccan police and military need less to do, than to show that they are doing.

In this sense I concur with Thomas Keenan who writes that "there are things which happen in front of cameras that are not simply true or false, not simply representations and references, but rather opportunities, events, performances, things that are done and done for the camera, which come into being in a space beyond truth and falsity that is

created in view of mediation and transmission" (2004: 435). In the process of spectacularising the enforcement of borders through the scene of captured illegalised migrants, the obscene supplement of the political and legal production of their illegality—as well as their recruitment as precaritised labor— is left in the shadows of the hors champ (De Genova 2013a). Thus naturalized as criminals guilty of the unauthorized presence and movement of their bodies, migrants can be exposed to unlimited state violence.

Reframing Violence

As Judith Butler remarked in reference to the infamous images from Abu Ghraib, the image which is the product of this first act of framing – the moment the camera's shutter is triggered – may potentially be destabilized and politically contested by a second act of framing that relates to the context in which the image subsequently circulates (Butler 2010). In my video project, I attempted to reframe this image within a critical discourse on migration and migration management. I should have also better accounted for how the Moroccan military's image practice shaped the violent event it documented, for in failing to do so I was omitting an important dimension of the violence being perpetrated. But reframings are not more stable than the initial frame they may seek to destabilise and contest. As exemplified by the *Globale* festival poster, the image of burning boats was often used in communication material (both online and off), and as such migrated in a way that shattered its chains of custody. After an exhibition of the *Maghreb Connection* project in Geneva in 2007, I came across a newsletter entitled *Going Home*, published jointly by the Swiss migration department (ODM) and the International Organization for Migration (IOM) to publicize their joint migration management activities. The image, which had certainly been extracted from an article published on the web in relation to our own project, appeared within this document without caption. But in this new context it was literally framed by a text describing the IOM's activity in the "prevention of irregular migration and trafficking." Here, as we saw in the in the IOM's information campaigns, the suffering of migrants is deplored but it is once again stripped of political critique. It is the practice of smugglers that is criticized, rather than the very regime that forces migrants to resort to them. The spectacle of the suffering of migrants is used not to denounce but rather to justify the migration regime that produced it in the first place.

Figure 21: *Going Home* newsletter, Swiss migration department (ODM) and the International Organization for Migration (IOM), August 2008.

Through its complex and shifting trajectory, this image had thus been reassociated with the repressive government of human mobility that had produced it in the first place and from which it can probably never be entirely severed. But neither can it be from the critical discourse of those who denounce the structural violence of the migration regime. In October 2013, a dramatic shipwreck cost the lives of over 350 migrants only 1 kilometre from the Italian island of Lampedusa.[61] While European politicians have used this "tragedy," in their words,[62] to demand more funds for border controls, this image was picked up again by Mehdi Alioua, president of the GADEM, and used for the circulation on Facebook of a call to denounce Europe's assassination of these migrants.[63]

Figure 22: Facebook post by Mehdi Alioua, President of the GADEM, of the joint article "Lampedusa : l'Europe assassine," *Libération*, October 4 2013.

The methodology of the chain of custody – the disentangling of the conditions of production and circulation of photographic images that results from a fine grained reading of their materiality – has enabled me to trace the trajectory of the very same image between different spheres and actors, its constant "migration" between those who uphold the government of mobility and those who contest it. The very possibility of this circulation should be sufficient to point to the immanence of the conflictual field of the politics of migration, in which actors are engaged in a never ending "hand to hand" struggle that is partly fought through the production, circulation, and reframing of images of the "suffering" of migrants. Used alternatively as evidence of the successful and necessary policing of "clandestine migrants", to deter "potential migrants", or as evidence of the violations perpetrated in these acts of policing, the meaning and effects of the very same images may be radically altered by the technological and institutional assemblage in which they are inscribed.

What the enquiry into the social and material lives of images contained in this chapter demonstrates, is that images can never be produced with a view to effects operating within a single causal chain, since they may contribute to catalyse as many outcomes as the contexts and actors through which they circulate. The effects images and image practices may contribute to are thus never quite their own, nor are they necessarily those intended by their initial producer. This inscription of images and image practices into collective life thus always entails risk and potentiality: the risk that one's work may contribute to practices one condemns, the potentiality that it will be seized by unforeseen others towards progressive change. Developing a more complex understanding of the forms of agency of aesthetic practice and objects one may hope to mitigate the possibility of the former and accentuate the potential for the latter. But the multifarious, contested and unstable life of images and image practices is the price to pay for them being and operating *in the world*. It is the necessary condition for them to achieve effects that would justify calling them political rather than politicized. Whether we like it or not, the circulation of images is no more controllable than that of human beings, and this despite the practices and policies that attempt to contain their unruly freedom.

IMAGE/MIGRATION PORTFOLIO
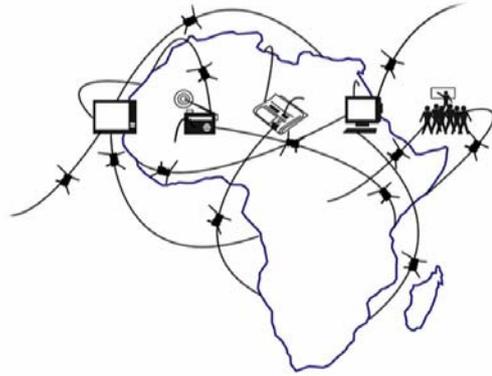
Perception Management

Charles Heller 10 min. 2009

Viewing Link: https://vimeo.com/37100348

How are images used to within the government of migration? This video probes this question through the example of the International Organization for Migration (IOM) 's information campaigns in Cameroon, through which it seeks to "manage the perception" of potential illegal(ised) migrants, seeking to deter them from coming to the European Union. Images depicting migrants' precarious condition such as those I have produced in previous videos are no longer only used to denounce the policies that produce them in the first place, but to forward and deepen them. In this short video, which uses the aesthetic form of an institutional video to challenge the IOM's institutions discourse, I interview IOM practitioners and seek to untangle the multiple media the IOM uses as part of its "media dispositive", arguing that the IOM seeks less to inform than to control migrants, but that it can only fail in its mission to tame the uncontrollable movement of people. Excerpts of this video were used in many live presentations in which I performed a paradoxical refusal of showing images of migration all the while presenting stories in the migration of images.

3. FORENSIC OCEANOGRAPHY

Figure 1: Reconnaissance picture of the "left-to-die boat" taken by a French patrol aircraft on 27 March at 14:55 GMT and sent to the Italian Maritime Rescue Coordination Centre in Rome to inform them of the sighting of a small rubber boat with about 50 people on-board, as well as its geographic coordinates.

This picture – the first of the several detections of the migrants' vessel by state actors during the 15 days that lasted their tragic journey – was taken a few hours after the departure of the vessel from Tripoli by a French aircraft participating in the military operations in Libya. Several of the survivors of the "left-to-die boat" have recognised this as their boat and recall to have "noticed an aircraft flying high above them". Survivor Ghirma Halefom in particular said "the aircraft was white, and not a helicopter but rather a small patrolling aircraft." Despite this and other forms of evidence, the French Ministry of Defence has denied any involvement in the "left-to-die" case. In this image is simultaneously captured the precarious condition of the migrants, the power of the actors monitoring the sea – who had the capacity to capture the migrants from above after detecting them from within an extremely vast maritime area – and their knowledge of the risk that the migrants were subjected to in travelling on such an overcrowded and unstable vessel (which the fact the image was sent to the Italian coast guards attests to). This image was included in the 2012 report of the Dutch Senator Tineke Strik, produced on behalf of the Parliamentary Assembly of the Council of Europe (PACE), "Lives lost in the Mediterranean Sea: who is responsible? " (PACE 2012).

PROLOGUE

9 of June 2011

On the 9th of June 2011, the GISTI (Groupe d'information et de soutien des immigrés), a small but very active French NGO which has specialized in political analysis and strategic litigation, published a press release in which it announced it would file complaints against "NATO, the EU and the countries taking part in the coalition in operation in Libya" for non-assistance to migrants in distress (GISTI 2011). It is worth reading attentively this powerful statement. Only a few days before, the UNHCR had announced that it had counted more 1500 documented deaths in the Mediterranean Sea in 2011, one of the record highs.[64] The GISTI recalled that these deaths were not a new phenomenon – Fortress Europe counted 13,417 deaths at the maritime borders of the 1988 to March 2012[65] – which are as many "invisible victims of a European policy aiming to combat the immigration which it calls "illegal"". However, the GISTI argued that while the public may have gotten used to these repeated tragedies, while it may have believed that they were unavoidable, the situation in 2011 was markedly different as a result of the intervention in Libya of an international coalition and NATO forces. The GISTI concluded: *"Today, AWACS, drones, airplanes, helicopters radars and naval ships monitor tightly all movements in the Mediterranean. They cannot not see the boats of the Sub-Saharan exiles who are fleeing Libya. In failing to intervene, they are making themselves guilty of non-assistance to persons in danger. This cannot remain unpunished."*

The paroxysmal level of militarisation and surveillance deployed in the Mediterranean at the time, which was supplementing the means deployed in the low intensity war on migration operating since many years, was thus seized by the GISTI as an opportunity to demand accountability for these deaths. While it is not directly mentioned in this press release, this GISTI certainly also had in mind the indications of direct contact with migrants in distress that emerged from the first reports on what came to be known as the "left-to-die boat" case. On the 9th of May 2011, *Guardian* journalist Jack Schenker had published a devastating article titled "Aircraft carrier left us to die, say migrants", in which migrants who had been heading for Lampedusa but encountered a situation of distress described being left to drift for two weeks despite sending out distress calls, being flown over by military helicopters and encountering a large military ship.[66] While

two journalists had already published their investigation in the Italian and Swiss-Italian press,[67] it is *The Guardian* article that put this case on the international headlines and forced NATO to respond – with initial denial as to any knowledge of the boat in question.

The press release of the GISTI and the news of the "left-to-die boat" reached Lorenzo Pezzani and myself after a year and a half of collective enquiry at the Centre for Research Architecture (CRA) into the "forensic turn" in human rights practice, which was progressively opening a new horizon of possible practices, and would equip us with the tools to contribute to seizing the new opportunities to contest the deadly border regime. The first CRA seminar dedicated to this theme – there would be many more during the five years of the project - was titled *Forensic Architecture* and took place in September 2009. The project drew inspiration from the recent report by Richard Goldstone for the United Nations' Human Rights Council on the 2008-2009 Israeli "Operation Cast Lead" against Gaza, in which the analysis of architectural debris figured prominently as evidence of violations perpetrated by the Israeli army.[68] Architecture had become a weapon of war, since a large proportion of the 1,400 people who were killed during the attack, were so within buildings, as a result of "the flying debris of shattered concrete and broken glass of what used to be the walls and ceilings of their homes" (Weizman 2010a: 9). The ruins in turn became a witness of sorts which could be interrogated by architects and ballistic experts to determine which weapon had caused the damage and if its use was lawful in accordance to international humanitarian law (ibid.).

The report by Richard Goldstone (which relied heavily on evidence gathered by Human Rights Watch) seemed to epitomise an emergent forensic turn in the practice of human rights – which was incisively identified by Eyal Weizman and Tom Keenan, from a practice that mostly relied on the *testimony* of victims and was geared towards *public opinion* in the aim of "mobilising shame" (Keenan 2004) to one mobilising an increasing range of media and objects as *evidence* of human rights violations and geared towards the *legal sphere*. The forensic approach seeks to find *traces* of events under investigation so as to reconstruct them and prove or disprove a crime. However, if the traces considered by the inventors of forensic science such as Edmond Locard (1877–1966) could be stains, fingerprints, gun powder, etc; today events are potentially registered by an infinite amount of materials and media – from phone communication to

payment data, from videos shot with mobile phones to satellite images and vehicle tracking data, from sound recordings to rubble analysis (Ruffel and McKingley 2008; Schuppli 2013). While this forensic perspective was being applied in new and productive ways within human rights practice using the full range of these 21 century traces, in the process forensic science was being seized from the monopoly of state agencies and its use in the aim of policing the crimes perpetrated by their own population, and used by civil society itself to hold sates and non-state actors accountable for their crimes. It is this shift that Eyal Weizman seeks point to by referring to this critical and civil society-based practice as *forensis* – Latin for "pertaining to the forum" and the origin of the term forensics – rather than *forensics*, which has come to be associated with the scientific tools used by states to investigate crimes (Weizman 2014: 9).

This forensic turn seemed to offer a way out of the crisis of human rights practice, produced by the conjunction of the spectacularisation of violence and public indifference. It seemed to offer new possibilities of intervention for researchers and aesthetic practitioners in that aesthetic objects were acquiring a new agency in this context – after all, as Keenan notes, the very etymology of the term "evidence" from its Latin root *ex-videre* – obvious, clear, visible, points to this aesthetic dimension (Kennan 2014b). In relation to my own research-practice trajectory, I saw this agenda as a possible way out of the self-reflexive stance of my project *Image/Migration* (Chapter 2), which, while necessary for a time, was insufficient to struggle in and with the world, particularly in the ruptural context that followed the Arab uprisings.

However, while the CRA saw potential for a renewed practice in this forensic turn, the aim was also to think through its implications in a critical and theoretically sharp way. The forensic turn seemed to condense a number critical questions ranging from the role of (international) law in global politics, both as a tool in the exercise of violence and as a tool to contest it, to the agency of images, objects and of the environment itself, which have become entangled in politics so as to become no longer only the backdrop but the medium of violence and resistance to it (Weizman 2014). As a result of these questions, the project intersected productively with the "non-human turn" in different fields, which I discussed in the introduction. The *Forensic Architecture* project which progressively took form thus sought on the one hand to explore – through practice – the new possibilities for intervention that the forensic turn might offer, and on the other, to

reflect critically on its implications (Weizman 2014). After a number of seminars with forensic experts that introduced us to some of cutting edge methodologies applied in the field of human rights, human rights practitioners whose work simultaneously used and challenged the legal sphere, but also theorists problematising the status of objects in the frame of the law, or the very distinction between subject and object, a new horizon of research and practice started to emerge.

The Arab uprisings and the rupture in migration and bordering patterns they produced (which I discuss in more detail later in this chapter) thus coincided with this moment of forging a new language and repertoire of critical forensic practice. And as such, when the GISTI's press release circulated in migrants' rights networks, Lorenzo Pezzani and myself simply offered our help. As we narrate in more detail in the following sections of this chapter, soon a coalition of NGOs was formed (mainly CIRÉ, FIDH, GISTI, LDH and Migreurop) to seek accountability for the deaths involved in the "left-to-die boat" case. Trough the research project *Forensic Oceanography*, the CRA in collaboration with SITU Research assisted these organisations by leading an independent enquiry to reconstruct this incident that mobilised cutting edge remote sensing, modelling and digital mapping tools to cross-reference the initial testimonies of the survivors. The 90-page report we released in April 2012 was the basis for several legal cases, first against France, then Spain and Belgium, which are still ongoing. The videos, maps and report we produced found important echo in the international press, the human rights community, the fields of migration and border studies and latter in artistic contexts.

In this chapter, which was almost entirely co-written with Lorenzo Pezzani, I first provide a summary of our investigation into the left to die on the factual and methodological level. Our report sought to combine multiple sources of data – from the testimonies of the survivors to satellite imagery analysis - into a single analysis so as to provide as comprehensive a picture of the chain of events as possible and to assess the degree of involvement of all parties implicated. In doing this it privileges neither the supposedly objective "view from above" – the technological vision of the most powerful actors on earth – nor the "view from the boat" – the embodied experience of the undesirables of the earth. We sought rather to intertwine these perspectives, considering that both contain part of the truth, and that while remote sensing and mapping can help chart events in space and "objectivise" them – although as we will see, satellite imagery requires interpretation and reveals only a highly pixelated image

of reality – we should never loose site of the embodied and subjective experience of the violence of being left to drift to a slow death. We pushed this montage of the distant and "objective" and the close and "subjective" even further in our video based on the report *Liquid Traces*.[69]

Our investigation however was enabled by a fine-grained analysis of the way the maritime frontier operates, into to which the case in turn provided a unique entry. In the following section *Liquid Traces*, we seek to account for the complexity of the maritime frontier, and how we sought to position our practice of investigation strategically in relation to this context. To seek to *understand* – and not only reconstruct – the events of the "left-to-die boat", we seek to untangle the different practices and actors that are bundled together in this event: the social networks of migrants, the legal divisions of the sea, the technological surveillance apparatus, militarised patrols, merchant shipping and fishing fleets, etc – all of which are constitutive of the EU's maritime frontier zone. After demonstrating how the hierarchised mobility regime that results from the practices of these actors has turned the sea into a deadly liquid, we show how we mobilised "against the grain" the particular conditions of the maritime frontier and some of the very surveillance tools used to police illegalised migration so as to exercise a "disobedient gaze" and seek to re-inscribe responsibility at sea. As I discussed in the introduction, this chapter builds on and seeks to contribute to a broader discussion about the contemporary transformations of sovereignty, of which the maritime space and the government of migration constitute a unique laboratory. At the maritime frontier, we see at work the unbundling of state sovereignty and its extension in space as differentiated "layers" of sovereign rights and obligations, expansive and mobile bordering practices, private companies which may exercise quasi-state functions, and emergent forms of transnational activisms that deploy new tools to contest the border regime.

A final section *Making Waves* takes a step back and seeks to reflect on the outcomes and effects of our project. While the legal cases the support of which was the main aim of our initial report are still ongoing, justice has not yet been brought to the passengers of the "left-to-die boat". New cases of non-assistance have been documented and dead bodies continue to drift back to European and North African shores. As such, even as the cases are ongoing, I offer some preliminary thoughts on the politics of strategic

litigations, their potentialities and limitations. Nonetheless, our work has offered a substantial contribution to the field of migrants' rights, and our methodology is being further put to use and developed by a wide network of activists, researchers and NGOs through the *WatchTheMed* online mapping platform. Today, from the assemblage of our methodologies for documentation of events occurring in the maritime frontier with the longstanding practice of support to unauthorised mobility characteristic of the No Border network, has emerged an alarm phone which allows activists to directly intervene to prevent the violations of migrants' rights at sea. In this, our project has contributed to renewing the way the deaths of migrants are being contested on a day-to-day basis.

In annexe to this chapter is a portfolio of practice comprising the report on the "left-to-die boat", the video interview we conducted with survivor Dan Haile Gebre, the video animation *Liquid Traces* and its display in an exhibition context, and the *WatchTheMed* web platform which we conceived with a network of activists. In relation to my prior work as an producer of moving images which I addressed in the previous chapter, this practice may seem to represent a substantial break, in the sense that while photographic and video images are not absent, they are used a part of a work of reconstruction in which mapping played a central role. However, as I argued in my introduction, I perceive the practices of photography, video, satellite imaging, mapping and as I will show in the next chapter, statistics, as operating on a continuum of *sensing devices*. The video *Liquid Traces* also brought the interviews, maps and theorisation we produced into a single synthetic narrative form, which is in many ways in continuity with my previous video essay works.

What I think is useful to underline in this prologue is how the research contained in this chapter fits within my research trajectory and situate *Forensic Oceanography* within ongoing debates on the politics of knowledge production. When I began working on the research *Image/Migration*, I questioned the way aesthetic practitioners - myself included - think of the politics of their practice. In the process of enquiring into the migration of images and the IOM's "information campaigns", I however became more of a researcher than ever before. The research on *Perception Management* in particular, can certainly be seen as a Foucault inspired critique of the government of migration. However, after this research, I also began to question the way we think of the politics

of knowledge production, asking, as I had before in relation to my image practice: What does critical knowledge production *do* in the world?

In the opening of his 1978 course *Security, Territory, Population*, Foucault outlines a possible model for thinking the politics of knowledge. Rather than seeking to tell people against what and how to struggle, which could "only appear within a field of real forces", he saw the role of theory as offering "tactical pointers" ("indicateur tactique" in French): "If you want to struggle, here are some key points, here are some lines of force, here are some constrictions and blockages" (2007: 18). Certainly, this model in which theory and struggles are seen as intertwined but discreet moments and practices, is not the only one available for thinking the politics of theory production, and we can find several other models formulated within the work of Foucault that challenge it (see Hardt 2011; Garelli and Tazzioli 2013 and Pezzani 2015). But it is exemplary of the expectation that theory allows (others) to *do* things in the world. We can see easily how Rancière's critique of the expectations of political art which I discussed in my introduction is applicable here too, when he argues that while the weakness of the causal link between aesthetic form, knowledge and political action had been hidden by the reality of strong political mobilisations, it is now laid bare by simultaneous multiplication of representations of violence and the weakness of movements mobilising to contest them (Rancière 2009a: 75-76). In this light, we can ask: *What is the politics of knowledge when, in the field of migration and border studies for example, we have an overabundance of "tactical pointers" that fail to be taken up within practical struggles, and fail to challenge in any way the migration regime?* Critical analysis risks becoming more and more disconnected from any actual confrontation with power and unable to contribute to transforming the world. In the politics of knowledge production, as in that of aesthetic production, there are untested causal assumptions that need to be constantly rethought anew.

The project *Forensic Architecture* and that of *Forensic Oceanography* more specifically should be thought of as seeking to contribute to renewing the thinking and practice of the forms of efficacy of theoretical work. An anecdote narrated by Eyal Weizman provides a way into the shift the project has sought to operate. For his research on the strategies of Israeli occupation, Weizman led a number of interviews with high-ranking military officials, which he referred to in his research – amongst others demonstrating the use of post-structuralist theory by the Israeli Defence Force to develop its practice of

"walking through walls" (Weizman 2007: 185-218). However, as he was about to publish a translation of this research in the journal *Theory and Criticism*, the officer Aviv Kokhavi threatened to sue him, demanding that his name be taken out. This for Weizman was precisely the moment of realisation that he had touched something important, through a slight shift that was enabling his research to become agentic. "You can say practically anything 'radical' in academic organs without censorship, Weizman explains, but the problem starts when you marry a kind of investigatory journalism with theory. (…) Nobody cares when you write against 'Zionism' in general, but naming names and places and units and actions intervenes within the system itself" (Weizman 2010b: 301). Nobody cares either when we denounce the "EU's deadly border regime", but actors are forced to respond when specific actors, practices and policies are singled out for their deadly outcomes. As a result, Weizman advocates the productive combination of "a certain journalistic forensics with theory" (ibid.).

The recounting of this anecdote coincides with the emergence of the *Forensic Architecture* project, and thus I can only imagine that Weizman was spurred by this experience to push the forensic dimension of his work – and the targeting of the responsibility of specific actors it allows – even further. What I want to underline with this anecdote is that the *Forensic Architecture* project – as well as *Forensic Oceanography* – is then not only an attempt to experiment with an emergent practice in the field of human rights and the role of aesthetic practice within it, but also with an emergent form of the *politics of knowledge*. The word "experimentation" here is key. We considered that the effectivity of this kind of politics of knowledge could not be judged in advance, but needed to be tested to be reflected upon, which is what I seek to do in the last section of this chapter. However, what should be underlined here is that there is no opposition between the analytics of power that a Foucaldian lens allows and the politics of knowledge using a forensic approach proposed by *Forensic Architecture*. On the contrary, what we have sought to do is combine the analysis of complex fields and mechanisms of power with the naming and identification of specific actors responsible for particular crimes.

The drive to experiment with this strategy of aesthetic and knowledge production, certainly does not mean that it is sufficient nor that it is the only one that points to new potentialities. As I will argue in the section *Making Waves*, and in continuity with my demonstration in *Image/Migration*, the effects of aesthetic and knowledge practices are

often not those expected by their authors. Our research and methodologies became agentic in ways we had not initially planned or even imagined once in the hand of a judge in charge of the investigation in front of the French court - who used the quality of our report to justify the lack of need to investigate further, or once seized by activists seeking to support migrants' unauthorised movement across borders.

Further more, the forensic lens may be effective to target the responsibility of specific actors, but what about the policies that frame their behaviour? In the continuity of this project, a crucial question that emerged for us and which I address in the next chapter *Tactical Statistics*, is that of inscribing specific violations within a broader form of structural violence that is the product of the EU's migration policies and bordering practices. But this only leads to another question: that of inscribing the violence of the border regime within the violence of the world order itself. If *Forensic Oceanography* has been an attempt to get as close as possible to deadly events so as to seek responsibility for them, I have needed in turn to "zoom out" again from them and inscribe illegalised migration and its policing within a broader analysis of the postcolonial world system, as I have sought to do in my introduction.
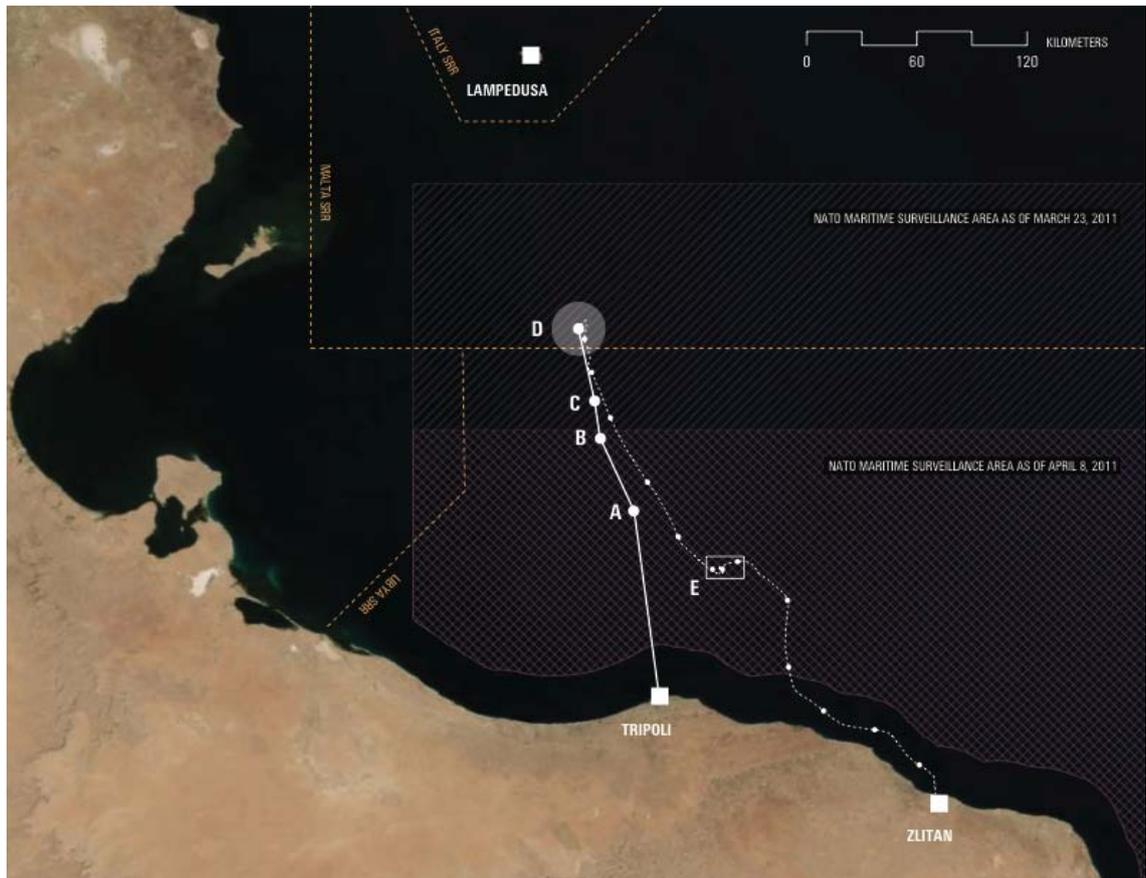
Figure 2: Map reconstructing the chain of events of the "left-to-die boat" case. Charles Heller, Lorenzo Pezzani, and SITU Research. The following is a summary of key events.

1. The migrants' vessel left the Port of Tripoli between 00:00 and 02:00 GMT on 27 March 2011 with 72 migrants on board. At that time, in the frame of the military operations in Libya, NATO was enforcing an arms embargo in the Central Mediterranean, which thus was in those days the most highly surveilled area of the sea in the entire word (see items 2A, B and C).

2. At 14:55 GMT on 27 March, the boat was spotted by a French aircraft which transmitted its coordinates (**point A**) to the Maritime Rescue Coordination Centre (MRCC).

3. After proceeding in the direction of Lampedusa for 15 - 18 hours, the migrants placed a distress call by satellite phone. The vessel's GPS location was determined at 16:52 GMT on 27 March 2011 (**point B**) by the satellite phone provider Thuraya. Shortly thereafter, MRCC in Rome signalled the boats distress and position to all vessels in the area. It further alerted Malta MRCC and NATO HQ allied command in Naples.

4. The migrants' vessel continued its course for approximately two hours before being flown over by a helicopter. As the satellite phone was thrown into the water shortly after this sighting, the last signal detected by Thuraya at 19:08 GMT on 27 March (**point C**) thus probably corresponds to the location of the helicopter sighting. Around the same position, the passengers approached several fishing boats but their requests for help went unheeded. They were then visited for a second time by a military helicopter that dropped just a few biscuits and water before leaving. Between 00h00 and 01h00 GMT the passengers resumed their course NNW towards Lampedusa.

5. At approximately 07:00 GMT on 28 March, after having probably entered the Maltese Search and Rescue (SAR) area (see items 13A and B), the vessel ran of fuel and began to drift SSW (**point D**).

6. The boat drifted SSW for 7 - 8 days before it encountered a military ship between 3 and 5 April (**point E**). Despite approaching them in circles and witnessing the distress of the passengers, the ship left without assisting them.

7. The boat continued to drift until the 10 April when it landed south- east of Tripoli at Zlitan. Upon landing 11 migrants were still alive. 2 died shortly thereafter.

THE LEFT TO-DIE-BOAT CASE[70]

Written with Lorenzo Pezzani and SITU Research

The Office of the United Nations High Commissioner for Refugees (UNHCR), estimated that over 1,500 migrants died while fleeing Libya following the repression of the popular uprising by the Khadafi regime and then the intensification of the conflict in the context the NATO led military intervention.[71] While from 1988 to March 2012 there were 13,417 documented deaths at the maritime borders of the EU, the loss of lives at sea in 2011 occurred in the context of the heightened concentration of Coalition/NATO assets in the area enforcing a maritime embargo of Libya during the conflict. This places these deaths squarely in the most highly surveyed area of sea in the entire world.

Among the many vessels that attempted the journey, one particular boat was covered extensively in the international press. Coming to be known as the "left-to-die boat," the case involved the journey of 72 sub-Saharan migrants fleeing Tripoli by boat on the morning of March 27 2011. After travelling about halfway to the Italian island of Lampedusa during their first day at sea, the vessel ran out of fuel and subsequently drifted for the following 14 days without food or water until landing back on the Libyan coast. Only 9 of the passengers ultimately survived. In interviews following the event the survivors recounted a series of interactions they had with others while at sea. This included a military aircraft that flew over them, a distress call they placed via satellite telephone, two encounters with a military helicopter and fishing vessels, and an encounter with a military ship. Moreover, the Italian and Maltese Maritime Rescue Coordination Centers, as well as NATO forces present in the area, were informed of the distress of the boat and of its location, and had the technical and logistical ability to assist it. Despite the legal obligation to render assistance to people in distress at sea enshrined in several international conventions,[72] none of these actors intervened in a way that could have averted the tragic fate of the people on the boat. An NGO coalition was formed to demand accountability for these deaths that were allowed to occur despite heightened surveillance and for those of the "left-to-die boat" case in particular.[73]

To support the effort of this coalition and its demand for accountability, we undertook a report, with the aim of providing a spatio-temporal reconstruction of the 15-day period

between March 27 2011, when the vessel left the Port of Tripoli, and April 10 2011, when it washed ashore at Ziltan. In this effort, we attempted to account both for the events as they were experienced by the passengers and for the conduct of the actors who were either in direct contact with the passengers, in the vicinity of their vessel, or informed of their distress. Because of the complex legal structure of the Mediterranean and the high number of actors operating there during the time of the event in question, creating a coherent spatial picture was critical for determining the degree of involvement of each of these parties. To this effect, the report articulated written analysis with the production of a series of visualizations, diagrams, and figures. This work was an exercise in analysing through a variety of disciplines a wide range of data (geospatial, meteorological, testimonial, military, and other) that was ultimately recombined in an effort to assemble a coherent spatial narrative of the chain of events.

Initial Elements of Evidence

Before focusing specifically on the "left-to-die boat" case, extensive fieldwork was conducted in Southern Italy to build an overall understanding of the conditions in which maritime crossings were taking place during this period. 68 migrants who had recently crossed the Mediterranean were interviewed, as well as representatives from the Coast Guard, immigration lawyers, and fishermen operating in the Sicily Channel. Following the decision of the NGO coalition to focus its demand for accountability on the "left-to-die boat" case, specific information on the case was initially acquired through interviews—conducted by ourselves, human rights workers, and journalists—with the survivors and other actors involved.

In the interview we conducted with Dan Haile Gebre, one of the survivors, we tried to depart from formats of witnessing normally associated with humanitarian organizations. Rather than placing the emphasis on the subjective dimension of his experience, the interview methods we employed aimed at assisting him in the recollection of any precise element that could support the reconstruction of the spatio-temporal coordinates of the event and the identification of the various vessels and aircrafts that the migrants encountered while at sea. To this end, we gave Dan Haile Gebre a notepad and a felt-tip pen, asking him to draw or write any element that he made reference to. We also asked for temporal points of reference throughout the narrative of the events, inquiring for instance whether events had taken place at dawn, in the daytime, at sunset, or at night, and trying to reconstruct the passage of time by making informed guesses about fuel

consumption, average speed of the boat, and so forth. Finally, we inquired about information such as the colour and shape of the encountered vessels and aircraft, the presence of flags or writings on their hull, and the language spoken by the crew. To support this process, we presented him with pictures of maritime assets that were present in the area at the time of the events.
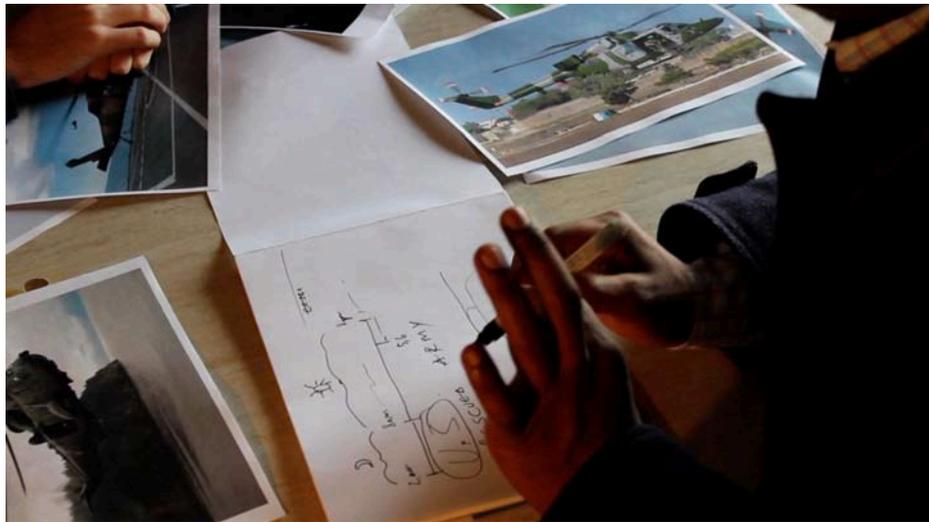
Figures 3-4: Stills from the video of the interview with survivor Daniel Haile Gebre conducted by Lorenzo Pezzani and Charles Heller, Milan, December 22 2011.

(Top). In this still, Haile Gebre writes the text that he saw on the side of the helicopter. It reads "RESCUE ARMY," although he is not sure about the presence of the first word ("RESCUE").
(Bottom). Image of the United Kingdom Army Air Corps West-land Lynx, which Haile Gebre recognises as having a similar colour to the helicopter that hovered over the migrants' boat.

Elements of information were also extracted from news reports, as well as publicly available official documents concerning the incident. In this respect, an important source of information was the parallel and complementary inquiry led by Dutch Senator Tineke Strik on behalf of the Parliamentary Assembly of the Council of Europe (PACE 2012).

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Determining the Trajectory of the Migrants' Vessel

Based on these initial elements, we began writing the report with the aim of determining the location of the migrants' vessel throughout its 15 day drift at sea. This was estimated as crucial since the failure to assist the passengers in distress hinged on the presence and cognisance of other actors in relation to trajectory of the drifting boat. To this effect, all available information was geolocated mapped in relation to a timeline of events. Amongst the key elements were the distress signals that were sent out following the passengers' distress calls (discussed in more detail below), which provided the position of the migrants' vessel at a particular moment in time. Based on the trajectory and speed of the boat determined by analysing the movement of the vessel between these known points, and based on the survivors' accounts of their subsequent movement, we determined an approximate point of drift.

With this main timeline in place, strategies were explored to model the trajectory of the boat from the time it ran out of fuel until when it finally landed back on shore, south of Tripoli. A conversation was begun with oceanographer Richard Limeburner of Woods Hole Oceanographic Institute, who had experience modelling the trajectory of objects in the open ocean based on subsurface currents and wind. Working with Limeburner, a drift model was created that takes known components of the case (i.e. the point of drift, and the dimensions and type of vessel used by migrants) and projects its trajectory over the ensuing 14 days of drift based on available meteorological data. (See figures 16 -18 of the "Left-To-Die Boat" Report). The drift model allowed us to offer a complete map of the vessel's trajectory (with a certain stated margin of error) during the period in question.
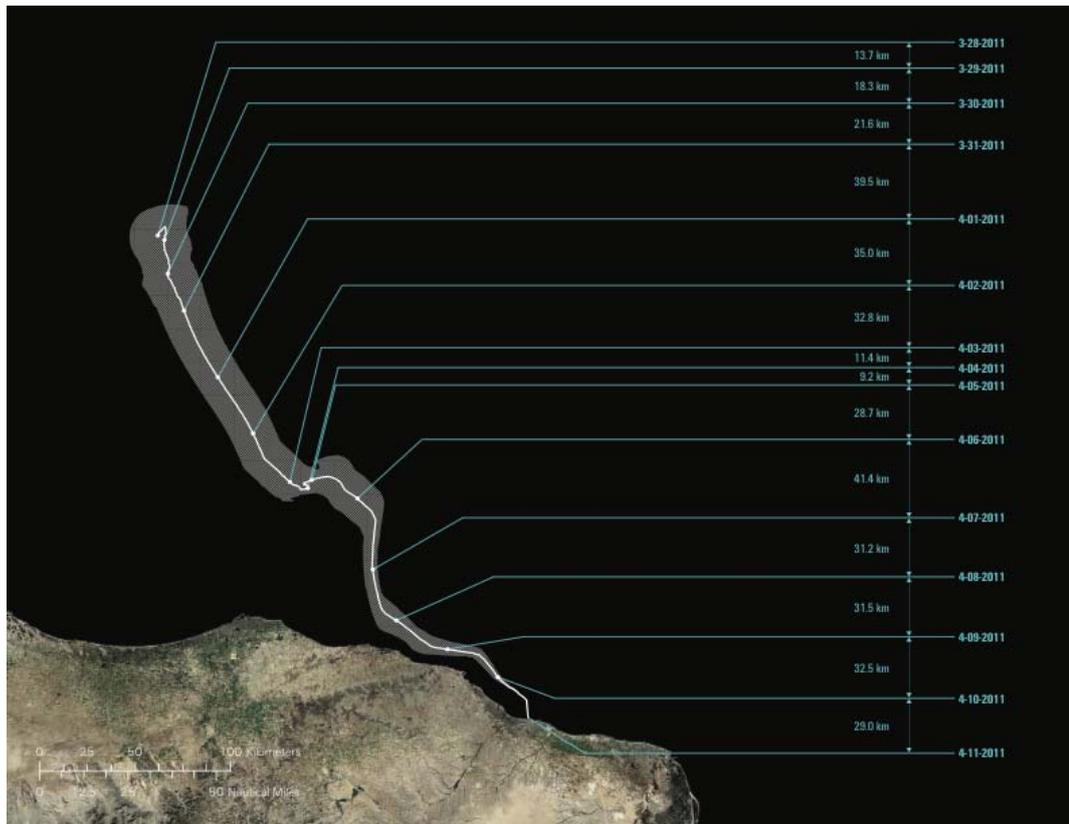
Figure 5: Visualisation of the drift model created by Richard Limeburner (Woods Hole Oceanographic Institution), to simulate the path of the migrants' vessel after it started floating without any use if its motor. Limeburner's model provides hourly positions of the vessel on the basis of ocean current data and wind. Charles Heller, Lorenzo Pezzani, and SITU Research

Assessing Military Presence

The analysis then turned to assessing where and when military assets might have encountered or been in the vicinity of the vessel. The first task in this respect was to determine the overall maritime laydown as well as its spatial distribution. In order to do that, we analyzed several documents, among which were various maps released by the US Department of Defense at news briefings showing the maritime laydown of 38 naval assets, press releases and declarations from NATO officials, and the online journals of some of the ships involved in the military operations. (See ANNEX B.3 of "Left-To-Die Boat" Report). Whilst these sources provided an overall image of a congested stretch of sea, they did not help in determining the location of specific assets at certain times and locations.
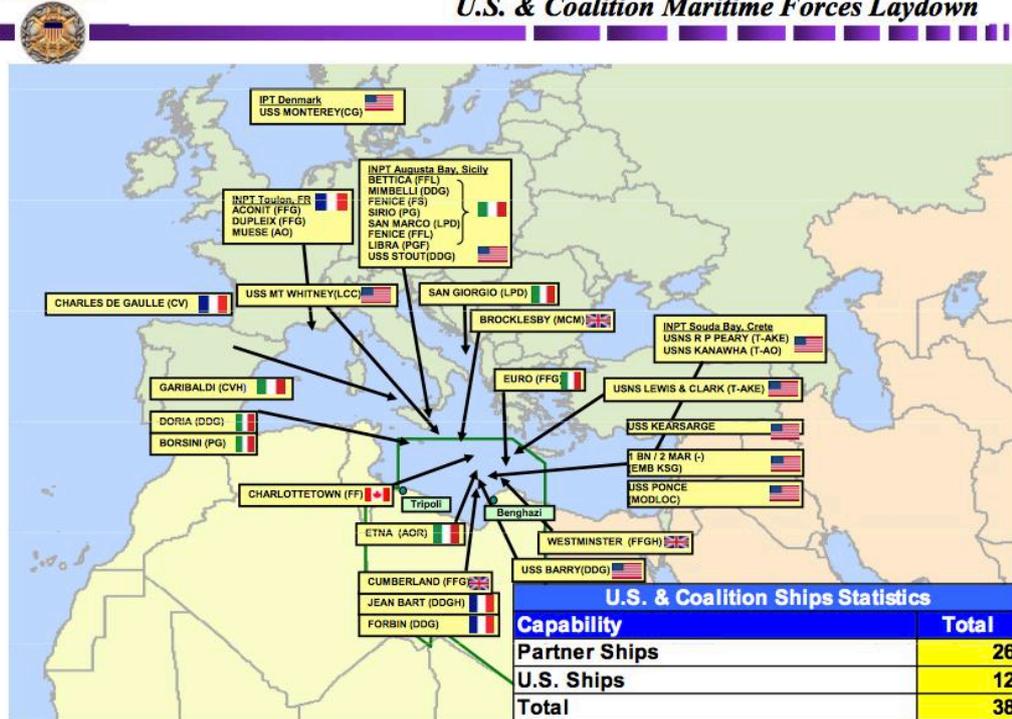
Figure 6: Slide presented by Vice Admiral Gortney at a US Department of Defense news briefing on March 24 2011. The image shows the "US & Coalition Maritime Forces Laydown" a few days before the migrants left Tripoli. A total of 38 ships are indicated. Source: US Department of Defense, "DOD News Briefing with Vice Adm. Gortney from the Pentagon on Libya Operation Odyssey Dawn," March 24 2011, http://www.defense.gov/news/d20110324pptslides.pdf

To achieve a more precise picture, we resorted to satellite imagery. (See figures 21- 26 of the "Left-To-Die Boat" Report). Optical satellite imagery, however, was not useful for this application due to its very limited coverage of the open ocean. Alternative remote sensing technologies were explored and, ultimately, a satellite-mounted sensor known as Synthetic Aperture Radar (SAR) was utilized. Not only is SAR uniquely suited for vessel detection, it also generally offers a greater degree of coverage over the open ocean—particularly the Mediterranean—than optical satellite imagery, since it is used by states for monitoring diverse activities, from illegal fishing and pollution to terrorism and illegalised migration towards across the sea.
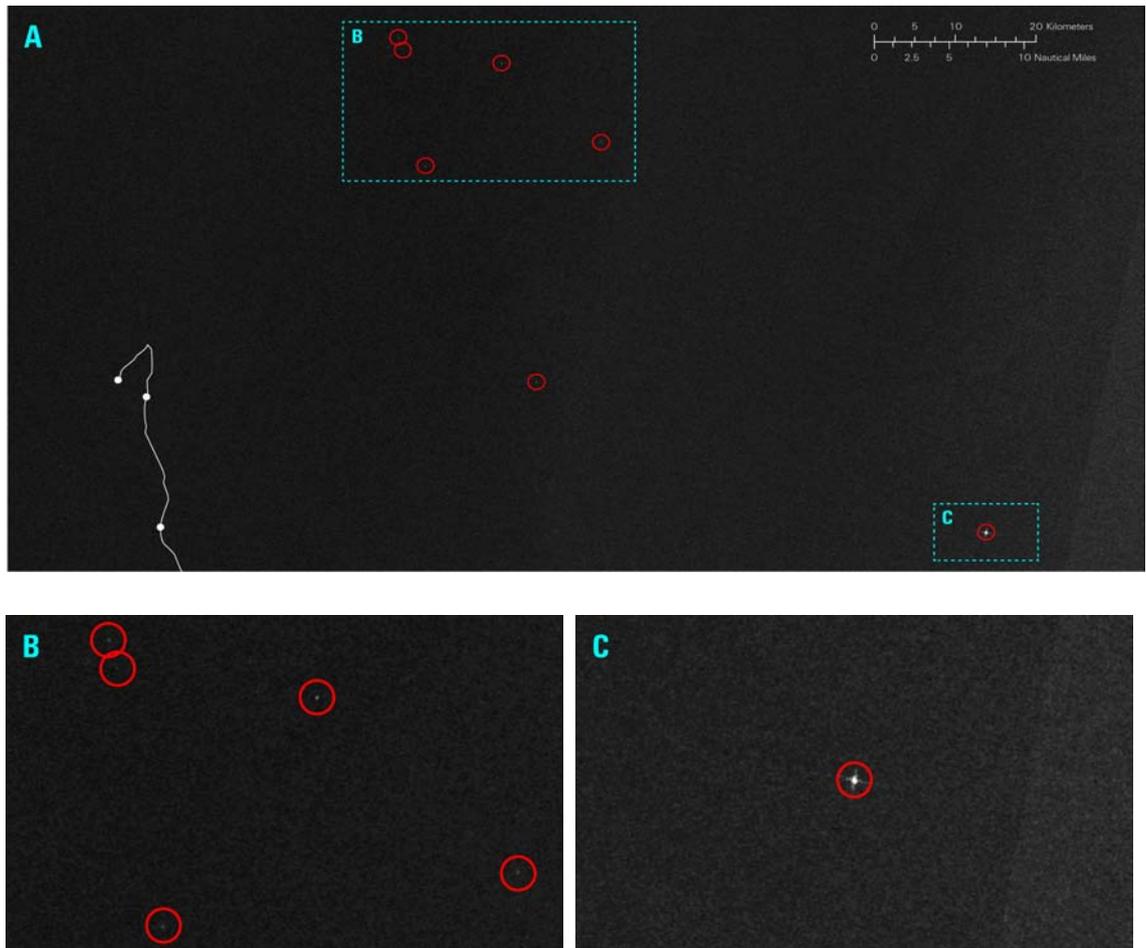
Figure 7. Overview of ship detections from March 29 Envisat data (A) with enlargements of (B) and (C). The SAR returns appear as bright pixels against the surrounding sea surface (eight times the brightness on average in the data analyzed for this report). In the case of the Envisat data, low variability of the background sea pixels means that even moderately bright returns indicate the presence of vessels. The brightness of (C) is due to an interference pattern that occurs when the geometry of the target aligns for maximum return. Charles Heller, Lorenzo Pezzani, and SITU Research.

For the purposes of this case, we inverted this more common application of the technology in order to try to monitor the activities of naval assets in the region (see our discussion of the "disobedient gaze" in the next section). A survey was conducted to assess public availability of SAR data for the period and locations in question and a series of relevant SAR images were acquired for analysis. Each tile provides documentation of vessel locations in the form of radar returns. When viewed in relation to the drift model, the SAR tiles provide a snapshot of maritime activity in the vicinity of the drifting vessel at specific moments in its trajectory. While it is not possible to identify the specific identity of a ship based on SAR return alone, it is possible to use this data to draw some conclusions regarding the size of the ship. Since the resolution of available SAR data can only trace ships of 50 meters and above, what ultimately

emerges from this analysis—circumstantial though it may be—is an image of a number of very large vessels in and around the area where the migrants' boat was adrift. In the context of the maritime embargo that was in full effect at the time, and given that normal commercial shipping activity was limited, the question ultimately becomes: are the radar returns showing the position of military assets? And if so, to whom do they belong?

Id	Length	Confidence
29_0	75m	80%
29_1	75m	70%
29_2	75m	95%
29_3	75m	80%
29_4	75m	70%
29_5	75m	90%
29_6	225m	95%
29_7	75m	80%
29_8	75m	70%
29_9	75m	80%
29_10	75m	80%
29_11	150m	95%
29_12	150m	95%
29_13	75m	80%
29_14	300m	95%
29_15	150m	95%
29_16	75m	80%
29_17	75m	95%
29_18	300m	95%
29_19	75m	80%
29_20	75m	80%
29_21	75m	70%
29_22	150m	95%
29_23	225m	95%
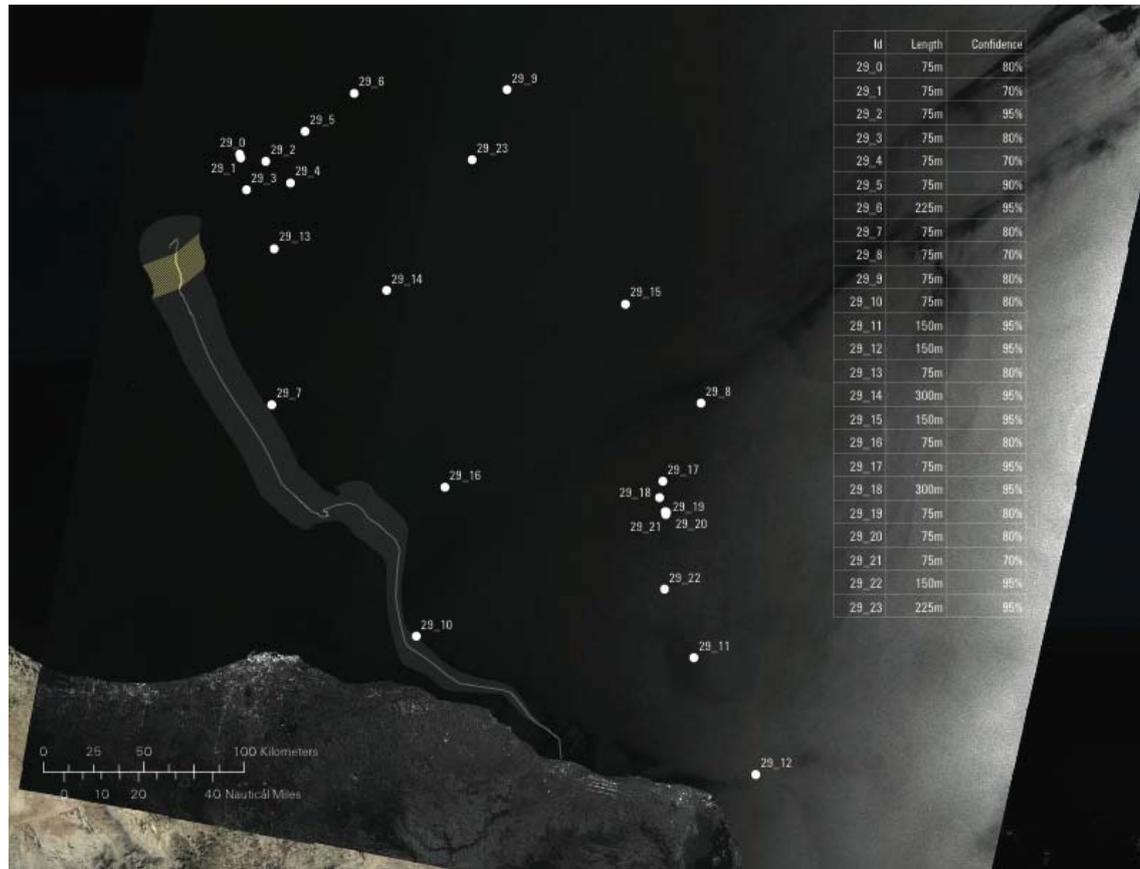
Figure 8: Visualisation of the analysis of Envisat-1 Synthetic Aperture Radar data for 29 March 2011, by remote sensing expert Lawrence Fox III (Humboldt State University). Fox's analysis provided estimates of ship length and quantification of confidence for all returns considered probable vessels in relation to the path of the drifting boat. The resolution of the Envisat-1 data allows for high confidence detection of ships 75 meters and longer. Return 29_13 was between 20 and 34 NM away from the ship's drift, while return 29_3 was between 25 and 33 NM away and return 29_1 between 32 and 38 NM away. Charles Heller, Lorenzo Pezzani, and SITU Research.

Assessing Available Information on the Migrants' Distress

Finally, the analysis turned to assessing, firstly, which actors were initially informed of the migrants' distress and, secondly, whether military actors operating in the NATO maritime surveillance area might have had the technical capability to detect the migrants' boat while it was drifting. This evaluation was important because

international law obliges seafarers to rescue anyone in distress at sea if *informed* of their distress (See Article 98 (1) of the UNCLOS). In order to answer the first question, we reconstructed the way in which information about the distress of this boat circulated among the various actors involved. Firstly, we conducted an interview with Father Mussie Zerai, the Eritrean priest who had initially received the migrants' distress call and had subsequently called several state agencies. We also consulted official statements (made at press conferences and in correspondence between Senator Tineke Strik and government officials) referring to the communication between parties concerning the migrants in distress. Finally, we inquired into the technical characteristics of the maritime distress signals that were sent out by the Italian Maritime Rescue Coordination Center and mapped the extension of their reach. (see Figures 8-10 of the "Left-To-Die Boat" Report). Based on these elements, we determined that all vessels in the area—including naval assets under NATO command and those operating under their respective national commands—should have been informed of the position of the migrants' vessel and the distress of its passengers.

Figures 9: The Italian Coast Guard issued an Inmarsat-C EGC at 18:54 GMT on March 27 2011, indicating the position of the migrants' boat and their situation of distress. The Italian Coast Guard based coordinates on the migrants' satellite phone calls. All Thuraya satellite phones, such as the one used by the migrants, are equipped with a GPS receiver that periodically transmits their locations to a gateway, and are accurate within 100 meters. Source: Inmarsat-C Gateway.

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HYDROLANT 512/2011 (52,53,56)
(Cancelled by HYDROLANT 637/2011)

EASTERN MEDITERRANEAN SEA.
VESSEL, 68 PERSONS ON BOARD, IN NEED OF ASSISTANCE
IN 33-58.8N 012-55.8E AT 271652Z MAR. VESSELS
IN VICINITY REQUESTED TO KEEP A SHARP LOOKOUT,
ASSIST IF POSSIBLE. REPORTS TO MRCC ROME,
INMARSAT-C: 424744220,
PHONE: 390 6592 4145 OR 3906 5908 4409,
FAX: 390 6592 2737 OR 3906 5908 4793,
E-MAIL: UFFICIO3.REPARTO3@MIT.GOV.IT.

( 280406Z MAR 2011 )
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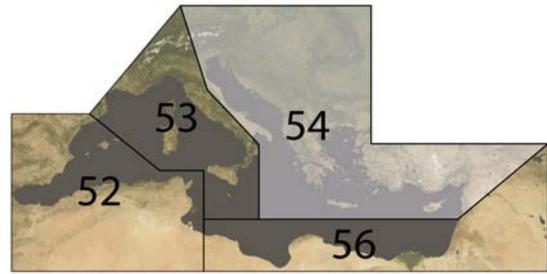
Figures 10-11: Second distress signals and its coverage.

(Left). A second alert containing the same information was broadcast in the form of a HYDROLANT alert at 04:06 GMT on March 28 2011. It called for all vessels in the vicinity of the Sicily Straight to keep a "sharp look out" for a "vessel in need of assistance." Source: National Geospatial-Intelligence Agency. (Right) The Broadcast Areas 52, 53, and 56 where the HYDROLANT alert was transmitted are highlighted on this map. Visualization by Forensic Architecture and SITU Research, based on an image from National Geospatial-Intelligence Agency.

With regard to the second question concerning the technical capability to detect the migrants' drifting boat, we analyzed a vast quantity of military statements and documents relating to the remote sensing capacity in the area. In addition to this, we attempted to determine the spatial extent of the remote sensing technologies onboard specific assets and found that aerial and naval assets deployed at the time had previously been capable of detecting small rubber boats similar to that used by the migrants. (see Figures 29-32 of the "Left-To-Die Boat" Report). This allowed us to conclude that the states participating in the military intervention had the means to detect the drifting boat, and that detecting such an unidentified vessel with anomalous behaviour was precisely the task assigned to numerous assets monitoring the embargo area.

Figures 12-13: Elements of evidence of detection capacity through surveillance means.

(Above) Inside the Operations Room of HMCS Charlottestown (Canada). NATO/coalition naval and aerial assets were equipped with technologies that offered an extremely high sensing capacity geared both towards combat operations and to the monitoring of the Maritime Surveillance Area. The different sensing capabilities were shared between naval and aerial assets, as explained by Commander Craig Skjerpen, Captain of HMCS Charlottetown: "What we do is link up all our radar images together, all the ships, and from that we create sort of a map of all contacts in the area. We are also working with aircrafts that are tracking vessels. And from that we have a full picture of all vessels in the area." Source: "NATO and Libya - Operation Unified Protector: The Arms Embargo," NATO- channeltv, April 1 2011, http://youtu.be/_dRqzRvvg2Y.

(Below) Inside the operations room of Italian frigate Bettica, as it sails towards its patrol area, "near the border between Tunisia and Libya." Mike Mühleberger, NATO correspondent onboard, explains while describing a monitor presenting maritime traffic and squares delimiting large areas: "The area north of Libya has been divided into patrol sectors assigned to each NATO ship. By sharing information they can be more effective, and ensure that vessels are continuously tracked as they pass from one sector to another." Still from the NATO video "NATO and Libya - Italian patrol ship Bettica enforcing the arms embargo," NATOchanneltv, April 14 2011, http://youtu.be/fwVPv0sgsk8.

Seeking to Determine the Identity of the Military Aircrafts and Vessels Implicated

While the SAR imagery did not allow to determine the identity of specific ships, and while all states involved in the military intervention have denied ever flying over with helicopters or coming close to their drifting vessel with their naval assets as has been consistently described by the survivors, we made informed guesses regarding the specific identity of the ships and helicopters encountered by the migrants on the basis of the description provided by the survivors and information gathered from official military documents and statements, news reports, and plane-and ship-spotters websites. (see figs. 3-4 above and 14 below). We were however unable to determine definitely the identity of the helicopter and vessel that entered into direct contact with the migrants in distress, which only further disclosure by states may provide.

Figure 14: Still from the video of the interview with survivor Daniel Haile Gebre conducted by Lorenzo Pezzani and Charles Heller, Milan, December 22 2011. When shown the image of the Italian ship Borsini, Daniel Haile Gebre recognised it as having the same shape as that of the ship the migrants encountered. There were several frigates with this "two step" structure in operation at the time of events.

Summary of Results and Legal Challenges

Our report sought to combine multiple sources of data into a single analysis so as to provide as comprehensive a picture of the chain of events as possible and to assess the degree of involvement of all parties implicated. To this end, testimony and geospatial data were combined and cross-referenced, official documents and news reports analyzed, and the technical characteristics of maritime distress signals and satellite phone calls examined. The result is a synthetic approach to the model of the human

rights report that draws upon varied and disparate forms of evidence. In doing this, our report privileges neither the supposedly objective "view from above" – the technological vision of the most powerful actors on earth – nor the "view from the boat" – the embodied experience of the undesirables of the earth. We sought rather to intertwine these perspectives, considering that both contain part of the truth, and that while remote sensing and mapping can help chart events in space and "objectivise" them – although as we will see, satellite imagery requires interpretation and reveals only a highly pixelated image of reality - we should never loose site of the embodied and subjective experience of the violence of being left to drift to a slow death. We pushed this montage of the distant and "objective" and the close and "subjective" even further in our video based on the report *Liquid Traces*.[74]

While we were unable to determine the identity of the helicopter and vessel that entered into direct contact with the migrants in distress, we were able to confirm that the account of the survivors was highly accurate. We established with certainty that the Italian and Maltese Maritime Rescue Coordination Centres, as well as NATO command, were informed of the location and distress of the migrants, and that there were several naval assets in the vicinity of the boat that had the ability to detect and assist it. None of these actors intervened in a way that could have averted the 63 deaths.

The ultimate destination of this report has been a series of legal cases regarding non-assistance to people in distress at sea led by a coalition of NGOs. While it has been deemed impossible to bring NATO to court for this case due to its status of immunity, the legal strategy has been to file different cases in the national courts of each of the states participating in the military operations against Libya. A complaint "against persons unknown" was initially lodged before the section of the Paris High Court (Tribunal de grande instance) specializing in military cases in April 2012, after a similar procedure in Italy. After the decision of the Paris Prosecutor's Office to take no action on this initial complaint, the survivors and NGOs initiated proceedings in France and Spain as civil parties. Both these actions have been dismissed and appeals have been filed against these decisions. A complaint was further launched in Belgium. Finally, Freedom of Information requests have been submitted in Canada, the US, and the UK. Should these states fail to investigate the incident comprehensively, the case may be brought to the European Court of Human Rights.

While initially geared towards the legal sphere, the analysis, maps, and images generated by our report have also been widely circulated within the forums of the international press. In line with the practice of strategic litigation, beyond the goal of holding accountable the individuals, states, and organizations that failed to assist the people onboard the "left-to-die boat," the broader aim of the investigation has been to draw greater attention to and contest the long-standing issue of migrant deaths at sea in the Mediterranean and the impunity that surrounds both the policies contributing to these deaths and the perpetrators of human rights violations committed against migrants at sea.

Finally, an additional outcome of the report has been the attempt by ourselves and others to replicate the use of such innovative methodologies in relation to other incidents involving the deaths of migrants and the violation of their rights at sea. In particular, Forensic Oceanography has collaborated with a network of NGOs to create *WatchTheMed* (www.watchthemed.net), an online and participatory mapping platform, so as to enable the migrants' rights movement to exercise a civilian right to look at the sea. While this section has provided a summary of the "left-to-die boat" case on the level of the sequence of events that lead to the death of 63 people, the methodology we developed to reconstruct them, and the legal challenges the support of which was the first aim of our report, the following section seeks to understand the deeper conditions that made these lethal events possible – to understand not just *what* happened but *why*, as well as reflect upon and theorise our methodology in relation to these conditions.

Figure 15: The waters of the Central Mediterranean, as seen from the coast of the Italian Island of Lampedusa, July 2013 Photo: Charles Heller

LIQUID TRACES: INVESTIGATING THE DEATHS OF MIGRANTS AT THE EU'S MARITIME FRONTIER[75]

Written with Lorenzo Pezzani

If geography expresses in its very etymology the possibility to write and therefore read the surface of the earth, the liquid territory of the sea seems to stand as the absolute challenge to spatial analysis. The waters that cover over 70% of the surface area of our planet are constantly stirred by currents and waves that seem to erase any trace of the past, maintaining the sea in a kind of permanent present. In Roland Barthes' words, the sea is a "non-signifying field" that "bears no message" (Barthes 1972: 112.) Furthermore, its vast expanse and the lack of stable habitation on its surface lead events at sea to occur mostly outside of the public gaze and thus remain unaccounted for. The deaths of illegalised migrants at sea and the violation of their rights are no exception. While between 1988 and November 2012 the press and NGOs reported more than 14,000 deaths at the maritime frontier of the EU – including more than 7,000 in the Sicily Channel alone – the conditions in which these occur have rarely been established with precision and the responsibility for them has seldom been determined.[76] Many more lives have been lost without being recorded other than in the haunting absence experienced by their families.

It is in relation to the challenges posed across this liquid frontier that we started the *Forensic Oceanography* project in summer 2011 in an attempt to document the deaths of migrants at sea and violations of their rights. This endeavour was spurred by the new demands for accountability that emerged in the aftermath of the Arab uprisings, which represented a moment of paroxysm and rupture in a number of respects. The revolution in Tunisia and the civil war in Libya led to the sudden reopening of the central Mediterranean's clandestine migration routes. While this context saw an intense movement of people, the precarious conditions in which the crossings occurred led to a record number of deaths. However, as we will see, these deaths occurred while this very maritime space was being monitored with unprecedented scrutiny due to the NATO-led military intervention in Libya. The crossings and deaths were occurring in a space populated by a large number of Western states' military ships and patrol aircraft, and there were strong indications that military forces were failing in their obligation to rescue migrants in distress, despite possessing the requisite means of surveillance to witness their plight.

This was particularly apparent in the incident now known as the "left-to-die boat" case, in which sixty-three migrants lost their lives while drifting for fourteen days in the NATO maritime surveillance area, despite several distress signals relaying their location as well as repeated interactions, including at least one military helicopter visit and an encounter with a military ship. By precisely reconstructing these events and the involvement of different actors within them, we demonstrated that traces are indeed left in water, and that by reading them carefully the sea itself can be turned into a witness for interrogation. The contemporary ocean is in fact not only traversed by the energy that forms its waves and currents, but by the different electromagnetic waves sent and received by multiple sensing devices that create a new sea altogether. Buoys measuring currents, optical and radar satellite imagery, transponders emitting signals used for vessel tracking and migrants' mobile phones are among the many devices that record and read the sea's depth and surface as well as the objects and living organisms that navigate it. By repurposing this technological apparatus of sensing, we have tried to bring the sea to bear witness to how it has been made to kill.

Migrants do not only die at sea but through a strategic use of the sea. As this particular incident exemplifies, even when they drown following a shipwreck or

starve while drifting in its currents, there is nothing "natural" about their deaths. After all, as Ellen Churchill Semple's noted long ago in her "Influences of Geographic environment" (1911), the sea has fundamentally dual and paradoxical nature, both restricting and enabling human movement. In the geographic deterministic frame that was hers, Semple argued that amongst many different types of "natural boundaries" that "set more or less effective limits to the movement of peoples and the territorial growth of states", "the sea is the only absolute boundary, because it alone blocks the continuous, unbroken expansion of a people" (214). Yet, in an other passage, she also remarks that the sea can be "domesticated" to bring people into contact: "Man, she writes, by appropriating the mobile forces in the air and water to increase his own powers of locomotion, has become a cosmopolitan being (292)". We can re-read Semple's comments today in the light of the concept of "geopower" proposed by Elisabeth Grosz (2012), through which, as Duncan Depledge summarises, she underlines how geographic environments are endowed with "forces contained in matter that precede, enable, facilitate, provoke and restrict 'life'" (2013: 1), but that conversely political practices shape the way this geopower operates, and affect the ways some are empowered and others restricted by it. Through such an understanding of geopower, we can hold on to the dual nature of the sea Semple perceived so astutely, but strip it of the geographic determinism that marked her formulation, and emphasise instead that it is the agency of humans – from their invention of new means of navigation to the policies that determine who can and cannot access them – which plays a central role in making the sea oscillate between a medium enabling circulation to one adding friction to movement and life.

Our project thus could not limit itself to reading the sea in order to document specific incidents, but demanded that we attempt to understand the conditions that have led the sea to become so deadly. As we will demonstrate, the Mediterranean has been made to kill through contemporary forms of militarised governmentality of mobility which inflict deaths by first creating dangerous conditions of crossing, and then abstaining from assisting those in peril. This governmentality is shaped by the complex legal structure and mode of governance of the sea that enables state actors to selectively expand or retract their rights and obligations. What emerges from these conditions is a form of violence that is diffused and dispersed among many actors and which often, as in the case we have investigated, operates less through the direct action of a singular actor than through the inaction of many. As a consequence of this form of

systemic violence, the specific responsibility for deaths and violations at sea is difficult to detect and prove. Before describing the strategies and methodologies we applied to collect the testimony of the sea so as to reconstruct the "left-to-die boat" case and others, it is first necessary to chart the broader political, juridical, and technological conditions through which the sea was made to kill — conditions that we have mobilized against the grain in the task of breaching the impunity of the actors involved.

Figure 16: Nova Orbis Tabula in Lucem Edita, Map of the world by Frederik de Wit, 1662, Bibliothèque royale de Belgique. Source: Wikimedia Commons

Maritime Governance : Beyhond the "Freedom vs. Enclosure" Divide

In his 1950 "The Nomos of the Earth" (2003) the German jurist and political theorist Carl Schmitt epitomized a vision of the sea as an anarchic space in which the impossibility of drawing long-standing and identifiable boundaries made it equally difficult for European states to establish a durable legal order or found claims of sovereignty.[77] "The sea," he wrote, "has no character, in the original sense of the

word, which comes from the Greek *charassein*, meaning to engrave, to scratch, to imprint (42–43). On this note, Schmitt based the fundamental distinction on which geopolitics has been predicated for many years: the binary division between a solid land, where territories can be clearly demarcated and where order may be imposed, and a sea where borders can be neither traced nor held and where freedom reigns absolute. This opposition found its expression in the evolution of maps of the world which, from the early seventeenth century onwards, tended to represent (European) land in great detail in terms of geographic morphology, human built environment and political boundaries, but signified the territory of the surrounding sea as an abstract and frictionless geometric space open to navigation.[78] While idealizations of the sea as empty and lawless still persist (Helmreich 2011; Sekula and Burch 2010), recent scholarship on maritime governance tells us a different story, in which the oceans have long been crisscrossed by multiple regimes of appropriation and juridical differentiation (Benton 2010: 105).

Geographer Philip Steinberg has effectively shown how maritime governance imposed by (Western) states and capital has oscillated throughout modernity between two poles: on the one hand, the desire to divide up the waters of the earth in a way that would mirror the carving up of territorial boundaries on land; on the other, the vision of the oceans as commons, open to free navigation—the "free seas." However, rather than an either / or application of these seemingly opposed tendencies, what we observe throughout this period is rather their productive entanglement.[79]This productive tension is at work in one of the founding moments of maritime law, commonly referred to as the "Battle of the Books" (1580—1650), which centred around the opposition between the vision of a free sea expressed by the Dutch jurist Hugo Grotius in his 1609 text *Mare liberum* ("the free sea") and the defense of maritime division and control formulated by the English scholar John Selden in *Mare clausum* ("the closed sea") in 1635.[80] But this apparent contrast conceals a deeper convergence. While Selden, by noting that "mare clausum can go only so far as one can assert effective control," endorsed negatively the idea of freedom for the high seas,[81] the concept of the "freedom of the seas" coined by Grotius routinely led to the use of coercion to ensure the smoothness and security of trade routes or block those of competitors (Benton 2010: 106). As Philip Steinberg writes, "freedom requires policing and mobility requires fixity, and both of these activities require continual efforts to striate the ideally smooth ocean"(Steinberg 2011: 271).

For both poles in the governance of the seas, the ability to map, measure, and exercise surveillance over the maritime space was fundamental. This knowledge did not precede its application in the service of power, but was inextricably bound to war, trade, and imperialism in its very production. It was the coupling of scientific epistemologies and Western commercial and military networks of empire spanning the globe that enabled systematic measurements to be sampled across vast distances, and generated increasingly detailed knowledge of the winds, currents, tides, depths, landmasses, and living organisms that constitute the ocean's global system.[82] This understanding of the seas was essential to secure and fast navigation, as well as to charting maritime territory and life in a way that would eventually enable its division, exploitation and regulation. While Carl Schmitt was indeed right to state that the sea itself cannot be carved up and possessed as land, the same is not true of the resources located within the water and in the soil under it, or the traffic that floats on its surface. By going beyond his land—sea binary and by being attuned to the vertical dimension of maritime spaces, we are able to decipher a much more complex form of governance than the simple opposition between territorial control and deterritorialized flow.

The tension between and coexistence of the tendencies of enclosure and freedom in the governance of maritime space have resulted in, on the one hand, a form of unbundled and spatially variegated sovereignty, and on the other a governance in motion that seeks to compensate for the impossibility of controlling the entire liquid expanse by focusing on the control of maritime routes and the mobile people and objects that ply them. Whereas in 1702 the extension of the territorial waters could be defined by Cornelius Bynkershoek as the area covered by coastal states' cannon-shot range, with the governance of routes largely dependent on the presence of ships along key corridors, today a far more complex jurisdictional regime and mode of governance has been enabled by the contemporary technological apparatus discussed below, which transforms the maritime space into a dense and extensive "sensorium." (Coté 2011, Latour 2006: 104–07). In this situation, as we will see with reference to the Mediterranean, multiple lines of enclosure that run parallel to the coastline and dissect the surface and volume of the ocean into partial sovereignty regimes intersect with diagonal and ever shifting lines of control that attempt to follow routes of maritime traffic. These sets of lines do not simply coexist for, as we will see, the carving up of

partial sovereignty regimes is the very legal basis for governance in motion to expand and retract selectively in policing the "free seas."
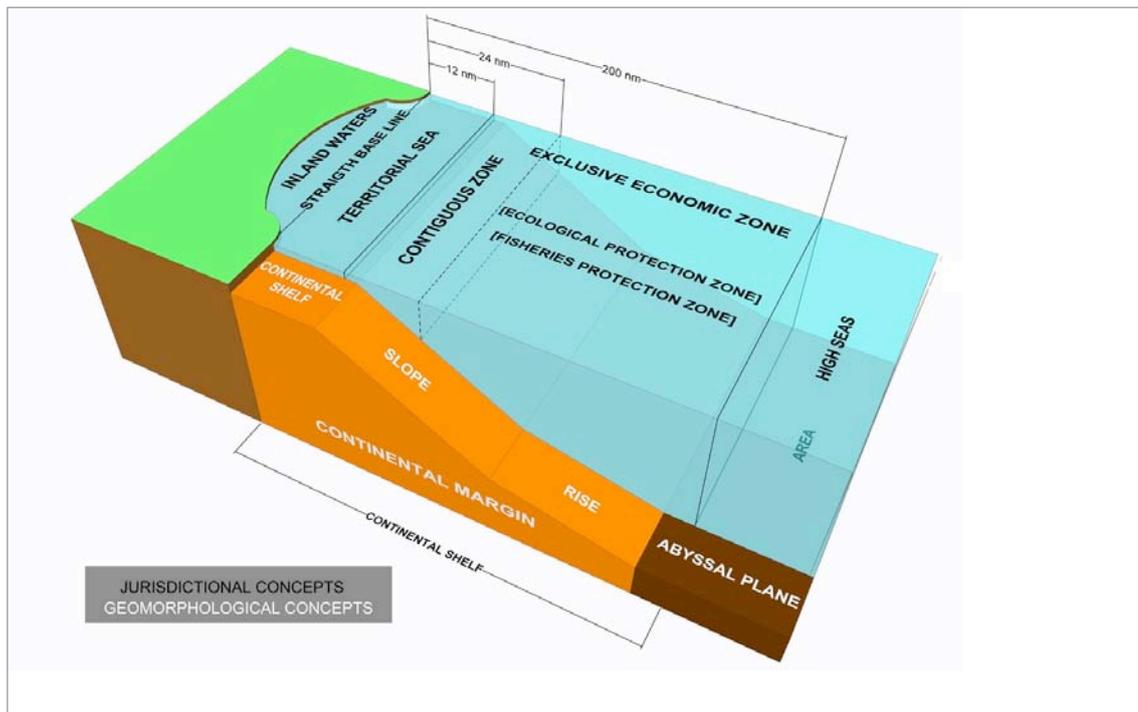

Figure 17: Maritime jurisdictional concepts. Source: Juan Luis Suárez de Vivero, "Jurisdictional Waters in The Mediterranean and Black Seas" (European Parliament, 2010), p. 27.

Figure 18: Map of maritime jurisdictions in the Mediterranean. Based on data compiled by www.marineplan.es and the International Maritime Organization. Design: Lorenzo Pezzani.

Lines of Enclosure: Unbundled Sovereignty at Sea

The successive stripes of jurisdiction, which, by dissecting both surface and volume of the sea determine the current legal architecture of maritime territories (Suárez de Vivero 2010), are mainly codified by the 1982 United Nations Convention on the Law of the Sea (UNCLOS). After establishing the criteria for determining the position of the so-called "baseline"—the ideal line that usually corresponds to the low-water line along the coast—the convention further defines several jurisdictional zones, over which states exercise decreasing degrees of control and exclusive privilege. These include, among others, "territorial waters" that extend up to twelve nautical miles from the baseline within which states have full sovereignty; the "contiguous zone," covering up to twenty-four nautical miles and within which states may further exercise certain border police functions; the "exclusive economic zone" (EEZ), which may delimit a zone up to two hundred nautical miles from the baseline, within which coastal states have exclusivity over natural resources both in the water (such as fish) and under the soil (such as gas or oil). Beyond this zone lie the "high seas," where no state can exercise its full sovereignty nor subject any part of them to its jurisdiction.

While the high seas are "free for all states and reserved for peaceful purposes," they do not become as a result a legal vacuum, since the rights and obligations of each actor and state are framed by international law. The jurisdiction of states applies to boats flying their respective flags, and each boat thus becomes a small piece of floating state jurisdiction, transforming the high seas into an international space in the strongest sense, since all states are potentially in contact with each other (Cuttitta 2007). Finally, vessels and coastal states also have particular obligations: among these, of central relevance for our investigation into the "left-to-die boat" case, are the duty of vessels to provide assistance to people in distress, and the obligation of coastal states to coordinate rescue operations. For this purpose, Search and Rescue (SAR) zones have been established across the high seas by the 1979 International Convention on Maritime Search and Rescue (SAR), delimiting the geographic areas within which particular states have a legal responsibility to coordinate rescue operations.

What emerges from this process of enclosure of the high seas by various and sometimes competing jurisdictional regimes, is the image of a space of "unbundled"

sovereignty (Sassen 2006a), in which the rights and obligations that compose modern state sovereignty on the land are decoupled from each other and applied to varying degrees depending on the spatial extent and the specific issue in question (Steinberg 2011: 207). As a result, a patchy legal space constituted by overlapping and often conflicting fragments has emerged. The Mediterranean is a paradigmatic example of this phenomenon, which is therein reproduced at a smaller scale but with increased rapidity and intensity. Until recently, most Mediterranean states had refrained from extending exclusive claims beyond their territorial waters, for fear of getting entangled in thorny legal conflicts and of reducing the navigational advantages guaranteed by the high seas. Since the beginning of the 1990s however, under changed geopolitical conditions, the Mediterranean has entered a phase of accelerated juridicalization, and zones of exclusive maritime use have proliferated, extending national jurisdiction into what used to be high seas (Andreone 2004: 7-25). These are zones of environmental protection and resource conservation which are often not even provided for by the UNCLOS, but which further subdivide the high seas according to specific functions such as fishing, ecological and archaeological protection. The complexity of these maritime jurisdictions has in turn created numerous disputes which involve states as well as fishing, oil, and shipping companies and which are often fought through scientific campaigns to map and measure the size of fisheries, the morphology of the seabed, and the presence of minerals located under it (Suárez de Vivero 2010).

These overlaps, conflicts of delimitation, and differing interpretations that have been the by-product of the recent carving up of the sea are less malfunctions than an exacerbated expression of the structural condition of global law, which, as Gunther Teubner and Andreas Fischer-Lescano have argued, results from deep contradictions between colliding sectors of a global society (2004: 1004). Furthermore, as we will see in relation to the policing of illegalised migrants at sea, this condition has become an integral part of the capacity of states and other actors to apply rights and abide by obligations at sea selectively according to their interests, expanding and retracting their jurisdictional claims at will— for example to intercept migrants or to evade the obligation to rescue people in distress. This unbundled and elastic sovereignty is key to the operations of the mobile governance exercised to police the so-called "freedom of the seas."
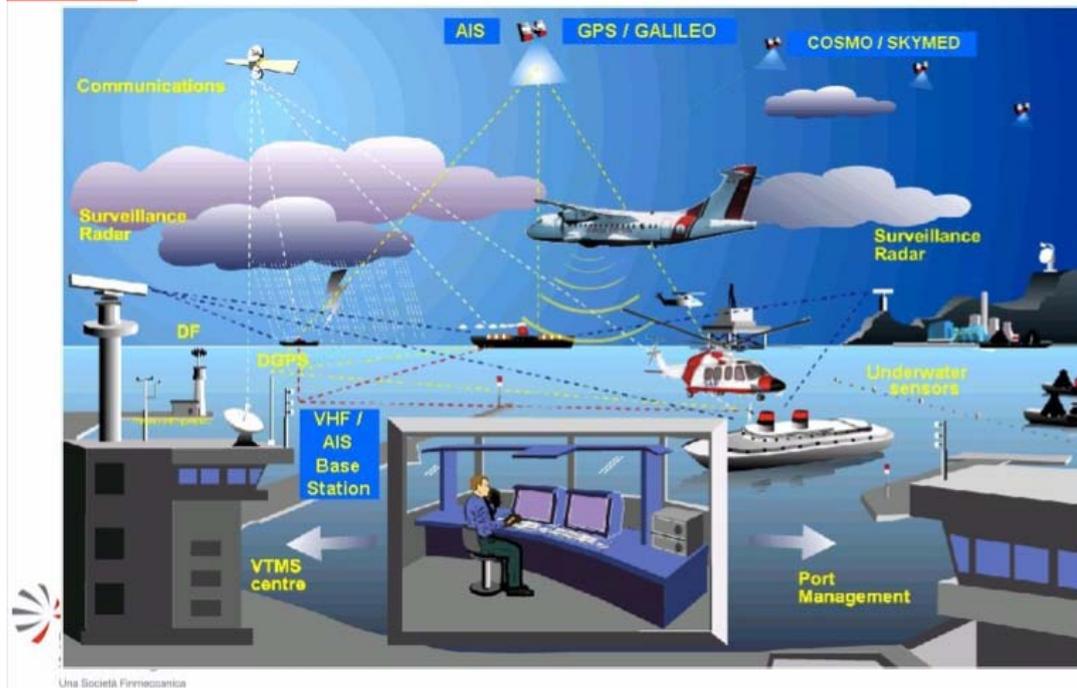
Figure 19: Finmeccanica PowerPoint slide from "Dal VTS al VT- MIS," 2007. The graphic presents the "Vessel Traffic Management and Information System" (VTMIS).

Lines of Control: Governance in Motion Through Scopic Systems

In addition to the lines of enclosure running parallel to the coastline discussed above, the Mediterranean is crisscrossed by diagonal and ever shifting lines of control that emerge as maritime governance attempts to follow routes of maritime traffic and police the "freedom" of the high seas.[83] As Michel Foucault had already noted in the late 1970s, this inextricable articulation between freedom and control is characteristic of forms of mobility governance in (neo)liberal societies, which operate by "maximizing the positive elements, for which one provides the best possible circulation, and [by] minimizing what is risky and inconvenient, like theft and disease, while knowing that they will never be completely suppressed (2007: 34). While the Mediterranean's waters are central to global trade— with an estimated total of 200,000 commercial ships crossing it annually (Abdulla and Linden 2008: 8)[84] — this dense traffic and the maritime space itself are perceived though the lens of security as being constantly under threat: from international terrorism, smuggling, illegal fishing, pollution, and, of course, illegalised migration.

To detect threats amidst the productive flow of vessels and goods, states deploy means of surveillance, military and border patrols, and rescue agencies. In addition to national initiatives, NATO's Operation Active Endeavour was launched in the wake of 9/11 to act as a deterrent and protect civilian traffic in the Mediterranean. Policing has thus become an increasingly structural part of the supposed freedom of the high seas. The exercising of the "right of visit" is an indication of this. While according to the UNCLOS this right allows officials to board a vessel in the high seas in "exceptional circumstances," it has come to be used to justify an increasing number and array of interventions, including the routine interception of migrants (Papastavridis 2011a: 45–69).[85] Nevertheless, the deployment of aerial and naval forces remains insufficient to police the vast waters of the Mediterranean. The sorting out of "bad" traffic from large quantities of "good" mobilities within an extremely vast space necessitates the assemblage of a sophisticated and increasingly automated technological apparatus of surveillance.

For the purposes of surveillance, the coasts of the Mediterranean, as well as state-operated vessels, are equipped with radars that scan the horizon around them by sending out high-frequency radio waves that are bounced back to the source wherever they encounter an object, indicating these "returns" as an illuminated point on a monitor. Automated vessel-tracking data for large commercial ships (AIS) or for fishing boats (VMS) is sent out by a transponder on board via the VHF radio frequency and captured either by coastal or satellite receivers, providing a live view of all registered vessels.[86] Optical satellites generate imagery by capturing reflected energy of different frequencies such as visible and infrared light, while satellites equipped with synthetic—aperture radar (SAR) emit a radio signal and create an image based on the variations in the returns. Both "snap" the surface of the sea according to the trajectory of orbiting satellites and are used to detect unidentified vessels or track pollution.
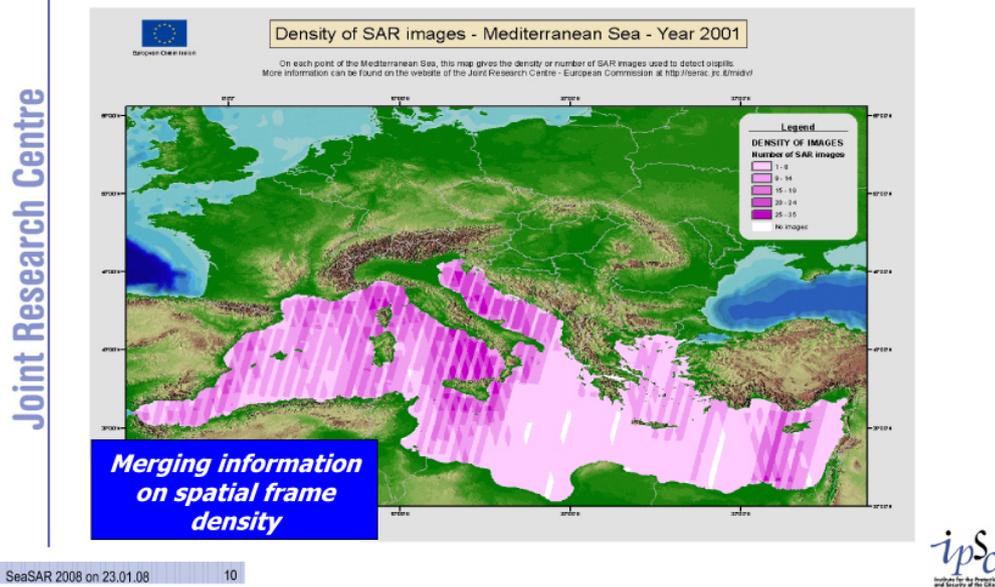
Figure 20 This map, produced by the European Commission Joint Research Centre, shows the density of Synthetic Aperture Radar images available in 2001 across the Mediterranean Basin. Source: D. Tarchi, oil spills statistics in The Mediterranean, November 2006.

Figure 21: Screenshot of one of the live online vessel tracking portals, which gathers and presents live AIS data. Source: www.marinetraffic.com.

The constant emission and capture of different electromagnetic waves these technologies utilize confers a new material meaning on Fernand Braudel's metaphor of the Mediterranean as an "electro-magnetic field" in terms of its relation to the wider world (Braudel 1976: 168). These technologies do not simply create a new representation of the sea, but rather constitute a new sea altogether, one which is

simultaneously composed by matter and media. The current aim of different agencies striving to govern the sea is to assemble these different technologies so as to achieve the most complete possible "integrated maritime picture." This is both a technological and institutional challenge, since it requires the interoperability of agencies from different countries (both within and outside the EU) across different fields of activity. Through this assemblage emerges what Karin Knorr Cetina has called, with reference to financial markets, a "scopic system": "When combined with a prefix, a scope (derived from the Greek scopein, "to see") is an instrument for seeing or observing, as in periscope. ... A scopic system is an arrangement of hardware, software, and human feeds that together function like a scope: like a mechanism of observation and projection." (2009:64)

While the assemblage of technologies and institutions that constitute the Mediterranean's scopic system enable a "vision" of the sea that far exceeds that of its ancestor the telescope, it is still far from producing the totalizing panoptic view that state agencies and surveillance companies regularly call for. For a start, agencies come up against their limits when faced with the huge quantity of data generated by the dense maritime traffic and the increasing deployment of remote-sensing technologies. To deal with the ensuing information overload, surveillance agencies are increasingly resorting to the use of algorithms that allow the automatic detection of "anomalies" so as to distinguish "threats" from the "normal" maritime traffic.[87] An even bigger challenge is posed by the task of detecting the kinds of small boats used for clandestine migration —such as ten-meter rubber boats or fifteen-meter wooden boats— within such a vast area. In this respect, all solutions to date have run up against the conflict between resolution and swath: while the detection of small boats necessitates high-resolution means of sensing (such as SAR satellite imagery), this can only be achieved for small geographic areas, thus leaving much of the maritime area unattended.[88] As such, the Mediterranean's scopic system operates a form of incomplete and patchy surveillance that runs up against the frontiers of information quantity and resolution.

Recognizing the impossibility of monitoring the entire space of the sea and the totality of traffic that populates it, state agencies focus the attention of their mobile governmentality on the main vectors and lines of sea crossing. At work then is a form of "viapolitics," a concept coined by William Walters (2011b) to describe a

politics that takes as its object routes and vehicles. For Walters, "vehicles and their infrastructures are nodes, relays, surfaces, volumes in a dispersed and uneven governance of population and territory" (ibid.). The modality of governance of the maritime frontier is thus deeply shaped by and to a certain extent consubstantial of the surveillance apparatus that enables it. For if the border exists only in its violation, the latter must first be detected either by human perception or its various technological extensions. Conversely, the strategies of invisibility enacted by clandestine migrants so as to slip though the cracks and gaps in this surveillance apparatus are essential to subverting the violent border regime that operates at sea.

The Contested Frontier: Mobile Knowledges, Elastic Borderings and the Politics of Irresponsibility

Like the ocean, the mobility of people has proven particularly difficult to govern throughout history. In the past twenty years, severe restrictions have been imposed on the movement of people across the Mediterranean with the introduction of Schengen visas and the progressive externalization of border controls into the maritime frontier and onto North African states (Migreurop 2013). This brought to an end to the phase following World War II in which "guest-worker" programs and post-colonial relations promoted the influx of migrant labourers into European countries—who frequently crossed the sea by ferry. The recent restrictions to the movement of non-European migrants have however proven unsuccessful in curbing "unwanted" migration flows.[89] Migration from the southern shores of the Mediterranean has continued, but in a clandestine and precaritized form, employing, amongst other methods, the crossing by sea on unseaworthy vessels.

Those wanting to cross the Mediterranean despite being denied access to formal and legal modes of doing so had to create a new transport infrastructure, constituted as much by actual vessels as by interpersonal relations and knowledge of borders. Faced with governmental agencies' interlinking of their means of surveillance to form an "integrated maritime picture" so as to control mobility, illegalised migrants developed their own social network through which information and services are exchanged (Alioua and Heller 2013: 175–84). As the work of the sociologist Mehdi Alioua has shown, contrary to common perception, resorting to smugglers is usually limited to particularly difficult stages in the crossing of borders, whereas the majority of migrants' trajectories are organized autonomously and collectively. Through their

mobility, migrants progressively generate a shared knowledge, which allows them to orient themselves in new environments and know where and how to cross borders undetected. This collective knowledge and practice of border crossing has a deep and ambivalent aesthetic dimension, in that it hinges on the conditions of appearance of migrants (Rancière 2006). The very term "clandestine," from the Latin clandestinus meaning "secret" or "hidden," points to their aim to circulate undetected—literally, under the radar; this is also why most crossings begin at night. However this desire to go undetected is always weighed against the risk of dying unnoticed at sea, as in the "left-to-die boat" case when, in distress, the migrants did everything they possibly could to be noticed and rescued.[90]

In response to the continued capacity of illegalised migrants to reach the southern shores of Europe, through a series of policies and practices the Mediterranean was progressively militarised and transformed into a frontier area that allows border operations to both expand and retract far beyond the legal perimeter of the EU, thus adding further friction to the mobility of migrants. In an important report submitted in 2003 to the EU Commission by CIVIPOL—a semi-public consulting company to the French Ministry of the Interior—the authors explain that in order to "hold a maritime border which exists by accident of geography," it is necessary to go well beyond an understanding of the maritime border as delimited by EU states' territorial waters (8 and 71). To exploit the geopower of the sea and use its physical characteristics to reinforce the border, surveillance has to cover "not just an entry point, as in an airport, nor a line, such as a land border, but a variable-depth surface" (8). The unbundled sovereignty at work in the high seas enabled European and non-European coastal states—assisted since 2001 by NATO as part of its "Operation Active Endeavour" and since 2006 by Frontex (the European border management agency)—to deploy maritime border patrols using boats, helicopters, airplanes, and the aforementioned surveillance technologies to intercept incoming migrants.

Through these means of governance in motion, the line of the border has become elastic, expanding and retracting with the movement of patrols. However, the increasing militarisation of the maritime frontier of the EU has not succeeded in terms of the stated aim of stopping the inflow of illegalised migrants, but rather has resulted in the splintering of migration routes towards longer and more perilous areas of crossing.[91] It is thus the strategic use of the maritime environment as a frontier zone that

has turned the sea into an unwilling killer. The fact that such policies remain active despite policy makers' knowledge of their "failure" is a reminder of the productive dimension of illegalised migration. It makes it possible for governments to engage in a never ending "war on migration" whose benefits include attracting the populist vote, keeping the surveillance and military industries buoyant, and, last but not least, providing the labour market with a ready supply of de-qualified and precaritized labourers. This is the obscene supplement of the spectacular scene of border enforcement to which Nicholas De Genova (2013a) rightly draws our attention.

As a result of these policies and militarised practices, once travelling at sea, migrants frequently find themselves in difficult situations of distress, due to a variety of factors such as failing motors, vessel overload, or loss of direction. However, as soon as they enter the Mediterranean Sea, they enter a space of international responsibility. We have already noted the obligation of vessels at sea to provide assistance to those in distress, and for coastal states to coordinate rescues within their respective Search and Rescue (SAR) zones. The strategic mobilization of the notion of "rescue" has at times allowed coastal states to justify police operations in the high seas or even within foreign territorial waters for which they would otherwise have little legal ground, thus blurring the line between policing and humanitarian activities.[92] But along with rescue comes the burden of disembarkment, which in turn entails responsibility for processing possible asylum requests or deporting migrants in accordance with the so-called Dublin Regulation.[93] To avoid engaging in rescue missions, states have strategically exploited the partial and overlapping sovereignty at sea and the elastic nature of international law (see Gammeltoft-Hansen and Alberts 2010: 18; and Suárez de Vivero 2010). The delimitation of SAR zones has been the first battlefield. In the central Mediterranean, Tunisia and Libya have refrained from defining the boundaries of their SAR zones, while Italy and Malta have overlapping SAR zones and are signatories to different versions of the SAR convention, a situation which has led to repeated standoffs.[94] The latter have been exacerbated by the lack of clear definitions of concepts such as "distress" and "assistance" within international maritime law, enabling divergent interpretations (Papastavridis 2011b). Moreover, coastal states' unwillingness to accept the disembarkment of migrants has led to an increased reluctance on the part of seafarers to allow those in distress on board their vessels, in some cases fearing criminal liability for being accused of "facilitating illegal immigration." In such ways,

the international legal norms established to determine responsibility for assisting those in distress at sea have been used precisely for the purpose of evading and deferring this responsibility. As a result, many migrants have been left unassisted, leading to human tragedies. It was precisely this politics of irresponsibility that was at work in the unfolding of the "left-to-die boat" case.

While Italy and Malta had been informed of the location and distress of the passengers, with the vessel still outside of their SAR zones (but soon to enter their zone of overlapping and conflicting responsibility), they limited themselves to sending out distress signals to vessels transiting the area and informing NATO command, which was monitoring the "Maritime Surveillance Area" within which the passengers were located. However during the time of the international military intervention in Libya, NATO operated a practice of minimal assistance, the aim of which was to ensure that the migrants could continue their journey until they entered the Italian or Maltese Search and Rescue (SAR) zone so that they would become a concern for those states.[95] While this did occur in several instances, in the case of the "left-to-die boat" the evaluation of the distress of the migrants and the minimal assistance provided to them (a helicopter visited them twice and dropped a few bottles of water and biscuits) were clearly insufficient as they soon started to drift back to the Libyan coast, left to merciless winds and currents that inflicted on the passengers a slow death.

If migrants thus die at sea from a range of direct causes such as dehydration, lack of food, the ingestion of salty water and drowning, all of which are related to the geopower of the sea, it should be clear from the above that it is through the enforcing of migration policies imposed by the EU and their articulation within a particular maritime legal and governance regime that the sea has been turned into a deadly liquid, the site and means of a rising number of deaths and structural violations of migrants' rights. What has emerged is a form of violence that is exercised less by effecting a destructive force onto a given actor, than by creating *the conditions* in which the sea becomes a liquid trap and refraining to help those who are caught in it. In this, the governmentality of migration at sea constitutes an example of a form of biopolitical power described by Foucault, which is exercised not only by actively sustaining and protecting the life of certain populations, but also by causing death of others by simply abstaining from any form of action. To paraphrase his famous summary of this

form of power, one could say that the maritime border regime "makes flow and lets drown".[96] The migration regime thus produces a form of structural violence that kills without touching and is exercised by several actors simultaneously (Pezzani 2015). As a consequence, the responsibility for the deaths and violations that are its structural product is shared, diffuse, and thus difficult to address. While migrants' rights organizations have been documenting the deaths of migrants for a number of years and have denounced the deadly policy of the maritime border regime, it was not until 2011, with the radical geopolitical shifts brought about by the Arab uprisings and the military intervention in Libya, that new possibilities for addressing this form of violence arose.

2011: Ruptures in the Migration Regime and Opportunities for Accountability

In relation to the context outlined above, 2011 represented a moment of paroxysm and rupture in a number of respects. The Arab uprisings led to a temporary power vacuum in Tunisia that enabled over 28,000 people to cross the sea to Italy during that year. This intense mobility in the immediate aftermath of a revolution is a clear indication that the aspiration to freedom and justice of the Tunisian people was directed not only towards the way their country was governed, but also extended towards the imposition by the EU—with the active participation of the Ben Ali regime—of a violent and discriminatory migration regime within and beyond Tunisia's borders.[97] The uprising in Libya led less to the seizing of a new freedom than to forced displacement. The entrenched civil war and the ensuing NATO-led military intervention forced almost 26,000 people to cross the sea to reach the southern shores of Italy, with Gaddafi's regime playing an active role in forcing migrants onto boats with the aim of using them as weapons of war.[98] With boats loaded to the point of collapse and without regard for even the minimal safety measures usually provided by smugglers, over 1,822 recorded deaths occurred in the Central Mediterranean during 2011, one of the all—time highs.[99] However, these deaths occurred at a time when the militarisation of the EU's maritime frontier had taken on entirely new dimension, with the usual agents of the low intensity "war on migration" joined by a large number of additional military ships and patrol aircraft deployed by Western states off the Libyan coast in support of the international military intervention. Their mission included the surveillance of a wide maritime space off the coast of Libya in order to enforce an arms embargo.[100]

In this context, a coalition of NGOs was formed with the aim of identifying direct responsibility for these deaths. Their claim was that, given the means deployed, it would have been impossible for military and border control personnel to have failed to witness the distress of migrants at sea.[101] The "left-to-die boat" incident provided a case in point and the coalition decided to focus on this paradigmatic incident to launch a legal case claiming liability for non-assistance of people in distress at sea. In support of this endeavour, together with the architectural practice SITU Research, we produced a ninety page report which, by mobilizing a wide range of digital mapping and modelling technologies and by relying on an unorthodox assemblage of human and non-human testimony, reconstructed and mapped as accurately as possible what happened to this vessel.[102] Having outlined above the conditions that have turned the sea into a deadly liquid, we are now in a position to explain how we brought the sea to bear witness to the conditions that have led it to kill.

As should now be clear from our discussion of the scopic system assembled to monitor maritime traffic, it is no longer true that the sea entirely resists being written. The maritime space is constantly registered in optical and thermal cameras, sea-, air-, and land-borne radars, vessel tracking technologies, and satellites that turn certain physical conditions into digital data according to specific sets of protocols, determining the conditions of visibility of certain events, objects, or people. While many of these remote sensing means remain in the exclusive hands of states and their agencies, certain types of automated vessel tracking data ("automatic identification system," or AIS), meteorological data, as well as satellite imagery are available to the public. Moreover, parallel civilian networks also supplement these sensors: migrants frequently film their crossings with mobile phones, while networks of ship- and plane-spotters post photographs of naval activities, thereby contributing to documenting, transmitting and archiving events at sea. Through this vast process of imaging and dataization of the maritime space, the sea has become a vast and extended sensorium, a sort of digital archive that can be interrogated and cross-examined as a witness. This is precisely what we did in order to produce our report: in the absence of external witnesses, we corroborated survivors' testimonies by interrogating the very environment where these events took place, the sea itself.
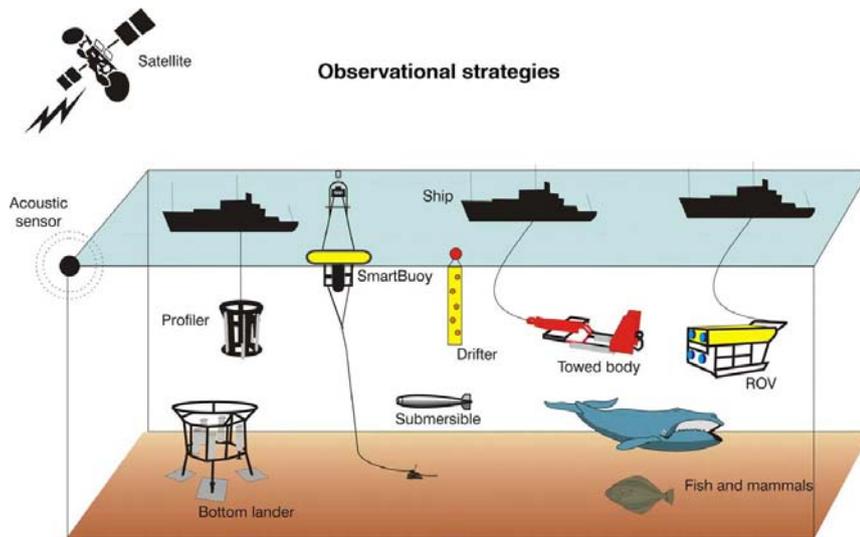
Figure 22: Schematic overview of marine observational strategies (drawing by Irene Gooch). Source: Silke Kröger and Robin J. Law, "Biosensors for Marine Applications," Biosensors and Bioelectronics, vol. 20, no. 10 (April 2005): 1905.
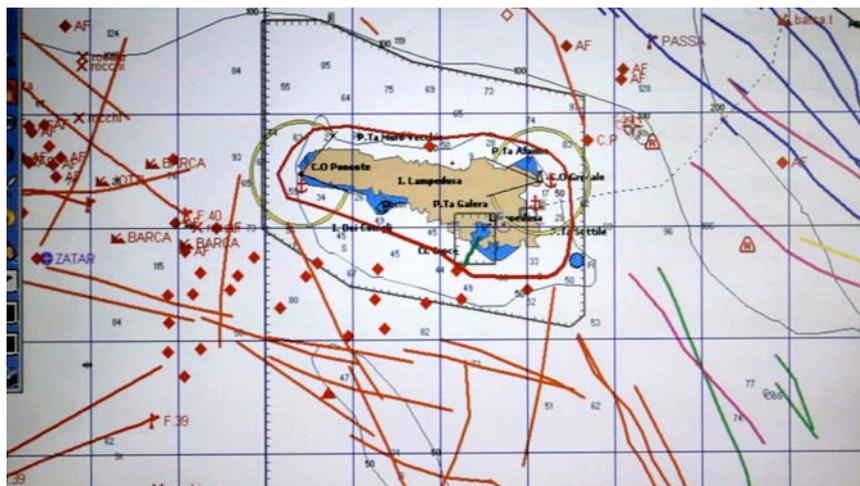

Figure 23: Still from a video depicting the digital navigation system onboard one of the trawlers of the Mazara del Vallo fleet (Southern Sicily). The map shows the various trawling paths and the presence of obstacles (rocks and shipwrecks) around the island of Lampedusa, Mazara del Vallo, July 2012. Video: Charles Heller and Lorenzo Pezzani.

But in a context in which remote sensing is so central to the process of policing illegalised migration and the success of clandestine border crossings hinges on not being detected, how to avoid becoming complicit with the governmental attempt to manage migration by shedding light on the transgression of borders? The use of these technologies and other sources of information demanded that we position ourselves strategically in relation to their usual application by border agencies. While the latter perform an ambiguous act of unveiling practices of clandestine migration while concealing the violent political and legal exclusion that produce this clandestine status

in the first place (De Genova 2013a), as well as the numerous legal violations the migration regime generates in turn, our approach needed to invert this strategy. We aimed not to replicate the technological eye of policing, but to exercise a "disobedient gaze" (Heller and Pezzani 2013), one which refuses to disclose clandestine migration but seeks to unveil instead the violence of the border regime, and disrupts in the process the "partition of the sensible" (Rancière 2006) imposed by the border regime onto the sea. Applying this strategy to the "left-to-die boat" investigation entailed redirecting the light shed by the surveillance apparatus away from clandestine migrants and towards the act of policing the sea, and spatializing the practices of different actors so as to reinscribe responsibility within the space of the unbundled sovereignty at sea.

As described in more detail in our report, we mobilized different remote sensing and mapping technologies to reconstruct the events and determine the degree of involvement of different parties in several ways. In this endeavour, it has been crucial to couple a robust understanding of the technical characteristics of these technologies with a thorough analysis of the web of economic, scientific and political relations in which they are embedded and which shape both their potential usage and the epistemological frame they impose on the world.[103] Only then was it possible to insert ourselves within the complex chain of production that their use involves, in order to locate specific nodes from where information could be extracted and repurposed towards the spatio-temporal reconstruction of the events and actors involved in the incident.

First, we reconstructed the trajectory of the migrants' boat up to its point of drift, by georeferencing the position of the migrants' distress calls using a satellite phone and by reconstructing the boat's speed and route based on detailed interviews with the survivors. But to determine the entire trajectory of the boat during its fourteen days of deadly drift, we also had to bring the winds and the currents to bear witness. An oceanographer reconstructed a model of the drifting vessel by analyzing data on winds and currents collected by buoys in the Sicily Channel. In this way, we determined that the migrants' vessel remained for the majority of its trajectory within the NATO maritime surveillance area.

Second, with the migrants' boat's trajectory determined and the knowledge of its distress by other vessels operating in the area at the time established by tracing the different distress signals that were sent out, the key question became "which ships were in its vicinity and failed to respond?" To answer this, we relied on synthetic aperture radar (SAR) satellite imagery, which, analyzed by a remote sensing specialist, allowed us to establish the presence of a number of ships in the immediate vicinity of the migrants' boat. However, the relatively low resolution of the images (1 pixel represents 50 m^2 or 75 m^2) did not allow us to locate migrants' boats (usually small wooden and plastic vessels), but only the bigger military and commercial vessels. The *resolution* of the image thus became a highly political issue, in that it determined the frontier between the visible and invisible, and separated the practice of a disobedient gaze from an uncritical act of revealing that risks complicity. In the process, not only were we using against the grain a technology usually used for surveillance, but repurposing the very images surveillance produces: the availability of those SAR images was probably due in the first place to the military operations in Libya, since there was a sharp increase in the number of available images coinciding with the days of the conflict.

In a third strategic use of surveillance technology, this time in line with the claim made by the coalition of NGOs, we turned the knowledge generated through surveillance means into evidence of responsibility. While the military had deployed exceptional means of surveillance to impose the embargo and detect any threat at sea, the knowledge they generated also made them aware of the distress of migrants—and therefore responsible for assisting them. After collecting several official statements by military officials celebrating the technical capability of the means of surveillance deployed in the Mediterranean, we carried out a detailed analysis of the range and precision of their sensing technologies in order to prove that the naval assets in operation at the time of the "left-to-die boat" case had the means to detect the drifting migrants' boat. While, as Bruno Latour reminds us, with the capacity to sense events should come "sensitivity"—the capacity to respond to them—the lack of response despite the knowledge generated by surveillance became in this case evidence of guilt (Latour 2013). In this way, we attempted to close the gap which the politics of irresponsibility tries to leave open between the possibility of sensing a certain event (of distress) and the obligation to intervene.
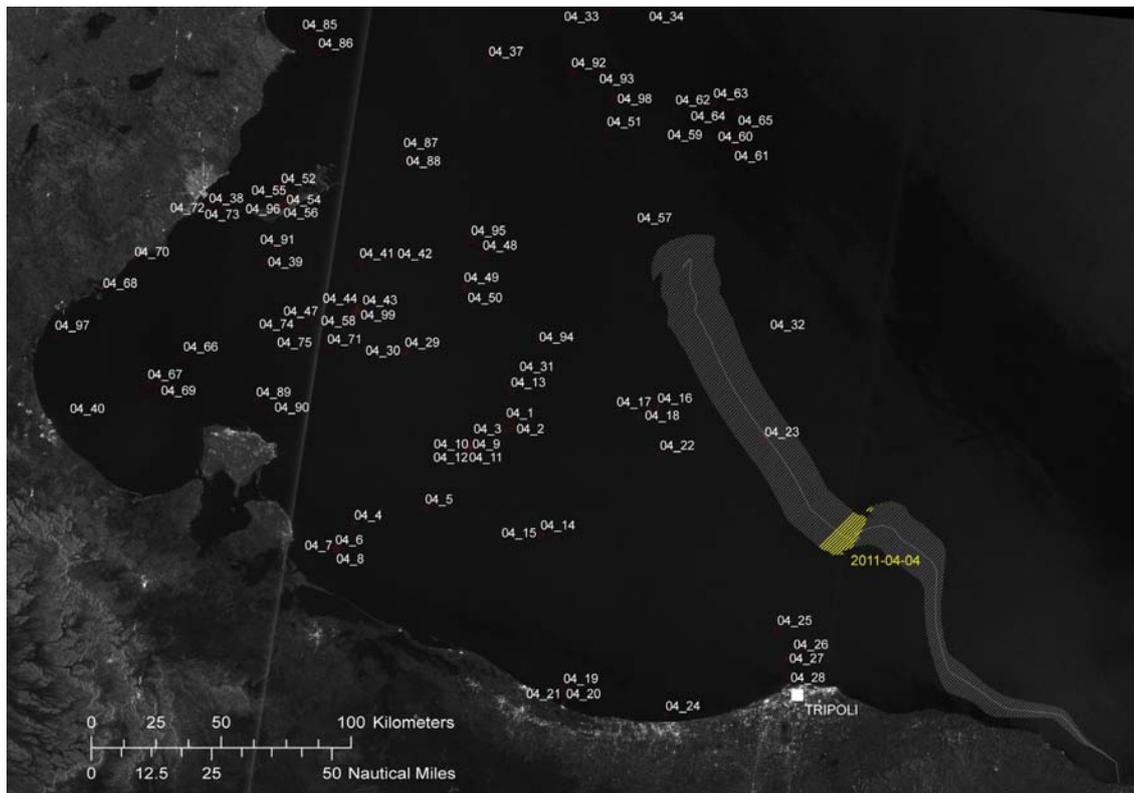
Figure 24: Analysis of April 4, 2011 Radarsat-1 Synthetic Aperture Radar (SAR) by Rossana Padeletti, GIS and Remote Sensing specialist. Addendum to the Report by Forensic Oceanography on the "left- to-die boat," June 2013. By overlaying the drift model of the "left-to-die boat" and underlining in yellow the position of the vessel on the day the image was taken, Padeletti's analysis demonstrated that there were 78 probable vessels of over 50 m surrounding the drifting migrants' vessel at the time in which, according to the survivors' testimony, they encountered a military vessel. There may have been further vessels present in the Eastern side of the image, which however presented too much scattering and background noise to detect possible targets.

While many questions remain open in terms of the identities of the different actors involved—crucially the two helicopters and the military ship that entered into direct contact with the migrants have not yet been identified—we were able to provide a precise reconstruction and to point to the implication and failures of several actors, including NATO and the coalition of national militaries, the Italian and Maltese Coast Guards, the fishing and commercial vessels present in the area and Gaddafi's troops. Because of this multiplicity of actors and the partial and overlapping juridical regimes with which the migrants' boat intersected, the question of who should be held responsible for the structural violence perpetrated onto the passengers emerged. While the fragmentation of juridical regimes at sea so often allows for the evasion of responsibility, in this case it was mobilized strategically towards the *multiplication* of potentially liable actors and of forums where they could be judged and debated. Not only

were several legal complaints lodged in the courts of France, Italy, Spain, and Belgium against unknown parties for non-assistance to people in danger at sea—each time generating press attention—but several other initiatives took place in parallel: two documentary investigations were screened on television as well as at festivals;[104] a report was published by the Council of Europe, leading to several hearings with representatives from different states; and finally, the case was presented in many venues to activist and academic audiences across Europe and North Africa. Each of the forums, with their respective languages, rules and technologies, became a space of judgment. But even managing to address the responsibility of the numerous actors involved would have been insufficient if the multifarious policies of exclusion, militarisation, and evasion of responsibility that shaped the incident in the first place were not themselves put on trial. While demanding accountability for *all* the deaths of migrants at the maritime frontier of the EU has not been possible so far within the forum of the law and its particular language, the different actors investigating this case had to go beyond the realm of the law and venture into that of politics. In this way, they denounced the violence of the denial of freedom of movement and the deaths it generates, which no amount of compliance with legal obligations will be able to undo.

Conclusion: Liquid Lands

Following the meandering route of the history of the governance of the seas and its intersection with the policing of the mobility of people was necessary to understand the conditions under which the sea was made to kill, and which have led to the structural violations of the rights of migrants. Only through a "hand-to-hand" struggle with this network of geographic, aesthetic, technological, legal, social, and political conditions were we able to reinscribe history and responsibility into a sea of impunity. Understood in these terms, incidents such as the "left-to-die boat" shed a new and crude light on contemporary forms of maritime governance and migration management. The image of the Mediterranean that emerges is that of an environment crisscrossed by "a thick fabric of complex relations, associations, and chains of actions between people, environments, and artifices" (Weizman 2012a: 6). It is the totality of this field of forces that constitutes the particular form of governance that operates at sea. With regard to the policing of illegalised migrants, we have seen that the selective expansion and retraction of sovereignty that this space enables has led to a form of governmentality that, although highly militarised, diverts and modulates movement rather than blocking it, blurs the line between humanitarian and policing

functions, and inflicts deaths on a large scale by creating conditions of precarious crossing and by refraining from acting to save those caught in this liquid trap.

The fantasy of a soft governance that would make the movement of people and things simultaneously orderly and productive is a mere chimera, since there will always be subjects that refuse this order, and attempts to tame them can only lead to deaths and legal violations on a structural basis. The deaths at the maritime frontiers of the EU are, in this sense, the necropolitical ghost that haunts this vision of neoliberal governmentality (Mezzadra and Neilson 2013: 174). They will continue unabated as long as the current migration regime and governance of the seas prevails. While European publics seem to have come to accept these deaths as a necessary lesser evil, documenting violations, filing multiple contentious legal cases, and supporting the mobilization of the relatives of the migrants lost at sea in their struggles to shed light on what has happened to their family members, may be seen as inserting "grains of sand" into the migration regime's mechanisms, blocking them temporarily, forcing them to change slightly.[105] In this process, an important shift has occurred: states, the military, and other actors at sea no longer have the monopoly over watching. Civil society demands that the increased capacity to monitor the sea be accompanied by an increased level of responsibility, and uses the same sensing technologies against the grain to follow the (in)actions of the different actors who operate in the frontier space of the sea, reinscribing responsibility where they attempt to evade it. But if the change that maybe affected through such a practice is only in its infancy, we already observe the tendency of maritime-like forms of governance being exported onto land, in a striking inversion of Carl Schmitt's land—sea binary.

While, as we saw, the challenge for Schmitt was to impose onto the ocean a form of power characteristic of the land, the sea has become a laboratory in which new forms of contemporary governance have been devised and experimented with and are now being brought to bear on the land. As at sea, border functions on the land have been decoupled from the limits of the territorial border and are becoming increasingly dispersed and mobile, able to follow ever-shifting routes. From the notion of "Routes Management," which revolves around the charting of clandestine migrants' routes, to that of "Integrated Border Management," which seeks to control migration "before, at and after the border," practices of border control seem to have increasingly done away with fixed territorial thinking (Casas-Cortes et al. 2013). In a

move that echoes the practice of maritime governance over several centuries, their focus seems instead to be on following the routes of migrants as they move across different geographical and political spaces. Rather than the "solidification of the sea"—a term that was suggested by the collective Multiplicity (2002) to describe the progressive invasion of the terrestrial logics of bordering into the sea—what we observe here is rather a "liquefaction of the land."

Figure 25: I-Map, 2012. Dialogue on Mediterranean Transit Migration (MTM) map of Irregular and Mixed Migration Flows. Source: International Centre for Migration Policy Development (ICMPD). The I-Map project developed by the ICMPD in collaboration with states and international organizations is an interactive cartography that traces out migration routes, initially on the borders of Europe, but increasingly expanding to the wider region of Africa, The Middle East, and Eurasia. I-Map was designed to develop a new sensibility among border and migration management agencies to the complexities of migrant routes across a wide geographic area.

There would be another, more desirable way to draw inspiration from the sea, one that is still out of sight of the hegemonic public view and policy circles. Viewing the world "from the sea," from the perspective of the constant movement of the liquid element that defies the appropriation of the ocean, one might be able to perceive the unruly freedom of human mobility which, far from being an anomaly, has been a constant throughout history, and that persists in excess of the multifarious practices that try to tame it.

MAKING WAVES: FORENSIC OCEANOGRAPHY'S RIPPLE EFFECTS[106]

In the remainder of this chapter, I would like to reflect on the effects of our practice through the *Forensic Oceanography* project. The lack of perceived effect of my video practice prior to this project as well as its unexpected complicity with the government of migration had been the initial impetus for me to reconsider the effects of the image practices and objects I discussed in *Image/Migration*. I embarked into the project of *Forensic Oceanography* with the hope of finding a new language and new modalities to contest the border regime through aesthetic and knowledge practices by targeting direct responsibilities for the deaths of migrants at sea. Almost four years after the beginning of this project, how does the reality of the projects' effects in the world measure with my initial hopes? In what follows I first discuss the effects of our project in relation to the legal sphere it targeted, and then attend to the unexpected ripple-effects it produced, in particular in terms of how our methodology was seized by a multitude of other actions in the frame of WatchTheMed.

Defending Illegalised Subjects Through Legal Politics: Limits and Potentialities

Let me first come back to the initial hopes that accompanied the beginning of Forensic Oceanography. I mentioned in the prologue to this chapter the anecdote of Eyal Weizman being threatened of law suit by a military officer, which led him to consider the need to articulate theory with "a certain journalistic forensics", which involved naming people and institutions responsible for specific actions rather than referring to them on a higher level of generality and anonymity. This, Weizman argued, allowed to "intervene within the system itself" (Weizman 2010b: 301). Intervene, but how, to what effect and within what limits? In the frame of the Forensic Architecture project, the aim was to experiment with the documentation of violations geared towards the legal sphere, as a space where specific actors may be demanded to respond for their (in)actions. But how does accountability in front of a court of law intervene in the world? The most basic and commonly held assumption is that, if the law is meant to codify the behaviour of humans so as to limit the drives that render "man a wolf for man" (in the famous Hobbesian formulation), in turn the prosecution and condemnation of criminal deeds will lead to them being stopped, and act dissuasively in the future. The law and the institutions that are charged of its application are thus seen as protective in relation to

past, present and future violence. These general assumptions of the protective and limiting nature of the law were further exacerbated within the frame of human rights which came to be seen in the course of the second half of the 20th century as the last limit to the exercise of power (Foucault 1981; Koskenniemi 2010).

There is a wide critical literature concerning the emancipatory potential of the legal sphere, which challenges these positive assumptions on several grounds, of which I will only mention a few that are of particular relevance for my discussion.[107] First, critiques argue that the law is not a neutral arbiter of violence, but *participates* in many ways in the perpetuation of violence, enabling relations of domination and exploitation. From a Marxist perspective, the law at least partially creates the conditions in which political and economic power is exercised – for example is acting as the guarantor of private property (Knox 2010). The formal equality endowed by the state to its citizens merely hides the social inequality that is relegated to the private sphere (Marx 1844; Bhandar 2012: 60-62). Imperialist wars have also increasingly been justified in the language of humanitarianism and human rights, in the name of defending particularly vulnerable and oppressed people (Rieff 1999; Waal 2002; Keenan 2005). Through the concept of "lawfare", scholars also point to the idea that international law is a part of modern warfare, and can be used as a weapon by both sides (Knox 2010; Dunlap 2008). International humanitarian law frames and thereby enables war at least as much as it restricts it, and its very limits are customary and elastic, defined and redefined through their transgression (Weizman 2012b: 90-92). Law is certainly deeply implicated in the deaths of migrants at sea, which, as I have argued several times, are first and fore most the product of migration policies and legislations which illegalise the movement of the majority of the worlds population towards the EU and other core regions of the world system. As such, these deaths are the product of a foundational political and legal violence.

Second, critiques have argued that the law only ever allows one to demand justice in relation to events framed within a particularly limited vocabulary, which can never account for the deepest and most pervasive forms of violence. The strongest critique is once again from a Marxist perspective: justice and injustice depend on structural causes which lie beyond the realm of the law: the modes of production and appropriation of the capitalist world system. As a result, demands for justice necessarily *exceed* the language of the law (Balibar 2012: 14-24). Again, this critique is particularly relevant for deaths

at sea. The cases of violations brought to courts are mostly filed by individuals claiming to having been violated of a specific right by specific actors. However, the structural violence of the migration regime results not in one, but in thousands of cases of deaths, and the (in)actions of individuals are enabled and constrained by broader migration policies, which are difficult to address in legal terms. As a result, redressing the specific crimes recognised by the law – such as non-assistance – can never be sufficient to undo the foundational violence of exclusionary migration policies. Mobilising a legal discourse in turn runs the risk of depoliticisation, turning the quest for bringing an end to violations and deaths at sea into a purely technical question (ensuring the respect of the obligation to rescue people in distress) and making the migration regime appear "more humane". In this way, the limitations of the law risk turning once again those who mobilise it into accomplices of the forms of violence they seek to denounce.

Third, while the use of the law to bring an end to violence is thus limited, it drains a tremendous amount of emancipatory hopes and energies, diverting them from other forms of action, such as seeking to change legislation and social movements (Rosenberg 2005: 796). Wendy Brown sees human rights-based activism as a "politics of fatalism", an antipolitical politics of suffering reduction, which diverts us from more ambitious justice projects (2004: 462). Certainly we can see easily how this critique bears on the politics of migration: instead of endlessly defending asylum applications with little success, why not invest instead in mounting a political movement capable of changing the policies that have been designed to make these applications fail and have turned the asylum process into a factory of illegalisation (Agier 2011)?

These are all critical arguments that deserve to be taken seriously, and seeking to engage with them should help us sharpen legally based practices – if one decides to have recourse to the legal sphere at all. I believe the practice of *strategic litigation* has the potential to respond productively to several of these difficulties. The practice of strategic litigation has at its core the strategy of bringing a specific case in front of the court of law in the aim of attaining a broader legal and political objective. It is a "strategy of the week", in the sense that it is often resorted to from a minoritarian position, which seeks to use the judiciary power against a legislative power which is either hostile or out of reach. Strategic litigations are often embedded in wider social movements, and framed in a way that addresses deeper political demands. As such, the

courtroom and the case are a point of convergence of a broader set of practices and demands, that operate outside the court room and beyond the language of the law.

The articulation of seeking accountability for the specific crime of non-assistance with the deeper denunciation of the European migration regime was clearly stated in the GISTI's initial press release concerning the "left-to-die boat", which I mentioned at the beginning of this chapter. Before claiming that the crime of non-assistance could not remain unpunished, the GISTI recalled that the deaths of migrants at sea were the "invisible victims of a European policy aiming to combat the immigration which it calls 'illegal'". In the press release that accompanied the logging of the case in Paris on the 11th of April 2011, while the coalition first demanded of the French court that it sanction the crime of non-assistance and that it consider that "nothing can justify that one let people die in all knowledge of their fate", it further framed the "left-to-die boat" case as a "symbol of Europe's indifference towards refugees," of its intolerable contempt for the lives of those who flee across the sea.[108] This legal case was inscribed within a broader campaign to contest the death of migrants at sea and demanding a migration policy based on freedom of movement as the only solution to bring these deaths to an end. In this sense, this strategic litigation may be seen as exemplary of what Sandro Mezzadra has referred to as a "split temporality" that he sees as necessary to operate in struggles surrounding migration: *simultaneously* struggling for very concrete demands – such as transparency and access in a detention centre – while at the same time formulating demands for fundamentally transforming the migration regime – such as the abolition of detention altogether (Mezzadra 2013: 318).[109] Here we demanded respect for the obligation to operate rescue at sea, all the while demanding freedom of movement – which would make the need to rescue migrants at sea obsolete.

There are several levels of complementarity in between these immediate demands that seek to reform a particular node in the dispositif of the government of migration - carrier sanctions, militarised borders, detention camps, deportations, to name of few of key nodes that uphold the migration regime, and those that demand the abolition of this dispositif altogether. First, because these two levels of demands may partly lead to each other. Certainly, a migration policy based on freedom of movement (which I discuss in the next chapter) would make the question of reforming each node of the migration control dispositif obsolete, since they would disappear instantly. But the inverse is also partly true: while freedom of movement could be installed in the distant future through

lengthy parliamentary and democratic process, it can also be created de facto – or rather *enabled*, since migrants' already existing freedom is precisely what states desperately try to control – from below, by blocking the means deployed to prevent the actual free movement of people. As such, we might say that struggling against very concrete means of control is always already struggling towards freedom of movement, even if that is not always the intention of those leading these struggles.

Second, we can see strategic litigations and the monitoring of migrants' rights at these key nodes as challenging those who uphold the government of migration in the following terms: "as long as you do not apply the policies we demand, we will track you so as to document the violations you cannot *not* commit" – since it is impossible to deprive people of their freedom to move without exercising a degree of constraint and violence. Strategic litigations and the monitoring of migrants rights is then at best a way to make the life of those who seek to govern migration impossible, of inserting grains of sand into their mechanisms of control to block them, or at least make them shift slightly. Finally, we can see the documentation of violations and the filing of complaints as contributing to open up political imagination. Today, it is the migrants who pay the price of the EU's policies of exclusion, criminalisation and militarisation – in the exorbitant cost of illegalised means of transport, but more fundamentally in the risk to their very lives. Seeking to make specific state actors and agencies accountable for the deaths of migrants at sea is a way of shifting the burden of policies from migrants to states, in the aim of making the political cost high enough for policy makers and government agencies to at least begin to consider alternative policies.

Enough for strategy, but what does strategic litigation actually *do*? And what have been the effects of our report on the "left-to-die boat" case and the legal complaints logged on its basis? Certainly, it is not possible to provide a general answer to the first question, and too early to answer the second since the cases are ongoing, and will probably last several years. But there have been several important processes of evaluation of the outcomes of strategic litigation. In a devastating article of which the title "Courting Disaster" provides the tone, Gerald Rosenberg (2005) reviews the outcomes of strategic litigations in the USA, arguing that in relation to same-sex marriage litigation, the initiators "succumbing to the 'lure of litigation,'" "confused a judicial pronouncement of rights with the attainment of those rights. The battle for same-sex marriage would have been better served if they had never brought litigation,

or had lost their cases" (54).[110] While sobering and thought provoking, I find more inspiring the careful self-reflexive discussion led by the GISTI and external actors on the occasion of the organisation's 30th anniversary. In a conference and the resulting publication (GISTI 2009), the GISTI members sought to take stock of the outcomes of what the organisation has made one of its main strategies, and ask: was the multiplication of our strategic litigations worth it? Despite many victories in courts, Danièle Lochak (GISTI president from 1985-2000) sees many defeats but also false victories – legal victories which do not lead to a change in practice or only to their worsening – and only a few real victories which however have not been able to derail the tendency of the hardening of migration policies (53). Lochak concludes that overall "jurisprudence has accompanied more than it has channelled the precaritisation of the right to stay, the weakening of the protection granted to asylum seekers, the increasing power of the administration and the police" (63). Lochak concludes that this confirms the limits of strategic litigations of which the GISTI was always aware: the weapon of litigation is only effective in the long term if it comes in *support* of the political struggle, not as a substitute to it. Let us now turn the results of the "left-to-die boat" case litigations to date.

The Left-To-Die Boat in the Courts of Law: Still Drifting on Firm Land

Concerning the "left-to-die boat" case, the result to date in front of the courts of law is mixed to say the least. On the basis of our report and the other investigations, a coalition of NGOs has filed legal cases against several of the states participating in the military operations in Libya, including Italy, France, Spain and Belgium, and submitted Freedom of Information requests in Canada, the US, and the UK. The Dutch Senator Tineke Strik also sent, on behalf of the Parliamentary Assembly of the Council of Europe (PACE), official demands to all actors involved to ask for further details about their (in)actions. In the process, no element either of our or the other reconstructions has been disproved. No public statement, no journalistic investigation, no legal inquiry has even tried to challenge the facts as we have reconstructed them. On the contrary, in here decision of the 6th of December 2013, the Vice President in charge of the instruction of the case in the French tribunal considered that "this tragedy has been the object of an extensive investigation of an organisation of the European Research Council of the name "Forensic Architecture", and led to a detailed report titled the "Left to Die boat case." However, the rigour of our inquiry was used to justify her refusal to investigate the case any further, since, she argued, our extensive report had not proven the

responsibility of a French ship and that the (non)answer by the French military (i.e., the accused), indicated that French assets were not deployed in the area of events. Her judgement was appealed successfully against in June 2014 and the court will have to investigate the case, but almost a year after the successive appeal, no results have been communicated.[111]

The lack of serious investigation has repeated itself in all the different procedures. As Strik summarizes in her follow-up report: "I received denials, referrals back to NATO and/or the member states, or, in some cases, no answer at all. (...) Legal cases and Freedom of Information applications are being pursued in a number of the member states implicated but seemingly in vain" (PACE 2014). The 23 April 2012 response to Strik by NATO's Richard Froh, (fig. 26) is in this sense exemplary. While Froh accepts a degree of moral blame – he agrees with the conclusion of Strik's report and expresses his "regrets" for the possible missed opportunities to help, he then seeks to shift the responsibility on "the Gadhafi government authorities, human traffickers and the captain of the boat". In tortuous diplomatic non-answers (of which the correspondence contained in Strik's follow up report provides many more a striking example), NATO and participating states have failed to provide exhaustive answers to simple questions such as the location of their assets during the time of the events (which are certainly meticulously recorded in their assets' log books) or justify their (non)response to the distress call. Neither have they sought to disprove the allegation of the survivors that they were visited twice by a military helicopter and encountered a large military ship. It is as if the huge military surveillance apparatus that refused to see and react to the slow death of the 63 passengers over a period of 15 days had now itself become invisible to public scrutiny. While fully visible to the public, the collective crime of which the passengers have been the victims has remained invisible to the law.
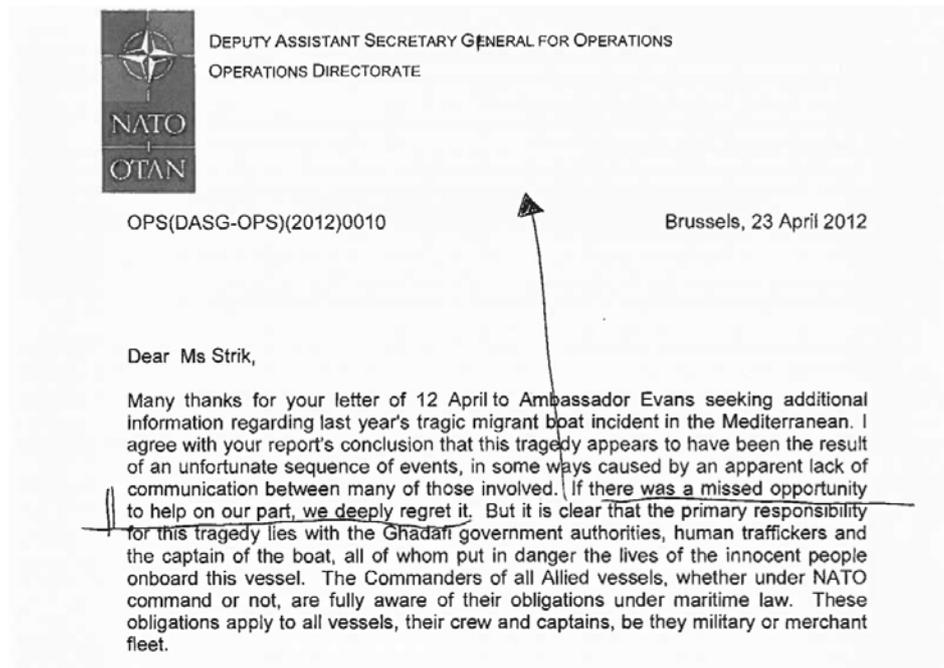
Figure 26: Letter from Mr Richard Froh, Deputy Assistant Secretary General, Operations Directorate of NATO, to Ms Strik, rapporteur of the Committee on Migration, Refugees and Displaced Persons, dated 23 April 2012. URL: http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=20940&lang=en

As a result of the lack of response and legal inquiry, not a single actor has been made responsible for the deaths of the 63 passengers. The indifference which led to their being abandoned to the winds and currents, continues to plague the demand for justice of the survivors, perpetuating their drift even on firm land. Such a continued impunity sends out the message to all actors operating at sea that migrants can be abandoned to their deaths with no consequence. And in effect, similar incidents have repeated this since. On the 3rd of October 2013, a boat sank less than 1km from the coast of Lampedusa in conditions that remain mysterious, causing the death of at least 366 people and a public outcry.[112] On the 11th,[113] another shipwreck which we have jointly documented with the WatchTheMed network and journalist Fabrizio Gatti occurred in the Central Mediterranean causing the deaths of over 200 people in conditions that are tragically similar to those of the "left-to-die boat". The boat carrying more than 400 people started taking in water after it was shot by a Libyan vessel. Despite the Italian and Maltese coast guard being warned of the imminent distress of the passengers, rescue was delayed for over 5 hours and patrol vessels arrived 1h after the boat had sunk and more than 200 people had died. The documentation of this case has also led to a complaint in Italy which is ongoing and to an interpellation in the Italian Parliament (Camera dei Deputati, 10 January 2014).
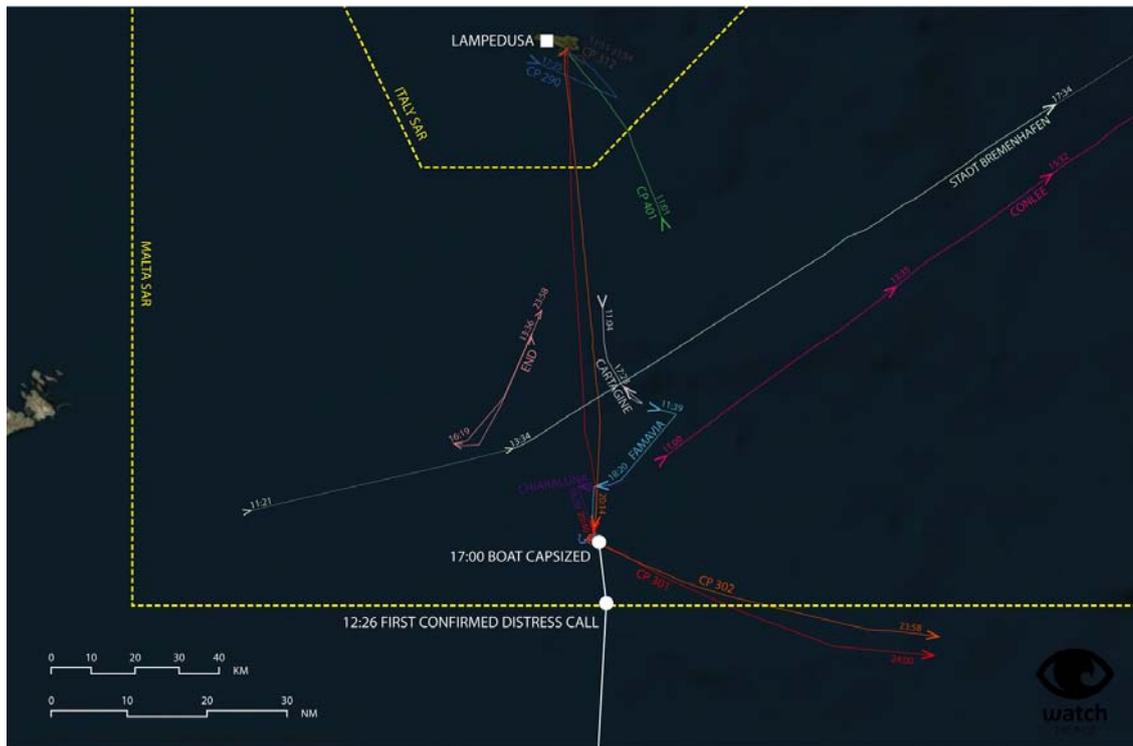
Figure 27: AIS (Automated Identification System) data analysis for the 11 October 2013 case of non-assistance, conducted by Don Ferguson, Geospatial Analyst at West Virginia University and GISCorps volunteer, for www.watchthemed.net . Data provided by www.marinnetraffic.com . The analysis of AIS data for 11 October 2013 demonstrates that five Italian coast guard vessels were in activity in the area around the island of Lampedusa at the time of the first (confirmed) distress call by the passengers at 12.26 on the 11 October 2013. Three were never dispatched to the location of distress (CP 312 290, 401), while CP 301 and 302 were dispatched as of 17.49 and arrive on location as of 20.18. Several commercial vessels in vicinity continue their path, while two fishing vessels, the Famavia and Chiaraluna were directed to the point of incident as of 18.15. The AIS data analysis demonstrates that not a single vessel responded to the distress warning sent out in the area at 13:34. Vessels were only dispatched after the boat capsized around 17:00.

The Trajectory of a Trajectory

As such, the legal complaints concerning the "left-to-die boat" case have not led to accountability so far and similar violations have been perpetrated since. Nevertheless, as we have underlined above, and in line with the concept of *forensis* – which does not seek to operate *only* in the forums of the law but in many others as well – it is insufficient to restrict one's self to the legal sphere to assess the effects of our reconstruction of the case. Information on these incidents as well as some of our maps and videos circulated quite widely in the international press, itself a vehicle for broader public debate. In particular the map of the vessel's trajectory within NATO's maritime surveillance zone became the base for innumerable new maps in the international press, in activist circles as well as in art and academic contexts. Every time slightly modified,

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cropped, deformed, misspelled and redrawn, it has allowed for the discussion around this case to occur across different arenas. If the "left-to-die boat" case is a symbol of the EU's disdain for the lives of migrants, the boat's trajectory became this symbol's expression.

Figure 28: Reproductions or re-drawings of the map of the "left-to-die boat" trajectory in different media. Clockwise from to left: online edition of BBC News, 29 March 2012; postcard of the Boats4People network, July 2012; online edition of El Pais indicating the position of the Spanish frigate Méndez Núñez in relation to the migrants' boat trajectory, 2 May 2012; online edition of The Guardian, 29 March 2012.

Certainly our map of the "left-to-die boat" and the 11th of October cases in conjunction with numerous articles that appeared in the press concerning them, contributed to moral – if not legal – condemnation. What this moral condemnation spurred in turn is difficult to determine, and it should be considered within the broader cumulative effects of the collective movement seeking to contest the deaths of migrants at sea. But it is hard to imagine that it made no contribution in the change of practice that followed the 3rd and 11th of October 2013 shipwrecks. While the crocodile tears of politicians led to the usual intensification of practices of securitisation in the form of additional funds for Frontex and the launch of Eurosur (the European border surveillance system),[114] an important shift occurred with the Mare Nostrum operation, the most important "military-humanitarian" rescue operation ever deployed in the Mediterranean.[115] The operation,

which demonstrated that no matter how important the means deployed to police or rescue illegalised migrants at sea, they will not lead to the end of deaths at sea, since while 170.000 people were rescued, over 3400 documented deaths were recorded in 2014 (UNHCR 2014). Nevertheless, Mare Nostrum constituted a break in relation to the frequent practice of non-assistance and lengthy standoffs prior to disembarkment of the preceding years, and was both criticised and lauded for being a "half-way bridge to Europe", ie, from our perspective it constituted an imperfect but important tool enabling migrants' freedom of movement. For the year that Mare Nostrum lasted, there were no reported cases of non-assistance in the Central Mediterranean, and merchant ships were massivly mobilised to support the rescue effort. Was this shift to more effective rescue operations in some way the product of our collective documentation and denunciation of the previous cases of non-assistance? It is certainly difficult to ascertain, but this is at least what Dr Ayman Mostafa, a survivor of the 11th of October shipwreck who lost his entire family believes. "Every time I hear that the Maltese or Italian governments have saved people in the sea I am happy because that means that our families did not die for nothing. Something changed after our story."[116]

The question of the effect of our work – as part of the cumulative effects of a broader collective practice – on changes of state policies and practices at the maritime borders of the EU must necessarily be left open. But the discussion above seems to point in the direction of the need to further *multiply* the documentation of violations and strategic litigations, heightening their articulation with a social and political movement contesting the border regime, all the while sharpening this practice through our critical evaluation. This is precisely the direction in which the 11th of October case points: while it constituted the tragic repetition of the "left-to-die boat" case, the fact that it was *documented collectively* through the *WatchTheMed* platform, points to the further collectivisation of the methodology we started to develop through our investigation on the "left-to-die boat" case so as to exercise a critical right to look at the maritime frontier and the creation of a common platform in the political sense – an alliance of actors and organisations seeking to contest the deaths of migrants at sea. This may not have been the initial aim of our investigation, but sometimes even if a rock thrown across the water misses its immediate target – here justice for the survivors of the "left-to-die boat", it sends ripples across the surface and stirs deep currents from which emerge unexpected shifts in a broader ecology. It is to the collective reappropriation of our methodology through WatchTheMed that I now turn.
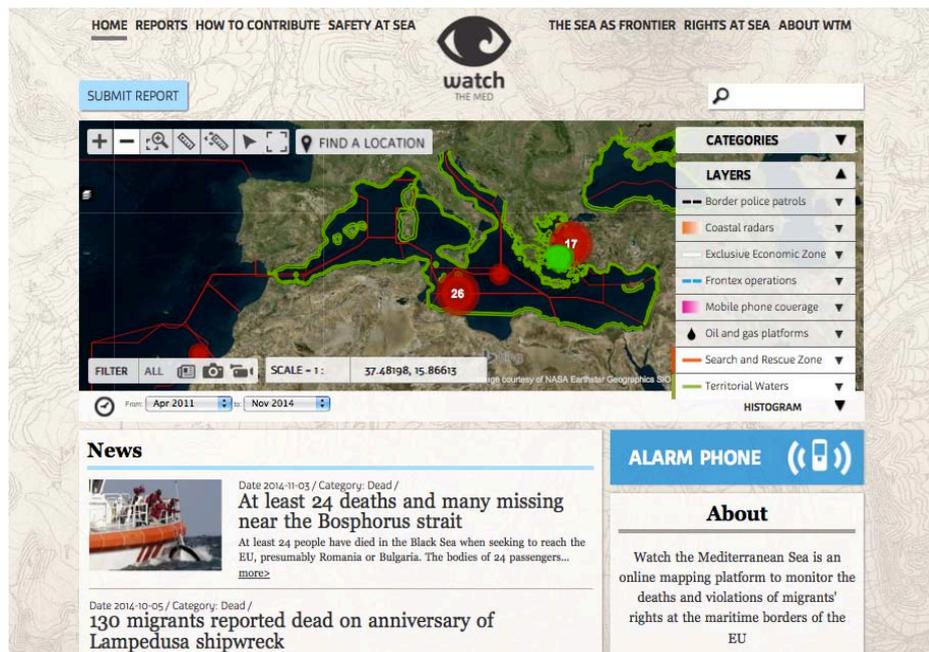
Figure 29: WatchTheMed online mapping platform. www.watchthemed.net

WatchTheMed: From Accountability to Direct Intervention

The project of the WatchTheMed platform emerged immediately after the release of our report on the "left-to-die boat" case. Faced with increasing demand to help investigate more cases, a number that was far beyond the capacity of two London based PhD students, the logical next step was not to seek to investigate all the cases of violations ourselves, but rather to hand over our methodology and tools to the migrants' rights movement, so as to heighten its capacity to exercise a critical right to look at the EU's maritime frontier. A first pilot version of the online mapping platform was launched as a collaboration between activist groups, NGOs and researchers.[117] during the Boats4People campaign (www.boats4people.org) that took place in July 2012, linking both shores of the Mediterranean through the travel of a solidarity boat accompanied by many activists. The main elements that had already been developed within the *Forensic Oceanography* project – new tools for documentation of violations occurring in a very large space and their spatialisation so as to determine responsibility – were coupled with the tools of "crowdsourcing" used in crisis mapping so as to come closer to a documentation in real time and in a participatory mode.[118] Our hope was on the one hand to be able to multiply the documentation of violations, and on the other to tend towards the real time so as to actually prevent violations and death from occurring.

With the pilot version of the platform deemed successful by the movement, we got to work on a more stable and customised version of the platform, which was launched in Summer 2013 (www.watchthemed.net). The WatchTheMed platform is usefully thought of as a counter-maritime surveillance room. As described in more detail in the previous section, state agencies have sought to assemble multiple surveillance technologies so as to achieve the most complete possible "integrated maritime picture", and enable them in turn to detect migrants' vessels at sea, sorting the "threat" they are seen as constituting from large quantities of "good" mobilities. This process, which has been ongoing since at least 10 years now in the Mediterranean, has taken a new consolidated form through Eurosur – the European Border Surveillance System – which started operating in December 2013.[119] Central to Eurosur is its real-time and participatory map dubbed "situational picture", i.e. "a graphical interface to present real-time data, information and intelligence received from different authorities, sensors, platforms and other sources, which is shared across communication and information channels with other authorities in order to achieve situational awareness and support the reaction capability along the external borders and the pre-frontier area".[120] WatchTheMed too has at its centre a shared map of the Mediterranean frontier and relies on multiple information feeds. However it operates as a counter-Eurosur in that its aim is not to uncover acts of unauthorised crossing but to "watch the watchmen" so as to document and prevent violations of migrants' rights. More important than remote sensing tools is the "people infrastructure" (Simone 2004) constituted by the networks of activists, researchers, migrants and their families, who, acting as "citizen sensors" (Goodchild 2007), report incidents.

However, we faced the challenge of adapting our counter-surveillance room from the paroxysmal level of surveillance of the war on Libya, which we had used against the grain to point to the responsibility of NATO and coalition actors, to the low intensity war on migration. For in the "normal" context, the means of surveillance are less important, and thus the indications of knowledge of distress – and the responsibility it entails – are more difficult to determine. Although several other investigations were launched (several of which are ongoing), the shipwreck of the 11th of October 2013 was the first serious incident for which WatchTheMed was able to provide further evidence. But as soon as we documented this case, a question made it self ever more pressing: how many cases of non-assistance – as well as other forms of violations – can we document? We did not so much want to multiply our reports of violations as to bring

them to an end. While I have argued above that documentation and the quest for accountability should be considered a form of intervention, nevertheless, it is an intervention the effects of which do not *directly* affect events unfolding at the maritime frontier. We needed to find ways to intervene in real time to *prevent* new violations and deaths from occurring.

Here the WatchTheMed platform which was initially conceived mainly as a tool in the service of the tradition of documenting, denouncing and seeking accountability for violations (exemplified by the work of the GISTI and Migreurop network), was seized by an other important militant tradition, that of the "underground railway": the direct support to unauthorised mobility across the EU's borders, which recalls the abolitionist network of secret routes and safe houses used by black slaves to escape slavery.[121] Activists working in this direction seek to contribute to the already existing "knowledge of circulation" which emerges from the collective experience of transnational illegalised migration, and which we discussed above. As Lorenzo Pezzani (2015) summarises, "the *Welcome to Europe* Network (W2EU, www.w2eu.info) has, for instance, provided practical information to a growing number of migrants and refugees on their journey to and through Europe. Through its website, printed "info-guides" and the regular presence of its members at the borders of the EU, this self-organised grassroots group has provided crucial information about asylum legislation, work conditions, detention and deportation procedure, and the contacts of local NGOs providing assistance and legal help in various European countries" (243).

Seized as a tool in this direction, WatchTheMed first drafted a series of leaflets that contain information as to risk, rights and safety measure at sea.[122] Three versions of this leaflet exist, each referring to a specific geographical area: the Western, Central and Eastern Mediterranean. Compiled with a large number of activists and migrants who have often themselves arrived in Europe by sea, they include for example legal information on migrants rights' at sea, basic technical information on how to locate one's position with GPS instruments and how to send a distress signal, or how to behave so as to avoid capsizing. These flyers are available online and have been distributed in the areas from where migrants pass before embarking on a trip by boat to Europe. These flyers operate as a counter point to the IOM's "information campaigns" which I discussed in *Image/Migration* (Chapter 2): knowing that it is vain to seek to deter migrants from crossing, we rather seek to help them arrive alive.

Second, members of WatchTheMed launched the *Alarm Phone*, a 24/7 emergency phone hotline for those in immediate distress at sea.[123] As the case of the "left-to-die boat" boat exemplifies – the passengers contacted via satellite phone Father Zerai – several individuals been receiving hundreds of calls from migrants in distress at sea on an individual basis since many years, based on which they alert and follow up with the Coast Guards.[124] The Alarm Phone was created to support and strengthen this already existing network in several ways: by providing a phone number that, thanks to a management software, can re-route distress calls to a vast number of volunteers operating shifts, thus ensuring that every call is attended to, by seeking to expand the number of migrants who are informed of the number's existence, and by broadening the network of activists and organisations who can exercise pressure when there is a risk that a violation may be perpetrated – such as a case of non-assistance or push back. Since October 2014, the Alarm Phone is operated day and night by volunteer shift teams located all over Europe, Northern Africa and North America, and has already contributed to save the lives of hundreds of migrants.

The WatchTheMed platform, and the new direction it was seized in through the Alarm Phone, thus point to a less direct but deep and cumulative way in which our report on the "left-to-die boat" case became agentic. As I have underlined several times throughout the preceding chapters in relation to other image practices and objects, the effects of our report were not those we intended, nor can they be attributed to us (Lorenzo Pezzani and I) alone. Rather it is through the circulation of aesthetic objects and practices, and in this case of the methodologies and capabilities that generated them, the way they come to be seized and embedded in other technological and social assemblages, that they become one amongst many *catalysts* for change. Through WatchTheMed, our methodology and the capability of the mapping platform significantly contributed to shift the way activists contest the deaths of migrants at sea. If, as we demonstrated in the previous section, surveillance technologies are a central component enabling the expansion and transformation of state sovereignty in the frontier space of the sea, conversely the reappropriation of these technologies to contest the government of migration is contributing to the invention of new forms of transnational action that operate in the in-between space of the sea. What are emerging are practices of *citizenship of the sea*, beyond any national status and border, in the aim of contesting the bordering of the sea. Nevertheless, the recent shipwrecks of April 2015 that cost the lives of over 1200 in less than a week and which occurred while the Alarm

Phone was operating in full force – it received more than 10 calls in 2 days – demonstrate that our collective efforts are still insufficient to bring the deaths of migrants at sea to an end, and that new practices must yet be invented to force open the EU's deadly frontier.[125] They may involve new mapping and communication technologies. They might also simply involve a good old ferry, as the call "Ferries not Frontex!" indicates.[126]

FORENSIC OCEANOGRAPHY PORTFOLIO

Report on the "Left-To-Die Boat"

Charles Heller, Lorenzo Pezzani and Situ Studio 11 April 2012

Comprises 90 pages and 35 figures (most of which have been included within the chapters of this thesis). The technical analysis was produced with the support of Donald Ferguson, Lawrence Fox III, Richard Limeburned and Rossana Padeletti.

Link: http://www.forensic-architecture.org/wp-content/uploads/2014/05/FO-report.pdf

Forensic Oceanography

Report on the *"Left-To-Die Boat"*

Charles Heller, Lorenzo Pezzani and Situ Studio

Part of the European Research Council project "Forensic Architecture"
Centre for Research Architecture, Goldsmiths, University of London.
www.forensic-architecture.org

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Video Testimony of Dan Haile Gebre

Interview conducted by Lorenzo Pezzani and filmed by Charles Heller, Milan 22 December 2011.

Viewing link: https://vimeo.com/40046481

Liquid Traces Animated Map

Charles Heller and Lorenzo Pezzani, video animation, 2014, 17 minutes.

Viewing link: www.vimeo.com/89790770

Liquid Traces offers a synthesis of our reconstruction of the events of what is known as the "left-to-die boat" case, in which 72 passengers who left the Libyan coast heading in the direction of the island of Lampedusa on board a small rubber boat were left to drift for 14 days in NATO's maritime surveillance area, despite several distress signals relaying their location, as well as repeated interactions, including at least one military helicopter visit and an encounter with a military ship. As a result, only 9 people survived. In producing this reconstruction which has been the basis for basis for several legal cases against the states involved in the military operations, our research has used against the grain the "sensorium of the sea" – the multiple remote sensing devises used to record and read the sea's depth and surface. Contrary to the vision of the sea as a non-signifying space in which any event immediately dissolves into moving currents, with our investigation we demonstrated that traces are indeed left in water, and that by reading them carefully the sea itself can be turned into a witness for interrogation. As a time-based media, the animation also gives form to the Mediterranean's differential rhythms of mobility that have emerged through the progressive restriction of legal means of access to the EU for certain categories of people and the simultaneous acceleration of the flows of goods and capital.

The video animation was directed by Lorenzo Pezzani and myself on the basis of the figures produced in collaboration with SITU Research for the Report on the Left-to-Die boat. In addition, these were re-worked on the level of design by Samaneh Moafi, who also contributed to produce animations in collaboration with Manuel Jimenez Garcia. The sound track is composed of "Music for Loom" (2013) by James Wyness and sound samples from the "Listen to the Deep" project.

Exhibition Display of Liquid Traces

Liquid Traces and related videos and figures presented in an exhibition format at the *Forensis* exhibition, House of World Cultures, Berlin, in March 2014
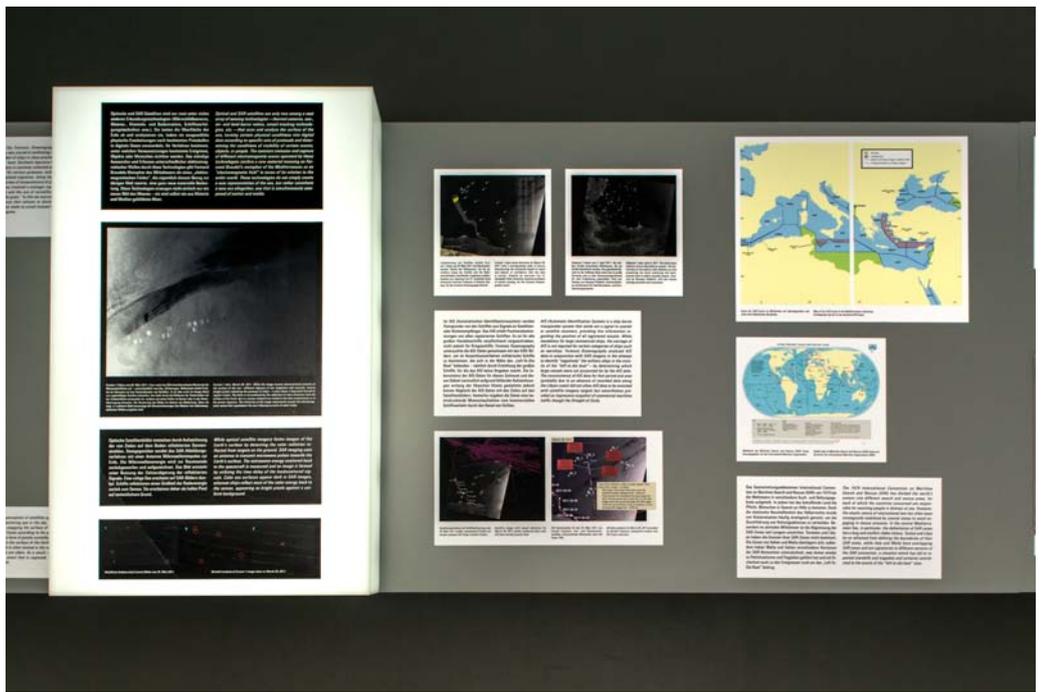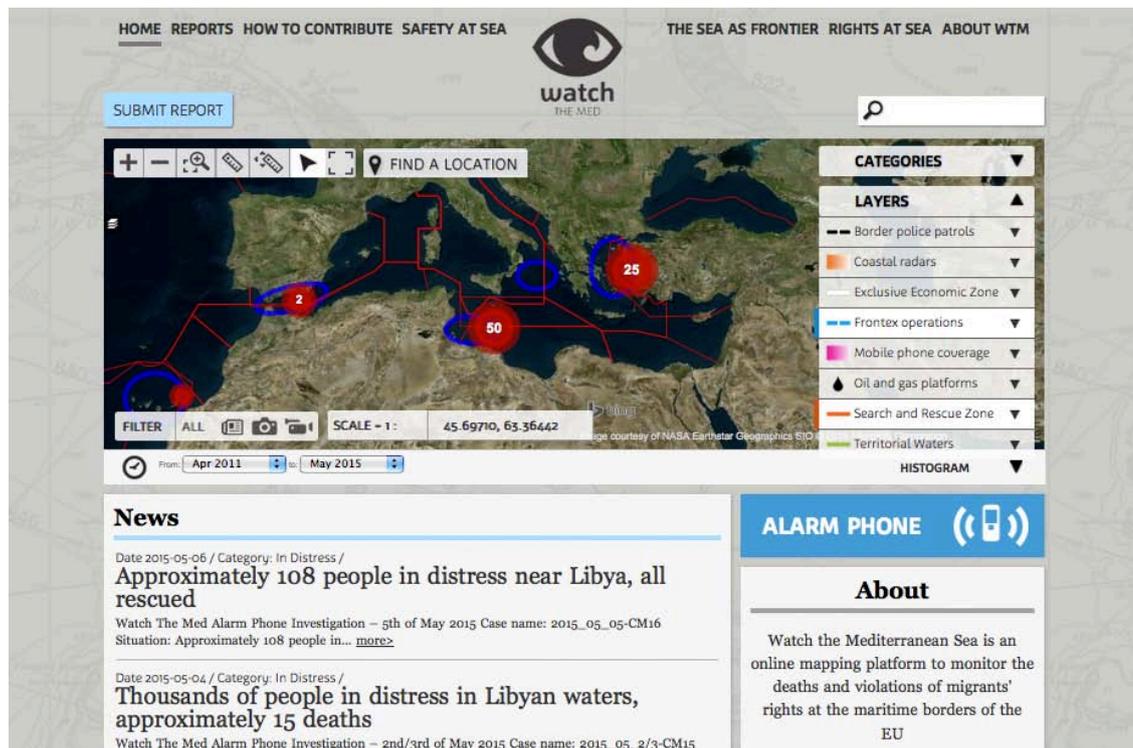
WatchTheMed Online Mapping Platform

Online participatory online mapping platform, operating since July 2013. www.watchthemed.net

Through the transnational cooperation with migrants' rights organisations, activists, researchers, migrants, seafarers and the use of new mapping technologies, WatchTheMed monitors the deaths and violations of migrants' rights at the maritime borders of the EU. The online platform allows to spatialise incidents across the complex legal and political geography of the Mediterranean Sea. Through the accounts of survivors and witnesses, but also the analysis of ocean currents, winds, mobile phone data and satellite imagery, it provides a spatio-temporal reconstruction of deaths and episodes of violence against migrants at sea. The documentation generated by WatchTheMed seeks to support the work of organisations that defend migrants' rights, inform migrants of their rights and security at sea, pressure authorities into respecting their obligations at sea and support the ongoing campaigns by the relatives of the dead and disappeared at sea.

WatchTheMed was conceived by Charles Heller and Lorenzo Pezzani, in collaboration with Afrique Europe Interact, Boats4People, Forschungsgesellschaft Flucht & Migration, Welcome to Europe. The platform is a customisation of the Ushahidi

crowdmapping platform, which is frequently used in crisis situations and allows the "crowd" to report using different media. It was designed by Bildargumente. The layers of the map were produced on a volunteer basis by several GIS experts recruited for us by GIS Corps. The project is further supported by Stiftung: do, Pro Asyl, Medico International and many individual donations.

4. TACTICAL STATISTICS

PROLOGUE

7th of December 2012

There is no specific date that marks sharply the beginning of Lorenzo Pezzani and my interest in finding ways to account for the structural violence of the EU migration regime, and our exploration in this direction of the potential of statistics of migrant mortality during the crossing of the Mediterranean Sea. But the seminar *Forensic Epidemiology* held at the Centre for Research Architecture in London between the 7-8th of December 2012 was the occasion that spurred the first formulation of these questions and nourished them in turn. The seminar was organized jointly by Médecins Sans Frontières (MSF)'s Paris based Centre for Reflection on Humanitarian Action and Knowledge's (CRASH), the Centre for Research Architecture and the Human Rights Project at Bard. It brought together an amazing group of Humanitarian practitioners and "field philosophers" – such as Rony Brauman, cutting edge statisticians such as Patrick Ball and the Forensic Architecture team and critical minded friends.[127]

The seminar's summary, written by Rony Brauman and Eyal Weizman, set an ambitious agenda: *"While pathology deals with the individual body, epidemiology is concerned with the statistical measurement and spatial mapping of patterns of public health, disease, and mortality at the level of populations. With the advent of a general culture of crisis response and global health concerns, epidemiological and demographic studies of conflict-related mortality have begun to acquire a forensic dimension. Statistical data is increasingly called upon to play a role at the centre of controversies involving international law and politics (…) Recent debates around conflicts in Sudan, Darfur, the DRC, and Iraq suggest that the more pronounced this quantitative turn has become, the more it is contested – and even lends itself to political and juridical manipulation. This seminar seeks to examine the relations between, on the one hand, emergent techniques of collecting, analysing and presenting conflict-related mortality data, and on the other, its acquisition of political and juridical meaning in the different forums in which it is presented."[128]*

I detail the reasons that led Lorenzo Pezzani and I to engage with mortality statistics further in this chapter. But I think our fundamental impetus was shared by several of the

participants in the Forensic Architecture project: if the forms of violence that we need to attend to in the world are not restricted to those linking directly a perpetrator and a victim, but operate in the relation between policies and practices and entire populations, and may kill in a slow and indirect way, then we need specific tools to register these forms of diffused violence. Mortality statistics offers potential in both measuring these forms of violence operating indirectly on the level of whole populations, and to reconstruct the complex, diffused and multiple causal chains that they involve.

What I would like to underline here is how I approached statistics, and how this relates to my approach in the previous chapters. My background is in image practice and political thought and analysis. Engaging with mapping and remote sensing was already quite a step from my comfort zone but could nonetheless be approached as an aesthetic practice. Engaging with statistics however took me even further away from my field of expertise. One might ask what I may claim to bring to the debate on migrant mortality as a non-statistician? I did not have a definite answer to this question as I began exploring the use of mortality statistics, beyond considering that statistics was one more registering device that I wanted to seize to account for the violence of borders. But what I think emerges in the course of the following chapter is the third instantiation – after the use of photographic and video images, as well as maps and remote sensing – of an *approach* that has grown more and more coherent, and which I can increasingly claim as my own. This chapter then, precisely because it engages with a field that is so foreign to me, brings this approach even more sharply into focus.

I could seek to summarise this approach through the following axioms:
- All registering devices are potentially of use to account for the violence of borders.
- However these tools can not simply be used to account objectively for this violence, and we rather need to reflect on how they are embedded in and transform the reality they can be used to document.
- To look at the way registering devices simultaneously allow to represent the world and are part of and transform the world, it is useful to attend to them simultaneously as practices and objects.
- The circulation of these practices and objects precisely points to an immanent field in which those who uphold the government of migration and those who contest it operate on the same plane, with some of the same tools and languages.
- This immanent field of practice thus demands careful positioning.

In this my approach certainly departs significantly from most quantitative analyses of migration and migrant mortality, which tend to use statistics in a transparent way, as a tool to produce an objective measurement of the world (stopping at step one of the approach I propose). In inscribing statistical practice within a more complex field, my aim is certainly not to lead to any kind of relativism or to the incapacity of using these tools for the first and primary aim – accounting for the violence of borders – but rather help sharpen this practice.

Figure 1: Map of migrants deaths at the maritime borders of Europe by Olivier Clochard and Nicolas Lambert, Migreurop 2012.

TACTICAL STATISTICS: THE POLITICS OF COUNTING THE DEATHS OF ILLEGALISED MIGRANTS AT SEA[129]

From Direct to Structural Violence

Since 1993, the NGO UNITED for Intercultural Action (here after UNITED) has meticulously collected cases of migrants' deaths reported in the press, and established a "list of deaths". Since 2006, it was joined in this endeavour by a second organisation - Fortress Europe. On the basis of these databases, the migrants rights network Migreurop has produced powerful maps, which offer a striking visualisation of the deadly consequences of the EU's policy of closure (fig. 1). This was and I will argue remains a fundamental task, however both the deaths of migrants and the impunity for them continued to be the norm. New strategies needed to be forged to challenge this impunity, as a way of challenging the EU's migration regime. The project *Forensic Oceanography* Lorenzo Pezzani and I initiated (Chapter 3) was one of these new strategies: by developing a new methodology combining survivors testimonies with

remote-sensing technologies and georeferenced data, we were able to reconstruct the 2011 "left-to-die boat" case and indicate direct responsibility for the deaths of migrants. We demonstrated that fishermen, Italian and Maltese coast guards and NATO warships, although alerted to the migrants' distress and while they had the technical and logistical ability to assist the migrants, did not intervene in a way that could have averted the tragic fate of the passengers. Several complaints for non-assistance were filed on the basis of our report and are ongoing.

Our attempt to document with precision the events and responsibilities involved in the "left-to-die boat" case was thus partly an attempt to go beyond "counting the dead" which left the direct responsibilities involved unchallenged. However, in reviewing the different degrees of involvement of different actors in the "left-to-die boat" case, what emerged beyond individual acts or modes of inaction was a generalised reluctance on the part of all parties to assist the people on-board the drifting boat. This common reluctance could not be mere coincidence, but rather points to the political environment in which these actors – individuals and institutions – operate, and which shapes their behaviour. As I will argue in more detail further on, it is because of their illegalisation by European migration policies that migrants have to resort to clandestine and precarious means of crossing and fall into the liquid trap that the Mediterranean has become for them. It is because of the lack of political will to take on responsibility for migrants that different actors at sea refrain in turn from assisting them. As such, while continuing to work towards identifying the individual actors directly responsible for this and other incidents, a new question has emerged for us: *How to develop evidence for the responsibility of the EU's migration regime for the more than 20.000 documented deaths at sea since the end of the 1980s?[130] Or in other words: How to account not for the direct responsibility involved in specific cases, but for a form of violence that kills without touching, is perpetrated by many actors at once and operates throughout an extended period of time?*

In short the new challenge that emerged is that of seeking accountability for *structural violence*. Following John Galtung's famous formulation, if in "direct violence" the harm inflicted onto individuals "can be traced back to concrete persons as actors", in "structural violence" by opposition "there may not be any person who directly harms another person in the structure. The violence is built into the structure and shows up as

unequal power and consequently as unequal life chances" (Galtung 1969: 170-1).[131] As Lorenzo Pezzani summarises, the concept of structural violence has proven useful to allow us to attend to forms of indirect and at times invisible violence, which, "embedded as they are in complex patterns of causation, are difficult to detect" (Pezzani 2015: 15). Reconstructing responsibility for forms of structural violence thus demands the direct relation between victim and perpetrator and that one untangle networks of causal cascades that create the *conditions* in which an individual or population are harmed. In the terms of Eyal Weizman, one might call these diffused and multiple chains of causation "*field causalities*" (Weizman 2014: 26-28).

To draw accountability for the structural violence of the trans-Mediterranean migration regime, I will argue that it is essential to return to "counting the dead" but to go beyond the production of descriptive statistics to produce *statistical analysis of mortality and its causal relation with migration control*. However, because statistics have long been a tool of the powerful, a crucial political technology used by states to govern their populations as well as those crossing their boundaries, working on migrant mortality and the factors that shape it demands that we think carefully about how statistics are produced, how they operate in the world, and how they can be seized from the powerful to contest the very forms of government they impose on illegalised migrants' mobility. This is the aim of practice I call *tactical statistics*.

The aim of this chapter is not to produce an empirical study of the number of migrants' deaths, mortality and the causal link with migration control, but to discuss theoretical, methodological and political issues that such a study should engage with. What I seek to chart is a way of thinking and practicing statistics that is grounded in a critique of statistics and the way they are embedded in power relations but does not stop at this critique, and rather builds on it as the condition for a critical practice. Foucault-inspired analysis of statistics has usually stopped at denouncing the way statistics construct their own reality and are complicit with forms of oppressive government (for an overview see Legg 2005; Elden 2007; Rose-Redwood 2012). Concerning trans-Mediterranean illegalised migration such an approach would be insufficient – the deaths of migrants at sea and the need to account for their causes will not be critiqued away. Rather the critique of statistics' embeddedness in power relations and the way the shape the reality they claim to document should be the condition to practice statistics politically, that is to produce and inscribe statistics tactically within the embattled force field of the

government of migration. Practicing statistics politically, should not however be equated with using statistics ideologically or in a way that would not seek to account for social reality in the most faithful manner, it is rather the contrary: to practice statistics politically one needs to be unattackable on the level of the facts one constructs through statistical analysis. Deconstruction, empiricism and political intervention should thus not be opposed, but are the very condition for each other.

In what follows I start by outlining a framework for thinking a critical statistical practice through the work of Michel Foucault on governmentality and counter-governmentality. I then point to a historical precedent – that of transatlantic slavery – as an important point of reference on the one hand to think the politics of statistics, and on the other to understand the mechanisms leading to high levels of boat migration mortality and the impact of illegalisation. I then come back to the politics of statistics in relation to contemporary trans-Mediterranean illegalised migration and point to the political importance of statistical analysis of migrant mortality but also the theoretical and methodological challenges it must confront.

Governmentality, Counter-conducts and Tactical Statistics

In his 1978 lectures *Security, Territory, Population*, Foucault dedicates several passages to statistics, and how they became crucial to the shifts in technologies of power he sees as emerging as of the 17th century– the emergence of what he calls "governmentality" – "a power that has the population as its target, political economy as its major form of knowledge, and apparatuses of security as its essential technical instrument" (Foucault 2007: 144). A shift in knowledge production is central to governmentality, since it involves a constant assessment of forces and resources that characterise a state at any given time. The main tool to generate this knowledge is *statistics*, which, etymologically, as Foucault notes, means the *knowledge of the state* (354). Knowledge of the population, its quantity, mortality, birth rates, its categories, their wealth, is a key dimension of this new need to know in order to govern. The very production of this knowledge however is linked in an inextricable and circularly way to government itself, since statistics are generated through an administrative apparatus which in turn operates on the basis of this knowledge (355).

Foucault's work was very much concerned with shifting technologies and rationalities of power. But Foucault noted on several occasions the role of forms of resistance to

power, and how power and resistance were co-constitutive and mutually shaped each other. Foucault argued that with the rise of governmentality emerged movements of revolt and refusal by the governed against their conduct. These movements had as objective to be conducted in another way, by other procedures and by other methods, rather then simply rejecting conduct all together (2007: 259). Such movements of counter-conduct actually participated in transforming techniques of governmentality (282). In a short text written at the end of his life, in which he attempted to summarise what had been the major orientations of his work, Foucault proposed a shift in method in the analysis of power, proposing that its history could also be written "from below", or from the very point of encounter between strategies of power and counter-conducts.[132] This however remained very much an unfinished project which, one might argue, was taken up more by researchers working within the Italian tradition of "autonomist Marxism" with its emphasis on the primacy of resistance than by scholars relying solely on Foucault's body of work.[133]

As such it is not surprising that, based on Foucault's insights, there are countless studies of how statistical knowledge became infused and embedded within power relations across time and space, from the metropoles to the colonies, but much less work has been done in general on the knowledges generated to contest certain forms of government, and statistical knowledge specifically.[134] Within Foucauldian studies, Nikolas Rose however does note (1999: 197-232) that within democratic polities, states have had to make at least part of their "secret numbers" public, and allow their populations to judge their policies on their basis. If state agencies constantly calculate their actions through statistics and publicise statistics so as to demonstrate them, this generates in turn what Rose terms "calculating citizens" who may hold authorities accountable through statistics.[135] In this they are practicing *tactical statistics*.

Carl von Clausewitz, one of the most influential exponents of modern military theory, has provided the classical definition of the terms strategy and tactic in his 1832 *On War*: "Tactics IS THE THEORY OF THE USE OF MILITARY FORCES IN COMBAT. Strategy IS THE THEORY OF THE USE OF COMBATS FOR THE OBJECT OF THE WAR" (Clausewitz 2010: 154, capitals in original). While both terms thus concern confrontation through force, tactics focuses on the actual battle, strategy how successive battles allow to win a war.[136] If strategy can be conceptualized in abstract terms – it is "the art of making war upon the map, and comprehends the

whole theatre of operations", according to Clausewitz's contemporary, the Baron de Jomini – tactics operates in concrete and ever-changing circumstances – it is "the art of fighting upon the ground" (1862: 69).

I thus use the concept of *tactical statistics* to refer to the use of statistics within the ever shifting politics of migration – understood as the conflictual force field involving state and non-state actors that shapes migrants' capacity to move across borders and their condition. Tactical statistics is a polemical term, made of the association of opposites. By bringing together "hot" tactics, inextricably linked to the real world of struggle, with supposedly "cold" statistics, associated with objective knowledge, I seek to politicise statistical practice.[137] Looking at tactical statistics also entails a shift in analysis, from seeking to use or contest the facts constructed through statistical analysis, to attending to how they come to circulate in the world as lists, graphs, visualisations and are seized by different actors. Tactical statistics is not the monopoly of any actor – there is a tactical statistics of states that I discuss further on in relation to Frontex, the European border agency – but what interests me is the way nongovernmental actors use statistics to contest state policies and practices, in a way that necessarily involves reappropriating the very tools generated by states in the aim of government. The history of slavery and anti-slavery offers an insightful example of tactical statistics from which those seeking to contest the deaths of migrants at sea in the present may learn.

Anti-Slavery's Tactical Statistics

After the decimation of Amerindian population, colonists in the Americas relied on the importation of slaves from Africa to labour first in the mines and then on the plantations. Over 12 millions slaves were transported across the Atlantic, more than 2 million died during the voyage, that is the middle passage saw a 12.1% mortality rate according to the extensive archive of the Trans-Atlantic Slave Trade Database I discuss below. This was by far the largest transcontinental movement of people before the industrial revolution. Slaves were considered as objects of trade, commodities, and their movement was not restricted by states until the 1807 British Abolition of the Slave Trade Act and Britain sought to police the seas through its imperial networks, although criticism had already led to regulation and codification of the trade and the treatment of slaves within distinct empires – which did not make slavery less inhumane for that.[138]

In addition to the many slave rebellions that occurred on ships or in the plantations, and following the Haitian revolution (1791–1804) which was the first major interruption of the slave system, the abolitionist movement became particularly strong in Britain at the end of the 18th century. The abolitionists drew on a wealth's of strategies and types of representations of slavery, that sought to make the distant slave trade and plantations "present", perceptible, to the metropolitan British public (Wood 1999: 14-16). The theme of slavery became almost a literary genre in its own right and had a great impact: Olaudah Equiano published his autobiography in 1789, which is the first known slave narrative. It would be followed by many other narratives of slavery, written by former slaves or non-slaves, such as Harriet Beecher Stowe's "Uncle Tom's Cabin" published in 1852 which became a bestseller (Huzzey 2012: 20).[139]

Images too had a crucial impact. The massacre of the *Zong* – in which the captain and his crew threw overboard over 130 slaves to collect insurance money – had very little impact when the story was first reported and the trial began in 1783, but it would be continually referenced by abolitionists and would be immortalised by Turner in his painting "the slave ship", first shown in 1840 (Wood: 41-68). Certainly the image with the longest lasting impact was the technical drawing of the *Brookes*. As Perry summarises, "the plan of the slave ship *Brookes*, originally developed by an abolitionist office in Plymouth in 1788, was reconstructed based on data sought out and set down as a true record in the Sessional Papers of the House by Parliament itself" (2012: 93). It was thus already a hybrid, between an image and statistics: a data visualisation. Perry continues to argue that the drawing effectively demonstrated "the consequences of treating slaves like merchandise by, as Philip Gould puts it, dramatizing visually the "mathematical reduction of people to repeated configurations of space" (2003: 37) that can be crammed on board following the most efficient calculations" (ibid.). This was a powerful visual indictment of the reduction of people to objects through the logic of race and capital.
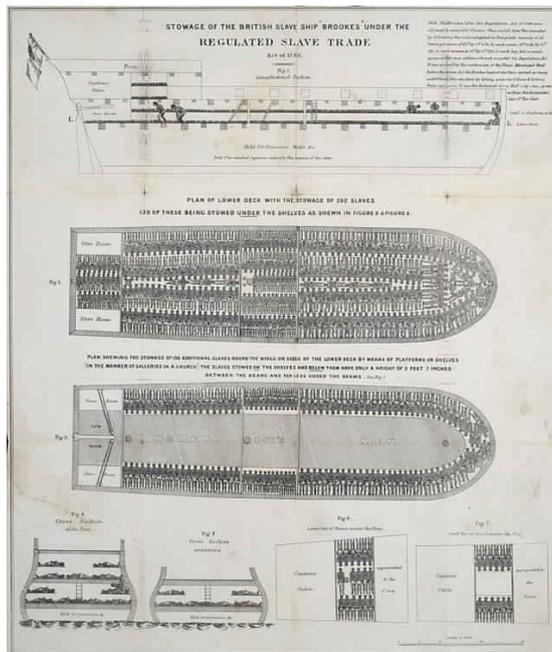
Figure 2: Plan and stowage of the slave circa 1789, United States Library of Congress, http://commons.wikimedia.org/wiki/File:Slaveshipposter.jpg

But quickly abolitionists found that however horrific the individual stories they reported were, a systematic response by pro-slave groups was that these instances were exceptional. As such, they needed to inscribe the specific forms of violence they denounced within a broader system of structural violence. And here statistics of mortality proved crucial, as Amanda Perry discusses in her article *Traffic in Numbers* (Perry 2012: 91), from which I largely draw in this section.

Mortality statistics were first collected not by abolitionists but by plantation owners and colonial administrators, so as to determine the conditions in which they could maximise the exploitation of slaves and their profits. The first example is Edward Longs's *A history of Jamaica* (1774). Here, after calculating slave mortality between 1761 and 1768, he concludes that "There appears a dead loss of 21096 which is equal to about 3000 per annum; and, at 35 l. sterling per head, makes 105000 l. annual loss in value; a most astonishing sum!" (Long: 432, quoted in Perry 2012: 85) These high mortality rates, which were blamed on the behaviour of slaves themselves and disease rather than on the conditions planters reserved to them, were important in justifying the need for the slave trade to *continue*, short of which planters would run out of slaves (Perry 2012: 87).

Figure 3: The speech of William Wilberforce to the House of Commons 13th of May 1789

At first, the abolitionists could not generate their own statistics, but rather became experts at re-appropriating the statistics generated by planters, shipping companies and states towards other ends. However Thomas Clarkson, one of the founders of the Society for Abolition of the Slave Trade, resided for some time in British ports in order to interview crew members and generate new evidence, published in several books which included statistics. In 1789, fellow campaigner William Wilberforce calculated that slave mortality during the voyage amounted to 12.5% – a figure which is remarkably close to that arrived at by contemporary historians – but that 4.5 percent died on shore before the date of sale, and one-third died in the process of acclimating to the Americas, leading to a total mortality of about 50 percent. These figures, an average based on the reports about individual slaving voyages presented to the Privy Council, were presented to the House of Commons as "infallible evidence" corroborating testimonies of the atrocity of the trade (Wilberforce 1789: 17). In his 1839 *The African Slave Trade and Its Remedy*, Thomas Fowell Buxton further systematised this analysis of the stages of the slave trade and their related mortality rates.[140] In this, while abolitionists initially concentrated their attack on the middle passage, they considered that it was necessary to analyse mortality as it affected the entire trajectory of slaves rather than during one of its stages, a methodology that we might draw inspiration from today.

There would be much more to discuss critically in relation to the representations of slavery produced by abolitionists, from which contemporary work on illegalised migration could and should learn. In particular in terms of framing Black people as objects of pity to generate affective reactions (Perry 2012: 79; see also Warren 2013). One might argue that a degree of victimisation may be tactical when targeting a particular field such as legal institutions, but that what becomes highly problematic is when victimisation becomes a dominant representation that erases other dimensions of being of racialised populations. What I want to underline here however is the way abolitionists articulated different forms of representations of slavery, and in particular individual narratives in written or image form with statistics so as to inscribe individual suffering within a regime of structural violence. Statistics of mortality became a key matter of concern in the struggle to justify or condemn the slave trade and the exploitation of slaves. The practice of tactical statistics concerning trans-Mediterranean illegalised migration today should equally be thought of as one tool, articulated with others, as part of the struggle of contemporary abolitionism: the demand for freedom and equality of movement. Contemporary tactical statisticians can also learn from the analysis of slave mortality, the complex set of factors that have been considered and the impact of the illegalisation of the trade in particular, to which I now turn.

## The Abolition of the Slave Trade's Impact on Slave Mortality

Debates on mortality during the transatlantic slavery continue to this day, albeit basing themselves on an incomparable wealth of sources. Philippe Curtin's ground breaking 1969 work *The Atlantic Slave Trade: A Census* led to a new phase in the research on slave mortality, which generated an important archive on slave voyages. In 2007 by David Eltis and David Richardson launched the Trans-Atlantic Slave Trade Database (TASTD, http://www.slavevoyages.org), which contains data on close to 35.000 voyages, which are essentially generated through the paper trails left by the transportation, trade, funding and insurance of what was a transaction in humans. This archive is close to covering the totality of slave trading voyages (95% of those leaving British ports for example), although coverage varies between trading nations and historical period.[141]

I want to underline a few insights based on the analysis of the archival material that came to constitute the TASTD by authors such as David Eltis and Herbert S. Klein, and I have also benefited from exchange with Philip Misevic. These authors offer us a

fascinating if terrifying analysis of the multiple factors that affected mortality and how they evolved according to region and time. Sickness on board in particular was the highest direct cause of deaths, but this could be influenced by the duration of the voyage which evolved over time and which appears to be more significant than how tightly slaves were packed together. Sickness was further influenced by the region the slaves came from, by the season of the shipping in relation to harvest, by the duration of their captivity waiting to be shipped, to name only a few factors (Eltis 1987 1989; Klein et al. 1997, 1999, 2001). Again, there is much more to learn from these scholars and this historical period than I can claim to cover here. What I want to try to look at in particular is how the illegalisation of the slave trade and the policing of the illegal trade affected these factors and mortality in return, since this is the main political target of contemporary tactical statistics concerning migrant mortality at sea.

The abolition of the slave trade by Britain and America in 1807 neither resulted in the end of the slave trade or of slavery tout court. Because the abolitionists had focused only on the slave trade, not slavery itself (in the hope that the latter would die out once the abolition of the former severed its supplies), but that offer and demand for slaves continued in relation to increasing demand for plantation products, and because not all empires agreed to abolish the trade or slavery simoultanously but rather did so in a progressive and fragmented manner (see fig. 4 below), the transatlantic trade continued until 1867 when the last slave ship arrived in Cuba. The exploitation of transataltnic slaves continued until 1888, when slavery was abolished in the last American state, Brazil.

Table 1 The abolition of the slave trade and right-of-search treaties by various states, 1802–1862

Date	Slave trade abolished by	Right-of-search treaty with Great Britain, made by
1802	Denmark	
1807	Great Britain, United States	
1813	Sweden	
1814	The Netherlands	
1815	Portugal (north of the equator)	
1817	Spain (north of the equator)	Portugal, Spain
1818	France	The Netherlands
1820	Spain	
1824		Sweden
1830	Brazil, Portugal	
1831–33		France
1833–39		Denmark, the Hanse towns
1841		Austria, Prussia, Russia (Quintuple Treaty)
1844	Texas	
1845	Belgium	
1862		United States

W.E.B. DuBois, The Suppression of the African Slave Trade to the United States of America 1638–1870 (1896), in: Dubois, *Writings* (The Library of America, DuBois 1986), p. 145. (Corrected).

The " Brisk "   The " Emanuela "

Figures 4-5: Table of Abolition Acts and Right-of-search treaties, Van der Linden 2010; Engraving of the HMS *Brisk* capturing slave ship *Emanuela* with 800 slaves aboard on 10 August 1860, Clark 1910. http://en.wikipedia.org/wiki/Sunny_South_%28clipper%29#/media/File:HMS_Brisk_and_Emanuela.jpg

Following the Abolition Act, the British dispatched a "West African squadron" to the coast of Africa to prevent the illegal trade. While it began with two small ships, the squadron grew steadily. Between 1831 and 1865, it was composed of twenty to thirty ships and half a dozen coastal bases, with a combined strength of up to 4,000 men (Blackburn 2014: 145; Eltis 1987: 93-97). While the means were important, the effects on preventing the trade were limited. The uneven abolition of the trade across trading nations and the difficulty of establishing treaties allowing to visit and search ships flying a foreign flag (see Eltis 1987: 84-90), limited the capacity of the British squadron and that of the other states that contributed vessels. According to Huzzey, the ratio of the ships that were captured in relation to those that were able to sail was about 1 in 5 in the period 1808-67 (Huzzey 2012: 42-46). Of the more than 10 million slaves that were shipped across the Atlantic between 1400-1900, almost 3.5 million were so during the 19th century. More than 300.000 people died in the 60 years that followed the formal abolition abolition of the trade (calculated using TASTD).

The partial and shifting illegalisation of the slave trade did not stop the traffic or the deaths, but it affected the way the trade operated. As Marcel Van der Linden observes, "the more sophisticated the prosecution techniques became, the more they came up against equally ingenious smuggling methods" (Van der Linden 2010: 287). In this there is a strong parallel with contemporary trans-Mediterranean illegalised migration, which, as I will discuss in more detail below, continues despite and evolves in response to its policing. However, while the policing of the illegal trade forced actors to shift their strategies which in turn affected mortality rates, there is no direct or linear causal relation that we can draw. The structural violence of slavery involved a complex set of factors, of which illegalisation and its' policing were only a part. This historical analysis is instructive, since as I will argue further on understanding migrant mortality equally demands a multi-causal framework.

The shifting geography and strategies of the slave trade

An important effect of state-led abolition was on the geography of the trade, since it led to a reshuffling of slave departure and arrival areas, and of the states actually leading the trade. As David Eltis has shown, before 1807, the main area of departure was the West African coast, and the main destination area the Caribbean, with British and American traders accounting for almost 2/3 of the trade from 1791 to 1805 (Eltis 1987: 41-63). After abolition, the regions of departure shifted further West and South of the

African continent (63), and slaves were directed predominantly towards Brazil (see fig. 6 below). The flags hoisted by traders evolved throughout the century in relations to visit and search treaties, but by the end of the century they were exclusively based in the Americas, even though they relied to a large extent on British capital and manufactured goods. This contributed – through the cheaper slave labour on which Brazilian and Cuban planters could rely – to shifts in the main area of plantation production (46).
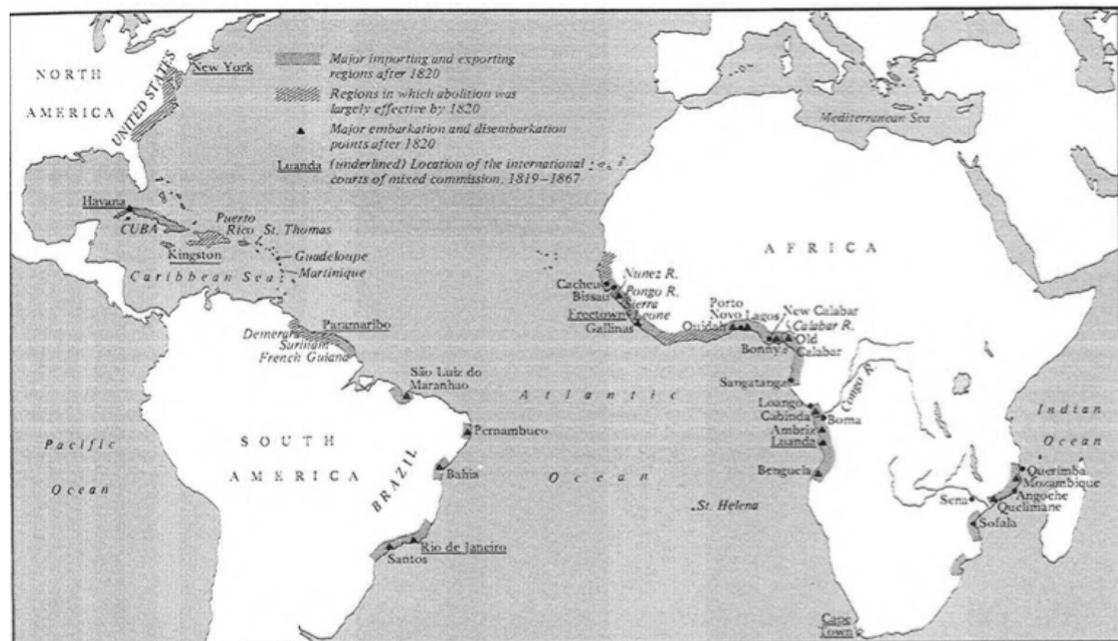
Regions Involved in the Transatlantic Slave Trade After 1820
Adapted from David Eltis and James Walvin, (eds.), *The Abolition of the Atlantic Slave Trade: Origins and Effects in Europe, Africa, and the Americas*, p. 178, courtesy of the University of Wisconsin's Cartographic Laboratory, the University of Wisconsin Press, © 1981 Board of Regents of the University of Wisconsin System.

Figure 6: Map of the regions involved in the transatlantic slave trade after 1820, Eltis 1987.

This geographic shift affected mortality importantly. The new areas of departure that emerged after abolition witnessed significantly higher death rates (see fig. 7 below). The Southeast Africa (modern Mozambique), from which primarily Brazilian slave traders carried captives to Southern Brazil, had an average voyage duration of 66.4 days in the period after 1807 – 1/3rd more than the average for the period including other routes. Mortality rates for slaves leaving this region in turn averaged 17.4% (TASTD, via Philip Misevic), a substantially higher figure than for other routes. In addition to the longer voyage duration, other factors relating specifically to the conditions of slaves in these areas may also have been important. As Eltis argues, the variations of mortality over time and between regions are probably best explained by African conditions prior to embarking: epidemiologically hostile and less nutritionally secure environments at the point of enslaving or on the coast affected mortality negatively in making slaves more subject to disease during the crossing itself (Eltis 1987: 137).

TABLE VI (a)
MEAN LOSS RATES (LR) OF SLAVES BY REGION OF DEPARTURE (RATES PER 100).

African Region	1597–1700 Voyages	LR	1701–1750 Voyages	LR	1751–1800 Voyages	LR	1801–1820 Voyages	LR	1821–1864 Voyages	LR	All Years Voyages	LR
Senegambia	26	11.6	94	10.7	136	13.6	15	10.6	8	7.6	279	12.1
Sierra Leone	11	14.4	6	8.3	126	6.7	11	10.1	19	13.3	173	8.2
Gold Coast	63	23.9	123	14.7	371	10.8	87	6.2	2	2.7	646	12.2
Bight of Benin	38	21.6	250	16.9	207	11.7	20	2.8	52	9.1	567	14.1
Bight of Biafra	33	31.8	29	36.8	321	15.7	26	10.1	35	19.5	444	18.3
West Central	68	24.7	84	12.3	523	8.0	487	7.8	689	6.9	1,851	8.3
Southeast			2	15.9	14	24.1	59	20.8	200	17.1	275	18.2
Windward Coast			3	19.9	37	9.6	1	0	4	11.0	45	10.2
Unknown	26	18.6	41	14.6	145	14.6	78	17.6	42	21.1	332	16.4
Totals	265	22.6	632	15.6	1,880	11.2	784	9.6	1,051	10.1	4,612	11.9

Figure 7: Table of mortality rates for slaves according to region and time period, Klein et al 2001.

Other shifts in the organisation of the trade also resulting from state-led abolition had a probable impact on mortality. Slaving ships tried to remain a little as possible on the coast, so as to evade patrols. In some periods this led to shorter periods of time of captivity before departure, but at others it involved the gathering of "large groups of slaves over a long period of time so as to be ready for rapid loadings". (Linden 2012: 287; Klein 1999: 199-200; Eltis 1987: 135). Many more strategies were used by traders to evade repression: slaves were disguised as members of the crew; new forms of risk-financing were introduced; and foreign flags were fraudulently hoisted to trump abolitionists. Since the traders risked heavy fines that varied according to the number of slaves caught onboard, when in danger of being caught, some captains ordered the enslaved people to be thrown overboard to reduce the fine. Midshipman CH Binstead, an officer on squadron flagship *HMS Owen Glendower* wrote in his diary on the 13th July 1823: "Many large whales and sharks about us the latter is owing to the number of poor fellows who have lately been thrown overboard."[142]

But countervailing these shifts which affected the slave mortality rate negatively, were better shipping technologies that were used (spurred by the need to have quicker vessels to evade abolitionist patrols), which shortened the duration of the voyage on the whole. While the average Middle Passage length from 1775-1807 was 59.7 days, from 1808-1866, it dropped to 42.6 days (TASTD, via Philip Misevic). As a total, over the period after abolition, the mortality rate went slightly down. As a whole, the Atlantic trade witnessed a mortality rate of 12.1%. The mortality rate was 10.3% in the period 1775-1807, it slightly declined to 9.9% between 1808-1866. However this hides important temporal and regional variations as indicated by fig. 8.
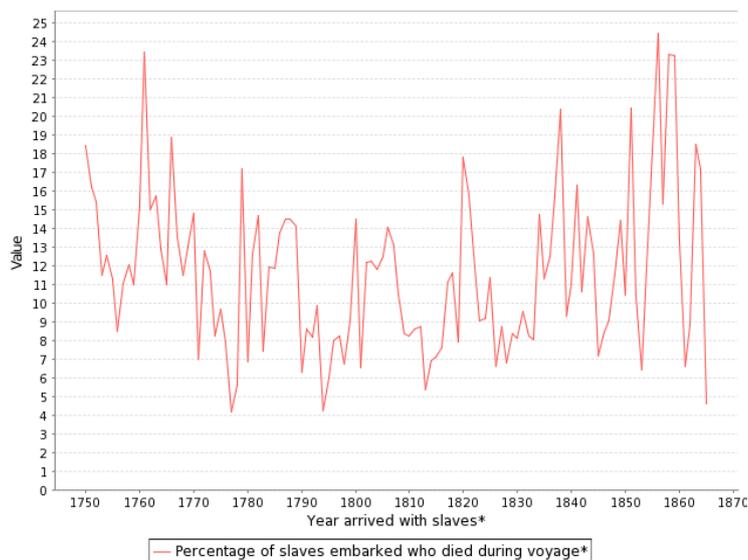
Figure 8: Table indicating the slave mortality rate in the travel across the Altanitc 1750-1867, generated with the www.slavevoyages.org website

There are marked differences between the conditions of transatlantic slavery and trans-Mediterranean migration, which only allow for partial and careful comparison. What I think is particularly instructive in the work of historians of the slave trade is what it reveals about illegalisation. As with trans-Mediterranean migration, illegalisation did not prevent the slave trade, but caused it to operated in clandestine ways and led to splintering routes, which affected mortality then as today. While mortality was not affected in a linear way, these changes led to higher mortality rates ain particular areas and periods. State-sanctioned abolition of the slave trade proved insufficient and counterproductive, as long as the systemic relations of production and consumption that strived on slavery were perpetuated. For as abolitionists argued, the more the British sweetened their tea, the more blood slaves shed (Plaza 2007: 234). The multi-causal analysis of historians of slavery should inspire contemporary tactical statisticians.

Illegalisation and mortality in a transoceanic comparative perspective

Understanding the impact of contemporary illegalisation and policing of migration across the sea on mortality also benefits from comparison with other forms of historic transoceanic migration and the evolution of mortality over time. Because sickness rather than drowning as is the case today were the key direct cause of death for slaves crossing the Atlantic, key factors affecting mortality were in turn the length of the voyage at sea, the regulation of conditions onboard, and the conditions and area of departure – all of which were negatively affected by regime of slavery. These factors however also

affected other forms of unfree and lessfree migration, such as that of convicts and indentured labourers, which saw high mortality rates (see fig. 9) and even "free" European emigrants at the turn of the 18th century had mortality rates that were not negligible, such as German emigrants with 3.4%.[143] However, deaths rates in all forms of transoceanic migration tended to diminish in the course of the 19th century thanks to safer and faster navigation. With the mid 19th century rise of the steamship and tighter regulations as to number of passengers and food served on board, the mortality rates dropped, and the transoceanic travel for the 55 million Europeans who emigrated across the Atlantic from the middle of the nineteenth century to 1930 became increasingly safe (McKeown and Moya 2010).

TABLE III
CRUDE DEATH RATES (CDR) ON NON-SLAVE OCEAN VOYAGES, 1719–1917.

Passengers	Period	Voyages	Mean Length of Voyage (days)	CDR per Month per 1,000	Loss Ratio (CDR per voyage per 100)
British Convicts to	1719–1736	38	60	56.5	11.3
North America	1768–1775	12	60	12.5	2.5
British Convicts to	1788–1814	68	174	11.3	6.6
Australia	1815–1868	693	122	2.4	1.0
German Emigrants to Philadelphia	1727–1805	14	68	15.0	3.4
European Emigrants to:					
New York	1836–1853	1077	45	10.0	1.5
Australia	1836–1853	258	109	7.4	2.7
	1854–1892	934	92	3.4	1.0
South Africa	1847–1864	66	75	4.8	1.2
African Indentured Labor	1848–1850	54	29	48.7	4.7
to West Indies	1851–1865	54	29	12.3	1.2
Indian Indentured Labor to Mauritius, Natal, West Indies and Fiji from:					
Calcutta	1850–1872	382	88	19.9	5.8
	1873–1917	876	65	7.1	1.5
Madras	1855–1866	56	62	5.6	1.2
Chinese Indentured Labor to Americas	1847–1874	343	116	25.5	9.9
Pacific Islander Indentured Labor to:					
Fiji	1882–1911	112	117	3.6	1.4
Queensland	1873–1894	558	111	3.0	1.1

Source: For detail, see Robin Haines, Ralph Shlomowitz, and Lance Brennan, "Maritime Mortality Revisited." *International Journal of Maritime History*, 8 (1996), 133–72, Table 1.

Figure 9: Table of death for non-slave ocean voyages between 1719-1917, Klein et al 2001.

The historical trend then, over several centuries, albeit with variations relating to the type of migrations involved, has been towards lower mortality rates for transoceanic migration thanks to safer and quicker means of maritime transport. The high death rates for trans-Mediterranean illegalised migrants (although as we will see difficult to quantify precisely) constitute a break in this historical trend, although they point to the recurrence of the pattern of high mortality for unfree migration. They constitute a break in terms of the comparability of mortality rates affecting all forms of transoceanic migration at a given time. For if the mortality of slaves was higher than that of other boat migrants at time it was *comparable*. Today the high level of risk experienced by illegalised migrants as they cross the sea is the *exception* in a time generally safe

maritime transport. This however has nothing to do with the availability of safe and fast shipping technology. Just as we know that hunger in the world is not the product of the lack of food but the lack of *access* to food, amongst others mediated by the lack of access to money (Sen 1981), we can say that the main and fundamental factor leading to the deaths of migrants at sea today *is the lack of access to legal and safe means of mobility*. In this sense, the illegalisation of contemporary trans-Mediterranean migration is a comparably more important factor than was illegalisation at the time of the slave trade. In what follows, I explore the politics of statistics in relation to illegalised migration across the Mediterranean Sea, the place of death and mortality statistics within it, and the theoretical, methodological and political difficulties working with such data conjures.

Tactical Statistics of Illegalised Migration: From Border Spectacle to Accountability

Because statistics of migration are inextricably bound to the government of migration, we cannot use them critically to contest this government without first reflecting on the way they are embedded within it. Statistics relating to migration do not simply describe a pre-existing social reality in an "objective" way, but are inextricably bound to its production and government. First of all, statistics shaped the very category of the "migrant" during the 19th century, since the census allowed to differentiate between national and foreign born populations (Alderson 2009). But closer to us, we can see that security professionals – or what Didier Bigo has called the "managers of unease" (Bigo 2002) use statistics to construct trans-Mediterranean illegalised migration as a threat that must be managed. Amongst the many inter-state, state, and non-state agencies that seek to quantify and govern illegalised migration, Frontex – the European border agency – produces quarterly "Risk Analysis" reports on the evolution of the "situation" at the external borders, which rely heavily on statistics of intercepted migrants at land and sea routes.[144]
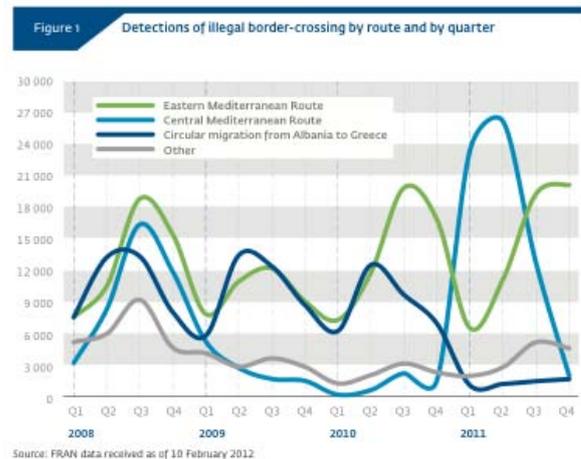
Figures 10-11: Cover page of Frontex's 2011 General report showing a photograph of an intercepted migrants' boat; Frontex statistics of migrant interception in the three main trans-Mediterranean "routes" used by illegalised migrants, Frontex Annual Risk Analysis 2012.

The constantly ebbing and flowing lines describing interceptions shown in figure 11 – it is certainly not coincidence that in their very graphic form they resemble waves – participate in the production of what Nicholas De Genova has called the "border spectacle" (De Genova 2013a). Statistics of interception are the statistical counterparts of the images of intercepted boats so often circulated through the media, and in effect are produced in the very same process. They quantify a "threat" which only becomes measurable in the moment of its neutralisation through capture by state agencies. Through them, it is thus simultaneously the threat of illegalised migration and the securitisation work of Frontex that is made visible and migrant illegality is produced as an objective "reality" that migration policies must respond to. However, by focusing on the scene of the border, the conditions that lie before – the state production of illegality through policies of exclusion – and after – the future exploitation of illegalised migrant labour – remain hidden and unthinkable.[145]

Continuing from the insights of Nicholas de Genova who demonstrates how the border spectacle hides at least as much as it reveals, we can attend to further dimensions of migration which the border spectacle displayed by Frontex statistics occlude and which contribute to shape an imaginary of invasion. By focusing exclusively on illegalised interceptions at the EU's maritime frontier, they fail to show how these fit within broader patterns of regional and global migration, which would certainly relativise the importance of the "threat" of illegalised migration. A case in point is provided by the population movements spurred by the Arab uprisings. While after the fall of the Ben Ali

regime in January 2011 and the important movements of Tunisian migrants across the sea that ensued Frontex had announced a potential arrival of up to 1.5 million people ready to cross the Mediterranean to Europe,[146] the huge peaks we see in the 2011 interception statistics seem to precisely suggest that their prediction has been realised – and that Frontex has successfully stemmed this "flow". But by leaving out the statistics relating to movements of people on the southern shore of the Mediterranean, Frontex constructs a threat that is based on limited data. The wide majority of population movements sparked by the Arab uprisings and particularly the international military intervention and civil war in Libya remained within the region, since while some 50.000 people we recorded to have arrived on European shores, according to the IOM's data over 1 million people fled from Libya to neighbouring countries (IOM 20 October 2011). If there was a "migration crisis" that erupted with the Arab uprisings, it was and remains located on the southern, not the northern shore of the Mediterranean. Statistics of interception are thus generated in the very process of production and the government of illegalised migration, and selected and framed in a way that calls for further policing of the threat it constitutes, thereby contributing to the circular process of the production of illegality.

Facing the data of interceptions collected and publicised by state agencies, NGOs have since many years collected data on deaths of migrants at and within the borders of Europe. Two main NGOs, UNITED (since 1993) and Fortress Europe (since 2006), have collected news reports on migrants' deaths over the last years, which result in a different but comparable number of documented deaths at sea. The list of deaths has become itself an object which is printed out and used at demonstrations and commemorations (see figs. 12-13 below). It has also been the basis for the work of migrants' rights network Migreurop, which has produced important maps based on this data which convey in a single image the scale of the documented deaths and their evolution in space and time (see fig. 1). This map has circulated widely in the press and in exhibitions and has come to symbolise the deadly border regime.

List of 17306 documented refugee deaths through Fortress Europe   01/11/12

Documentation on 01-11-2012 by UNITED
UNITED for Intercultural Action, European network against nationalism, racism, fascism and in support of migrants and refugees
Postbus 413 NL-1000 AK Amsterdam phone +31-20-6834778, fax +31-20-6834582, info@unitedagainstracism.org, www.unitedagainstracism.org

Figures 11-12: The UNITED list of deaths updated on 1 November 2012; the UNITED list displayed in Strasbourg in front of the European Parliament during an event organised by the Collective for another migration policy, 28 April 2015.

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We could schematise by saying that while the controllers of migration focus on interceptions of illegalised migrants, those critical of migration policies focus rather on border deaths. This would be in line with the aim of what Lorenzo Pezzani and I have called a *disobedient gaze*: if border controllers seek to shed light on interception, but readily keep in the shadows the deaths that are the structural product of border control, the aim of disobedient gaze should be to reverse this light in not seeking to reveal the crossings but to shed light on the deaths and violations of the rights of migrants (Heller and Pezzani 2014a). However, this binary opposition is no longer valid in a period in which border control comes increasingly cloaked in the language of humanitarianism. Over the last years, the deaths of migrants and migrant mortality has become one of the measures of success or failure of EU's bordering practices, even for EU states and agencies. For example, in an interview conducted in 2010 in which he reviewed Frontex operations to date, Ilkka Laitinen, then Executive Director of Frontex, stated: *"Operation Hera stands out. By implementing preventive measures off the West African coast, Hera has almost completely stemmed the flow of irregular migration to the Canary Islands via this particularly hazardous route. As a result, hundreds if not thousands of lives have been saved. I think this has to be considered one of our most important achievements."*[147]

While the humanitarian justification of border control has been an-ongoing trend over several years, it took on an entirely new dimension following the deaths of 366 people on the 3rd of October 2013 only 1km off the coast of the island of Lampedusa, an event which released a floury of speeches by European officials. Amongst them, was President of the European Commission, Jose Manuel Barroso's statement after his visit to the island on 9 October. "We in the European Commission, Barroso said, myself and Commissioner Malmström, we believe that the European Union cannot accept that thousands of people die at its borders", only to continue by proposing more of the deadly medicine of militarisation and surveillance: the increased financing of Frontex and the launch of Eurosur, the European Border Surveillance System.[148]

What we see is then clearly the *humanitarianisation of the border*, a concept proposed by William Walters. The humanitarian border, according to Walters, emerges "once it becomes established that border crossing has become, for thousands of migrants seeking, for a variety of reasons, to access the territories of the global North, a matter of life and death. It crystallizes as a way of governing this novel and disturbing situation,

and compensating for the social violence embodied in the regime of migration control" (Walters 2011a: 138). Rescue at sea by rescue agencies have long been the clear humanitarian counterpart of the prior illegalisation of migrants which forces them to resort to clandestine means of crossing in the first place. What is striking in this new phase of humanitarianisation of the border is that it is border control operations themselves that must be framed as humanitarian, as *acts of saving*.

As critiques of the EU border regime have lost the monopoly over denouncing deaths at the border, they have increasingly lost that of counting the dead as well. Sporadically states have released data on deaths at their respective maritime borders (see Spijkerboer and Last 2014). International organisations such as the UNHCR (since 2006) and the IOM (*Missing Migrants Project* since 2014, which counts "*Migrant Deaths on World Borders*" http://mmp.iom.int/) have started counting deaths at sea as well. Finally Frontex itself has recently started including in its reports deaths statistics concerning specific cases as an indication of the "risk of loss of life" (see Frontex 2014: 25-26).
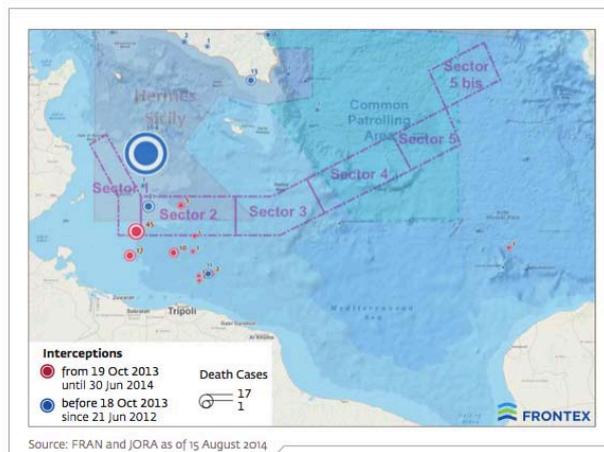
Figure 13: Map indicating deaths of migrants at sea during the Mare Nostrum operation, Frontex 2014.

We may see this incorporation as a success for the migrants' rights movement, which has forced the question of deaths onto the institutional agenda. But it also introduces new ambivalences in relation to which a critical statistical practice on deaths at sea must position itself. For what is the value of a political discourse trying to uncover the deadly consequences of border control when these are already spectacularised within the discourse of policy makers and EU agencies? What is crucial to see is what has been *lost* in the incorporation of the counting of the dead within mainstream institutional

practice and discourse. While NGOs *counted* to demand *accountability*, here counting becomes a simple spectacle of considering that migrants' lives count, and gives the impression that states are accountable for them. This however is far from being the case. If the lives of migrants truly counted, their illegalisation would be abolished and they would be allowed to access EU territory through safe means. And in the counting and denouncing of migrants deaths by EU states and agencies, the deep political responsibility of the EU is lost to the denunciation of smugglers and traffickers. Counting has thus been severed from accountability, and the task of a critical statistical practice is to reconnect these terms.

If preventing the deaths of migrants at sea has become one of the justifications of border control and counting dead migrants one of the activities of its agencies, then a critical statistical practice needs to go beyond counting the dead and first analyse empirically the development of mortality rates, and second explain the causal links between shifting mortality rates and policies of closure and associated militarised controls. However, estimating mortality and the impact of the EU's policy on poses several challenges for empirical statistical analysis. The first challenge concerns the incomplete data on deaths at sea and arrivals, which leads in turn to difficulties to construct a valid and reliable statistical measure of migrant mortality. The second concerns the causal models and statistical methods used to test and explain the causal links between mortality and migration policies. In this exploratory chapter, I certainly do not claim to offer definite answers to these difficult questions, but I discuss these challenges and point towards methodologies that could help answer them. While my discussion may appear non-conventional since I approach statistics as a non-statistician, my aim is to contribute to thinking statistics *politically* and *creatively*.

Existing Migrant Mortality Analysis and its Limits

As Carling summarizes well, a "Migration Mortality Rate" is "an expression of the risk of dying in the attempt at unauthorized border crossing" (Carling 2007). Mortality is thus measured as the relation between the number of fatalities and the number of departures, which, in its turn, can be assumed to be the sum of fatalities and (live) arrivals (Carling 2007). However, the data on both fatalities and arrivals collected to date are incomplete and thus poses a problem of validity. This is turn constrains the choice of the statistical measure to calculate a reliable mortality rate.

Contrary to the slave trade that left a large paper trail, illegalised migration across the Mediterranean operates through clandestine channels which rely on mostly informal relations. As a result, counting the exact number of arrivals and deaths is of great difficulty. We only have access to data on migrants' death through reports in local and international media or when bodies come into the hands of costal states administrations. However deaths caused by shipwrecks in the open sea which are not detected are thus also not included in this data. As for arrivals, we know of the arrivals that have been intercepted by states, which excludes the arrivals that go undocumented.

In a recent article, Thomas Spijkerboer and Tamara Last (2014) offer a synthetic discussion of the different sources of data on deaths in the Mediterranean sea. The lists of deaths produced by UNITED and Fortress Europe which, as mentioned above, are both based on media reports, are invaluable in many respects, but are incomplete and have some problems of validity because not all deaths are ever recorded, and not all recorded deaths are reported in the press (and press attention to the issue may vary), which introduces a first level of bias to the collection of data. The data collection by the NGOs introduces a second level of bias: a rapid overview of the news sources for both data sets reveals that the sources are mostly European, and when they comprise North African sources, newspapers in Arabic are excluded. Local studies for short time periods by Cuttita (2005) and Kiza (2008) which relied on local media reports have led to higher reported numbers of deaths, thus demonstrating that not all the cases ever reported in the media are recorded in these data sets. Spijkerboer and Last show that Fortress Europe and UNITED also have slightly different emphasis in terms of geographic attention (fig. 14). As a consequence, we can never know the total number of migrants dying at sea based on these data sets, which however remain the only sources covering the entire Mediterranean and the entire time period since the end of 1980s, that is from the moment of emergence of illegalised boat migration as a structural phenomena.

Figure 3.4: Comparison of UNITED and Fortress Europe lists of border deaths in the Mediterranean, 1993–2011
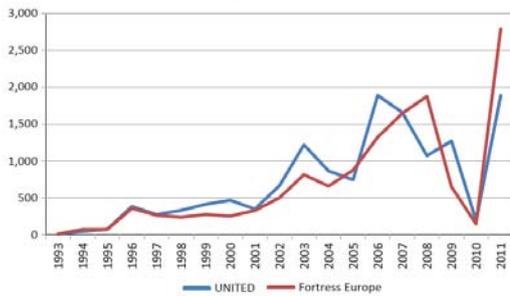
Source: Data extracted by authors from UNITED and Fortress Europe.

Migrant fatalities registered in Pazallo, Porto Empedocle 1998-2010, according to four sources
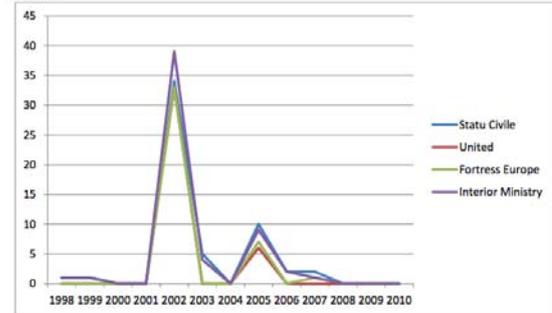
Figures 14-15: table comparing United and Fortress Europe overall deaths data, Spijkerboer and Last 2014; table comparing four sources including death registries in Pozzalo, Spijkerboer 2012.

Recently, Spijkerboer and his colleagues (2012 and ongoing research project) have relied on local death registries, first in Italy and now in other coastal states, to collect a more complete and valid data set on *known* deaths. In Italy they have found slightly higher numbers than those reported by the two fore-mentioned data sets (see fig. 15), but this has not led to a significant increase in the number of recorded deaths or to a dramatic change in trends over time. There could however be a bigger gap in other countries. Another direction which has been pursued since 2013 by a group of European journalists in the *Migrant Files*,[149] is the combination of the datasets of Fortress Europe and UNITED. By (incompletely) de-duplicating deaths recorded in both datasets, they have sought to obtain a more accurate overall number of deaths than that provided by each dataset on its own. The problem is that these methods will only allow us to achieve a more reliable figure of the *number of migrants that were ever found dead*, not of *the number that actually died*. And because the variations between the recorded and actual deaths is certainly not constant in time or in space, even a baseline might not reflect trends over time accurately. To respond to the challenge of measuring mortality based on incomplete data on deaths and arrivals, Carling (2007) used estimators of the multipliers for arrivals and deaths. This however leads to new problems of reliability and validity.

Weakness of the reliability and validity of the measure of migrant mortality

Jorgen Carling's work (2007) on the Spanish maritime boundaries during the years 94-2003 has been pioneering even though it has several shortcomings. What is most interesting about his analysis is the fine-grained understanding of the interaction between the different actors intersecting with migrants' routes he offers, and I build on

his insights further on in discussing causal mechanisms. However his statistical model used to measure mortality is much less valid.
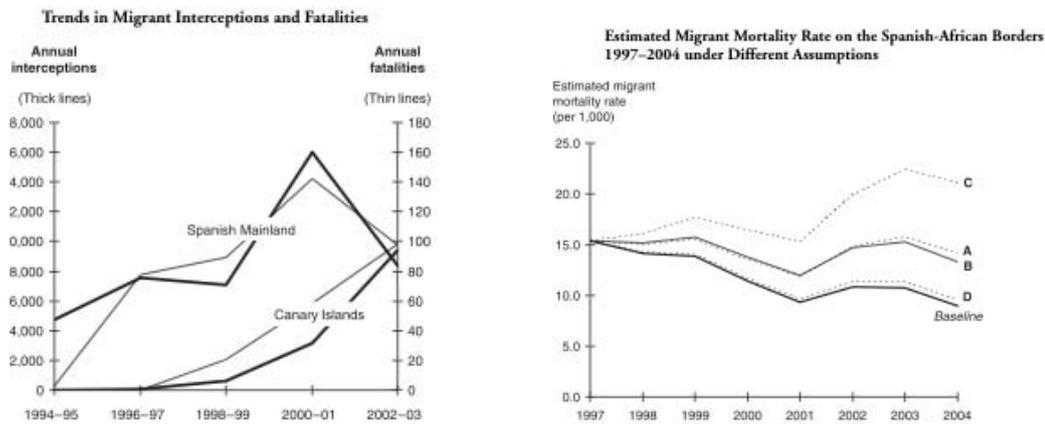
Figures 16-17: Trends in migrant interceptions and deaths in Spain, 94-2003; scenarios for the migrant mortality rate, Carling 2007

To calculate the migrant mortality rate (MMR), Carling uses (fig. 16) both documented deaths (based on UNITED dataset and his own press review) and interceptions (based on government statistics). However, because neither all arrivals nor all fatalities are discovered, both fatalities and arrivals need to multiplied by a given value. Carling's MMR can be defined by the following equation:

$$MMR_t = \frac{F_t^d \alpha_t^F}{A_t^d \alpha_t^A + F_t^d \alpha_t^F} \times 1000.$$

F: known fatalities - α*F*: multiplier of fatalities - *A*: known arrivals - α*A*: multiplier of arrivals

Carling offers an estimate for α in several different possible scenarios (baseline, A, B, C, D scenarios in fig. 17). These, he admits are not particularly reliable "guesstimates" based on various expert opinions.[150] Carling never definitely chooses which scenario might be the most valid, but he argues that "the growth in the number of migrant deaths seems to result from an increased number of migration attempts. The risk of dying in the attempt appears to be constant or slightly falling" (Carling 2007). Carling thus believes that the degree of danger of border crossings in Spain has not increased.

However, Carling's research design is inadequate in that it leads to misleading conclusions in terms of the evolution of mortality in relation to migration policies. A first problem is the temporal scope of Carling's research. It happens that he led his research just before a shift in migrants' routes departing from Senegal and Mauritania

towards the Canary Islands, after a period of strong repression of illegalised migrants in Morocco in 2005 (Migreurop 2013). In these new routes, the absolute number of deaths and the mortality rate rose sharply between 2005-2007, even using Carling's baseline estimate. While this cannot be attributed to an error in Carling's research, a slightly longer time frame would have led to substantially different conclusions (note that his conclusion was already contradicted by reality by the time of the publication of his article in 2007). A second problem is the geographical scope of his research, in that his exclusive focus on Spain does not allow him to account for the regional dimension of the Mediterranean migration system, in which the closure of one route may affect another (a mechanisms I will discuss further on). Finally a third problem, and, for the discussion in this section, most importantly, while Carling does take into account the problem of unknown arrivals and deaths, he relies on "guestimates" of the multiplier based on qualitative estimation by "experts" which do not allow us to reach a valid measure of mortality. Should we wish, one day, to hold EU states accountable for their deadly policies relying on statistical analysis, we certainly would not want to be relying on "guestimates".
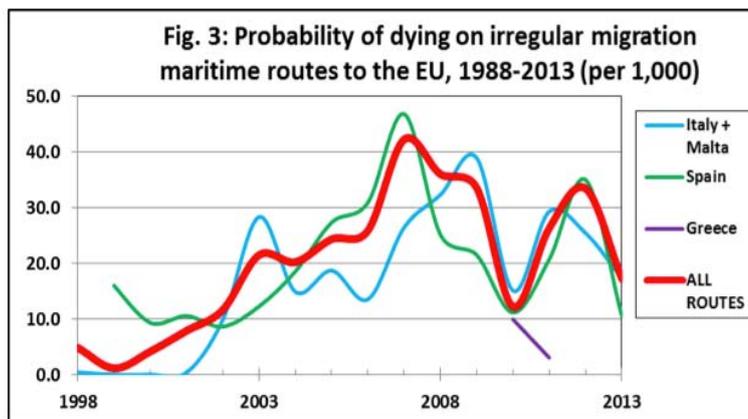
Figure 18: Migrant mortality rates across the Mediterranean based on Fortress Europe data and interception data provided by coastal states, Fargues et al. 2013.

In the data put together by Philippe Fargues and his colleagues (2013 and 2014), a long term and Mediterranean scale is adopted which allows us to see clearly the variations in time and between routes, as well as the trend over the last 10 years of *increasing overall mortality*. However, while they recognise the problem of reaching a valid measure of mortality because of the incomplete data on arrivals and deaths, they restrict this to a comment in their footnotes and do not seek to find a solution for it.

Estimating the number of unknown deaths and arrivals: Multiple Systems Estimation

The numbers of unknown arrivals and deaths thus continues to haunt all studies of migrant mortality to date. As such we need a reliable statistical method to go beyond guessing and allow us to make a representative *statistical inference* of the number of unknown deaths and arrivals. The good news is that work in this direction has already been done in relation to deaths in other contexts affected by war. This work was pioneered by Patrick Ball of the Human Rights Data Analysis Group (HRDAG) since the late 90s. The foundation of the method called Multiple Systems Estimation (MSE) he and his colleagues have used to estimate the number of deaths in a wide range of contexts ranging from Kosovo, to Guatemala, Peru and recently Syria, is a statistical methodology developed in the 19th century to count wildlife, called *capture-recapture*. Its basic principles are rather simple, as Ball recalls them (via his colleague Scheuren): "If you want to find out how many fish are in the pond, you can drain the pond and count them, but they'll all be dead. Or you can fish, tag the fish you catch, and throw them back. Then you go another day and fish again. You count how many fish you caught the first day, and the second day, and the number of overlaps. The number of overlaps is key. It tells you how representative a sample is. From the overlap, you can calculate how many fish are in the whole pond" (Rosenberg 2012).

Equations for deriving unknown population N, two systems.

$$\frac{A}{N} \times \frac{B}{N} = \frac{M}{N}$$

$$\frac{AB}{N^2} = \frac{M}{N}$$

$$ABN = MN^2$$

$$AB = MN$$

$$\hat{N} = \frac{AB}{M}$$
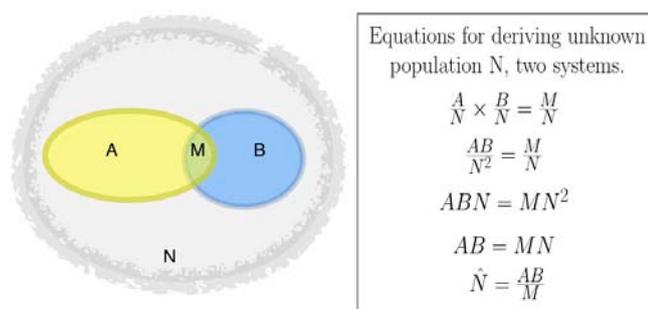
Figure 19: Equations for deriving unknown population N through MSE, Hoover Green 2013.[151]

This method was used in several measurements of conflict related deaths, in which Ball and his colleagues sought to make an inference about the total number of deaths based on several incomplete data sets. In the analysis produced in 2002 concerning the deaths of civilians in Kosovo, while there were 4,400 documented deaths in four datasets, using MSE the report estimated that approximately 10,000 Kosovar Albanian civilians were killed during March–June 1999 (Ball et al 2002). While the analysis was controversial at the time, it was largely confirmed by two survey-based estimates, first

in 2000 and later in 2011.[152] If we come back to counting migrants' deaths at sea, we see that essentially, the "days of fishing" are data sets. These data sets don't match, like the data sets we have to count the dead at sea. But using the MSE method, their very discrepancy – their degree of matching and non-matching – is the condition of possibility to make an inference about the actual number of deaths. What this method would involve if applied to migrant mortality, would be the comparison of at least 3 data sets both for deaths at sea and interceptions, analyse them for the number of overlaps, based on which an inference of the unknown population of dead migrants and undocumented arrivals would be calculated.

Through this method, it would be possible to make an inference as to the actual number of deaths and arrivals, and thus calculate valid migrant mortality rates. This would be in itself an tremendous and important accomplishment, in that it would provide a more realistic scale for the loss of life at sea and of the lives which have left no trace other than their haunting absence for their families, as well as in the drifting and decomposing remains of their boats, belonging and bodies. In this sense, this method would provide a *statistically generated trace of the untraceable*, a way to (ac)count (for) the un(a)counted. While challenges are bound to arise in the application of this method to the available data-sets, it is worth exploring further the possibility of applying a method which has proven its worth in other contexts. However, should we manage to determine a statistical inference of the number of arrivals and deaths at sea and the mortality rates involved, the impact of policies of closure and militarisation remains to be tested and explained. It is to the causal link that I now turn.

Assessing the Impact of Migration Policies on Migrant Mortality

Many scholars have noted and denounced the connection between the increasing closure of European policies and the militarisation of border controls and the rise of migrants' deaths (for instance, Bensaad 2006; Lutterbeck 2006; Spijkerboer 2007; Heller and Pezzani 2014a), however this causal link has never been demonstrated empirically. It should be noted that the initial impact of policies of closure on the very occurrence of deaths at the EU's maritime frontier is beyond question, since, as I argued above, it is the denial of access to safe and legal means of transport that forces migrants to resort to clandestine and precarious means of crossing the sea to the EU. However, what is more complex to determine is the impact of subsequent policies and practices of control on the evolution of mortality rates. In what follows, I first discuss the main mechanism that

has been used to point to this causal link in the past – the splintering of migrants' routes – before proposing a more complex theorisation in which the relation between policies and mortality is mediated by multiple other actors and mechanisms – in short I seek to inscribe this relation within a complex *field causality* (Weizman 2014).
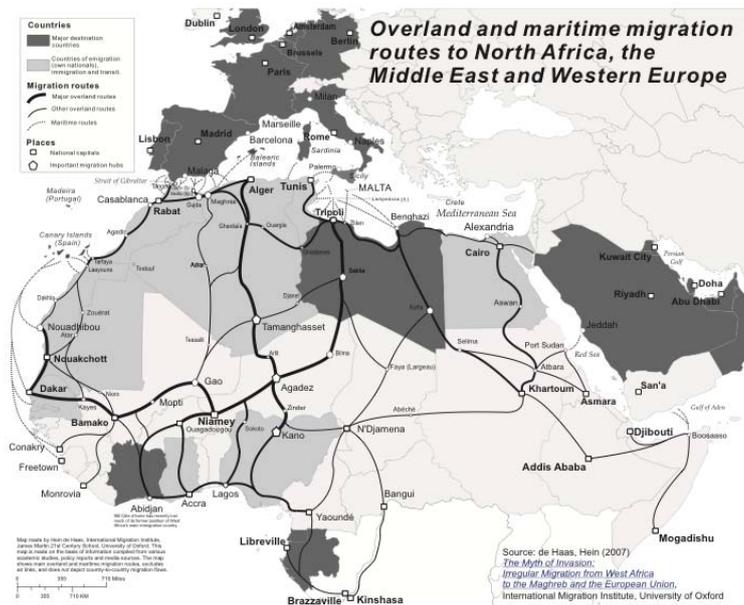
Figure 20: Map of migration routes between Africa and Europe, de Haas 2007

The mono-cause: Splintering routes under the effect of border control as cause of increased migrant mortality

The key mechanism put forward in the past to argue for the causal link between migration policies and mortality, has been the effect on shifting routes. It is interesting to note that an early formulation of this argument was put forward not by critiques of migration polices, but in a land-mark policy report that was instrumental in calling for a European border agency that would become Frontex and an integrated surveillance system that would become Eurosur. In its 2003 report to the to the European Commission on the control of the EU's maritime borders by CIVIPOL, a semi-public consulting company to the French Ministry of the Interior, the authors argue that while the majority of clandestine migration by sea uses "focal routes" of which "geography dictates the locations–straits or narrow passages where Schengen countries lie close to countries of transit or migration," they observe that "when a standard destination is shut off by surveillance and interception measures, attempts to enter tend to shift to another, *generally more difficult*, destination on a broader and therefore riskier stretch of water" (9, my italic). The shifts in routes from Girbaltar to the Canaries I described above

seemed to offer a case in point, and in a critical study published in 2006, Lutterbeck similarly argued that "a typical effect of the enhanced maritime patrol activities has been to divert the migratory flows towards further and more dangerous routes across the Mediterranean, thus directly contributing to the rising death toll among the would-be immigrants" (69). Ali Bensaad, referring explicitly to this spatial shift, concurred that "as the European border is pushed back to the South, its dangerousness increases" (Bensaad 2006: 19).

While the diversion of migrants routes to longer ones following the deployment of new forms of control certainly appears to be an important mechanism (which I discuss further below), the shift to longer routes is not linear, since routes are constantly being (re)opened and (re)closed in a never ending "dance" between control and escape. De Haas' map of migrants' routes shown above (fig. 20) does not capture the dynamic and ever-changing trajectories of migrants, or the multiple causes of these shifts. Furthermore, the splintering of routes is certainly not the only factor affecting migrants' deaths. This kind of analysis was thus too mono-causal and was not tested empirically. What is needed is a model that would be adapted to the forms of multidirectional, cascading and diffused "field causality" (Weizman 2014) I discussed in this chapter's introduction. In her promising PhD research, Tamara Last is seeking to include more interdependent factors and generate indicators to test them, so as to account for the variation of mortality in different routes and different times. In seeking to contribute to what is an ongoing and collective endeavour, I will outline below some of the key actors and mechanisms that affect the dangerosity of crossing, and which would have to be taken account to forge a robust causal model.

Theorising the effects of migration policies on migration

The impact of migration policies on migration in general is subject to considerable debate. It is necessary to engage with this debate, for if we seek to understand the effect of migration policies on migrant mortality at sea, we need to start by understanding the impact of migration policies on migration period. Recently, Hein de Haas and his colleagues have attempted to clarify conceptual and methodological issues in several publications that are part of an ongoing research project (Determinants of International Migration (DEMIG)). This is a considerable challenge, since as de Haas (2011) argues, the theorisation of the mechanisms that drive and shape migration is particularly fragmented. De Haas asks: "within this broader whole of big forces and structural

factors, and migrants' considerable agency to shape and consolidate migration pathways and networks, what role is still left for migration policies pursued by states?" (23). De Haas's theorisation is important, because he seeks to articulate explanations of the factors that drive and shape migration which are often seen as separate or even opposed to each other in their respective focus on structural factors, migrants' networks and state policies. De Haas argues that while it is reasonable to assume that migration policies have some effect, the crucial questions are: "which effects, and what is the relative importance of these effects compared to other migration determinants?" (25). Haas argues that it "is only by focusing on the effects of policy on overall migration flows through other spatial and legal channels and over a longer time period that a more comprehensive and methodologically valid picture can be obtained" (28). In this endeavour, de Haas argues for the necessity of articulating quantitative and qualitative analysis.

The questions and methodological proposals formulated by de Haas and his colleagues point to is the need for further theoretical and empirical work to forge a solid theoretical model to explain the effects of migration policies on migration. While the specific question of the causal link between migration policies and migrant mortality can build on these insights, it can also significantly contribute to them. One dimension of the effects of migration policies which is not sufficiently emphasised by de Haas, is that they do not only influence the behaviour of migrants, but that of *the other actors migrants interact with*. I outline some of the key mechanisms that affect migrant mortality below, emphasising the multiplicity of actors involved and how both migration policies and other factors influence their behaviour.

The multiple actors and mechanisms affecting migrants' deaths at sea

In describing the following mechanisms, I rely on a large body of ethnographic work (including Cuttitta 2005; Carling 2007; Lutterbeck 2006) as well as my own observations. What is needed is an understanding of the evolution of practices enacted by migrants in relation to policies of closure and bordering practices, as well as that of the different actors who, in one way or another, intersect with migrants in their attempt to cross the sea, either enabling their movement or adding friction to it – or both at the same time. These include: border patrol agencies, rescue agencies, cargo shipping companies, NGOs, international and EU agencies, but also fishermen, smugglers, migrant networks themselves and last but not least, the sea itself.

The EU's policies of denial of legal access to EU territory progressively installed at the end of the 1980s witnessed continuing arrivals of migrants without formal authorization. As a result, one after the other, coastal states deployed surveillance means and border patrols to intercept incoming migrants. Increased border controls in themselves however are not a sufficient cause to deter migrants from using a given route, or to cause more deaths and a higher mortality rate. If coupled with a real will to operate rescue (as in the case of the 2014 Mare Nostrum operation), then more surveillance and patrols may result in more rescue of migrants in distress. In this border controls may serve to further *enable* crossings and intensify them rather than prevent them. To act as a deterrent, border controls must be coupled with other dissuasive measures, such as agreements allowing for immediate refoulement to the country of departure (push-back agreements between Italy and Libya in 2009) or a systematic practice of refoulement (such as that practiced by Greece since several years, or repatriation agreements (such as between Spain and Senegal in 2007, or Italy and Tunisia in 2009 and 2011). These policies *reduce the benefits of crossing through a given route* and are a key dimension for migrants to consider a given route "closed" and stem crossings through it. They may also lead migrants to take ever more extreme measures to arrive without being detected, such as arriving several boats at a time so that some will not be intercepted (Carling 2007) – but also not saved. It is once a route is closed that the splintering of routes may occur, leading to the dispersion of migrants routes in space – either to shorter or longer ones. The splintering of migration routes entailed by militarised borders and dissuasive policies thus affect in turn the meteorological and geographic conditions migrants are confronted with, which may strongly affect the degree of danger of migrating.

Border controls combined with legislation that criminalises assistance to illegalised migrants further affect the actors who transport migrants across the sea. Often, migrants initially resorted to the service of fishermen, who would transport migrants as an additional source of income rather than a single activity (for Morocco, see Heller 2006). However, increasing militarisation and criminalisation force migrants to resort to more structured smuggling networks. Here too, criminalisation will affect their practices, such as that of not providing an experienced driver to navigate the boat but simply handing over the boat to the migrants for fear of incarceration. However, smuggling strategies are also influenced by many other factors which are entirely exterior to migration policies, such as political volatility which may lead to less implementation of security

measures as has been the case in Libya since 2011. Less well established networks, who do not rely on a stable stream of customers to which reputation is key may be more tempted to provide boats in poor condition, overcrowd them, or not equip them with adequate navigation and communication devices. The strategies of smugglers, which are affected by migration policies but not exclusively, are a key factors making a journey more or less perilous.

Once migrants are at sea in precarious conditions, they will thus regularly encounter situations of distress. However, the Mediterranean is one of the most densely travelled seas in the world, and migrants frequently encounter other seafarers, or may be able to call Coast Guards via satellite phones. Nevertheless, because rescuing migrants at sea means disembarking them, and because disembarkation in turn entails responsibility for processing asylum requests or deporting migrants according to the EU's Dublin regulations, coastal states have grown reluctant to assist migrants in distress. Their practice oscillates between complying with their legal obligations, evading them when the margin of interpretation allowed by international maritime law or conflicting Search and Rescue (SAR) areas allows them to (as was the case of Italy and Malta before Mare Nostrum), or breaching them blatantly (as has been the case of Greece). Further more, the criminalisation of assistance by states – for example fisherman have been put on trial for "assisting clandestine migration" after rescuing migrants – has also been a disincentive for seafarers to comply with their obligation to provide assistance. Conversely, when coastal states avoid conflicts of responsibility for disembarking rescued migrants as has largely been the case during the Mare Nostrum operation, seafarers may prove key actors in operating a large number of rescues. As such, the degree of assistance of states and seafarers to migrants in distress, themselves largely shaped by migration policies, may be determining in making the crossing more or less dangerous.

There is thus a multiplicity of actors that intersect with the trajectories of migrants, making their travel more or less dangerous. Migration policies and bordering practices play a determining role, but many other factors and processes contribute to affecting the danger of crossing, and they must be taken into account. However, considering the actors described above is still insufficient when faced with the deaths of migrants at and through the sea: we need to account as well for the influence of the sea itself. Eyal Weizman's formulation of the concept of field causality is useful here. Weizman argues

that "the field is not an isolated, distinct, stand-alone object, nor is it the neutral background on or against which human action takes place. Rather, it is a thick fabric of lateral relations, associations, and chains of actions between material things, large environments, individuals, and collective action" (2014: 27). The environment is the not the inert background but actively – if unintentionally – implicated in the forms of violence perpetrated on or within it. In following and contributing to these insights, Lorenzo Pezzani and I have demonstrated in our project *Forensic Oceanography* (Chapter 3) that the sea itself is the direct – albeit unwilling – perpetrator in the majority of the instances of death of migrants at sea: migrants die sinking, drifting in the winds and currents, or of drinking sea water. The dangererousness of the sea will vary greatly according to meteorological conditions as well as the area and length of crossing, themselves shaped by multiple human factors, from migration policies to migrants' and smugglers' networks.

The causal mechanisms outlined above need to be further refined through ethnographic research, and need to be differentiated according to time and space, but are already advancing some of the actors and mechanisms that would need to be taken into account in a robust causal model of the impact of the structural violence of the European migration regime on migrant mortality. What the mechanisms discussed above indicate is the necessity of accounting for an "ecology" of causal relations, so as to understand how policy measures as well as other factors influence the behaviour of migrants and of actors – including the sea itself – who interact with them and make their journey more or less perilous. At best, such a model would also include the influence of broader structural factors in countries of origin, transit and destination, which influence the temporality and directionality of migration.

However, the different mechanisms making migrants' journeys more or less difficult and perilous described above are highly space and time sensitive. Clearly, the routes used by migrants, the meteorological conditions they encounter, the areas of patrols, the coverage of surveillance technologies, conflicting jurisdictions over SAR zones, all have a highly spatial dimension, and evolve through time. As such a form of geostatistical analysis would be more adequate to account for these mechanisms than simply testing indicators of closure and militarisation in relation to mortality rates through a statistical regression. Here, I propose an exploratory method based on

"connectivity modelling" that would seek to *model* the impact of EU policies on migrants' routes.
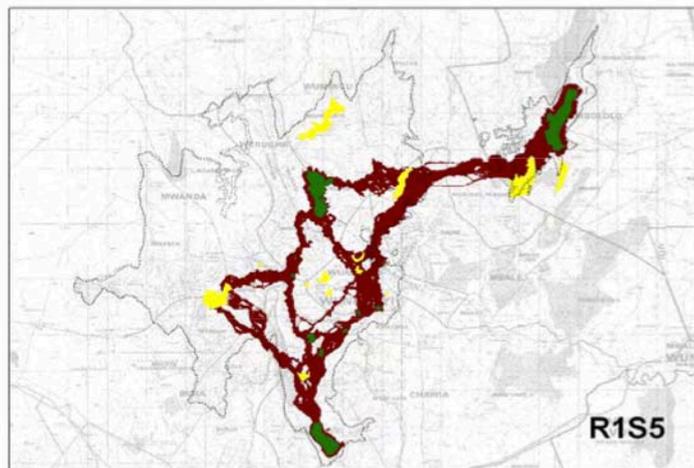
Figure 2. Taita Hills connectivity corridors (dark red zones) for all pairs of target plots superimposed in one map (resistance set for Taita thrush). Plots: green patches=indigenous, yellow patches=plantations.

Figure 21: Connectivity map of the Taita Hills, South-east Kenya, Adriaensen et al. 2007.

Modelling causal mechanisms: Connectivity modelling

The method of "connectivity modelling" again comes from wildlife, and although recent research has sought to use it to model the behaviour of humans, it has not yet been applied to human rights and mortality issues.[153] What I outline here is a speculative application. Connectivity modelling is widely applied in ecology to design corridors best suited for a given species, since, as McRae and his colleagues note, "the ability of individual animals to move across complex landscapes is critical for maintaining regional populations in the short term and for species to shift their geographic range for example in response to climate change." (McRae et al. 2013: 385) The project of landscape connectivity in the Taita Hills in Kenya (Adriaensen et al. 2007, mentioned in McRae et al. 2013) provides a simple example of the use of connectivity modelling to design wildlife corridors (fig. 21): in this project, bird species were concentrated in the remaining small forest patches on the hill tops (green patches). However, these habitats were fragmented by plantations and other human built environment. So by analysing the geographic conditions that led to resistance to the mobility of birds between these patches, the authors developed a least cost model to determine the ideal corridor path (red) through which the birds would need to move. This then allowed them to prioritize habitat restoration actions in plantations with exotic trees (yellow patches), which would act as stages in the connectivity of birds.

The design of corridors usually comprises the following phases: 1) estimating landscape resistance; 2) predicting connectivity from resistance surfaces; 3) developing linkage designs that can maintain connectivity. While it is not the aim of this project to design "connectivity corridors" for illegalised migrants (stage 3), the first two steps in this methodology may help attend to the way actors and practices add connectivity or resistance to a given route, how migrants' routes adapt in turn – and vice versa – and how these shifts impact on mortality. McRae explains that "landscape resistance maps depict the cost of movement through any location in the landscape (pixel cell in a raster map) as a function of landscape features of that cell (e.g. high resistance might be assigned to a road or a body of water). In its most basic sense, landscape resistance reflects the local movement cost incurred by an animal" (385). While the determination of values of resistance is often based on expert opinion alone, which is a weakness of many studies, one might add quantitative variables that can further quantify the resistance values. For example: the number of patrol boats, the number and extent of radars, the length of the trajectory, the intensity of winds and currents.

After resistance values have been attributed in space, a connectivity model is applied to model that movement of a given species. McRae writes that "while resistance is point specific, connectivity is route specific. Therefore, while resistance models can provide the foundation for applied analyses of population connectivity, they do not, in themselves, provide sufficient information to evaluate the existence, strength and location of barriers and movement corridors. Connectivity must be evaluated with respect to the paths, costs and success of moving across a landscape" (387). In recent studies on connectivity, there has been an evaluation of the advantages of identifying corridors through least-cost modelling or circuit theory. McRae et al argue that "least-cost corridors calculate the routes expected to be taken by animals with perfect or near-perfect knowledge of the landscape, whereas current maps generated from circuit models predict movement routes taken by random walkers, with all possible paths contributing to connectivity" (392) As the figure 22 shows, least-cost analyses can "show what routes/zones would permit the most efficient movement", "while circuit theory has the advantage of identifying and quantifying 'pinch points', i.e. constrictions in corridors that, if lost, could sever connectivity entirely."
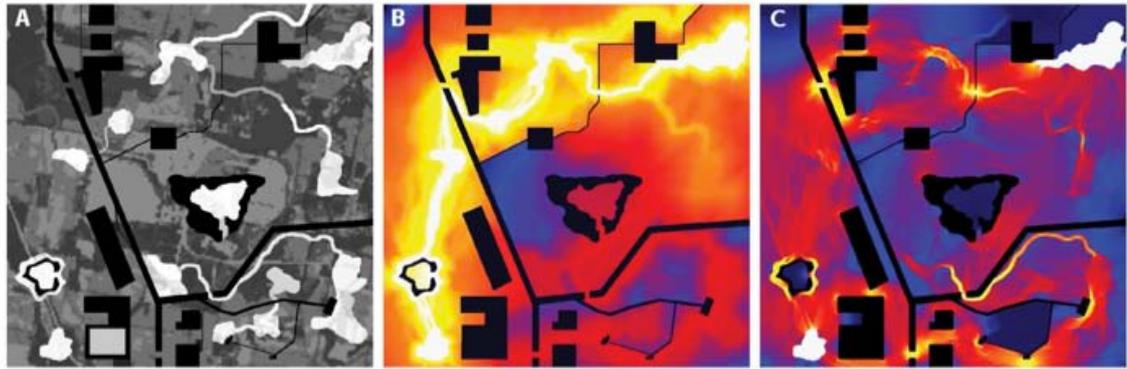
Figure 22: example of different connectivity model: A: Map of the landscape with resistances; B: Results from least-cost modelling between habitat patches; C: Current map between the same two habitat patches. McRae et al. 2008.

While I see potential in the use of connectivity modelling as a time-space sensitive modelisation that could contribute to determining the share of responsibility of migration policies and bordering practices within the multiple mechanisms and actors at work in the structural violence operating at the maritime frontier of the EU, the possibility of applying this model depends on our answers to many inextricably theoretical, methodological, aesthetic and political questions, to which I turn in concluding this chapter.

Manoeuvring Through the Ambivalent Field of Practice

In a private communication, McRae found the proposition to apply connectivity modelling to migration potentially interesting, but cautioned me that that "least-cost and circuit models are extreme simplifications of movement behaviour that may scarcely account for the many of factors that go into an individual's decision of whether to migrate and the route ultimately taken".[154] To follow from McRae's note of caution, several further questions need to be posed: How could such a geostatistical model integrate the individual and collective agency and the indeterminacy of the migration process that researchers working within the autonomy of migration perspective have emphasised (Mezzadra 2011; Scheel 2013)? How might these dimensions be included within the statistical model but remain *incalculable* – in the model's margin of error? Does connectivity modelling not risk bringing us back to a hydraulic model of migration, which saw migration as governed by the same laws as other physical process, and which is implicitly mobilised in contemporary media on political discourse concerning "waves" of migration (Papastergiadis 2000)? Does the use of models of behaviour drawn from wildlife not risk reproducing the *beastialisation* of migrants and

postcolonial populations that has been so central to justifying the violence exercised upon them (Mbembe 2001; Vaughan-Williams 2015)? There is certainly a paradox in the argument that for the life and death of migrants to count as human and for accountability to be sought for them, they would first have to be seen as behaving like animals. Finally, if the aim is to reverse-engineer the effects of migration policies so as to reconstruct their impact on migrants and migrant mortality, could the same model not be used predictively by policy makers and border controllers in the aim of *preempting* the unauthorised movements of migrants? The border controllers working on "routes management" might be more than happy to benefit from the fruit of our research (Casas-Cortes et al 2013).

These are all difficult and I find fascinating questions, the answers to which might well make the quest for a causal model unattainable and the method of connectivity modelling inapplicable. However, the aim of defining methodologies able to account for the structural violence of the European migration regime makes it worthwhile asking them. Furthermore, in the tactical use of statistics I have advocated, the aim of attaining a purely oppositional position is not at hand. Tactical statistics operates in an immanent field in relation to power, often seizing the tools generated by states and capital towards other ends, and thus a degree of complicity and ambivalence is always at play. Ultimately, answers to these questions can only emerge through practice, through a hand-to-hand engagement with causal and statistical models through which one can better understand their theoretical and political dimensions and navigate the sometimes thin thresholds that separate a critical practice from that of the government of migration.

What I have sought to outline in this exploratory chapter is the need to think statistics as a practice within a contested political field, one that has been deeply associated with state policies and practice of governmentality but that can also used to contest the way populations are governed, whether these are migrants or not. A critical statistical practice would simultaneously use statistics as a weapon to contest state and non-state violence, and question the very statistical tools which it uses and its complicities with power. Statistics are one tool amongst many for those who seek to bring accountability for the deaths of migrants at sea, but an important one in that it allows, today like during the slave trade, to inscribe specific forms of violence and violations within broader patterns of structural violence, and thus contribute to draw accountability to actual policies.

Using statistics to account for trans-Mediterranean illegalised migrant mortality and its causal link with migration policies and bordering practices is a challenging project, methodologically as well as theoretically and politically. It needs to be theoretically and politically sharp, developed in dialogue with cutting edge statistical practitioners, but also be grounded in fieldwork, and articulated with the demands of the migrants' rights movement. This is a demanding agenda, but I am convinced that a critical statistical practice concerning the deaths of illegalised migrants at sea has a crucial role to play in the abolitionism of our time: the demand for freedom and equality of movement for all migrants, which is the only condition for us to finally stop counting the dead.

5. FOR MOVEMENT

PROLOGUE

9ᵗʰ of May 2015

I write the concluding section to this thesis in the wake of the largest shipwreck in recent Mediterranean history. In one week, between April 13ᵗʰ and 18ᵗʰ 2015, a first boat sank with over 400 people, followed by a second one with over 800 people.[155] Exactly like the 3ʳᵈ and 11ᵗʰ of October 2013 shipwrecks had before them, these consecutive shipwrecks have led to the increase of militarised policies of exclusion, operated in the name of saving lives. Monday 11ᵗʰ of May, two days from the instant I begin writing these lines, Federica Mogherini, the EU's Chief foreign and security policy coordinator, will present at the United Nations Security Council a proposal to destroy migrants' vessels, and possibly to intervene again in Libya.[156] The stated aim is to destroy smugglers' "business model", the latter having been described as the "slave traders of the 21ˢᵗ century" by Italian Prime Minister Matteo Renzi.[157] If the aim were truly that of saving lives, one would have to agree with the UN Rapporteur on migrants rights François Crépeau that the EU's policy is "insane", in the way Einstein defined insanity: doing the same thing over and over again and expecting different results.[158] 25 years of policies of closure towards non-European migrants and militarisation of borders have demonstrated that they do not stop illegalised migration and simply lead to more deaths. If the aim were truly that of getting rid of Libyan smugglers, we could be stunned at the EU's incapacity to see that they would vanish into thin air the moment the EU would grant legal access to the illegalised migrants who are forced to resort to their service as a result of their condition. But it is more accurate to qualify the EU's claim that saving migrants' lives is the "aim" of its policies as pure propaganda, covering the productive ambivalence of policies and practices seeking to prevent illegalised migrants from accessing EU territory at all cost, all the while tolerating the illegalised presence and exploitation of those who succeed in reaching EU territory.

Seen in the light of the material discussed in this thesis, these new policy shifts take on an air of *déjà-vu*. First of all, the 2011 military intervention in Libya had already been launched in the name of "protecting civilians", which did not prevent these very military actors of abandoning to a slow deaths the passengers of the "left-do-die boat" case discussed in *Forensic Oceanography* (Chapter 3). The 2011 military intervention

left Libya in a predictable state of chaos, thus creating the volatile context which migrants have been continuing to flee. The claim that today a new military operation is being mounted with the aim of saving migrants lives can only appear all the more revolting and of bad augur. Second, the images of migrants' boats set ablaze by the Moroccan military – at times accompanied by its Spanish counterparts – described in *Fractured Chains of Custody* (Chapter 2), illustrated the effects of tighter controls on smugglers' boats on the coast – they simply sent migrants in the desert to build their own. In turn, the increased repression in Morocco these photographs documented only led migrants' trajectories to shift further south as of 2006. We can thus expect both smugglers and migrants to adapt their strategies to whatever operation targets them, rather than bringing crossings and deaths to an end. Finally, the "gunboat abolitionism" (Blackburn 2014) led by Britain in the 19th century by sending out naval ships to intercept slave traders off the West African coast and which I discussed in *Tactical Statistics* (Chapter 4), paved the way for the colonisation of the African continent. The 1885 Berlin Conference that formally authorised its carving up between competing European empires did so in the name of ending the slave trade (Huzzey 2012: 155). The current military expansion of the EU in the Mediterranean and possibly on Libyan land operating in the guise of a humanitarian operation in relation to migrants at sea, must thus rather be thought of within the EU's strategy to exercise control over its immediate periphery.

While these recent events and the policy shifts they are enabling spur the ever more pressing need to think of alternatives to this eternal cycle of deaths, the need to think an alternative political horizon has accompanied me constantly through the last five years of research and practice, and has constituted the undercurrent that irrigates my entire work of documentation of the violence of borders. However in the preceding chapters I have evoked this horizon only in the form of vague calls. Here, while I do not aim to solidify this horizon into a coherent "list of demands", I seek to go one step further by outlining some of the ambivalences and questions giving flesh to a policy based on freedom of movement would be conditioned on addressing.

BEYOND OPEN BORDERS: FREEDOM OF MOVEMENT AS PRACTICE AND POLICY

I have concluded most of my chapters in this thesis with a call to freedom of movement, as the only possible alternative to the deaths of migrants at sea. However, in doing so, I have myself reproduced a great weakness of the migrants' rights movement and critical migration and border studies: in calling for freedom of movement, we rarely go beyond the slogan. In limiting ourselves to such vague calls, we fail to seriously engage with the following questions: *What would a policy based on accompanying the already existing but repressed free movement of people look like? What difficulties would thinking and formulating such a policy entail? What are the risks and ambivalences we need to confront in making this demand?* I always hoped I could conclude my thesis by offering some reflections in this direction. Trapped as I am between the urgency of finishing my thesis and the urgency of the situation at the maritime frontier, I can only offer directions for further exploration. What follows is thus far from a political program, but rather a series of questions I believe its formulation must address. In what follows I will limit my self to arguing why a policy based on freedom of movement is a necessity, I then underline several ambivalences that emerge from this proposition, and advocate two specific steps towards imaging such a policy: first, the need to inscribe freedom of movement within a critical analysis of the world system, second the need to think of freedom of movement as a policy, beyond the simple and total removal of barriers to movement.

As Nicholas De Genova has powerfully argued, we first need to underline the non-utopian, always already existing *reality* of freedom of movement (De Genova 2013c). The current and historical reality is that of the uncontainable and uncontrollable movement of people, who continue to evade the political technologies designed to control their movement and transgress borders despite attempts by states – and other actors – to deny them their freedom to move in space. Freedom of movement is I would ague an ontological fact before being a policy or a possible policy. What is utopian is on the contrary, as De Genova recalls, the "absurd fantasy of territorially-defined so-called "national" states – the fantasy of total control over presumably separate and discrete human populations and our mobility" (ibid.). Thus the really existing free movement of people in the face of its legal and political denial is proven *in practice*, just as, long ago, cynic philosopher Diogenes proved wrong those who argued that movement did not

exist by getting up and walking (Laërce 1999). As a result, we know that a policy based on freedom of movement is the only one that could "work", in that it would not lead to deep conflicts of mobility and would provide a frame that would allow to accompany the already existing freedom to move of humans. There is thus an absolute necessity to work in this direction.

Several authors and migrants' rights organisations have argued convincingly for the positive effects a policy of freedom of movement and associated rights would have.[159] The following are some of the main arguments that emerge from this pro-freedom of movement position. First, on the level of the risks faced by migrants, because a politics of migration based on freedom of movement would allow migrants to reach Europe via formal and safe transport means, they would no longer need to have recourse to the service of smugglers and seek to evade controls, which would in turn put an end to deaths of migrants at sea and throughout illegalised migrants' precarious trajectories.

Second, on the level of the movements that such a policy might lead to, Pécoud and de Guchteneire (2007) argue that while there would certainly be important movements of people in an initial phase, these intense initial movements following the removal of a limit to movement would soon diminish – as has been the case for example after the fall of the Berlin wall and after each phase of the enlargement of the zone of freedom of movement in the EU. Furthermore, as is well known, today the majority of people displaced by wars find refuge either within their own country or in the neighbouring country, either because they do not desire to be cut from their families and means of subsistence, or simply because moving across great distances requires financial and human capital that is not available to them. As such, freedom of movement is unlikely to result in an "invasion" of the core regions in the world system from their peripheries. However, Pécoud and de Guchteneire also argue convincingly that the movements that would take place would be fluidified. Since migrants would not have to pay an excessive financial and human cost for the crossing of borders, and since they would know that they would have the continued possibility of coming and going, migrants could both look for work or other opportunities in the country of their choice, but would not feel constrained to remain should they not find what they hoped for. Back and forth and circular movement between countries is thus to be expected, rather than migrants becoming a "burden".

Third, the irregular status of illegalised migrants would vanish. As a consequence, the submission of migrants to unequal pay and treatment would be at least less systematic (however, as I will argue below, since these practices cannot be attributed to legal status alone, they might be reproduced in other ways), and thus migrants would constitute less rather than more competition in relation to already present workers in any given territory. Because migrants would no longer need to move across borders and within states in ways that aim to evade state control, freedom of movement would paradoxically offer states more rather then less control over the populations on their territory, enabling them to detect more effectively threats of terrorism and criminality which policy makers today associate with "clandestine migration".

Fourth, while the potential economic consequences of freedom of movement are necessarily debated and I will come back to them, allowing migrants from the global South to come to live and work in the global North would operate as a means of redistribution, both through the increased income of these individual migrants and through the sending of remittances – which, at 350 billion dollars in 2010, already constituted more than three times the yearly amount of international development aid (Valadez 2012: 138). What is certain is that freedom of movement would allow states to cut down on their billion dollar budgets for border control.

There are thus many good reasons to think that freedom of movement would be a "good" and viable policy, if we take as measuring rod its capacity to contribute to *equaliberty* – a notion proposed by Etienne Balibar (1994: 211) to point to the inextricability of the demands for equality and liberty. Equaliberty may in turn be seen as the condition for *autonomy*, and this whether at the scale of the individual or of political communities such as states. But we can also be suspicious of the tendency of those seeking to defend freedom of movement to try to underline only the positive outcomes of freedom of movement, and portray it as a consensual "win-win-win" solution. Today, it is clear there are many actors who are "winning" out with the current policy of exclusion and the ensuing illegalised migration regime: citizens of the global North, the majority of whom have given in to a racialised anti-immigrant sentiment, believe they are protecting their economic well-being and identity; politicians across the board can continue eternally to gather the anti-immigrant vote through their never-ending war on migration and xenophobic rhetoric, enterprises and private individuals alike profit from illegalised and thus precaritised labour; and the military industry

flourishes on the research and sales of equipment to police migrant illegality. On the losing end, we have the illegalised migrants who incur an exorbitant human and financial cost for their movement; the populations of the global South who are forced to remain in countries in which they cannot sustain their livelihood – and are further deprived of additional remittances which are a crucial safety net; and the states of the global South who are endowed with the burden of policing their "surplus populations" they are unable to provide work for. Because the actors reaping the immediate benefits from the current regime are more powerful than those loosing from it, there is little chance that freedom of movement will be implemented as a policy any time soon.

With this bleak perspective for the realisation of an alternative policy horizon, we might deem it sufficient to stop the discussion here. Why even discuss further the conditions of a desirable policy that will not be implemented in the foreseeable future? First, I believe this is nonetheless necessary to maintain open and expand an alternative political horizon "toward which we project an emancipatory vision of that which does not (yet) exist", in the eloquent words of De Genova (2013c). But also because the adverse (in)balance of the world order that makes a policy of freedom of movement unlikely today points to one of my claims: the necessity to inscribe the horizon of a policy of freedom of movement within a broader horizon of transformation of the world system itself.

The Freedom to Dispossess

Beyond the very real political challenges that the prospect of freedom of movement must face, the formulation of this alternative vision demands that we confront several other difficulties. First, when advocating freedom of movement, we should bear in mind that the claim to freedom of movement has been used as a justification of the right of emerging empires to conquer and exploit foreign territories. In 1539, Francisco de Vitoria presented his famous lecture *De Indis*, in which he sought to interpret the American Indians so that the Spanish might formulate an appropriate policy towards them, proposing in the process one of the first formulations of international law (Angie 2004; Hobson 2013). Here Vitoria defends the Spaniards' natural right to travel: *"It was permissible from the beginning of the world (when everything was in common) for any one to set forth and travel wheresoever he would. Now this was not to be taken away by the division of property, for it was never the intention of peoples to destroy by that division the reciprocity and common use which prevailed among men …"* (Vitoria

1917: 151, quoted in Angie 2004: 20). On this ground, Vitoria argued the Spanish had a right to travel to the Americas as well as conduct trade with the Indians so long as they did not harm them. Based on the same interpretation of "natural laws" however he further justified their right to exploit their resources: *In the law of nations (jus gentium) a thing which does not belong to anyone (res nullius) becomes the property of the first taker...; therefore, if gold in the ground or pearls in the sea ... have not been appropriated, they will belong by the law of nations to the first taker*" (Vitoria 1991: 280, quoted in Hobson 2013: 42). Considering that the natives were not exploiting the land in which they lived, the colonisers had the right to exploit the resources they "found" in the Americas, and should the natives seek to prevent them from doing so, wage war onto them. I find stunning that this early formulation of the *right to colonise* – which we can find echoing throughout the history of empire – is justified through the idea of humanity's common possession of the earth, and the consequences of the right to travel and right to "share" its resources – notions that we would associate with progressive demands today. This complicity of an early formulation of the right to freedom of movement with the history of empires is a first ground for caution and should lead us to ask the following question: While we tend to mainly think freedom of movement in relation to the movement of the dispossessed towards the affluent centres of the world system, would a universal right to freedom of movement not also risk being used to justify the domination of the powerful over the oppressed?

Second, the history of the abolition of successive migration regimes – such as those of slavery, forced labour, indentured labour, guest worker – must lead us to caution on two grounds. As I argued in the chapter *Tactical Statistics*, the abolitionism led as of 1807 by the British empire and which focused on abolishing the slave trade, neither put and end to the slave trade or to slavery, because the systemic conditions of exploitation and global trade in which slave labour was inscribed were not themselves challenged. Furthermore, during the century that the abolition of transatlantic slavery lasted (from the end of the 18th to the end of the 19th century), it was conditioned on the emergence of other migration regimes – such as forced labour and indentured labour – through which plantation owners sought to attract and constrain migrant workers. While these latter regimes may have been less constraining than slavery, they were still far from liberating (Hahamovitch 2003 and 2014). What the disorderly and partly overlapping "sequence" of regimes that follows slavery shows is that migration regimes involving a high degree of unfreedom have been inextricably linked to the history of capitalism

(Moulier Boutang 1998; Van der Linden 2008). The movement of people within the world system and the unfree regimes under which it has operated has been a major and constant tool for states and the holders of capital to regulate the ever-present labour question: How to have the right quantity and quality of labour in the right place at the right time in the right condition and at the right price? As such, when considering the prospect of freedom of movement, we need to ask the following questions: While the opening of borders and the granting of legal access to state territories which would lead to the disappearance of the illegalised migration regime, would it lead to the end of the unfreedom and exploitation of migrant labour? How can we prevent a policy demanding an end to a particular regime of unfreedom from leading to another, possibly even worse regime?

Open Borders or the Multiplication of Boundaries?

Questioning the potential ambivalences of a policy of freedom of movement is urgent today at a time when the demand for *more* (as opposed to universal) freedom of movement has itself migrated from the Left and migrants' rights organisations to the discourses of international organisations such as the IOM, the UNDP (United Nations Development Programme) and WTO (World Trade Organisation) which are marked by a neoliberal agenda (Geiger and Pécoud, 2009, Kalm, 2010, De Genova, 2013b). The UNDP's 2009 report titled *Overcoming Barriers: Human Mobility and Development* is particularly revealing of the very partial and ambivalent appropriation of the demand for freedom of movement, and has been incisively analysed by De Genova (2013b, see also Pécoud 2011). The UNDP perceives "mobility as vital to human development and movement as a natural expression of people's desire to choose how and where to lead their lives" (18). In this light, it proposes "a bold set of reforms" with a view to "expanding people's freedoms rather than controlling or restricting human movement" (v). However, the "expansion of freedom" proposed by the UNDP remains centred on the priorities of states and their economies, and thus severely limited: "*Destination countries should decide* on the desired numbers of entrants through political processes that permit public discussion and the balancing of different interests. Transparent mechanisms to determine the number of entrants should be *based on employer demand*" (4, my emphasis).

The ambivalent relation of the demand for freedom of movement in relation to (neo)liberal economic policies is not new. To give only one famous example, in 1984

the *Wall Street Journal* argued that "if Washington still wants to "do something" about immigration, we propose a five-word constitutional amendment: There shall be open borders" (quoted in Pécoud 2013A). This is unsurprising, since, from the perspective of liberal economic theory, freedom of movement would create a unified world labour market, leading to a better allocation of labour, contributing in turn to increased development and growth (ibid.). The call for freedom of movement from the Left, Michal Samers argues, easily falls into the logic "of anti-statist liberal economists" who call for the abolition of "state 'interference' into the 'workings of the market' itself" (2003: 2013). Etienne Balibar has identified early on this ambivalence with characteristic perspicacity, arguing that "an absolute opening or suppression of borders … would only give rise to the extension of a savage capitalism in which men are definitively brought to and tossed out of production sites like commodities, even like simple useful or useless raw materials" (2004: 176). Instead of simple openness, Balibar proposes to *democratise borders*: to put borders "at the service of men and submit it to their collective control, make it an object of their "sovereignty," rather than allowing it to subject them to powers over which they have no control (when it does not purely and simply serve to repress them)" (2004: 108). However, Balibar never tells us what an institution of democratised borders might look like.

But a second and maybe even deeper issue is also pointed to by the understanding of borders proposed by Balibar. In his theorisation, Balibar has argued that state borders are "overdetermined" by other geopolitical divisions, social and racial boundaries, and as a result are "polysemic" in that they may constrain or enable populations differently depending on their position within this matrix of divisions and boundaries (Balibar, 2002, p.79). What this entails in turn is that abolishing the control of people through formal borders and the citizen-foreigner distinction, would not lead to erasure of these deeper social boundaries – those of race and class as well as gender, and as result we could well expect to see them be reproduced in different ways, amongst others in access to work, housing and social rights. The risk is then to see the further *multiplication of boundaries* as soon as the limit of state borders is overcome. We need to heed to the risk Michael Walzer has pointed to in his dystopian vision, arguing that "to tear down the walls of the state is not ... to create a world without walls, but rather to create a thousand petty fortresses" (1983, 39; quoted in Samers 2003: 2014).

Freedom of Movement As Policy Within and Against The World System

What all the above remarks should suffice to demonstrate is that a policy of "open borders" is neither enough for freedom of movement to be a productive response to the precaritisation and exploitation of migrants, nor for it to contribute to global justice. In this, it is insufficient if measured against the horizon of individual and political equaliberty and autonomy I set as point of reference. The difficulties I discussed above demonstrate first that a policy of freedom of movement needs to be thought seriously as such: *a policy*, with different levels and mechanisms, deployed in space and time. Second, that a policy of freedom of movement needs to be inscribed within an analysis and strategy for the transformation of the world system. Thinking in terms of policies and institutions is however not popular in either critical theory or in critical migration and border studies. In the necessarily abbreviated formulation of an magazine interview, Balibar has argued provocatively against the positions of fellow radical philosophers "Jaques Rancière, for whom "politics" always ends up becoming the "police"; Alain Badiou, for whom the "event" becomes a "simulacra", and Antonio Negri for whom "constituted" political power crushes "constituent" power" (Balibar 2011, see also Mezzadra and Neilson 2013: 254). What all these authors share is a limitation of moments of "real" politics to rare events and a distrust for institutionalised politics. Balibar argues instead that there is an "insurrectional element of democracy, which plays a determinant role in every constitution of a democratic or republican state. Such a state, by definition, cannot consist (or cannot only consist) of statutes and rights ascribed from above; it requires the direct participation of the demos" (Balibar 2004: 119). Radical politics for Balibar is then not an isolated and rare event that vanishes the instant it has occurred, but a continuous process that haunts each institution. Within critical migration and border studies, we find at work this same reluctance to think the slow process of politics through institutional forms and instead the repeated but vague calls for "open borders", "freedom of movement", or the glorification of migrants' excessive freedom in relation to control. While I share the calls and arguments, I argue that we cannot stop at these statements and slogans, first because they are insufficient for migrants them selves, who *demand* rights to protect them, second because, as I have argued above, the reluctance to engage in the imagination of alternative policies may lead these calls to ambivalence at best. Working through the difficulties outlined above precisely demands taking the risk of thinking institutional forms.

Imagining a policy of freedom of movement and associated rights need not be of work of pure political imagination, since it is already partly and ambivalently institutionalised. Article 13 of the Universal Declaration of Human Rights addresses both internal and international mobility and states that: (1) 'Everyone has the right to freedom of movement and residence within the borders of each state' and (2) 'Everyone has the right to leave any country, including his own, and to return to his country'. As had been noted many a time (Pécoud and de Guchteneire 2007), a third dimension of this article is missing, which would be "Everyone has the right to *enter* any country". The absence of this third dimension leaves the human rights frame regarding the movement of people incomplete and contradictory: what is a right to leave worth if it is not accompanied by a right to enter? The logical outcome is a *permanent border condition*, in which, after migrants have set off on their journey and crossed the border of their state, they are unable to finally arrive, and remain permanently *dis-placed*, on the threshold of inclusion and exclusion. Despite this limitation, the fact that the right to move within a country and the right to leave are recognised within the human rights framework points to the demand for a full recognition of freedom of movement as the *continuation* of the formulation of the rights of migrants, not a complete break or an invention from scratch.
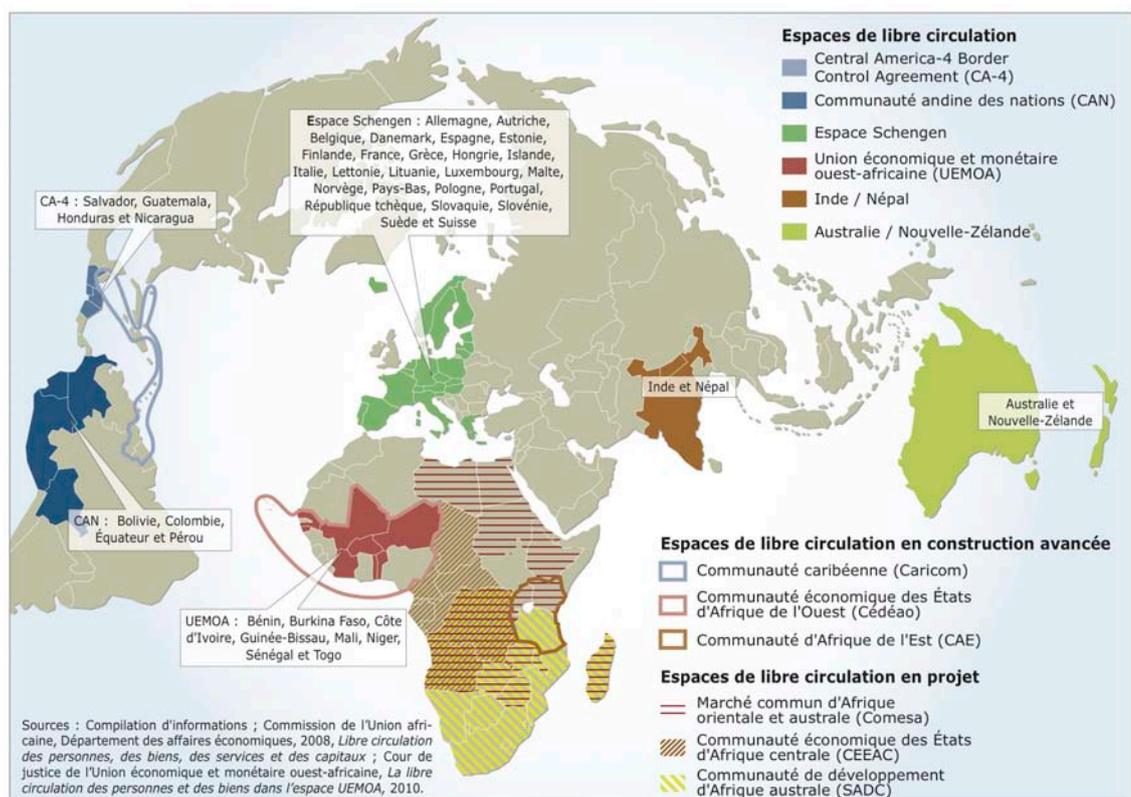
Figure 1: Map of areas where freedom of movement has been institutionalised, Olivier Clochard, Migreurop 2012.

Freedom of movement has also already been institutionalised at the regional level, as the Migreurop map in figure one shows. As Antoine Pécoud (2013A) summarises, while the European Union is the most advanced example of a regional entity committed to the free circulation within its borders, it is not the only one (see case studies in Pécoud and de Guchteneire 2007). The European example is nevertheless, despite its limitations, particularly interesting in terms of the multiple policies that accompanied the opening of borders to the movement of people within the EU, such as regional development programs, cross-border infrastructure, the portability of certain rights. Could some of these tools be universalised, de-racialised and de-neoliberalised to imagine a truly progressive policy of freedom of movement? However, staring at the Migreurop map, what is immediately apparent is that no area of freedom of movement covers one of the world's geopolitical fault lines. This points once again to the need to articulate the demand for freedom of movement with a demand for a broader transformation of our world order towards more equality and justice.

The question of systemic transformation towards a world that is more equal is key in many respects. Drawing on the work of Foucault, Giorgio Agamben (2014) has offered a powerful genealogy of securitisation as the *government of effects*. Agamben follows Foucault's suggestion that the concept of security emerges with François Quesnais and the Physiocrates as a new mode of government, which does not seek to prevent troubles, but rather "to govern and guide them in the good direction once they take place". In the process, a major reversal took place: "the *ancien regime* aimed to *rule the causes*; modernity pretends to *control the effects*" (ibid.). It is clear that the border spectacle (De Genova 2013a) I have discussed repeatedly throughout this thesis precisely focuses on and spectacularises the control of effects, while occulting the causes of the "threat" which is being policed. The first immediate cause of "illegal migration" is the production of illegality through state policies, but a deeper cause is that of the deep imbalances and instabilities of the world system. If securitised migration policies occult these systemic imbalances and rather respond to their effects in the form of unauthorised human movement across their borders, a critique of these policies and practices of policing cannot limit itself to denouncing them as inhumane, for it would itself reproduce the excessive focus on (the government of) effects. Rather, we need to challenge the gaze of securitisation and revert back to address the deep causes of what is constructed as a "threat", by critiquing and seeking to transform the world system. I have sought to advance in this direction in the introduction, by inscribing illegalised

migration within a critique of the postcolonial world system. Within a more just and common world, conflicts of mobility would largely disappear, and states of the global South would have the power to impose to those of the global North reciprocity of openness – or closure – to the movement of their citizens. Seen through the lens of the world system however, the demand for freedom of movement needs to be further articulated with the demand for a *right to immobility* – or a *right to stay* (Bacon 2013; Van Naerssen 2014), that is a right not to be displaced by political and economic turmoil that are the outcome of the world system. If, as I argued in my introduction, migration from the global South should be thought of in the continuity of the movements for self-determination that led to formal decolonisation, the demand should be for *human autonomy* (Mbembe 2010: 68), that is for populations of the global South to be able to determine their own fate, in terms of government, but also living location and ways of life. A political strong and deep freedom of movement would consist in the freedom to lead a sustainable life in ones own country as well as being free to seek it across borders. This is a demand that has emerged within several migrants' rights organisations working on migration between Africa and Europe, such as Africa-Europe-Interact.[160] The condition of realisation of what one might call an *equaliberty of movement* is however a more than formal *equaliberty of states* within the world system.

Seeking to inscribe both current illegalised migration and the horizon of a policy of freedom of movement within the world system should certainly not mean waiting for the world to change to finally apply a policy of freedom of movement. But rather that there is a dialectic between both – and many other – struggles, that need to be advanced simultaneously. In the process, it is not only researchers and activists focusing on migration and borders who need to attend to the work of analysts of the world system, but the latter who need to pay more than lip service to migration and its control. Migration and bordering practices are not a mere reflection of broader political and economic processes, but rather key dimensions in the formation and reproduction of the world system – and thus also of contesting it.[161] We need to attend to how both the policing of migration and migration struggles are *world configuring*.

These are question I hope to continue to explore in the years to come. But how do they relate to the question of the intersection between the politics of migration and the politics of aesthetic practice that lies at the centre of this thesis? I believe the alternative horizon of freedom of movement does not only need critical political imagination

towards the invention of new rules and institutions, and social movements capable both of participating in this thought process and of imposing the ideas that emerge from it through political struggles. What is also crucial is the development of an alternative sensibility, an alternative way of *feeling* and *being* in the world. It demands not only that we think analytically about migration and borders, but also *feel* on the one hand movement as a banal and normal phenomena rather than a dangerous anomaly, and on the other the absolute openness and oneness of our world that state borders seek to divide and limit. This emerges as an evidence when we see human movement not as an isolated phenomena, but as one form of movement amongst that of other species (such as birds) and non-human elements (wind, water), and when we observe how these forms of movement occur absolutely independently of state borders.

Towards this endeavour, I wish to conclude this thesis with working notes towards a film project: *Haouaria - The City of Wind*. This project has emerged from living in Tunisia over the last 2 years. Confronted to reality of human suffering and death through my work on a daily basis, I regularly retreated to the coast of the Cap Bon with my family and friends. There I found literally some air but also an environment that deeply questioned me in that it seemed to condense both the Mediterranean's unequal and conflictual politics of mobility and the potential to overcome them. *Haouaria - The City of Wind* is a more poetic and philosophical project than rest of my thesis. Constantly taken by the work of documenting and contesting the violence of borders, who knows if I will ever get to actually producing it. But by walking through the hills and coast of Haouaria and thinking about this project I have already let my self be transformed. I have let myself be inhabited by the constant movement and unboundedness that this place is, the vertiginous feeling of *dis-enclosure* it conveys (Nancy 2008, Mbembe 2010: 68). The passage through this experience has not constituted a retreat into an idyllic world removed from the harsh reality of the deaths of migrants at sea, it has rather made them even more unacceptable. The purpose of utopian thinking, as David Harvey has suggested, is "not to provide a blueprint for some future but to hold up for inspection the ridiculous waste and foolishness of our times, to insist that things could and must be better" (Harvey 2000: 281, quoted in Samers 2003). Getting a glimpse of the possible in Haouaria has only made me more determined to contest the violence of borders here and now. In this sense, and in the perspective of the multiple dimensions and moments of aesthetic practice I have proposed in this thesis, the film already exists and is already producing effects.

FOR MOVEMENT PORTFOLIO

Haouaria - The City of Wind

Notes towards a film project, Charles Heller, January 2015.

HAOUARIA

THE CITY OF WIND

A film project by Charles Heller, January 2015

"On our lakes and on our seas, birds spread the wind, blowing from all directions. We would be unable to count them, our work is to be faithful to the flowing wind."

Edouard Glissant, La Cohée du lamentin, 2005

Haouaria is the name of a small town, at the tip of the Cap Bon, in Tunisia. Outside of Tunisia, no one knows it. And why would they? Haouaria is nowhere on our mental map of the globalised world. And yet Haouaria is a central node of our worldliness (mondialité): "a chaotic dynamic of the All" in the words of Edouard Glissant (2005). One amongst the many knots formed by interwoven flows linking and travelling a world in perpetual movement. A world as much One than multiple and inextricable. A world divided by abysses as well.

Haouaria, for me, is first a geographic location rather than a town: that of the extreme tip of the Cap Bon, the northern-most point of the African continent, located only 200 km of the Sicilian coasts. The Cap's millenary extension has defined the very shape of the Sicily Channel. Walking along its coast, one can feel the wind lashing against one's face. One is taken by vertigo by the immensity of the surrounding sea, the turbulent waves which spread in an infinite expanse.

It is these turbulent winds that give its name to the small town – *Haouaria* means whirlwind in Arabic. It is this geographic position, these winds and maritime currents, which allow other currents to converge here as well: those of global maritime traffic, of migratory birds, of human illegalised migration, of Algerian gas pumped towards Italy. These multiple currents, at times overlapping at others intertwining, this film seeks to observe, untangle and embody them.

Migratory birds naturally converge towards this point where the distance separating Africa from Europe is the shortest. Each Spring, they arrive in swarms and spend a couple of weeks or a couple of months according to species on Haouaria's hills, before letting themselves carried by the winds across the sea. The local population temporarily domesticates Falcons and Sparrow Hawks, and use them to hunt before setting them free again. Every June, amateurs of birds of prey gather for a competition.

Men and women too have of all times circulated to and from Haouaria. Fishermen and workers of the Cap Bon and Sicily have continuously connected the two shores of the Mediterranean, settling, trading, transforming each other and forging a common and hybrid language, the Sabir. The liquid element, currents and winds thus allow humans and their boats to move in space and exchange. The waters of the Cap Bon which are fertile in fish nourish the coastal population, but conflicts between fishermen and states from both shores have arisen for the right to fish in them.

The circulation of humans has however become increasingly hierarchised. Since the consolidation of the European Union and the introduction of visa obligations by Italy in 1990, the majority of Tunisians are deprived of the right to reach the Northern shore of the Mediterranean through formal means of transport. Because of its proximity to Italy, Haouaria became one of the main points of departure for illegalised migrants. But increased patrols as well as a maritime watchtower on the top of the hill soon made departures to risky.

In 2011, with the overthrow of the Ben Ali regime and the ensuing power vacuum, the surveillance of borders vacillated too. Close to 30.000 Tunisians seized their freedom to move and reached the Italian shores. Many departures took place from the coast of Haouaria in broad daylight, to the sounds of drums and chanting. The joy of embarking on a journey of hope did not prevent several shipwrecks in which many lives were swallowed by the currents. They have joined the thousands of people for whom the sea has become a liquid cemetery.

The small island of Pantelleria, which Tunisians see from Haouaria on a clear day, has since become inaccessible once again. And while one can see as well merchant ships transiting through the Sicily Channel – one of the highways of global trade linking networked factories and their scattered consumers – Tunisians know that they are excluded from this globalisation. The sea connects the four corners of the globe. It separates them too.

North Africa's mineral resources are however welcome in Europe. On the beach of Haouaria, surrounded by fences, one can see the towers of fire of a gas terminal, that of the Trans-Mediterranean pipeline built during the 1970s, which pumps Algerian gas across the Tunisian soil, across the sea and on to Italy. Algerian gas supplies Europe, but the population of Haouaria does not have access to town gas.

Haouaria then is a knot of the world. A point from which one can observe and feel the global flows that connect us but also the inequality of the conditions in which they circulate. A place where the intuition that movement is constitutive of our world, of life itself, imposes itself. It is not movement which is an anomaly or a danger, but its denial.

In directing this film, I wish to take the time to observe and feel the flows that converge in Haouaria, to keep a trace of their ephemeral movement. This film is also thought as a trace of my encounter with several artists – film directors, painters, musicians, both Tunisian and of other nationalities – with whom I have shared the experience of this special place. A film on movement must necessarily be led through experimental, fragile means. Although this film is spurred by philosophical questions on the nature of being and of the world, it will be without words or almost. My aim is less to describe or capture then to *become* movement. It is only thusly that one may be "faithful to the flowing wind".

NOTES

[1] For recent discussions of photography's indexicality, see Azoulay 2012 and Fisher 2009.

[2] In this thesis, I use several different terms to refer to people who cross borders without authorisation. Because this terminology is highly politicised and contested, it is useful to indicate which terminology I use and why. Within European media and policy uses, the terms "illegal migration" and "clandestine migration" are frequently used to point to the evasion or violation of the law, and both terms have negative connotations. In my research, I alternate between using the terms "Illegalised migrants" and "clandestine migration." I use the term "Illegalised", following amongst other Nicholas De Genova (2002; 2013a) to highlight that illegality is a product of state law rather than an intrinsic feature of migrants. The term "clandestine migration" may seem problematic in that it is marked to such an extent by the language of power; yet in its etymological connotations of hiddenness and secrecy, "clandestine" accurately describes the strategies of migrants who, having been denied access to legal means of entry into a state, must cross borders undetected. As such, I refer to "clandestine" migration when pointing to the strategies of migrants. For the politics of the language of migration, see Düvell 2008 and Bauder 2013a.

[3] My understanding and use of the term "aesthetic" is influenced by the work of Jacques Rancière I discuss below as well as that of Bruno Latour, both of who return to prior understandings of aesthetics. For Rancière, "aesthetics can be understood in a Kantian sense – re-examined perhaps by Foucault – as the system of *apriori* forms determining what presents itself to sense experience. It is a delimitation of spaces and times, of the visible and the invisible, of speech and noise, that simultaneously determines the place and the stakes of politics as a form of experience" (Rancière 2006: 13). Latour has recently urged us to understand aesthetics in its "old meaning of being able to 'perceive' and to be 'concerned,' that is, a capacity to render oneself sensitive" (Latour 2013: 97, quoted in Weizman 2014: 31). As a result of this formulation, all things in the world have a particular aesthetic dimension, in that they appear to our senses under specific modalities. However, I refer to *aesthetic practices and objects* as the practices that enable our perception of the world, and the objects that may result from them. It is the term I use to describe together the multiple practices I engage with, such as photographs, videos, maps, satellite images and statistical graphs.

[4] I understand *politics* as the *field of struggle* within which the *modalities of life in common are defined*. This formulation underlines the conflictual dimension of all politics and refuses from the outset the delimitation of politics to the realm of formal political institutions – although it does not exclude these either. The notion of life in common immediately disrupts routinely assumed dichotomies between the political and the economic, the private and the public, the local and the global (Heller and Gruffydd Jones 2013). This understanding finds inspiration amongst others in the formulation of Hard and Negri of politics as "a field of pure immanence", an "ontological fabric in which all the relations of power are woven together— political and economic relations as well as social and personal relations" (2000: 354). It follows that my understanding of the *politics of migration* is defined along similar parameters. The politics of migration exceeds any *migration policy*, rather it consists in the encounter between the practices and logics of multiple actors who together define who can move an how, and this across multiple scales. For discussion of the politics of migration, see De Genova 2010b; Squire 2011; Mezzadra 2011.

[5] http://www.imageforum-diffusion.afp.com/ (accessed May 2015).

[6] See http://fortresseurope.blogspot.com/2006/01/lampedusa-mitra-sulle-navi-francesi-di.html (accessed May 2015). See the reply of the French authorities: http://questions.assemblee-nationale.fr/q13/13-31911QE.htm (accessed May 2015).

[7] In emphasising the polysemy of the word exposure, I draw on Georges Didi-Huberman 2012: 11.

[8] For further information on Nawal Soufi, see her portrait in Tom Kington, "Lady SOS — the first call for Syrians in peril at sea," *The Times*, 7 January 2015; available at http://www.thetimes.co.uk/tto/news/world/europe/article4315697.ece (accessed May 2015). For a discussion of the connection with the underground railway of anti-slavery within migrants' rights activists discourse, see Georgi and Schatral 2012: 204.

[9] My thanks to Joana Moll, Eliot Higgings and Stefano De Sabbata for helping me understand how to read the information contained in this image and what are the limits of what we can read from it.

[10] In using the term "government of migration", I am not referring to "governement" as state *structure*, but to the Foucauldian notion of government as an *activity* involving multiple actors in the "conduct of conducts" (Foucault 1982: 789). It is worth quoting a synthetic rendering of Foucault's understanding of the term "government": "The exercise of power consists in the "conduct of conducts" and in putting in order the possible outcome. Basically power is less a confrontation between two adversaries or the linking of one to the other than a question of "government". This word must be allowed the very broad meaning which it had in the sixteenth century. "Government" did not refer only to political structures or to the management of states; rather it designated the way in which the conduct of individuals or of groups might be directed: the government of children, of souls, of communities, of families, of the sick. It did not only cover the legitimately constituted forms of political or economic subjection, but also modes of action, more or less considered and calculated, which were destined to act upon the possibilities of action of other people. To govern, in this sense, is to structure the possible field of action of others." (Foucault 1982: 789). In the above quote I have slightly amended the English translation which does not include the term "conduct of conducts" as does the French original. The French original was published as "Le sujet et le pouvoir", text n°306 in the collection of Foucault's interventions *Dits et écrits*, tome IV (Paris: Gallimard, 1994). It available online here: http://1libertaire.free.fr/MFoucault102.html (accessed May 2015).

[11] For a useful discussion of the concept of trajectory, see Schapendonk 2011: 111-112 and 233.

[12] See amongst others, Steinberg 2001; Helmreich 2011; and Krause 2014.

[13] The concept of friction has been developed in anthropology by Anna Lowenhaupt Tsing, who used it as a metaphor for the diverse and conflicting social interactions that make up our contemporary world (Tsing 2005). While I am inspired by her conceptualization, I adapt this concept further to the specific context of my study.

[14] Both references are quoted in Kalm (2008: 202, note 109). See also Bigo 2014.

[15] See note 2 for my choice of vocabulary relating to migration.

[16] As I write, the two main sources of documentation of migrants' deaths have not been updated in several months. My figure "more than 20.000 documented deaths" refers to the 16.500 deaths reported by *Fortress Europe* at 4 October 2014, to which one may add at least 3500 additional documented deaths until May 2015. For the Fortress Europe data see http://fortresseurope.blogspot.it/p/la-fortezza.html (accessed May 2015).

[17] In using the concept of "political technology", I am drawing again from the theoretical toolbox proposed by Foucault. As always in the work of Foucault, it is certainly vain to seek a first or single definition of this concept, however in *Discipline*

and Punish (1977), we find a useful application of this concept when Foucault, discussing the inscription of bodies within power relations, refers to "the political technology of the body" in a way that underlines how political technologies implement a *disparate set of tools* towards particular results. To refer to the concept of government again, one can see political technologies as operationalising forms of government. It is worth quoting Foucault at length: "This subjection (note: of the body) is not only obtained by the instruments of violence of ideology; it can also be direct, physical, pitting force against force, bearing on matterial elements, and yet without involving violence; it may be calculated, organized, technically thought out; it may be subtle, make use neither of weapons nor of terror and yet remain of a physical order. That is to say, there may be a "knowledge" of the body that is not exactly the science of its functioning, and a mastery of its forces that is more than the ability to conquer them; this knowledge and this mastery constitute what might be called the political technology of the body. Of course, this technology is diffuse, rarely formulated in continuous, systematic discourse; it is often made up of bits and pieces; it implements a disparate set of tools or methods. In spite of the coherence of its results, it is generally no more than a multiform instrumentation. Moreover, it cannot be localized in a particular type of institution or state apparatus. For they have recourse to it; they use, select, or impose certain of its methods" (Foucault 1977: 26).

[18] For a summary of these debates, see Arrighi 2000, and more recently Mezzadra and Neilson 2014.

[19] For a review of the contribution of border studies to the understanding of changing political geographies, see Newman 2006; Doris Wastl-Walter (ed.) 2011; Kolossov (ed.) 2012. For a review of the contribution of migration studies, see Samers 2015.

[20] See Cuttitta 2006 in relation to migration and Popescu 2012 in relation to broader flows.

[21] For the production of illegalised migration, see Düvell 2011b. For "failure" as a constitutive dimension of this regime see Tazzioli 2013.

[22] For a review of the applications of foucauldian perspectives to border and migration studies see Walters 2010c, 2011a and 2013. I fully agree with Walters in his assessment of some of the limits of Foucault inspired analysis of borders and migration. In particular, I would like to emphasise one of the key dangers I see. While analysis of the political and economic causes of migration have grown out of fashion for their determinism, studies that have placed exclusive focus on individual agency and migrants' networks and the government of migration have lost site of the structural factors that shape migration. As a result, they are incapable of explaining migration and *depoliticizing* in failing to articulate migration with broader political and economic process. For all the advantages of a Foucauldian perspective on the *how* of power, I find this has been one of the biggest dangers of its use in migration and border studies. We can however find resources to counter this problem in Foucault's own theorisation. If he did advocate that we inquire into the way power is actually *practiced*, such an understanding did not imply for him a simple rejection of the importance of the state or of class relations and one can draw on Foucault to seek to *articulate* different dimensions and scales of power relations, from the molecular to the global. Several authors have contributed to thinking in this direction, such as Aradau and Blanke (2010) who seek to rearticulate Foucault's theorisation and periodisation with a Marxist inspired analysis of changing modes of production, Neilson and Mezzadra (2013: 190-4).

[23] For an overview of Foucault's work, see Revel 2002 and 2010.

[24] For a review see again Walters 2010c: 221.

[25] I follow Ortner (2006: 1) in understanding subjectivity as the "ensemble of modes of perception, affect, thought, desire, fear, and so forth that animate acting subjects".

[26] I see more complementarity than opposition between postcolonial perspectives that might seek to challenges Eurocentric *concepts* used to think politics and more positivist analysis of the historical world system (Seth 2009). While some of the very foundational concepts of political theory, starting by "the state", need to be historicized and deconstructed so that other histories may emerge, conversely historically informed analysis of the world-system help us challenge a-historical and idealized concepts (see Seth 2011, and the reviews by Go 2009 and Ghosh 2012).

[27] I am using here the concept of *hegemony* as adapted by Arrighi from Antonio Gramsci to address hierarchy within the world-system. With this concept, Arrighi refers to the capacity "to lead the world in the creation of a global institutional arrangement (financial, geopolitical and social) capable of providing the necessary safety and security necessary for a broad-based matterial expansion" (Silver and Arrighi 2011: 65).

[28] For an empirical analysis of the historic shifts in global inequality, see Deepak Nayyar (2013) and Branko Milanovic (2007). The question of the degree to which the current world order witnesses the perpetuation or fundamental transformation of the geography of inequality and its North-South characterization, has been one of the strongest line of division between Arrighi and Hardt and Negri, as well as their followers. In their *Empire*, Hard and Negri argued that "through the decentralization of production and the consolidation of the world market, the international divisions and flows of labor and capital have fractured and multiplied so that it is no longer possible to demarcate large geographical zones as center and periphery, North and South" (Hardt and Negri 2000: 335). On the contrary, in his review of Empire, Arrighi argued that "all available evidence show an extraordinary persistence of the North-South income gap as measured by GNP per capita. Suffice it to mention that in 1999 the average per capita income of former "Third World" countries was only 4.6 % of the per capita income of former "First World" countries, that is, almost exactly what it was in 1960 (4.5 %) and in 1980 (4.3 %)" (Arrighi 2003: 33-34). In fact, beyond the polemic tone of some of these debates, we should be able to recognise today that these positions are not entirely contradictory. Regional divisions still very much matter, and perpetuate to a large extent the geographic the North-South shape of the centre – periphery relation that has emerged throughout the history of the world-system. But just as clearly inequalities have also risen *between* countries of the global south, as a result of the growth of a few emerging economies and China in particular; inequalities have also risen *within* countries across the globe, and conditions of extreme poverty are also found in the richest countries of the planet – including amongst precaritised migrants from the global south. In this sense, it is not that the large-scale geographic division of wealth no longer operates, but that it is criss-crossed horizontally by other lines of fracture, with both reinforcing each other (just think of the polarisation of wealth towards the coast within North African states, which is clearly related to their unequal inscription within the global economy). This does not make the concept of core-periphery invalid as Sandro Mezzadra and Brett Neilsons seem to think (Neilson and Neilson 2013: 63-85), but rather, to paraphrase the very title of their important book "Border as Method, or, the Multiplication of Labor", we might speak of the "multiplication of the core-periphery" relation. The critique of the North-South divide is important in demanding that we attend as well to these multiple other lines of fracture, but this should not make us loose sight of larger patterns of inequality. In short, the persistence of large-scale regional inequalities that appear at a "zoomed out" planetary scale, become more blurry and fuzzy if we "zoom in" to a specific country, city, or population. Neither ceases to exist,

nor should be considered more or less important. Using a cross-scalar lens, we are able to attend to the multiple scales of inequality.

[29] Hardt and Negri define their concept of *Empire* as "a "network power, a new form of sovereignty, is now emerging, and it includes as its primary elements, or nodes, the dominant nation-states along with supranational institutions, major capitalist corporations, and other powers. This network power we claim is "imperial" not "imperialist"" (2004: XII).

[30] See amongst others the seminal collective contribution by the Centre for Contemporary Cultural Studies 1982; the works of Balibar I discuss below (note 41); Samers 1997; Rigo 2005; Mezzadra 2006; Mezzadra and Rahola 2006; De Genova 2010a; Bojadzijev 2012. There is also a literature in French which has not received the recognition it deserves in international debates and includes Sayad 1999; Bancel and Blanchard 1999; and more recently Bouamama and Tevanian 2006 and the contributions to the edited volume Bancel et al. 2010.

[31] For an excellent summary of this process, see Castles et al. 2013: 109-115, and Castles 2015. I can only hint to a wide country-specific literature. For the United Kingdom, see Schuster and Solomos 2004 and Smith and Marmo 2014, who show that the migration from Commonwealth citizens was limited as of the 1962 Act. For France, see Samers 1997 and House 2006, who show the restrictions to the movement of Algerian citizens were enacted as of 1964, which then spread to other nationalities at the beginning of the 1970s. For Germany see Schönwälder 2004 who shows that a coordinated policy of racial exclusion was formalised in 1962 and continued to operate thereafter even though the formal terms of exclusion were modified. Vilna Bashi (2010) provides an interesting comparative analysis between the UK, USA and Canada in which she shows that their anti-black policies responded to each other in seeking to evade being the target of Caribbean migration. Finally, it is important to recall that this sequence of closure of core states confronted with postcolonial migration echoes a previous and no less dramatic spread of racial closure: that which occurred in White settler nations at the end of the 19th Century, when the US, Canada, Australia, New Zealand and South Africa were confronted with Asian migration. See Mc Keown 2008; Lake and Reynolds 2008.

[32] Recent quantitative studies by De Haas and his colleagues (De Haas et al. 2014; Flahaux and De Haas 2014) largely confirms this trend, particularly in relation to Africa. While they argue that migration policies have on the whole become *less* restrictive, they have also become more *selective*. Even when policies do not specifically target their restrictions on specific nationalities (which has been a growing trend since the 1980s) and are not explicitly discriminatory in their formulation, by targeting specific categories of migrants such as high-low skillet migrants, asylum seekers and illegal(ised) migrants they continue to have highly discriminatory effects.

[33] In this passage I follow implicitly the theorisation of Saskia Sassen, who argues that push and pull factors are, in them selves insufficient to trigger migration, but need to be *activated* by historically established migration networks and migrants' individual agency. (Sassen 1988 and 2006b). I find this formulation useful to sacrifice neither structural conditions, migrants' networks nor individual agency, as De Haas and Samers have usefully advocated (Haas 2011; Samers 2010).

[34] Düvell (2011a) estimates that globally in 2002, "there were an estimated 22–44 million irregular immigrants", meaning that "around 10–20 percent of all international migrants 214 million in 2010, could be in an irregular position". According to the data Düvell has collected, the main countries of residence of illegalised migrants are the US, with around 11 million people, the EU-27 with 1.9–3.8 million people, Russia with an estimated 4 million people and South Africa with at least one million. In relation to

Europe, Düvell notes (2008) that the most important area of provenance of illegalised migration are the EU's Eastern neighbouring countries, such as Albania, Modlova and Ukraine. These countries too have been marked by forms of imperialism, core-periphery domination and racialisation.

[35] The earliest reference I have found is in the chapter 3 ("Racism and Nationalism") of his co-authored book with Immanuel Wallerstein (Balibar and Wallerstein 1988). Balibar continued to address the problematisation of the transformations and effects of the aftermath of decolonisation and mobilise the citizen subject distinction in numerous other contributions, including Balibar 1992, and 2002. Other authors have further developed this argument, including Mezzadra 2006.

[36] In this they are blurring the division between "exit" and "voice" strategies (Georgi and Schatral 2012), a blurring that was always already present in the very polysemy of the word *movement* which, as noted by Mitropoulos and Neilson, oscialltes "between movement understood in a political register (as political actors and/or forces more or less representable) and movement undertaken in a kinetic sense (as a passage between points on the globe or from one point to an unknown or unreachable destination)" (Mitropoulos and Neilson 2006). Thanks to Lorenzo Pezzani for pointing to this reference.

[37] In this direction, see Hardt and Negri 2000: 362, and Young 2012: 27.

[38] See also Casemajor 2015 and for an important discussion of how some of these strands of research both distance them selves from and connect with Cultural Studies, see Parikka 2007 and 2011.

[39] It is not my aim here to provide a detailed discussion of Rancière's understanding of politics and what I see as its limits. However, schematically, I find Rancière too limiting of his restriction of politics to the activity that redefines the space of politics itself and the partition of the sensible, rather than the struggles that take place within this space. I would rather understand this conflict over the space of politics and the partition of the sensible as a *dimension* of politics rather than it' all. See my discussion in note 5 above.

[40] There is an important body of work by critical geographers concerning mapping as practice. See the works of Pickles 2004; Crampton 2001, 2003, 2010; and Perkins 2004 amongst others.

[41] The "operational image" is the essential category of Farocki's three-part installation series called Eye/Machine (2000–2003) and the corresponding film *War at a Distance* (2003). For a discussion see Didi-Huberman 2009. Thomas Keenan (2014a) rightly points to a further genealogy of this concept in the work of Paul Virilio.

[42] For the way operative images operate in drone warfare, see Gregory 2011b.

[43] Again, while I grant particular attention to the theorisation of images here, and I partly perceive mapping, remote sensing and statistics through this theoretical prism, similar theoretical shifts have been made in relation to mapping. See for example Pickles 2004. In this and other works, Pickles has sought to displace the question of what maps (mis)represent, to ask "what are the social lives of maps, what work do they do, and how are we to revitalize a sense of the complexities of the roles maps play in enabling repeated rounds of dispossession, enclosure, and colonisation and producing the complex subjectivities and possibilities that we are?" (Pickles 2006). Cobarrubias and Pickles (2009) also use a similar theoretical perspective (Actor Network Theory) to attend to the agency of maps.

[44] In this case, see the report by The American Association for the Advancement of Science (AAAS 2009)

[45] It is not my aim here to single out any specific 'migration film' besides my own, nor can I review a genre whose production is vast. For an overview, see Grossman and O'Brien 2008; Bertellini 2013 and Demos 2013.

[46] I presented *Image/Migration* in amongst others the following events: Globale Film Festival, Berlin, 31 May 2010; "A season on political film", Arsenal, Berlin 13 October 2010; "Image – Movement 2010", Centre for Contemporary Art, Geneva, 8 December 2010, "Médias et migrations dans l'espace euro-méditerranéen", Institut national de l'audiovisuel, Paris 17 November 2011; Zürcher Hochschule der Künste, Zürich, February 2012; Universität der Künste, Berlin, June 2012. I presented *Fractured Chains of Custody* at "Photo-lexic – The Forensic Dimension of Photography", Goldsmiths, University of London, 11 March 2011.

[47] In thinking this paradoxical form I find once again inspiration in the work of Godard and Miéville, and their little known project *Nord contre Sud ou Naissance (de l'image) d'une nation* (1978). In 1977, Godard and Miéville's production company Sonimage was commissioned by the newly independent (1975) Marxist Mozambican government to think about the possibility of a revolutionary television and to produce five films for the television. In 1978, Godard and Miéville went to Mozambique for several months, taught audiovisual techniques, enquired about the possibilities in terms of infrastructure of production and distribution, but finally their contract was cancelled - allegedly because the project was too expensive - and the five films were never completed. Apart from the actual process and its impact on Mozambican cinema and television, the only trace of the project is a "report" published in *Les Cahiers du Cinema* in 1979. However the self-critical report on this failed project fulfils to a large extent the objective of the films. For more on this film project, see McCabe 1980 and Diawara 1992.

[48] A previous version of this section have been published as "Image/migration," in *Der Standpunkt der Aufnahme – Point of View: Perspectives of Political Film and Video Work*, ed. Tobias Hering (Berlin: Archive Books, 2014). I thank Tobias Hering for his precious editorial work. This section also constituted part of my upgrade matterial, and I thank Nicholas De Genova and Vikki Bell for their precious comments in their role as examiners.

[49] Note that there would be many other practitioners and authors I could gather on my side. Franco Berardi has recently argued that "We must learn to calculate the effect of any action on the social imagination" (Berardi 2004).

[50] A previous version of this section was published as "Perception management – Deterring potential migrants through information campaigns," in *Global Media and Communication*. 10 (3) (2014): 303-318. I thank Tristan Mattelart for his editorial comments.

[51] For a complementary perspective on the later evolution of cinema in the French colonies, see Rouch (1975).

[52] Franco Berardi referred to the concept of "image dispositif" in 2004 (Berardi 2004), and that of "media dispositif" in 2011 (Berardi and Coté 2011), drawing on the concept of "dispositif" as elaborated by Michel Foucault. However, Berardi never proposes a very precise formulation of either concepts. As such, I rather return to Foucault's notion of dispositif, discussed in a 1977 interview (although the concept was translated as "apparatus"): "What I'm trying to pick out with this term is, firstly, a thoroughly *heterogeneous ensemble* consisting of discourses, institutions, architectural forms, regulatory decisions, laws, administrative measures, scientific statements, philosophical, moral and philanthropic propositions–in short, the said as much as the unsaid. The apparatus itself is the *system of relations* that can be established between these elements. (…) The apparatus is essentially of a *strategic nature*, which means assuming that it is a matter of *a certain manipulation of relations of forces*, either developing them in a particular direction, blocking them, stabilizing them, utilising them etc. The apparatus is thus always inscribed in a play of power" (1980: 195–196, my emphasis).

[53] For a broader discussion of the question of transitions of empire and why I believe the history of colonialism offers a particularly rich archive of forms of government to understand the present, see my comments in the introduction to this thesis.

[54] There is a wide-ranging literature on the changing nature of the European Union's borders. Nieuwenhuys and Pécoud 2007 provide a useful summary precisely in relation to the role of information campaigns, but see also Balibar 2003; Walters 2009; Mezzadra 2011 and Migreurop 2013.

[55] In asking this question, it is useful to bear in mind the targeting of perception in other fields, in particular in the context of imperial wars (Massumi 2007, 2010) and the immatterial turn within contemporary capitalist production (Beller 2007). In these distinct but certainly related fields subjectivity, perception, desire, affect are being targeted put to work.

[56] http://www.iom.int/jahia/Jahia/about-migration/migration-management-foundations/man-aging-perception (accessed December 2012). Meanwhile, this page has been removed, but its content can be found in other documents such as http://www.iomdakar.org/profiles/sites/default/files/V1-8-Managing%20Perceptions.ppt (accessed Mai 2015).

[57] http://www.iom.int/senegal/cameroun.html "L'Organisation Internationale pour les Migrations (OIM) Yaoundé – Campagne publique d'information sur les dangers de la migration irrégulière". Document accessed September 2012 but no longer available.

[58] An earlier version of this section was first presented at "PHOTO-LEXIC: The Forensic Dimensions of Photography", a conference organised by Ariella Azoulay and the Centre for Research Architecture at Goldsmiths, London in March 2011. This matterial was published in *Philosophy of Photography*, vol. 2, no. 1 (2011): 21–31 and in *Forensis: The Architecture of Public Truth*, ed. Forensic Architecture (Berlin: Sternberg Press, 2014). I am grateful to the editors for their comments.

[59] In asking these questions, I am drawing inspiration from the work of Thomas Keenan (2004), I discussed in more detail in my introduction.

[60] In emphasising the polysemy of the word exposure, I draw on Georges Didi-Huberman (2012).

[61] See "More than 350 people feared dead in wreck 1 km from Lampedusa," *WatchTheMed*, 3 October 2013, http://watchthemed.net/reports/view/31 (accessed May 2015).

[62] See for example Commissioner Malmström's intervention on Lampedusa during the Home Affairs Council press conference, Luxembourg, 8 October 8 2013, http://europa.eu/rapid/press-release_MEMO-13-864_en.htm (accessed May 2015).

[63] Olivier Clochard, Stéphane Maugendre, Abderrhamane Hedhili, Filippo Miraglia, Mehdi Alioua, Karim Lahidji, and Michel Tubiana, "Lampedusa: l'Europe assassine," *Libération*, 4 October 2013, http://www.liberation.fr/monde/2013/10/04/lampedusa-l-europe-assassine_937029 (accessed May 2015).

[64] See the UNHCR data contained in p.8 of the Report of the United Nations High Commissioner for Human Rights, "The situation of migrants and asylum-seekers fleeing recent events in North Africa", 1 September 2011, available at http://www2.ohchr.org/english/bodies/hrcouncil/docs/18session/A.HRC.18.54_en.pdf.
See also the data gathered by Fortress Europe at the end of May 2011: http://fortresseurope.blogspot.ch/2011/05/mai-cosi-tanti-1510-morti-in-5-mesi-nel.html (accessed May 2015).

[65] http://fortresseurope.blogspot.com/p/fortezza-europa.html

[66] Jack Shenker, "Aircraft carrier left us to die, say migrants", *The Guardian*, 8 May 2011, available at http://www.guardian.co.uk/world/2011/may/08/nato-ship-libyan-migrants (accessed May 2015).

67 Stefano Liberti, "La NATO dov'era?", *Il Manifesto*, 14 April 2011. available at http://www.ilmanifesto.it/approfondimenti/immigrazionenaufragio-63-morti-risposta-nato/immigrazionenaufragio-63-morti/ (accessed May 2015); Emiliano Bos, "Quell'elicottero che non è tornato a salvarci", *RSI*, 15 April 2011, available at http://info.rsi.ch/home/channels/informazione/info_on_line/2011/04/15--Lelicottero-che-non--tornato-a- (accessed May 2015).

68 Human Rights Council, *Report of the United Nations Fact Finding Mission on the Gaza Conflict*, 15 September 2009, available at http://www2.ohchr.org/english/bodies/hrcoun-cil/specialsession/9/docs/UNFFMGC_Report.pdf (accessed May 2015).

69 For a discussion of the relation between these perspectives, see Kurgan 2013.

70 A previous version of this text appeared as Chalres Heller, Lorenzo Pezzani and SITU Research, "Left-to-Die-Boat," In *Forensis: The Architecture of Public Truth* (Berlin: Sternberg Press, 2014). It offers a summary of our *Report on the Left-to-die boat* (London: Forensic Architecture, 2012). Available at http://www.forensic-architecture.org/wp-content/uploads/2014/05/FO-report.pdf (accessed May 2015).

71 UNHCR, "Mediterranean takes record as most deadly 4 stretch of water for refugees and migrants in 2011," Briefing Notes, 31 January 2012, available at http://www.unhcr.org/4f27e01f9.html (accessed May 2015).

72 The main text framing this obligation is the United Nations Convention on the Law of the Sea, December 10 1982 1833 U.N.T.S. 397 (UNCLOS), which states in Article 98 (1): "Every State shall require the master of a ship flying its flag, in so far as he can do so without serious danger to the ship, the crew or the passengers: (a) to render assistance to any person found at sea in danger of being lost; (b) to proceed with all possible speed to the rescue of persons in distress, if informed of their need of assistance, in so far as such action may reasonably be expected of him."

73 The list of organizations belonging to this coalition includes: The Aire Centre, Agenzia Habeshia, Associazione Ricreativa e Culturale Italiana (ARCI), Associazione per gli Studi Giuridici sull'Immigrazione (ASGI), Boats4People, Canadian Centre for International Justice, Coordination et initiatives pour réfugiés et immigrés (Ciré), Fédération internationale des ligues des droits de l'Homme (FIDH), Groupe d'information et de soutien des immigrés (GISTI), Ligue belge des droits de l'Homme (LDH), Ligue française des droits de l'Homme (LDH), Migreurop, Progress Lawyers Network, Réseau euro-méditerranéen des droits de l'Homme (REMDH), and Unione Forense per la Tutela dei Diritti Umani (UFTDU).

74 For a discussion of the relation between these perspectives, see Kurgan 2013.

75 An earlier version of this section was published in *Forensis*: *The Architecture of Public Truth*, edited by Forensic Architecture, 657–685. (Berlin: Sternberg Press, 2014).

76 See http://fortresseurope.blogspot.com/p/la-fortezza.html and http://www.unitedagainstracism.org/pdfs/listofdeaths.pdf (accessed December 2013).

77 For an insightful discussion of this work see Steinberg 2011.

78 For an important historical review of the shifting practices of cartography of oceans in relation to changing forms of governance and ideologies, see Steinberg 2001: 99–109 and 2009b: 467–95.

79 Philip Steinberg (1999: 254–64) traces this period back to the 1493 Papal bull. The bull was formalized and amended the following year by the Treaty of Tordesillas.

80 English translations of these Latin texts have been published as Hugo Grotius, *The Freedom of the Seas, or the Right Which Belongs to the Dutch to Take Part in the East Indian Trade*, trans. Ralph Van Deman Magoffin (New York: Oxford University Press,

1916) and John Selden, *Of the Dominion, or Ownership of the Sea: Two Books* (New York: Arno, 1972).

[81] Steinberg 2001: 97 and 105. It should also be remembered that both thinkers were writing from the perspective and in the service of mercantilist states which were challenging Iberian maritime supremacy. See Miéville 2006: 211.

[82] Before the emergence of relatively independent scientific institutions, oceanographic knowledge was produced by sailors involved in military and commercial activities. Even at the turn of the nineteenth century, scientists frequently operated within naval institutions and relied on their infrastructure; the fact that the ships associated with the pioneers of oceanography were exclusively military is a striking expression of this. For a general overview of the emergence of oceanography, see Garrison 2009: 22–44. For more specific and theorized examples, see Reidy 2008: 222–37; and Burnett 2009: 185–255.

[83] Lauren Benton shows how since early modern times imperial visions of the ocean were "organized around the discovery and militarisation of maritime passages" (2010: 106).

[84] This report further notes that approximately 30% of international sea-borne volume originates from or is directed towards the 300 ports in the Mediterranean Sea.

[85] For the United Nations Office of the High Commissioner for Refugees (UNHCR) specification of those practices that should be covered by the term "interception," see UNHCR 2003. For the use of the "right to visit" as the basis for interception, see Parliamentary Assembly of the Council of Europe (PACE) 2011.

[86] AIS (Automatic Identification System) is a ship-borne transponder system designed for maritime safety and in particular collision avoidance. It provides information as to identification, position, speed, course. This live data is made publicly accessible on different websites such as marinetraffic.com. While mandatory for large commercial ships, the carriage of AIS is not required for certain categories of ships such as warships. VMS (Vessel Monitoring System) data is mandatory for fishing vessels longer than 15 m and is used to monitor fishing activities. While VMS operates in very much the same way as AIS data, it remains tightly controlled by state agencies. See European Commission / Joint Research Centre 2008.

[87] Such techniques are already being implemented by NATO, for example: see Commander Brian Finman, "Keeping the Med safe–how it's done", *NATO Review*, 19 May 2010. Available at: http://www.nato.int/docu/review/2010/maritime_security/EN/index.htm. EU agencies are still developing this practice, with the "Blue Hub" project of the EU's Joint Research Council (JRC) leading the way. See http://ipsc.jrc.ec.europa.eu/index.php/Projects/318/0/ and https://bluehub.jrc.ec.europa.eu/ (accessed September 2013).

[88] See the tests of the use of SAR imagery for the detection of small vessels described in European Commission / Joint Research Centre 2011.

[89] There are several more specific reasons for this, including the need for un- or de-qualified migrant labour in EU economies, the constraints imposed on liberal democracies by the human rights regime, and because once established, migratory networks tend to become self-sustaining and relatively autonomous from policies. See De Guchteneire and Pécoud 2006: 69–86.

[90] Here too social networks proved central: like many hundreds of people before and after them, the passengers in distress used a satellite phone to contact Father Mussie Zerai, an Eritrean priest living in Rome who has defended migrants crossing through Libya for several years, and whose phone number has circulated by word of mouth.

[91] This effect is explicitly recognised in the CIVIPOL report, which notes that while the majority of clandestine migration by sea uses "focal routes" of which "geography dictates the locations–straits or narrow passages where Schengen countries lie close to countries of transit or migration," they observe that "when a standard destination is shut off by surveillance and interception measures, attempts to enter tend to shift to another, generally more difficult, destination on a broader and therefore riskier stretch of water" (2003: 9). The effect has also been widely observed in academic literature–see for example De Haas 2008.

[92] This was the case, for instance, of Spain see Anderson 2012: 8. This was also the argument mobilized by the Italian government in the trial against Hirsi et al. at the European Court of Human Rights, as discussed in Tondini 2010.

[93] The Guidelines on the Treatment of Persons Rescued at Sea (adopted in May 2004 by the Maritime Safety Committee together with the SAR and SOLAS amendments) contain the following provisions: "The government responsible for the SAR region in which survivors were recovered is responsible for providing a place of safety or ensuring that such a place of safety is provided." MSC Res. 167(78), 2.5, Doc. MSC 78/26 /Add.2 (May 20, 2004).

[94] This dispute is well summarized by Gammeltoft-Hansen and Aalberts (2010: 21): "Italy has signed the 2004 amendments to the SAR and SOLAS conventions that stipulate that the migrants should be disembarked on the territory of the state within which's [sic] SAR zone its vessel is identified or intercepted. Malta however, due to the size of its SAR zone, has refused to ratify these amendments for fears that it would impose unrealistic obligations to disembark migrants rescued by other states and private vessels. Malta consequently maintains the interpretation that the coordinating country's obligation is to disembark rescued persons at the nearest safe port of call. This has led to tensions between Malta and Italy following a series of incidents where migrants were rescued in Malta's SAR zone yet closer to the Italian islands Lampedusa and Pantelleria. The result has been lengthy stand-off during which migrants have died, and a number of confrontations between Italian and Maltese naval vessels literally trying to block each other from entering its territorial waters and disembark rescued migrants."

[95] See the precedents we discuss in our Report on the Left-to-Die Boat (2012: 37).

[96] In his March 17, 1976 lecture, Foucault addressed the form of power over life–biopower–which emerged in the nineteenth century. Foucault argues that in the classical theory of sovereignty, the right of life and death was one of sovereignty's basic attributes, but was mainly exercised negatively, in the taking of subjects' lives. The new power over life that emerges in the nineteenth century is much more productive in that it revolves around the care for life and death, and is inflicted less through direct action than through the lack of care. In the process, the right over life and death was radically transformed: "sovereignty's old right—to take live or let live—wasn't replaced, but it came to be complemented by a new right which does not erase the old right but which does penetrate it. [...] It is the power to 'make' live and 'let' die" (Foucault 2003: 240–41).

[97] The recent work of Jean-Pierre Cassarino (2013) is an important reminder that these policies were not only imposed by the EU on Tunisia within highly unequal relations, but that the Ben Ali regime instrumentalised externalization policies to forward its own goals of political and social control.

[98] It should be noted that, contrary to the alarmist discourse of EU politicians, those fleeing Libya mostly remained within North Africa, with over 700,000 people fleeing to neighbouring countries and only 25,935 people arriving in Italy and 1,530 in Malta. See UNHCR, *Update no 13: Humanitarian Situation in Libya and the Neighbouring*

Countries, 24 March 2011, available at: http://www.unhcr.org/4d8b6a1f9.html (accessed September 2013).

[99] UNHCR, *Mediterranean takes record as most deadly stretch of water for refugees and migrants in 2011*, briefing notes, 31 January 2012, available at: http://www.unhcr.org/4f27e01f9.html (accessed September 2013)

[100] Vice Admiral Rinaldo Veri, Commander of the NATO Maritime Command in Naples responsible for the embargo enforcement, stated on April 4, 2011 that "anyone who believes they can sail through NATO's layers of surveillance and interdiction needs to think again."
NATO, "VADM Veri holds Press Conference aboard ITS Etna", 4 April 2011, available at: http:// http://www.jfcnaples.nato.int/page167503642.aspx (accessed September 2013).

[101] For the initial press release by the French NGO GISTI (Groupe d'information et de soutien des immigrés), which made the explicit connection between surveillance and responsibility, see the GISTI press release of the 9 June 2011, available at: http://www.gisti.org/spip.php?article2304 (accessed September 2013).

[102] The report and other matterial we produced in relation to this case can be found here: http://www.forensic-architecture.org/case/left-die-boat/ (accessed September 2013).

[103] Concerning satellite imagery, see Parks 2009; Parks and Schwoch 2012; Kurgan 2013. For critical perspectives on GIS and mapping, see amongst others the works of Pickles 1995 and 2004, as well as Crampton 2010.

[104] Emiliano Bos and Paul Nicol, *Mare Deserto* (Switzerland, RSI, 24 January 2012) 52 min.; Stefano Liberti and Andrea Segre, *Mare Chiuso* (Italy, Zalab, 2012), 60 min.

[105] Following the "left-to-die boat" case, we have continued to collaborate with the migrants' rights movement through different investigations and by developing a new online and participatory mapping platform, "WatchTheMed", http://www.watchthemed.net./

[106] Part of the arguments in this section appeared in Charles Heller and Lorenzo Pezzani, "A disobedient gaze: strategic interventions in the knowledge(s) of maritime borders. *Postcolonial Studies*. 16 (3) (2013): 289-298; and Charles Heller and Lorenzo Pezzani, "Time to end the EU's left-to-die policy," *Open Democracy*, 26 June 2014, available at http://opendemocracy.net/can-europe-make-it/charles-heller-lorenzo-pezzani/time-to-end-eu%E2%80%99s-lefttodie-policy (accessed May 2015).

[107] For a broader discussion and "list" of problems, see Kennedy 2004.

[108] http://www.gisti.org/spip.php?article2710 (accessed May 2015).

[109] Note that this has precisely been the position of the Migreurop network concerning detention camps. See their "Call for the closure of camps for migrants, in Europe and beyond", 18 June 2010, available at http://www.migreurop.org/article1719.html?lang=fr (accessed May 2015).

[110] Rosenberg's wholesale condemnation of strategic litigation produced more nuanced responses, such as Cummings and NeJaime 2010.

[111] https://www.fidh.org/International-Federation-for-Human-Rights/europe/france/15722-french-army-to-explain-actions-regarding-death-of-63-migrants-in-left-to

[112] See http://watchthemed.net/reports/view/31 (accessed May 2015).

[113] See http://watchthemed.net/index.php/reports/view/33 (accessed May 2015).

[114] See: http://europa.eu/rapid/press-release_SPEECH-13-792_en.htm (accessed May 2015).

[115] See: http://www.ansamed.info/ansamed/en/news/sections/generalnews/2013/10/15/Immigration-Italy-launches-Mare-Nostrum-400-saved_9466386.html (accessed May 2015). For

an analysis of the Mare Nostrum operation see Tazzioli 2014 and Amnesty International 2014.

[116] "Lampedusa tragedy: 'My wife and daughter did not die for nothing'", *Malta Independent*, 20 July 2014, available at http://www.independent.com.mt/articles/2014-07-20/news/they-tried-to-help-us-and-made-a-big-mistake-but-i-forgive-them-5900992513/ (accessed May 2015).

[117] WTM's network now includes: Afrique Europe Interact, Boats4People, Forschungsgesellschaft Flucht & Migration, Welcome to Europe. It has been supported by: Medico International, Pro Asyl, Stiftung : do, Forensic Architecture and GISCorps.

[118] WatchTheMed is a customisation of the Ushahidi crowdmapping platform, which is frequently used in crisis situations and allows the "crowd" to report using different media. See Meier 2015.

[119] For a genealogy of the Eurosur project and a discussion of its aims and capabilities, see Heller and Jones 2014 and Casas-Cortes et. al 2014.

[120] Regulation (EU) No 1052/2013 of the European Parliament and of the Council of 22 October 2013 establishing the European Border Surveillance System (Eurosur), Official Journal of the European Union, 6 November 2013, available at http://frontex.europa.eu/assets/Legal_basis/Eurosur_Regulation_2013.pd (accessed May 2015).

[121] For a discussion of the connection with the underground railway of anti-slavery within migrants' rights activists discourse, see Georgi and Schatral 2012: 204.

[122] http://watchthemed.net/index.php/page/index/10 (accessed May 2015).

[123] For a deeper discussion of the Alarm Phone project, see Stierl 2015.

[124] On the role of Father Zerai, see: Mattathias Schwartz, "The Anchor," *The New Yorker,* 14 April 2014, available at http://www.newyorker.com/magazine/2014/04/21/the-anchor (accessed May 2015). another important actor who has emerged in relation to Syrian migrants since 2013 is Nawal Soudi. See for instance: Julia Huber, "Nawal Soufi, the Refugee Helper," *Human Dignity Forum,* available at 14 April 2014, http://www.human-dignity-forum.org/2015/01/nawal-soufi-the- refugee-helper/ (accessed May 2015).

[125] See the report of the Alarm Phone's support to more than 10 boats during the weekend of the 13-14 April 2015, which none the less ended with a shipwreck causing 400 deaths: http://watchthemed.net/index.php/reports/view/106. Another shipwreck causing the deaths of more than 800 people occurred a week later. See UNHCR, "Mediterranean boat capsizing: deadliest incident on record", Briefing Notes 21 April 2015, available at http://www.unhcr.org/553652699.html (accessed May 2015).

[126] Alarm Phone "The EU kills Refugees, Ferries not Frontex!", press release 19 April 2015, available at http://watchthemed.net/reports/view/110 (accessed May 2015).

[127] For a full list of participants see http://www.forensic-architecture.org/seminar/forensic-epidemiology/#toggle-id-1

[128] For the full brief see http://www.forensic-architecture.org/seminar/forensic-epidemiology/

[129] The ideas put forward in this chapter have been developed over several presentations. The first was given with Lorenzo Pezzani for the "Forensic Epidemiology" seminar at Goldsmiths College in London between 7–8 December 2012, and the ideas put forth in this context have continued to evolve in dialogue with him. The second was a conference organised by the *Frontexit* campaign in Brussels on 20 March 2013. During Summer 2013, I worked further on some of these ideas in the frame of a Geomatics course at the University of Geneva, where I was in dialogue with geostatiticians working on wildlife. Finally a version of this paper was presented at a meeting of the *Border Deaths* network in Amsterdam on the 28 November 2014. I benefited greatly

from comments at each of these moments. Because in this chapter I engage with fields in which I lack expertise, I sought dialogue with several researchers who responded generously. I was in dialogue with Olivier Clochard on migrants' death data; Gilda Pagio patiently answered my questions on statistics and helped me test some initial models (with the help of Gian Andrea Monsch as well). Historian Philip Misevic generously answered my questions concerning slave mortality and guided me through the slave trade database; Bouda Etemad also provided valuable insight on slave mortality. The section on multiple systems estimation was shaped by my exchange with Christian Robert and Rebecca Steorts. Brad McRae provided useful references concerning the use of connectivity modelling in relation to human as opposed to animal behaviour. Finally, drafts of this chapter received invaluable comments by Manuela Honegger, Gian Andrea Monsch and William Walters.

[130] As I write, the two main sources of documentation of migrants' deaths have not been updated in several months. My figure "more than 20.000 documented deaths" refers to the 16.500 deaths reported by *Fortress Europe* at 4 October 2014, to which one may add at least 3500 additional documented deaths until May 2015. For the Fortress Europe data see http://fortresseurope.blogspot.it/p/la-fortezza.html (accessed May 2015).

[131] For a genealogy of this concept and its application within migration and border studies, see Pezzani 2015: 15-16.

[132] It is worth quoting this passage at length: "I would like to suggest another way to go further toward a new economy of power relations, a way which is more empirical, more directly related to our present situation, and which implies more relations between theory and practice. It consists of taking the forms of résistance against different forms of power as a starting point. To use another metaphor, it consists of using this resistance as a chemical catalyst so as to bring to light power relations, locate their position, and find out their point of application and the methods used. Rather than analyzing power from the point of view of its internal rationality, it consists of analyzing power relations through the antagonism of strategies." (Foucault 1982: 208-226.)

[133] For a discussion of the development of "autonomist Marxism" and its reception in the English-speaking world, see Mezzadra 2009. For an example of a work that takes as its starting point the primacy of resistance, see the common work of Hardt and Negri (2000, 2004, 2009). Specifically within migration and border studies, researchers working from within the autonomist Marxist tradition have developed the "autonomy of migration" approach, see Mezzadra 2011.

[134] For a useful summary and discussion of Foucault inspired work on the entanglement of statistics and power, see Legg 2005, as well as Elden 2007 and Rose-Redwood (2012). For a discussion of non-governmental politics and its associated knowledge and aesthetic production, see the excellent edited volumes by Feher 2007; and McLagan and McKee 2013, but they do not discuss statistics specifically. Carl Death (2010) seeks to apply Foucault's perspective on counter-conducts to the study of social movements (my thanks to William Walters for pointing to this reference).

[135] See also Rose and Novas' more recent work (2003) on calculation of the self in the medical context.

[136] For a useful discussion of the (in)distinction between strategy and tactics, see Knox 2010.

[137] There is a wide literature and practice of tactical media from which I also draw inspiration. For an overview see Cubitt 2006. For a pioneering practice within the field of migration struggles, see Schneider 2002.

[138] For an overall understanding of transatlantic slavery and the slave trade, I draw mainly from Blackburn 2011; Klein 1999; and Eltis 1987.

[139] For a critical discussion of the way these narratives represented slaves see Wood 1999: 143-214.

[140] For an insightful discussion of the evolution of abolitionist estimates of mortality during the different stages of the slave trade, and the ongoing work of historians concerning this question, see Etemad 2008: 139-149.

[141] See http://www.slavevoyages.org/tast/database/methodology-02.faces (accessed May 2015).

[142] See the excerpts of Binstead's diary available at http://www.royalnavalmuseum.org/DiaryextractsChasingFreedomexhibitionroyalnavyandslavery.htm (accessed May 2015).

[143] If I use "free" in quotation marks is to mark a distance from considering any migration what so ever as completely free. The history of successive migration regimes teaches us that freedom and unfreedom exist on a continuum rather than as clear cut conditions, with a degree of freedom persisting in the most unfree conditions, and a degree of constraint always at work in those we might define as free.

[144] Martina Tazzioli (2013: 238-9) provides useful insights on Frontex's Risk Analysis reports. For a broader discussion of the politics of measuring Illegalised migrants within the EU, see Stenum 2012.

[145] It is worth quoting Nicolas de Genova's formulation at length: "Discursive formations that uphold and propagate the notion of migrant 'illegality' more than mere 'consequences' of a more elementary (prior) violation persistently serve as veritable conditions of possibility for the larger sociopolitical procedures that generate and sustain this 'illegality'. Such discursive formations must be understood to be complexes of both language and image, of rhetoric, text and subtext, accusation and insinuation, as well as the visual grammar that upholds and enhances the iconicity of particular fetishized figures of 'illegal immigration'. These images and discourses supply the rationale for what I have previously depicted as the Border Spectacle, a spectacle of enforcement at 'the' border, whereby migrant 'illegality' is rendered spectacularly visible (De Genova 2002 2005, pp. 242 9). Nevertheless, they are generated as the incessant and truly insatiable response to that same spectacle, as well. That is to say, matterial practices of immigration and border policing are enmeshed in a dense weave of discourse and representation, and generate a constant redundancy of still more of these languages and images (see e.g. Andreas 2000; Bischoff et al. 2010; Chavez 2001; Nevins 2002). The Border Spectacle, therefore, sets the scene a scene of ostensible exclusion, in which the purported naturalness and putative necessity of exclusion may be demonstrated and verified, validated and legitimated, redundantly. The scene (where border enforcement performatively activates the reification of migrant 'illegality' in an emphatic and grandiose gesture of exclusion) is nevertheless always accompanied by its shadowy, publicly unacknowledged or disavowed, obscene supplement: the large-scale recruitment of Illegalised migrants as legally vulnerable, precarious, and thus tractable labour" (De Genova 2013a: 1181)

[146] "Italy's EU immigration rescue call", *Euronews*, 23 February 2011, available at http://www.euronews.net/2011/02/23/italys-eu-immigration-rescue-call/ (accessed May 2015).

[147] Interview with Frontex' then Executive Director Ilkka Laitinen, *Eurasylum*, September 2010, available at http://www.eurasylum.org/092010-gen-brig-ilkka-laitinen/ (accessed May 2015). This is only one example of the incorporation of the question of deaths into the institutional arenas and discourses of the actors who participate in the government of illegalised migration, of which a genealogy is urgently needed.

[148] Statement by President of the European Commission José Manuel Barroso following his visit to Lampedusa, *European Commission*, 9 October 2013, available at http://europa.eu/rapid/press-release_SPEECH-13-792_en.htm (accessed May 2015).

[149] https://www.detective.io/detective/the-migrants-files/

[150] Carling applies the following scenarios to the calculation of the MMR:
- Baseline : the assumption is that in 1997 half of all migrants were intercepted and half of all deaths were registered ($\alpha A = \alpha F = 2$), and that this ration has remained constant.
- scenario A: increase in the effectiveness of border control, raising the interception rate gradually from 50 percent in 1997 to 80 percent in 2004. In terms of the migrant mortality rate, more efficient interception means a smaller denominator in the equation, and a higher mortality rate.
- Scenario B: possible increase in the proportion of undiscovered deaths, assuming that there is no change in the ratio of migrants that are intercepted. This could be the result of routes being diverted by surveillance means and that thus become less detectable even as surveillance increases. Scenario B assumes the multiplier for unregistered fatalities rises from 2 in 1997 to 3 in 2004.
- Scenario C: combines the increased interception rate of scenario A with the rise in undetected fatalities in scenario B, resulting in a rising curve (linear gradient 0.9). This would be the case for example if migrants must cross a great stretch of sea in which there are many undocumented deaths, but that those who do arrive, for example towards a small island as the Canaries of Lampedusa, are almost all intercepted.
- Scenario D: shows what would happen if the increase in interception efficiency from 50 to 80 percent also led to fewer unregistered fatalities. Such an effect has been pointed to by the proponents of border control. It would seem plausible in a very narrow stretch of sea, where surveillance covers the entire trajectory of migrants. This however is rarely the case.

[151] Hoover Green (2013) describes this equation as follows: "On the left, list A has 10 individuals, two of whom are also on list B. List B has eight individuals, two of whom are also on list A. We know from probability theory that the probability of being in a random list of size A from a population of size N is A/N. Similarly, the probability of being in a list of size B is B/N, and the probability of being in a list of size M is M/N. We also know that the probability of being in both A and B is the product of the individual probabilities: A/N * B/N. But "A and B" is the same as M, so we can write: A/N * B/N = M/N. From there, we can solve the equation for the unknown total population size, N: N = A*B/M. Lists A and B are the same size on both left and right (A=10, B=8). However, on the left, A and B overlap only a little, while on the right, A and B overlap very significantly (i.e., M is large compared to A and B). As expected, when we plug A, B and M into the equation above, we find that N (the overall population) is much larger when the overlap is small than when it is large." This is the model simplified to the extreme, and differences arise when then are more that two datasets.

[152] For a discussion of the Kosovo report, see Mijatovic 2006. See also Hoover Green 2013.

[153] Tatem et al. 2012 have used this method to analyse the spread of HIV-1 in sub-Saharan Africa. In the field of Archaeology, Howey 2011 has relied on connectivity modelling to model travel to a significant earthwork ceremonial centre during Late Prehistory in Northern Michigan. My thanks to Brad McRae for pointing to these references.

[154] McRae, email communication with author, 16 March 2015.

[155] IOM, "Migrant Deaths Soar as Mediterranean Sees Worst Tragedy in Living Memory", 19 April 2015, available at http://weblog.iom.int/migrant-deaths-soar-mediterranean-sees-worst-tragedy-living-memory (accessed May 2015).

[156] Ian Traynor, "EU draws up plans for military attacks on Libya targets to stop migrant boats", *The Guardian*, 10 May 2015, available at http://www.theguardian.com/world/2015/may/10/eu-considers-military-attacks-on-targets-in-libya-to-stop-migrant-boats (accessed May 2015). See Mogherini' actual statement at the UN Security Council on the 11th of May here : http://eu-un.europa.eu/articles/en/article_16189_en.htm

[157] Matteo Renzi, "Helping the Migrants Is Everyone's Duty", *New York Times*, 22 April 2015, available at http://www.nytimes.com/2015/04/23/opinion/matteo-renzi-helping-the-migrants-is-everyones-duty.html?_r=0 (accessed May 2015).

[158] Gabrielle Jackson, "UN expert: rich countries must take in 1 million refugees to stop boat deaths," *The Guardian*, 22 April 2015, available at http://www.theguardian.com/world/2015/apr/22/un-urges-wealthy-countries-to-take-one-million-syrian-refugees-in-next-five-years (accessed May 2015).

[159] Amongst many others, see Carens 1987; GISTI et al. 1997; Moulier-Boutang 1998; Hayter 2000; Cole 2000 and 2012; Bauder 2003 and 2013b; Samers 2003; Düvell 2003; Moses 2006; Pécoud and de Guchteneire 2007; GISTI 2011.

[160] http://afrique-europe-interact.net/38-1-Our-Network.html

[161] The work of Karl Marx is in this respect exemplary, for example in relation to his discussion of the "Irish Question". A contemporary exemplary work from a theorists addressing simultaneously migration and the world system is that of Saskia Sassen (see 1988 and 2007). A careful examination of the way several key authors analysing the world system such as (Giovanni Arrighi, Immanuel Wallerstein, David Harvey, Michel Hard and Antonio Negri) relate to migration would be necessary and I am convinced revelatory of their broader positions.

REFERENCES

Adriaensen et al. 2007. "Restoration and Increase of Connectivity among Fragmented Forest Patches in the Taita Hills, South-east Kenya." *CEPF project report*: 1-37.

Alderson, Christopher. 2009. "From Migrations to Migration: Birth of a Phenomenon." *unpublished thesis*. Carelton: Carleton University.

Agier, Michel. 2011. *Managing the Undesirables: Refugee Camps and Humanitarian. Government*. Cambridge and Oxford: Polity.

Agamben, Giorgio. 2014. "From the State of Control to a Praxis of Destituent Power." *Roar Magazine*, February 4. http://roarmag.org/2014/02/agamben-destituent-power-democracy/ (accessed May 2, 2015).

Agnew, John, and Corbridge Stuart. 1995. *Mastering Space: Hegemony, Territory and International Political Economy*. London: Routledge.

Agnew, John. 2005. "Sovereignty Regimes: Territoriality and State Authority in Contemporary World Politics." *Annals of the Association of American Geographers* 95, no. 2: 437-461.

Alioua, Mehdi. 2005. "La migration transnationale des Africains sub-sahariens au Maghreb: l'exemple de l'étape marocaine." *Maghreb-Machrek* 185: 37-58.

Alioua, Mehdi, and Charles Heller. 2013. "Transnational Migration, Clandestinity and Globalization – Sub Saharan Transmigrants in Morocco." In Sven Kesselring and Gerlinde Vogl, eds. *New Mobilities Regimes in Art and Social Sciences*. London: Ashgate Publishing.

American Association for the Advancement of Science (AAAS). 2009. *High-Resolution Satellite Imagery and the Conflict in Sri Lanka*. http://www.aaas.org/geotech/sri_lanka_2009 (accessed January 15, 2009).

Ameer, Abdulla, and Olof Linden, eds. 2008. *Maritime traffic effects on biodiversity in the Mediterranean Sea*. Malaga: IUCN Centre for Mediterranean Cooperation.

Amnesty International. 2014. "Lives adrift: refugees and migrants in peril in the central Mediterranean." London: Amnesty International's S.O.S. Europe campaign.

Amoore, Louise. 2006. "Biometric borders: Governing mobilities in the war on terror." *Political Geography* 25: 3363-51.

———. 2009. "Lines of sight: on the visualization of unknown futures." *Citizenship Studies* 13, no.1: 17-30.

Andersson, Ruben. 2012. "A Game of Risk: Boat migration and the business of bordering Europe." *Anthropology Today* 28, no. 6: 7-11.

Andreone, Gemma. 2004. "Observations Sur La 'Juridictionnalisation' de La Mediterranée." Annuaire Du Droit de La Mer 9: 7-25.

Andrijasevic, Rutvica. 2007. "Beautiful dead bodies: gender, migration and representation in anti-trafficking campaigns." Feminist Review 86: 24-44.

Andrijasevic, Rutvica, and William Walters. 2010. "The International Organization for Migration and the International Government of Borders." *Environment and Planning D: Society and Space* 28, no.6: 977-99.

Anghie, Antony. 2004. *Imperialism, Sovereignty and the Making of International Law*. Cambridge: Cambridge University Press.

Aradau, Claudia, and Tobias Blanke. 2010. "Governing circulation: A critique of the biopolitics of security." In Miguel de Larrinaga and Marc G. Doucet, eds. *Security and Global Governmentality: Globalization, Governance and the State*. London: Routledge.

Arendt, Hannah. 1958. *The Human Condition*. Chicago: University Chicago Press.

Arrighi, Giovanni.1992. Terence Hopkins, and Immanuel Wallerstein. "1989, The Continuation of 1968." *Review* 15, no.2: 221-242.

———. 1994. *The Long Twentieth Century. Money, Power, and the Origins of Our Times*. London: Verso.

———. 2000. "Globalization and historical macrosociology." In Janet Abu.Lughod, ed. *Sociology for the Twenty-First Century - Continuities and Cutting Edges*. Chicago: University Press Chicago.

———. 2002. "The African Crisis: World Systemic and Regional Aspects." *New Left Review II*, no.15.

———. 2003. "Lineages of Empire." In Gopal Balakrishnan, ed. *Debating Empire*. London and New York: Verso.

———. 2007. *Adam Smith in Beijing: Lineages of the Twenty-First Century*. London: Verso.

Arrighi, Giovanni, and Silver Beverly J. 1999. *Chaos and Governance in the Modern World System*. Minneapolis: University of Minnesota Press.

———. 2011. "End of the Long Twentieth Century." In Craig Calhoun and Geogi Derluguian, eds. *Business as Usual: The Roots of the Global Financial Meltdown*. New York: New York University Press.

Azoulay, Ariella. 2008a. *Acts of State: Photographic History of the Israeli Rule in the Occupied Territories, 1967-2007*. Tel-Aviv: Etgar.

———. 2008b. *The Civil Contract of Photography*. New York: MIT Press.

———. 2010. "What is a photograph? What is photography?" *Philosophy of Photography* 1, no. 1: 9-13.

———. 2012. *Civil Imagination: A Political Ontology of Photography*. London: Verso.

Bacon, David. 2013. *The Right to Stay Home: How US Policy Drives Mexican Migration*. Boston MA: Beacon Press.

Balibar, Etienne. 1988. *Race, Nation, Classe* (en collaboration avec I. Wallerstein). Paris: Editions La Découverte.

———. 1992. *Les frontières de la démocratie*. Paris: La Découverte.

———. 1994. *Masses, Classes and Ideas*. New York: Routledge.

———. 1999. "Le droit de cité ou l'apartheid?" In Etienne Balibar et al., eds. *Sans-papiers: l'archaïsme fatal*. Paris: Editions La Découverte.

———. 2002. *Politics and the other scene*. London: Verso.

———. 2003. *We, the People of Europe? Reflections on Transnational Citizenship*. Princeton: University Press.

———. 2011. "Balibar, le philosophe de l'égaliberté." *Le Nouvel Observateur*, 11 October. http://bibliobs.nouvelobs.com/essais/20111005.OBS1761/balibar-le-philosophe-de-l-egaliberte.html (accessed May 2, 2015).

———. 2012. "Justice and Equality: A Political Dilemma? Pascal, Plato, Marx." In Étienne Balibar, Sandro Mezzadra and Ranabir Samaddar, eds. *The borders of justice*. Philadelphia: Temple University.

Ball, Patrick et al. 2002. "Killings and Refugee Flow in Kosovo." *A report to ICTY*. American Association for the Advancement of Science and American Bar Association Central and East European Law Initiative.

Bancel, Nicolas, and Pascal, Blanchard. 1999. *De l'indigène à l'immigré*. Paris: Découvertes Gallimard.

Bancel, Nicolas et al. 2010. *Ruptures postcoloniales - Les nouveaux visages de la société française*. Paris: La Découverte.

Barthes, Roland. 1972. *Mythologies*. Annette Lavers, ed. and trans. New York: Hill and Wang.

Bashi, Vilna. 2004. "Globalized anti-blackness: Transnationalizing Western immigration law, policy, and practice." *Ethnic and Racial Studies* 27, no.4: 584-606.

Bauder, Harald. 2003. "Equality, Justice and the Problem of International Borders: The Case of Canadian Immigration Regulation." *ACME: An International E-Journal for Critical Geographies*, 2, no.2: 167-82.

———. 2013a. "Why We Should Use the Term Illegalized Immigrant." *RCIS Research Brief*, no. 2013/1: 1-7.

———. 2013b. "Open Borders: A Utopia?" *Spatial Justice*, n° 5 (December) http://www.jssj.org/wp-content/uploads/2013/09/JSSJ5-4-en1.pdf (accessed May 3, 2015).

Bayart, Jean-François. 2000. "Africa in the World: A History of Extraversion." *African Affairs* 9: 217-267.

Benjamin, Walter. 1970. "The Author as Producer." *New Left Review* 62, http://newleftreview.org/?page=article&view=135 (accessed January 2, 2015).

Beller, Jonathan. 2006. "Paying Attention." *Cabinet* 24, no. 7. http://www.cabinetmagazine.org/issues/24/beller.php (accessed December 10, 2014).

Bennett, Jane. 2004. "The Force of Things." *Political Theory* 32, no. 3: 347-37.

Benton, Lauren. 2010. *A Search for Sovereignty: Law and Geography in European Empires, 1400–1900*. Cambridge: Cambridge University Press.

Bensaad, Ali. 2012. "L'immigration en Libye: une ressource et la diversité de ses usages." *Politique africaine* 125: 83-103.

———. 2006. "The Militarization of Migration Frontiers in the Mediterranean." In Ursula Biemann and Brian Holmes, eds. *The Maghreb Connection*. Barcelona: Actar.

Ben-Yehoyada, Naor. 2011. "The Clandestine Central Mediterranean Passage." *Middle East Report* 261, no.41: 18-23.

Berardi, Franco. 2004. "The Image Dispositif." http://roundtable.kein.org/node/1152 (accessed May 10, 2015).

Berardi, Franco, and Coté Mark. 2011. "What is a media dispositif? Compositions with Bifo." *Journal of Communication Inquiry* 35, no. 4: 378-386.

Berg, Eric C. 2000. "Legal Ramifications of Digital Imaging in Law Enforcement." *Forensic Science Communications* 2, no. 4. http://www.f bi.gov/about-us/lab /forensic-science-communications/fsc/oct2000/berg .htm/ (accessed June 3, 2014).

Bertellini, Giorgio. 2013. "Film, national cinema, and migration." In Immanuel Ness and Peter Bellwood, eds. *The Encyclopedia of Global Human Migration*. London: Wiley-Blackwell.

Biemann, Ursula, and Brian Holmes, eds. 2006. *The Maghreb Connection*. Barcelona: Actar.

Bigo, Didier. 2002. "Security and Immigration: Toward a Critique of the Governmentality of Unease." *Alternatives* 27 (1 (supplement): 63-92.

———. 2014. "The (in)securitization practices of the three universes of EU border control: Military/Navy – border guards/police – database analysts." *Security Dialogue* 45: 209.

Blackburn, Robin. 2011. "The American Crucible: Slavery, Emancipation and Human Rights." London: Verso.

———. 2014. "Gunboat Abolitionism." *New Left Review* 87: 143-152.

Blue, Ethan. 2013. "Finding Margins on Borders: Shipping Firms and Immigration Control across Settler Space." *Occasion: Interdisciplinary Studies in the Humanities* 5, no.1.

Bouamama, Saïd and Pierre Tevanian. 2006. "Peut-on parler d'un racisme post-colonial?" In Pascal Blanchard et Nicolas Bancel, eds. *Culture post-coloniale 1961-2006*. Paris: Autrement.

Bouisset, Simon. 2005. "Quand l'étude du mouvement devient une science expérimentale."

http://www.biusante.parisdescartes.fr/histmed/medica/marey/marey02f.htm (accessed December 10, 2014).

Bojadzijev, Manuela. 2012. "Connecting some Dots: Migration, Colonialism, and Questions of Citizenship in Postcolonial Europe." In Eva Bischoff and Elisabeth Engel, eds. *Colonialism and Beyond: Race and Migration from a Postcolonial Perspective*. Berlin- Münster: Lit Verlag.

Branch, Jordan. 2012. "Colonial reflection' and territoriality: The peripheral origins of sovereign statehood." *European Journal of International Relations* 18, no. 2: 277-297.

Bhandar, Brenna. 2012. "Strategies of Legal Rupture: The Politics of Judgment." *Windsor Yearbook of Access to Justice* 30: 59-78.

Braudel, Fernand. 1976. The Mediterranean and the Mediterranean World in the Age of Philip II, 2nd ed., 2 vols. Sian Reynolds, trans. New York: Harper and Row.

Brecht, Bertolt. 1935. "Five Difficulties in Writing the Truth" http://roundtable.kein.org/sites/newtable.kein.org/files/brecht_fivedifficulties.pdf (accessed November 10, 2013).

Brown, Wendy. 2004. "'The Most We Can Hope For . . .': Human Rights and the Politics of Fatalism." *The South Atlantic Quarterly* 103, no. 2/3: 451-463.

Burnett, Graham. 2009. "Hydrographic Discipline Among the Navigators." In James Ackerman*, ed. The Imperial Map: Cartography and the Mastery of Empire*. Chicago: University of Chicago Press.

Butler, Judith. 2009. *Frames of War: When Is Life Grievable?* London: Verso.

Carens, Joseph H. 1987. "Aliens and Citizens: The Case for Open Borders." *Review of Politics* 49: 251-273.

Carling, Jørgen. 2007. "Migration Control and Migrant Fatalities at the Spanish-African Borders." *IMR* 41, no. 2: 316-343.

Carling, Jørgen, and Maria Hernandez Carretero. 2012. "Beyond 'kamikaze migrants': Risk taking in West African boat migration to Europe." *Human Organization* 71, no. 4: 407-416.

Casas-Cortes, Maribel et al. 2014. "Clashing Cartographies, Migrating Maps." In Lisa-Marie, Heimeshoff et al, eds. *Grenzregime II. Globale Politiken der Kontrolle – transnationale Ka¨mpfe der Migration*. Berlin: Assoziation A.

———. 2015. "New Keywords: Migration and Borders." *Cultural Studies* 29, no. 1: 55-87.

Casas-Cortes, Maribel, Cobarrubias, Sebastian, and John Pickels. 2012. "Re-bordering the neighbourhood: Europe's emerging geographies of non-accession integration." *European Urban and Regional Studies* 20, no.1: 37-58.

Cassarino, Jean-Pierre. 2013. "Tunisia's New Drivers in Migration Governance." *Paper presented at the International Studies Association Conferenc*e, San Francisco, CA, April 3-6.

Casemajor, Nathalie. forthcoming 2015. "Digital Materialisms: Six Frameworks for Digital Media Studies." *Westminster Papers in Communication and Culture (WPCC)*, Special issue on "The Internet and the Material Turn".

Castles, Stephen. 2015. "Migration, Precarious Work and Rights: Historical and Current Perspectives." In Carl-Ulrik Schierup et al. eds. *Migration, Precarity, & Global Governance: Challenges and Opportunities for Labour*. Oxford: Oxford University Press.

Castels, Stephen, De Hass, Hein, and Mark Miller. 2013. *The Age of Migration - International Population Movements in the Modern World (5th edition)*. New York: Palgrave.

Centre for Contemporary Cultural Studies. 1982. *The Empire Strikes Back: Race and Racism in 70s Britain*. Birmingham: Hutchinson University Library.

Chatterjee, Partha. 2004. "The Politics of the Governed." New York: Colombia University Press.

———. 2005. "Empire and nation revisited: 50 years after Bandung." *Inter-Asia Cultural Studies* 6, no. 4: 487-496.

Chan, Kam Wing. 2010. ''The Household Registration System and Migrant Labour in China: Notes on a Debate.'' *Population and Development Review* 36, no. 2: 357-64.

Chamoiseau, Patrick. 2013. "Lampedusa: ce que nous disent les gouffres." *Mediapart* 11. http://blogs.mediapart.fr/blog/patrick-chamoiseau/111013/lampedusa-ce-que-nous-disent-les-gouffres (accessed November 15, 2014).

Chetail, Vincent, ed. 2007. *Globalization, Migration and Human Rights: International Law under Review*. Bruxelles: Bruylant.

Chevalier, Philippe. 2004. *Michel Foucault, le Pouvoir et la bataille*. Nantes: Pleins Feux.

Civipol. 2003. "Feasibility study on the control of the European Union's maritime borders." *European Commission (JHA)*. http://www.ifmer.org/assets/documents/files/documents_ifm/st11490-re01en03.pdf (accessed May 4, 2015).

Clark, Arthur H. 1910. *The Clipper Ship Era, An Epitome of Famous American and British Clipper Ships, Their Owners, Builders, Commanders, and Crews, 1843-1869*. New York and London: G.P. Putnam's Sons.

Clochard, Olivier et al. 2013. "Lampedusa: l'Europe assassin." *Libération,* October. http://www.liberation.fr/monde/2013/10/04/lampedusa-l-europe-assassine_937029 (accessed May 5, 2015).

Cobarrubias, Sebastian, and John Pickles. 2009. "Spacing Movements: Mapping Practices, Global Justice and Social Activism." In Barney Warf and Santa Arias, eds. *The Spatial Turn: Interdisciplinary Perspectives*. New York: Routledge.

Cole, Phillip. 2000. *Philosophies of Exclusion: Liberal Political Theory and Immigration*. Edinburgh: Edinburgh University Press.

———. 2012. "The Ethics of Open Borders." Lecture delivered for the Conway Hall Ethical Society Sunday Morning Lecture Series, 9 December.

Comolli, Jean-Louis. 2009. *Cinéma contre spectacle*. Verdier: Lagrasse.

Cooper, Frederick. 2005. *Colonialism in Question: Theory, Knowledge, History*. Berkeley: University of California Press.

———. 2014. *Citizenship between Empire and Nation: Remaking France and French Africa, 1945–1960*. Princeton: Princeton University Press.

Cote, Mark. 2010. "Technics and the Human Sensorium: Rethinking Media Theory through the Body." *Theory & Event* 13, no. 4: 1092-1311.

Crampton, Jeremey W. 2001. "Maps as Social Constructions: Power, Communication and Visualization." *Progress in Human Geography* 25: 235-52.

———. 2003. "Cartographic Rationality and the Politics of Geosurveillance and Security." *Cartography and Geographic Information Science* 30, no.2: 135-148.

———. 2009. "Cartography: performative, participatory, political." *Progress in Human Geography* 33, no. 6: 840-848.

———. 2010. *Mapping: A Critical Introduction to Cartography and GIS*. Oxford & New York: Wiley-Blackwell Publishers.

Cresswell, Tim. 2006. *On the Move: Mobility in the Modern Western World*. London: Routledge.

———. 2010. "Towards a politics of mobility." *Environment and Planning D: Society and Space* 28, no. 1: 17-31.

Cubitt, Sean. 2005. "Distribution and Media Flows." *Cultural Politics* 1, no.2: 193-214.

———. 2006. "Tactical media." In Katharine Sarikakis and Daya Thussu, eds. *The ideologies of the internet*. New York: Hampton Press.

———. 2013. "Media Studies and New Media Studies." In John Hartley, Jean Burgess, and Axel Bruns, eds. *A Companion to New Media Dynamics*. London: Blackwell.

Cuomo, Raphael, and Maria Iorio. 2005-2007. *Sudeuropa*. Video. Geneva: Maghreb Connection.

Cummings, Scott L. 2010. "Lawyering for Marriage Equality." *UCLA Law Review* 57: 1262-1331.

Curran, James. 2002. *Media and Power*. London: Routledge.

Curran, James, and Michael Gurevitch. 1996. *Mass media and society*. London: Edward Arnold.

Curtin, Philip D. 1969. *The Atlantic Slave Trade: A Census*. Madison: University of Wisconsin P.

Cuttittta, Paolo. 2006. "Points and lines. A topography of borders in the global space." *Ephemera: theory and practice in organization* 6, no. 1: 27-39.

———. 2007. "Le monde-frontière. Le contrôle de l'immigration dans l'espace globalise." *Cultures & Conflits*, no. 68: 61-84.

Czaika, Mathias and Hein de Haas. 2013. "The Effectiveness of Immigration Policies." *Population and Development Review* 39, no. 3: 487-508.

Dalby, Simon. 2014. "Rethinking Geopolitics: Climate Security in the Anthropocene." *Global Policy* 5, no. 1.

De Genova, Nicholas. 2002. "Migrant "Illegality" and Deportability in Everyday Life." *Annual Review of Anthropology* 31: 419-447.

———. 2010a. "Migration and Race in Europe: The Trans-Atlantic Metastases of a Post-Colonial Cancer." *European Journal of Social Theory* 13, no. 3: 405-419.

———. 2010b. "The Queer Politics of Migration: Reflections on "Illegality" and Incorrigibility." *Studies in Social Justice* 4, no. 2: 101-126.

-———. 2012. "Border, Scene and Obscene." In Thomas Wilson and Hastings Donnan, eds. *A Companion to Border Studies*. London: Wiley-Blackwell.

———. 2013a. "Spectacles of migrant 'illegality': the scene of exclusion, the obscene of inclusion." *Ethnic and Racial Studies* 36.7: 1180-1198.

———. 2013b. "The Perplexities of Mobility." In Ola Söderström et al., eds. *Critical Mobilities*. London: Routledge - and - Lausanne: Presses Polytechniques et Universitaires Romandes.

———. 2013c. "The free movement of people around the world would be utopian." (speaking *Against* the motion) *International Union of Anthropological and Ethnological Sciences*, 17th World Congress, Manchester; 9 August. http://www.nicholasdegenova.net/13.html (accessed May 2, 2015).

De Guchteneire, Paul and Antoine Pecoud. 2006. "International Migration, Border Controls and Human Rights: Assessing the Relevance of a Right to Mobility." *Journal of Borderlands Studies* 21, no. 1: 69-86.

———. 2007. *Migration without Borders. Essays on the Free Movement of People*. Oxford: Berghahn Publishers.

De Graffenried, Valérie. 2007. "La Suisse finance un projet au Cameroun pour freiner la migration clandestine." *Le Temps*, 7 July. http://www.letemps.ch/Page/Uuid/0965ef6a-ac2911ddbf59ad3d6140ad87/La_Suisse_finance_un_projet_au_Cameroun_pour_frei ner_ la_migration_clandestine (accessed September 10, 2014).

———. 2008. "La Suisse envisage d'étendre au Congo sa campagne contre la migra-tion clandestine." *Le Temps*, 7 January. http://www.letemps.ch/Page/Uuid/d7ac3496a9f511ddbf59ad3d6140ad87/La_Suisse_ envisage_d%C3%A9tendre_au_Congo_sa_campagne_contre_la_migration_clandest ine (accessed September 10, 2014).

De Haas, Hein. 2008. "The myth of invasion: The inconvenient realities of migration from Africa to the European Union." *Third World Quarterly* 29, no.17: 1305-1322.

———. 2011. "The determinants of international migration Conceptualizing policy, origin and destination effects." *IMI Working Papers Series* 32: 2-35.

De Haas, Hein, and Mathias Czaika. 2013. "Measuring Migration Policies: Some Conceptual and Methodological Reflections." *Migration and Citizenship* 1, no. 2: 40-47.

De Haas, Hein, Natter, Katharina, and Simona Vezzoli. 2014. "Growing restrictiveness or changing selection? The nature and evolution of migration policies." *IMI Working Papers Series*, no. 96:

De Jomini, Antoine – Henri (translated by G.H. Mendell and W.P. Lieut). 1862. *The art of war*. London: Dover Books.

De Landa, Manuel. 2011. "Emergence, Causality and Realism." In Levi Bryant, Nick Srnicek and Graham Harman, eds. *The Speculative Turn: Continental Materialism and Realism*. Melbourne: re.press.

Deleuze, Gilles. 1986. *Foucault*. Paris: Minuit.

———. 1992. "Postscript on the Societies of Control." *October* 59: 3-7.

Demos, T J. 2013. *The Migrant Image: The Art and Politics of Documentary during Global Crisis*. Duke: Duke University Press.

Depledge, Duncan. 2013. "Geopolitical material: Assemblages of geopower and the constitution of the geopolitical stage." *Political Geography*: 1-2.

Diawara, Manthia. 1992. *African cinema: politics & culture*. Bloomington: Indiana University Press.

Didi-Huberman, Georges. 2009. "How to Open Your Eyes." In *Harun Farocki: Against What? Against Whom?* ed. Antje Ehmann and Kodwo Eshun. London: Raven Row/Koenig Books.

———. 2010. *Remontages du temps subi*. *L'Oeil de l'histoire*. Paris: Editions de Minuit.

———. 2012. *Peuples exposés, peuples figurants*. *L'Oeil de l'histoire*. Paris: Editions de Minuit.

Dittmer, Jason. 2013. "Geopolitical assemblages and complexity." *Prog Hum Geogr* 2.

Dominick, Joseph, and Roger D Wimmer. 2010. *Mass Media Research: An Introduction*. California: Wadsworth Publishing.

Dunlap, Charles. 2008. "Lawfare Today: A Perspective." *Yale Journal of International Affairs* 3: 146-154.

Düvell, Franck. 2003. "Some Reasons and Conditions for a World Without Immigration Restrictions." *ACME: An International E-Journal for Critical Geographies,* 2, no. 2: 201-209.

———. 2008. "Clandestine migration in Europe." *Social Science 16 Information* 47, no. 4: 479-97.

———. 2011a. "Irregular Immigration, Economics and Politics." *CESifo DICE Report* 9, no. 3: 60-68.

———. 2011b. "Paths into Irregularity: The Legal and Political Construction of Irregular Migration." *European Journal of Migration and Law* 13, no. 3: 175-195.

Elden, Stuart. 2007. "Governmentality, calculation, territory, Environment and Planning.*" D: Society and Space* 25: 562-580.

———. 2013. *The Birth of Territory*. Chicago: University of Chicago Press.

Eltis, David. 1987. *Economic Growth and the Ending of the Transatlantic Slave Trade*. New York, Oxford: Oxford University Press.

———. 1989. "Fluctuations in mortality in the last half century of the transatlantic slave trade." *Social Science History* 13, no. 3: 315-339.

Elwood, Sarah. 2010. "Geographic Information Science: Visualization, visual methods, and the geoweb." *Progress in Human Geography* 35, no.3: 401-408.

Etemad, Bouda. 2008. *Crimes et réparations. L'Occident face à son passé colonial*. Bruxelles: André Versaille éditeur.

European Commission. 2006. "Benita Ferrero-Waldner: Migration, External Relations and European Neighbourhood Policy." *EU Press Release* January 24. http://europa.eu/rapid/ (accessed November 4, 2014).

European Commission/ Joint Research Centre. 2008. *Integrated Maritime Policy for the EU, Working Document III, On Maritime Surveillance Systems*. Ispra: European Commission / Joint Research Centre. http://ec.europa.eu/maritimeaffairs/policy/integrated_maritime_surveillance/docume nts/maritime-surveillance_en.pdf (accessed December 10, 2013).

———. 2011. *Space-borne SAR Small Boat Detection Campaign–Italy & Spain*. Luxembourg: Publications Office of the European Union. http://publications.jrc.ec.europa.eu/repository/bitstream/111111111/24183/1/lbna250 65enn.pdf (accessed September 5, 2013).

Fanon, Franz. 2003. *The Wretched of the Earth*. New York: Grove Press.

Fargues, Philippe, et al. 2013. "Migrants smuggled by sea to the EU: facts, laws and policy options." *MPC Research Report* 09: 1-29.

Fargues, Philippe, and Sara Bonfanti. 2014. "When the best option is a leaky boat: why migrants risk their lives crossing the Mediterranean and what Europe is doing about it." *EUI*. Bruxelles: Migration Policy Centre.

Farocki, Harun. 2003. *War at a Distance*. Film. Berlin: Harun Farocki Filproduction.

———. 2004. "Le point de vue de la guerre." *Trafic* 50: 449.

Feher, Michel, ed. 2007. *Nongovernmental Politics*. New York: Zone Books.

Ferguson, James. 2006. *Global Shadows: Africa in the Neoliberal World Order*. Duke: Duke University Press.

Fisher, Andrew. 2009. "The involution of photography." *Radical philosophy* 157. http://www.radicalphilosophy.com/article/the-involution-of-photography-2 (accessed May 22, 2015).

Fleischer, Rasmus. 2003. "En Rörmokares Syn på Migration." *Arbetaren* 44: 18-19.

Foucault, Michel. 1975. *Surveiller et punir*. Paris: Gallimard.

———. 1977. *Discipline and Punish: The Birth of the Prison*. London: Vintage Books.

———. 1980. *Power/Knowledge, Selected Interviews and Other Writings, 1972–1977*. London: Harvester Press.

———. 1982. "The Subject and Power." *Critical Inquiry* 8, no. 4: 777-795.

———. 1990. *The History of sexuality*. New York: Vintage Books Edition.

———. 1994. "Dits et Ecrits 1954-1988." In Daniel Defert and François Ewald, eds. *Dits et Ecrits I, 1954-69; II, 1970-75; III, 1976-79 ; IIII, 1980-88*. ed., Paris: Gallimard.

———. 2002. "Confronting Governments: Human rights." In James Faubion, ed. Essential works of Foucault 1954-1984. Volume 3. London: Penguin.

———. 2003. "Society Must Be Defended": Lectures at the Collège de France, 1975-1976. David Macey, trans. New York: Picador.

———. 2004. Naissance de la Biopolitique, Cours au Collège de France, 1978-1979. Paris: Seuil/Gallimard.

———. 2007. *Security, Territory, Population*, : *Lectures at the Collège de France*, 1977-78. New York: Palgrve McMillian.

Fox, William and Crafton, William Bell. 1792. "An Address to the People of Great Britain, on the Propriety of Abstaining from West India Sugar and Rum." https://archive.org/details/addresstopeopleo00foxw (accessed May 3, 2015).

Frontex. 2014. "Africa – Frontex Intelligence Community Joint Report." http://www.statewatch.org/news/2014/dec/eu-africa-frontex-intell-report-2014.pdf (accessed May 3, 2015).

Flahaux, Marie-Laurence and Hein de Haas. 2014. "Migration from, to and within. Africa: the role of development and states." *IMI Working Papers Series* 105: 1-34.

Gammeltoft-Hansen, Thomas, and Tanja E.Alberts. 2010. "Sovereignty at Sea: The law and politics of saving lives in the Mare Liberum." *DIIS Working Paper*: 1-31.

Galtung, Johan. 1969. "Violence, Peace, and Peace Research." *Journal of Peace Research* 6, no.3: 167-191.

Garelli, Glenda, and Martina Tazzioli. 2013. "Challenging the Discipline of Migration: Militant Research in Migration Studies, an Introduction." *Postcolonial Studies* 16, no. 3: 245-249.

Garrison, Tom. 2009. *Essentials of Oceanography*, 5th ed. Belmont: Brooks/Cole Cengage Learning.

Geiger, Martin and Antoine Pecoud, eds. 2010. *The Politics of International Migration Management*. Palgrave, Macmillon: Houndmills.

Georgi, Fabian and Susanne Schatral. 2012. "Towards a Critical Theory of Migration Control: The Case of the International Organization for Migration (IOM)." In Fabian Geiger and Antoine Pécoud. *The New Politics of International Mobility - Migration Management and Its Discontents*. Osnabrück: Instituts für Migrationsforschung und Interkulturelle Studien (IMIS).

GISTI (Groupe d'information et de soutien des immigrés) et al. 1997. *Lettre ouverte à Lionel Jospin,* 10 July. Paris: GISTI et al. http://www.gisti.org/doc/actions/1997/jospin.html (accessed May 2, 2015).

GISTI, ed. 2009. *Défendre la cause des étrangers en justice*. Paris: Dalloz Liberarie/Gisti.

GISTI, ed. 2011. *Liberté de circulation : un droit, quelles politiques ?* Paris: GISTI.

———. 2011. "Le Gisti va déposer plainte contre l'OTAN, l'Union européenne et les pays de la coalition en opération en Libye", press release of the 9 of June 2011. http://www.gisti.org/spip.php?article2304 (accessed May 22, 2015).

Glissant, Edouard. 2005. *La Cohée du Lamentin*. Paris: Gallimard.

———. 2007. *Poétique de la relation*. Paris: Gallimard.

Go, Julian. 2009. "The 'New' Sociology of Empire and Colonialism." *Sociology Compass* 3: 1-14.

Godard, Jean-Luc. 1970. "What is to be done." *Afterimage*, n°1.

———. 1991. *Godard par Godard, Des années Mao aux années 80*. Paris: Flammarion.

Godard, Jean-Luc, and Anne-Marie Miéville. 1972. *Ici et Ailleurs*. Film. Paris: Gaumont Film Production.

———. 1979. "Nord contre Sud ou Naissance (de l'image) d'une nation." *Les cahiers du cinéma* 300.

Goodchild, Michael F. 2007. Citizens as sensors: the world of volunteered geography, *GeoJournal* 69: 211-221.

Gould, Philip. 2003. *Barbaric Traffic: Commerce and AntiSlavery in the Eighteenth-Century Atlantic World*. Cambridge: Harvard University Press.

Ghosh, Durba. 2012. "Another Set of Imperial Turns?" *The American Historical Review* 117, no. 3: 772-793.

Gregory, Derek. 2011a. "The everywhere war." *The Geographical Journal* 177, no. 3: 238-250.

———. 2011b. "From a View to a Kill : Drones and Late Modern War." *Theory Culture Society* 28: 188.

Grossman, Allan, and Aine O'Brien, eds. 2008. *Projecting Migration: Transcultural Documentary Practice*. London: Wallflower/Columbia University Press.

Grosz, Elizabeth. 2012. "Geopower." *Environment and Planning D: Society and Space* 30: 971-988.

Grusin, Richard. 2015. *The Nonhuman Turn*. Minesota: University of Minesota Press.

Hahamovitch, Cindy. 2003. "Creating Perfect Immigrants: Guestworkers of the World in Historical Perspective." *Labor History* 44, no. 1: 69-94.

———. 2014. "Slavery's Stale Soil: Indentured Servants, Guestworkers, and the End of Empire." *Presentation at the Program on the Study of Capitalism*. Harvard: Harvard University.

Hall, Stuart. 1973. "Encoding and Decoding in Television Discourse." *Stencilled Paper* no. 7. Birmingham: Centre for Contemporary Cultural Studies (CCCS).

———. 1980. "Introduction to media studies at the centre." In Stuart Hall et al., eds. *Culture, Media, Language*. London: Working Papers in Cultural Studies.

———. 1982. "The Rediscovery of 'Ideology*;* Return of the Repressed in Media Studies." In Michael Gurevitch et al., eds. *Culture, Society and the Media*: 55-90.

Hardt, Michael and Antonio Negri. 2000. *Empire*. Harvard: Harvard University Press.

———. 2004. *Multitude: War and Democracy in the Age of Empire*. London: Penguin Books.

———. 2009. *Commonwealth*. Harvard: Harvard University Press.

Hardt, Michael. 2011. "The Militancy of Theory." *South Atlantic Quarterly* 110, no. 1: 19-35.

Harvey, David. 2000. *Spaces of Hope*. Edinburgh: University of Edinburgh Press.

———. 2001. *Spaces of Capital: Towards a Critical Geography*. London: Routledge.

———. 2010. *The Enigma of Capital And the Crises of Capitalism*. Oxford: Oxford University Press.

Hayter, Teresa. 2000. "Open borders: the case against immigration controls." *Capital & Class* 75: 149-156.

Heller, Charles. 2005. *NEM-NEE*. Video, 40 min, FR, DE. Geneva: Haute Ecole Supérieure des Beaux Arts of Geneva.

———. 2006a. "Crossroads at the Edge of Worlds, Sub-Saharan Transit Migration." In Ursula Biemann and Brian Holmes, eds. *The Maghreb Connection*. Barcelona: Actar.

———. 2006b. *Crossroads at the Edge of Worlds - Sub-Saharan Transit Migration in Morocco*. Video, 40 min, FR, EN, AR. Geneva: Maghreb Connections.

———. 2009. "Perception management." Video, 10 min, EN. https://vimeo.com/37100348 (accessed September 13, 2014).

———. 2009. *Home Sweet Home – the Swiss Migration Regime*. Film, 90 min, FR, DE. Geneva: Charles Heller.

———. 2011a. "Fractured Chains of Custody." *Philosophy of Photography* 2, no. 1: 21-31.

———. 2011b. "From images of Migration to the Migration of Images." *Photoworks*. http://photoworks.org.uk/category/from-the-archive/from-issue-17/ (accessed February 23, 2015).

———. 2014a. "Image/migration." In Tobias Hering, ed. *Der Standpunkt der Aufnahme – Point of View: Perspectives of Political Film and Video Work*. Berlin: Archive Books.

———. 2014b. "Perception management – Deterring potential migrants through information campaigns" *Global Media and Communication*. 10 (3): 303-318.

———. 2014c. "Fractured chains of custody." In Forensic Architecture, ed. *Forensis: The Architecture of Public Truth*. Berlin: Sternberg Press.

Heller, Charles, and Branwen Gruffydd Jones. 2013. "Networks and infrastructures of political agency." In Bice Maiguashca and Rafael Marchetti, eds. *Contemporary*

Political Agency; Theory and Practice in the Era of Globalisation. London: Routledge.

Heller, Charles, and Chris Jones. 2014. "Eurosur: saving lives or reinforcing deadly borders?" *Statewatch Journal* 23, no 3/4. http://database.statewatch.org/article.asp?aid=33156 (accessed May 15, 2015).

Heller, Charles, and Lorenzo Pezzani. 2012. *Testimony of Dan Haile Gebre, part of the Report on the Left-to-die boat*. Online Video. http://www.forensic-architecture.org/case/left-die-boat/ (accessed February, 23 2015).

———. 2013. "A disobedient gaze: strategic interventions in the knowledge(s) of maritime borders." *Postcolonial Studies* 16, no. 3: 289-98.

———. 2014a. " Liquid Traces: Investigating the Deaths of Migrants at the Maritime Frontier of the EU." In Forensic Architecture, ed. *Forensis: The Architecture of Public Truth*. Berlin: Sternberg Press.

———. 2014b. *Liquid Traces - The Left-to-Die Boat Case.* Video, 17 min, EN. London: Forensic Architecture (Goldsmith College London), Berlin: Haus der Kulturen der Welt. https://vimeo.com/89790770.

———. 2014c. "Time to end the EU's left-to-die policy." *Opendemocracy*. 26th June 2014. https://opendemocracy.net/can-europe-make-it/charles-heller-lorenzo-pezzani/time-to-end-eu%E2%80%99s-lefttodie-policy (accessed February, 23 2015).

———. 2014d. "Traces liquides:Enquête sur la mort de migrants dans la zone-frontière maritime de l'Union européenne." *Revue Européenne des Migrations Internationales* 30, n°3 and 4: 71-107.

Heller, Charles, Pezzani, Lorenzo, and Situ Research. 2012. *Report on the Left-to-Die Boat*. London: Forensic Architecture. http://www.forensic-architecture.org/wp-content/uploads/2014/05/FO-report.pdf (accessed December 10, 2013).

———. 2013. "Addendum to the Report on the Left-to-die boat. " *Forensic Architecture* http://www.forensic-architecture.org/investigations/forensic-oceanography/ (accessed May, 10 2014).

Helmreich, Stefan. 2011. "Nature/Culture/Seawater." *American Anthropologist* 113, no. 1: 132-144.

Hirst, Paul Q, and Grahame Thompson. 1996. *Globalisation in Question: The International Economy and the Possibilities of Governance*. Cambridge: Blackwell,

Hobson, John. 2013. "The Other Side of the Westphalian Frontier." In Sanjay Seth, ed. *Postcolonial Theory and International Relations*. London: Routledge.

Holmes, Brian. 2007. *Extradisciplinary Investigations*. Towards a New Critique of Institutions. http://eipcp.net/transversal/0106/holmes/en (accessed October 5, 2014).

House, Jim. 2006. "The Colonial and Post-colonial dimensions of Algerian migration to France." *History in Focus*, no.11. www.history.ac.uk/ihr/Focus/Migrations/articles/house.html (accessed October 5, 2014).

Howey, Meghan C.L. 2011. "Multiple pathways across past landscapes: circuit theory as a complementary geospatial method to least cost path for modeling past movement." Journal of Archaeological Science 38: 2523-2535.

Hoover Green, Amelia. 2013. "Multiple Systems Estimation: Stratification and Estimation." https://hrdag.org/mse-stratification-estimation/ (accessed March 20, 2015).

Huzzey, Richard. 2012. *Freedom Burning: Anti-Slavery and Empire in Victorian Britain*. Ithaca: Cornell University Press.

International Organization for Migration (IOM). 2006. *Stratégie régionale de Prévention de la Migration irrégulière en provenance de l'Afrique de l'Ouest et du Centre*. Dakar: IOM.

Kalm, Sara. 2008. "Governing Global Migration." *Lund Political Studies* 153: 1-280.

———. 2010. "Liberalizing Movements? The Political Rationality of Global Migration Management." In Martin Geiger and Antoine Pécoud, eds. *The Politics of International Migration Management*. Houndmills: Palgrave.

———. 2012. "Global migration management, order and access to mobility." In Antoine Pécoud and Martin, eds. *The New Politics of International Mobility - Migration Management and Its Discontents*. Institut für Migrationsforschung und Interkulturelle Studien 40.

Keenan, Thomas. 2002. "Publicity and Indifference: Media, Surveillance, Humanitarian Intervention." In Thomas Y. Levin, Ursula Frohne and Peter Weibel, eds. *CTRL [SPACE]: Rhetorics of Surveillance from Bentham to Big Brother*. Cambridge: The MIT Press.

———. 2004. "Mobilizing Shame." *South Atlantic Quarterly* 103, no 2-3: 435-449.

———. 2005. "Where are human rights…?" *Conference lectured at the Symposium "Arxipelago of Exceptions. Sovereignties of Extraterritoriality" CCCB November 2005*. http://www.publicspace.org/en/text-library/eng/b024-where-are-human-rights (accessed May 15, 2015).

———. 2014a. "Counter-forensics and Photography." *Grey Room* 55: 58-77.

———. 2014b. "Getting the dead to tell me what happened: Justice, prosopopeia and forensic afterlives." In Forensic Architecture, ed. *Forensis: The Architecture of Public Truth*. Berlin: Sternberg Press.

Kennedy, David. 2004. *The Dark Sides of Virtue: Reassessing International Humanitarianism.* Princeton: Princeton University Press.

Kittler, Friedrich. 2010. *Optical Media*. Cambridge: Polity Press.

Klein, Herbert S. 1999. *The Atlantic Slave Trade*. Cambridge: Cambridge Press.

Klein, Herbert S. and Stanley Engerman. 1997. "Long-Term Trends in African Mortality in the Transatlantic Slave Trade." *Slavery & Abolition A Journal of Slave and Post-Slave Studies* 18, no. 1: 36-48.

Klein, Herbert S. et al. 2001. "Transoceanic Mortality: The Slave Trade in Comparative Perspective." *William & Mary Quarterly, LVIII*, no. 1: 93-118.

Knorr Cetina, Karin. 2009. "The Synthetic Situation: Interactionism for a Global World." *Symbolic Interaction* 32, no. 1: 61-87.

Kopf, Françoise. 2010. "L'éradication des requérants d'asile déboutés en Suisse." *Vivre Ensemble,* no 129. http://www.asile.ch (accessed January 7, 2015).

Koskenniemi, Martti. 2010. "Human Rights Mainstreaming as a Strategy for Institutional Power." Humanity: An International Journal of Human Rights, Humanitarianism, and Development 1, no. 1: 47-58.

Krasner, Stephen. 1993. "Westphalia and all that." In Judith Goldstein and Robert Keohane, eds. Ideas and Foreign Policy: Beliefs, Institutions, and Political Change. Ithaca: Cornell University Press.

Krause, Franz. 2014. "Reclaiming flow for a lively anthropology." Suomen Antropologi: Journal of the Finnish Anthropological Society 39, no. 2: 92-96.

Knox, Robert. 2010. "Strategy and Tactics." Finnish Yearbook of International Law 21: 193-229.

Kurgan, Laura. 2013. *Close Up at a Distance: Mapping, Technology and Politics*. New York: Zone Books.

Laërce, Diogène. 1999. *Vies et doctrines des philosophes illustres*. Paris: Le Livre de poche (coll. La Pochotèque).

Lake, Marilyn and Henry Reynolds. 2008. *Drawing the Global Colour Line: White Men's Countries and the International Challenge of Racial Equality*. Cambridge: Cambridge University Press.

Larkin, Brian. 2008. *Signal and Noise: Media, Infrastructure, and Urban Culture in Nigeria*. Durham, NC: Duke University Press.

Latour, Bruno. 2004. "Scientific Objects and Legal Objectivity." In Alain Pottage and Martha Mondy Law, eds. *Anthropology and the Constitution of the Social: Making Persons and Things*. Cambridge: Cambridge University Press.

———. 2005. *Reassembling the Social: An Introduction to Actor-Network-Theory*. Oxford: Oxford University Press.

———. 2006. "Air." In Caroline A. Jones, ed. *Sensorium*. Cambridge: MIT Press.

———. 2013. "The Anthropocene and the Destruction of the Image of the Globe." *Latour's fourth Gifford Lecture*, Edinburgh. http://www.ed.ac.uk/schools-departments /humanities-soc-sci/news-events/lectures/gifford-lectures /archive/series-2012-2013/bruno-latour/lecture-four (accessed September 30, 2014).

Last, Tamara, and Thomas Spijkerboer. 2014. "Tracking deaths in the Mediterranean." In Tara Brian and Frank Laczko, eds. *Fatal Journeys: Tracking Lives Lost during Migration*. International Organisation of Migration.

Legg, Stephen. 2005. "Foucault's Population Geographies: Classifications, Biopolitics and Governmental Spaces." *Population Space Place* 11: 137-156.

Lenora D. Warren. 2013. "Insurrection at sea: violence, the slave trade, and the rhetoric of abolition." *Atlantic Studies: Global Currents* 10, no. 2: 197-210.

Livingstone, Sonia. 1996. "On the continuing problems of media effects research." In James Curran and Michael Gurevitch, eds. *Mass Media and Society*. London: Edward Arnold.

Lutterbeck, Derek. 2006. "Policing Migration in the Mediterranean." *Mediterranean Politics* 11, no. 1: 59-82.

Manning, Erin. 2009. *Relationscapes: Movement, Art, Philosophy*. Cambridge: MIT Press.

Manrique-Vallier, Daniel, Megan E. Price, and Anita Gohdes. 2013. "Multiple Systems Estimation Techniques for Estimating Casualties in Armed Conflicts." In Taylor B. Seybolt, Jay D. Aronson, and Baruch Fischhoff, eds. *Counting Civilian Casualties: An Introduction to Recording and Estimating Nonmilitary Deaths in Conflict*. Oxford: Oxford University Press.

Marey, Etienne-Jules. 1868. "Du mouvement dans les fonctions de la vie [cours public donné au 14 de la rue de l'Ancienne Comédie]. I. Exposition du sujet et de la méthode." *Revue des cours scientifiques de la France et de l'étranger,* n° 10: 170-174.

Massumi, Brian. 2007. "Potential politics and the primacy of pre-emption." *Theory & Event*, 10, no. 2: 49-54.

———. 2010. "Perception Attack: Brief on War Time." *Theory & Event*, 13, no 3: 501-508.

Marx, Karl. 1844. "On the Jewish Question." *Deutsch-Französische Jahrbücher* http://www.marxists.org/archive/marx/works/1844/jewish-question/ (accessed July 3, 2014).

Mbembe, Achille. 2001. *On the Postcolony*. Berkeley, CA: University of California Press.

———. 2003. "Necropolitics." *Public Culture* 15, no.1: 11-40.

———. 2005. "La République et sa Bête : À propos des émeutes dans les banlieues de France." *Africultures* 4, n° 65.

———. 2010. *Sortir de la Grande Nuit*. Paris: La Découverte.

———. 2011. *On the Postcolony*. California: University of California Press.

———. 2014. *Critique de la Raison Nègre*. Paris: La Découverte.

McCabe, Colin. 1980. *Godard: images, sounds, politics*. London: British Film Institute.

McKeown, Adam M. 2008. *Melancholy Order: Asian Migration and the Globalization of Borders*. Columbia: Columbia University Press.

McKeown, Adam, and José C. Moya. 2010. "Global Migration in the Long Twentieth Century." In Michael Adas, ed. *Essays on Twentieth Century History*. Philadelphia: Temple University Press.

McLagan, Meg. 2007. "Human rights, testimony, and transnational publicity." In Michel Fehr, ed. *Nongovernmental Politics*. Cambridge: Zone Books.

McLagan, Meg, and Yates McKee, eds. 2012. *Sensible Politics: The Visual Culture of Nongovernmental Activism*. Cambridge: MIT Press.

McRae, Brad H. et al. "Using circuit theory to model connectivity in ecology, evolution, and conservation." *Ecology* 89, no. 10: 2712-2724.

Meier, Patrick. 2015. *Digital Humanitarians: How Big Data is Changing the Face of Humanitarian Response*. Oxford: Taylor & Francis Press.

Mezzadra, Sandro. 2006. "Citizen and subject, a postcolonial constitution for the European Union." *Situations: Project of the Radical Imagination* 1, no. 2.

———. 2011. "The gaze of autonomy. Capitalism, migration, and social struggles." In Vicki Squire, ed. *The contested politics of mobility: borderzones and irregularity*. London: Routledge.

———. 2013. "Double opening, split temporality, and new spatialities: an interview with Sandro Mezzadra on 'militant research." *Postcolonial Studies* 16, no.3: 309-319.

Mezzadra, Sandro, and Neilson Brett. 2013. *Border as Method*. Duke: Duke University Press.

———. 2014. "The State of Capitalist Globlization." *Viewpoint*. https://viewpointmag.com/2014/09/04/the-state-of-capitalist-globalization/ (accessed February 16, 2015).

Mezzadra, Sandro and Federico Rahola. 2006. "The Postcolonial Condition: A Few Notes on the Quality of Historical Time in the Global Present." *Postcolonial Text* 2, no. 1. http://postcolonial.org/index.php/pct/article/view/393/819 (accessed June 23, 2014).

Miéville, China. 2006. *Between Equal Rights: A Marxist Theory of International Law*. London: Haymarket Books.

Migreurop. 2013. *Atlas of Migration in Europe: A Critical Geography of Migration Policies*. London: New Internationalist Publications.

Mijatovic, Boris. 2006. "Statistical Evidence" For the Investigation of International Crimes." *Bull Soc Sci Med Grand Duche Luxemb*. 2: 327-339.

Milanovic , Branko. 2007. "Globalization and Inequality." In David Held and Ayse Kaya, eds. *Global Inequality: Patterns and Explanations*, London: Polity Press.

Mitropoulos, Angela, and Neilson Brett. 2006. "Exceptional Times, Non-governmental Spacings, and Impolitical Movements." *Vacarme*, 34. http://www.vacarme.eu.org/article484.html (accessed January 20, 2015).

Moser, Christof, and Marcel Odermatt Marcel. 2007. "So schrecken wir die Afrikaner ab." *Der Blick*, 24 November. http://www.blick.ch/news/ausland/so-schrecken-wir-die-afrikaner-ab- id147424.html (accessed September 10, 2014).

Moses, Jonathon W. 2006. *International Migration: Globalization's Last Frontier*. London: Zed Books.

Moulier Boutang, Yann. 1998. *De l'esclavage au salariat: Économie historique du salariat bridé*. Paris: Presse Universitaire de France.

Multiplicity. 2002. "Materials for a research programme on contemporary flows through the Mediterranean." *Archis* (September).

Murray Li, Tania. 2007. *The Will to Improve: Governmentality, Development, and the Practice of Politics*. Duke: Duke University Press.

Nancy, Jean-Luc. 2008. *Dis-Enclosure*, *The Deconstruction of Christianity*. Translated by Bettina Bergo, Gabriel Malenfant, and Michael B. Smith, trans. New York: Fordham University Press.

Nayyar, Deepak. 2013. "The South in the World Economy: Past, Present and Future." In Khalid Malik and Maurice Kugler, eds. *Human Progress and the Rising South*. New York: UNDP, United Nations.

Newman, David. 2006. "The lines that continue to separate us: borders in our `borderless' world." *Prog Hum Geogr* 30: 143-161.

Nieuwenhuys, Céline and Antoine Pécoud. 2007. "Human Trafficking, Information Campaigns, and Strategies of Migration Control."*American Behavioral Scientist* 50: 1674.

Nyers, Peter. 2012. "Moving borders. The politics of dirt." *Radical Philosophy* 174: 2-5.

Ohmae, Kenichi. 1995. *The End of the Nation-State*: *the Rise of Regional Economies*. New York: Simon and Schuster Inc.

Ortner, Sherry B. 2006. "Subjectivity And Cultural Critique." *Vibrant – Virtual Brazilian Anthropology* 3, no. 1. http://www.vibrant.org.br/issues/v3n1/sherry-b-ortner-subjectivity-and-cultural-critique/ (accessed January 3, 2015).

Osiander, Andreas. 2001. "Sovereignty, international relations, and the Westphalian myth." *International Organization* 55: 251-287.

Paglen, Trevor. 2014. "Operational Images." *e-flux*, no 59. http://www.e-flux.com/journal/operational-images/ (accessed February 4, 2015).

Papadopoulos, Dimitris, Stephenson, Niamh, and Vassilis Tsianos. 2008. *Escape Routes: Control and Subversion in the 21st Century*. London: Pluto Press.

Papastavridis, Efthymios. 2011a. "The Right of Visit on the High Seas in a Theoretical Perspective: Mare Liberum versus Mare Clausum Revisited." *Leiden Journal of International Law* 24, no. 1: 45-69.

———. 2011b. "Rescuing 'Boat People' in the Mediterranean Sea: The Responsibility of States under the Law of the Sea." *European Journal of International Law*, May 31. http://www.ejiltalk.org/rescuing-boat-people-in-the-mediterranean-sea-the-responsibility-of-states-under-the-law-of-the-sea/ (accessed December 5, 2013).

Papastergiadis, Nichos. 2000 *The Turbulence of Migration*. *Globalization, Deterritorialization und Hybridity*. Cambridge: Polity Press.

Panagiotidis, Efthimia, and Vassilis Tsianos. 2007. "Denaturalizing 'camps': Überwachen und Entschleuningen in der Schengener Ägäis-Zone." In Transit Migration Forschungsgruppe, ed. *Turbulente Ränder*. *Neue Perspektiven auf Migration an den Grenzen Europas*. Bielefeld: Transcript Verlag.

Parikka, Jussi. 2007. *Digital Contagions: A Media Archeology of Computer Viruses*. New York: Peter Lang.

———. 2011. "Operative Media Archaeology: Wolfgang Ernst's Materialist Media Diagrammatics." *Theory, Culture & Society* 28, no.5: 52-74.

Parikka, Jussy, and Erkki Huhtamo. 2011. *Media Archaeology*. *Approaches, Applications, Implications*. Berkeley: University of California Press.

Parks, Lisa. 2009. "Digging into Google Earth: An analysis of ''Crisis in Darfur." *Geoforum* 40: 535-545.

Parks, Lisa, and James Schwoch, eds. 2012. *Down to Earth: Satellite Technologies, Industries, and Cultures*. New Brunswick, NJ: Rutgers University Press.

Parliamentary Assembly of Council of Europe (PACE). 2011. *The interception and rescue at sea of asylum seekers, refugees and irregular migrants*, Doc. No. 12628. http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=18008&lang=en (accessed September 7, 2013).

———. 2012. *Lives lost in the Mediterranean Sea: who is responsible?* Strasbourg: Council of Europe. http://www.assembly.coe.int/CommitteeDocs/2012/20120329_mig_RPT.EN.pdf (accessed May 2015).

———. 2014. *The "left-to-die boat": actions and reactions*. Strasbourg: Council of Europe. http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=20940&lang=en (accessed May 2015).

Peabody, Sue. 2007. *Slavery, Freedom and the Law in the Atlantic World*. St.Martin: Bedford Books.

Pécoud, Antoine. 2008. *Campagnes d'information et contrôle de l'immigration irrégulière. Paper presented at the conference Terrains d'Asiles: Corps, espaces, politiques, Paris, 18–20 September*. terra.rezo.net/IMG/doc/PECOUD_terra.doc (accessed September 5, 2014).

———. 2011. "Le scénario "migrations sans frontières." In GISTI, ed. *Liberté de circulation : un droit, quelles politiques?* Paris: GISTI.

———. 2013a. "Freedom of movement." In *The Encyclopedia of Global Human Migration*. Oxford: Wiley-Blackwell.

———. 2013b. "Libre circulation, de l'idéal au politique." *Revue Projet* 335: 50-59.

Perkins, Chris. 2004. "Cartography - cultures of mapping: power in practice." *Progress in Human Geography* 28, no. 3: 38 -391.

Perry, Amanda T. 2012. "A Traffic in Numbers: The Ethics, Effects, and Affect of Mortality Statistics in the British Abolition Debates." *Journal for Early Modern Cultural Studies* 2, no. 4: 78-104.

Pezzani, Lorenzo. 2015. *Liquid traces: Spatial practices, aesthetics and humanitarian dilemmas at the maritime borders of the EU*. London: Centre for Research Architecture, Department of Visual Cultures, Goldsmiths University.

Pickles, John, ed. 1995. *Ground Truth: The Social Implications of Geographical Information Systems.* New York: Guilford.

———. 2004. *A History of Spaces: Cartographic reason, mapping and the geo-coded world*. London: Routledge.

———. 2006. "On the Social Lives of Maps and the Politics of Diagrams: A story of power, seduction, and disappearance." *Area* 38, no. 3: 347-350.

Plasa, Carl. 2007. "Stained with spots of human blood." *Atlantic Studies: Global Currents* 4, no. 2: 225-243.

Popescu, Gabriel. 2010. *Bordering and Ordering the Twenty-first Century*. London: Rowman & Littlefield Publishers.

Rancière, Jacques. 2001. "Ten Theses on Politics." *Theory & Event* 5, no. 3.

———. 2006. *The Politics of Aesthetics The Distribution of the Sensible*. London, New York: Continuum.

———. 2009a. *Le spectateur émancipé*. Paris: La fabrique.

———. 2009b. *Moments politiques. Interventions 1977–2009*. Paris: La Fabrique.

———. 2010. *Dissensus: On Politics and Aesthetics*. London, New York: Continuum.

Ratzel, Friedrich. 1897. *Politische Geographie*. Munich: Oldenbourg.

Ravenstein, Ernst. 1885. "Laws of Migration." *Journal of the Statistical Society* 48: 167-227.

Reidy, Michael. 2008. "The Royal Navy and the Rise of Modern Geophysics." *Trafalgar Chronicle* no. 18: 222-237.

Reuben Rose-Redwood. 2012. "With Numbers in Place: Security, Territory, and the Production of Calculable Space." *Annals of the Association of American Geographers* 102, no. 2: 295-319.

Revel, Judith. 2002. *Le vocabulaire de Foucault*. Paris: Ellipses.

———. 2010. *Foucault, une pensée du discontinu*. Paris: Editions Fayard.

Rieff, David. 1999. "The Precarious Triumph of Human Rights." *New York Times Magazine*, 8: 36-41.

———. 2002. *A Bed for the Night: Humanitarianism in Crisis*. London: Simon & Schuster.

Rigo, Enrica. 2005. "Citizenship at Europe's Borders: Some Reflections on the Post-colonial Condition of Europe in the Context of EU Enlargement." *Citizenship Studies* 9, no. 1: 3-22.

Robert, Valentine and Freudiger Alain. 2009. "Politiques migratoires et cinéma. Entretien avec Odile Robert (OIM) et Thomas Lorry (ODM)." *Décadrages* 14: 51-65.

Rose, Nikolas. 1999. *Powers of Freedom: Reframing Political Thought*. Cambridge: Cambridge University Press.

Rose, Nikolas, and Carlos Novas. 2003. "Biological citizenship." In Aihwa Ong and Stephen J Collier, eds. *Global Assemblages: Technology, Politics, and Ethics as Anthropological Problems*. Oxford: Blackwell Publishing.

Rosenberg, Gerald. 2005. "Courting Disaster: Looking for Change in all the wrong places." *Drake Law Review* 54: 795-827.

Rosenberg, Tina. 2012. "The Body Counter." *Foreignpolicy* 3 http://www.foreignpolicy.com/articles/2012/02/27/the_body_counter?page=full (accessed June 12, 2014).

Rouch, Jean. 1975. "The situation and tendencies of the cinema in Africa." *Studies in the Anthropology of Visual Communication* 2, no. 1: 51-58.

Ruffell, Alastair, and Jennifer McKinley. 2008. *Geoforensics*. Chichester: Wiley-Blackwell.

Said, Edward. W. 1999. *Out of Place: A Memoir*. London: Granta Books.

Samers, Michael. 1997. "The Production of Diaspora: Algerian Emigration from Colonialism to Neo–Colonialism (1840–1970)." *Antipode* 29: 32-64.

———. 2003. "Immigration and the Spectre of Hobbes: Some Comments for the Quixotic Dr. Bauder." *ACME: An International E-Journal for Critical Geographies* 2, no. 2: 210-217.

———. 2004. "An Emerging Geopolitics of Illegal Immigration in the European Union." *European Journal of Migration and Law* 6, no. 1: 27-45.

———. Forthcoming 2015. "The Political Geography of Migration." In John Agnew et al. eds. *The Companion to Political Geography*. London: Wiley Blackwell.

———. 2010. *Migration*. New York: Routledge.

Sanjay, Seth. 2009. "Historical Sociology and Postcolonial Theory: Two Strategies for Challenging Eurocentrism." *International Political Sociology* 3, no. 3: 334-338.

———. 2011. "Postcolonial Theory and the Critique of International Relations." *Millennium - Journal of International Studies* 40: 167.

Sassen, Saskia. 1988. *The Mobility of Labour and Capital: A Study in International Investment and Labour Flow*. New York: Cambridge University Press.

———. 2006a. *Territory, Authority, Rights: From Medieval to Global Assemblages*. Princeton: Princeton University Press.

———. 2006b. "Europe's Migrations: The Numbers and the Passions are Not New." *Third Text* 20, no. 6: 635-645.

———. 2007. *A Sociology of Globalization*. New York: W.W. Norton.

———. 2008. "The World's Third Spaces." *OpenDemocracy*. https://www.opendemocracy.net/article/the_world_s_third_spaces (accessed March 7, 2014).

———. 2010. *Expulsions*. Harvard : Harvard University Press.

Sayad, Abdelmalek. 1999. *La double absence. Des illusions de l'émigré aux souffrances de l'immigré*. Paris: Le Seuil.

Schapendonk, Joris. 2011. *Turbulent Trajectories Sub-Saharan African Migrants Heading North*. PhD thesis. Nijmegen: Radboud University Nijmegen.

Scheel, Stephan. 2013. "Autonomy of Migration Despite Its Securitisation? Facing the Terms and Conditions of Biometric Rebordering." *Millennium - Journal of International Studies* 41, no. 3: 575-600.

Schmitt, Carl. 2003. *The Nomos of the Earth in the International Law of the Jus Publicum Europaeum*. New York: Telos Press.

Schönwälder, Karen. 2004. "Why Germany's guestworkers were largely Europeans: The selective principles of post-war labour recruitment policy." *Ethnic and Racial Studies* 27, no. 2: 248-265.

Schuppli, Susan. 2013. "Walk-back technology. Dusting for fingerprints and tracking digital footprints." *Photographies* 6, no. 1: 159-167.

———. Forthcoming 2015. *Forensic Media & the Production of Evidence*. Cambridge: MIT Press.

Schneider, Florian. 2002. "New rules of the New Actonomy 3.0." In Okwui Enwezor et al. Democracy unrealized: Documenta 11, Platform 1. Ostfildern-Ruit: Hantje Cantz.

Schuster, Liza, and John Solomos. 2004. "Race, immigration and asylum: New Labour's agenda and its consequences." Ethnicities 4, no. 2: 267-300.

Scott, Ridley. 2001. *Black Hawk Down*. War film, EN. Columbia: Revolution Studios, Jerry Bruckheimer Films, Scott Free Productions.

Sekula, Allan, and Noël Burch. 2010. *The Forgotten Space*. Documentary, Essay film. Amsterdam: Doc.Eye Film, WILDart FILM.

Semple, Ellen, Churchill. 1911. *Influences of Geographic Environment: On the Basis of Ratzel's System of Anthropo-Geography.* New York: Henry Holt and Company.

Sen, Amartya. 1981. *Poverty and Famines: An Essay on Entitlement and Deprivation.* Oxford: Clarendon Press.

Sfard, Michael. 2014. "Legal Ruptures: A Conversation with Michael Sfard." In Forensic Architecture, eds. *Forensis: The Architecture of Public Truth.* Berlin: Sternberg.

Simone, Abdou Maliq. 2004. "People as Infrastructure: Intersecting Fragments in Johannesburg." *Public Culture* 16, no. 3: 407-429.

Smith, Evan, and Marinella Marmo. 2014. "The myth of sovereignty: British immigration control in policy and practice in the nineteen-seventies." *Historical Research* 87: 344-369.

Spijkerboer, Thomas. 2012. "Moving Migrants, States and Rights. Human Rights and Migrant." *Law and Ethics of Human Rights* 7, no. 2: 213-242.

Spiegel, Paul B, and Peter Salama. 2000. "War and mortality in Kosovo, 1998–99: an epidemiological testimony." *Lancet* 355: 2204-2209.

Squire, Vicky. 2011. "The Contested Politics of Mobility: Politicising Mobility, Mobilising Politics." In Vicky Squire, ed. *The contested politics of mobility: borderzones and irregularity*. London: Routledge.

Stallins, J. Anthony. 2012. "Scale, causality, and the new organism–environment interaction." *Geoforum* 43: 427-441.

Steinberg, Philip E. 1999. "Lines of Division, Lines of Connection: Stewardship in the World Ocean." *Geographical Review Geographical Review* 89, no. 2: 254-264.

———. 2001. *The Social Construction of the Ocean*. Cambridge: Cambridge University Press.

———. 2009a. "Oceans." In *International Encyclopedia of Human Geography*, ed. Nigel Thrift. Oxford: Elsevier Science.

———. 2009b. "Sovereignty, Territory, and the Mapping of Mobility: A View from the Outside." *Annals of the Association of American Geographers* 99, no. 3: 467-95.

———. 2011. "Free sea." In *Spatiality, Sovereignty and Carl Schmitt: Geographies of the Nomos*, ed. Stephen Legg. London: Routledge.

———. 2013a. *Oceans*. http://www.oxfordbibliographies.com/display/id/obo-9780199874002-0052 (accessed December 2013).

———. 2013b. "Of Other Seas: Metaphors and Materialities in Maritime Regions." *Atlantic Studies* 10, no. 2: 156-169.

———. 2014. "Mediterranean Metaphors: Travel, Translation, and Oceanic Imaginaries in the 'new Mediterraneans' of the Arctic Ocean, the Gulf of Mexico and the Caribbean." In Jon Anderson and Kimberley Peters, eds. *Water Worlds: Human Geographies of the Ocean*. Farnham: Ashgate.

Stenum, Helle. 2012. "Making Migrants Governable: Counting and defining the 'illegal migrant." *Journal of Nordic Migration Research* 2, no. 4: 280-288.

Steyerl, Hito. 2010. "A Thing Like You and Me". *E-flux* 15.

———. 2013. *The Wretched of the Screen*. Berlin: Sternberg Press.

Stierl, Maurice. 2015. "The Watch The Med Alarm Phone -A Disobedient Border-Intervention." *Movements* 1, no. 2.

Stuesse, Angela, and Mathew Coleman. 2014. "Automobility, Immobility, Altermobility: Surviving and Resisting the Intensification of Immigrant Policing." *City & Society* 26, no. 1: 51-72.

Suárez de Vivero, Juan Luis. 2010. *Jurisdictional Waters in The Mediterranean and Black Seas*. Brussels: European Parliament.

Susan Schuppli. 2014. *Material Witness*. Experimental Documentary. London: Forensic Architecture.

Tatema Andrew J et al. 2012. "Spatial accessibility and the spread of HIV-1 subtypes and recombinants." *AIDS* 26: 2351–2360.

Tazzioli, Martina. 2013. *Countermapping migration governmentality. Arab Uprisings and practices of migration across the Mediterranean, thesis*. London: Goldsmith University.

———. 2014. *Spaces of governmentality, autonomous migration and the arab uprisings*. London: Rowman & Littlefield International.

Teschke, Benno. 2003. *The Myth of 1648: Class, Geopolitics and the Making of Modern International Relations*. London: Verso.

Teubner, Gunther, and Andreas Fischer-Lescano. 2004. "Regime-Collisions: The Vain Search for Legal Unity in the Fragmentation of Global Law." *Michigan Journal of International Law*, 25: 999-1046.

Tondini, Matteo. 2010. "Fishers of Men? The Interception of Migrants in the Mediterranean Sea And Their Return to Libya." *INEX Paper* (October 2010): 1-28.

Torpey, John. 1997. "Coming and Going: On the State Monopolization of the Legitimate "Means of Movement"." In John Torpey, ed. *The Invention of the Passport. Surveillance, Citizenship and State*. Cambridge: Cambridge University Press.

Tsianos, Vassillis, Hess, Sabine and Seyrat Karakayali. 2009. "Transnational migration Theory and method of an ethnographic analysis of border regimes." *Working paper*. Sussex: Press University of Sussex.

Tsianos, Vassillis, and Seyrat Karakayali. 2010. "Transnational Migration and the Emergence of the European Border Regime: An Ethnographic Analysis." *European Journal of Social Theory* 13, no. 3: 373-387.

Tsing, Anna LoWenhaupt. 2005. *Friction: An Ethnography of Global Connection*. Princeton: Princeton University Press.

Tuck, Richard, and Michael Silverthorne, eds. 1998. *Hobbes: On the Citizen*. Cambridge: Cambridge University Press.

United Nations Development Programme (UNDP). 2009. *Overcoming Barriers: Human Mobility and Development*. *Human Development Report 2009* http://hdr.undp.org/en/media/HDR_2009_EN_Complete.pdf (accessed May 2, 2015).

United Nations Office of the High Commissioner for Refugees (UNHCR). 2003. *Conclusion on Protection Safeguards in Interception Measures*. Geneva: UNHCR. www.unhcr.org/excom/EXCOM/3f93b2894.html (accessed December 4, 2013)

———. 2014. "Central Mediterranean sea initiative, so close yet so far from safety." http://www.unhcr.org/542c07e39.pdf (accessed May 15, 2015).

Valadez, Jorge M. 2012. "Immigration, Self-determination, and Global Justice: Towards a Holistic Normative Theory of Migration." *Journal of International Political Theory* 8, no. 1-2: 135-146.

Van der Linden, Marcel. 2008. *Workers of the World: Essays toward a Global Labor History*. Leiden: Brill.

———. 2010. "Unanticipated consequences of "humanitarian intervention". *Theor Soc* 39: 281-298.

Van Houtum, Henk. 2010. "Human blacklisting: the global apartheid of the EU's external border régime, Environment and Planning D." *Society and Space* 28: 957-976.

Van Naerssen, Ton. 2014. "Imagining the Future of International Border Crossings." Presentation at Geographies of the Future, Lecture Series at the Department of Geography, University of Bonn, 27 November.

Victoria, Francisco de. 1917. "De Indis et de Ivre Belli Relectiones." In Ernest Nys, ed. and trans. *John Pawley Bate*. Washington, DC: Carnegie Institution of Washington.

———. 1991. *Vitoria: Political Writings*. eds. Anthony Pagden, Jeremy Lawrance. Cambrige: Cambrige University Press.

Von Clausewitz, Carl (translated by Graham, first published in 1832). 2010. *On War*. Auckland: The Floating Press.

Waal, Alex. 2002. "Human Rights Organisations And The Political Imagination: How The West And Africa Have Diverged." *Justice Africa.* http://www.justiceafrica.org/wp-content/uploads/2006/07/ DeWaal_Human RightsOrgandthePolitical Imagination.pdf> (accessed May 15, 2015).

Walters, William. 2002. "Mapping Schengenland: denaturalizing the border." *Environment and Planning D: Society and Space* 20, no. 5: 561-580.

———. 2004. "The Frontiers of the European Union: A Geostrategic Perspective." *Geopolitics* 9, no. 3: 674-698.

———. 2008. "Bordering the Sea: Shipping Industries and the Policing of Stowaways." *Borderlands e-journal* 8, no. 3: 1-25.

———. 2009. "*Europe's Borders.*" In Chris Rumford, ed. *Sage Handbook of European*. Studies, London: Sage.

———. 2010a. "Anti-Political Economy: Cartographies of "Illegal Immigration" and the Displacement of the Economy." In Jacqueline Best and Matthew Paterson, eds. *Cultural Political Economy*. London: Routledge.

———. 2010b. "Imagined Migration World: The EU and the Discourse of Anti-Illegal Immigration." In Martin Geiger and Antoine Pécoud, eds. *The politics of international migration management*. Basingstock: Palvgrave.

———. 2010c. "Migration and Security." In J. Peter Burgess ed. *The Handbook of New Security Studies*. London: Routledge.

———. 2011a. "Foucault and frontiers: notes on the birth of the humanitarian border." In Ulrich Bröckling, Susanne Krasmann and Thomas Lemke, eds. *Governmentality: Current Issues and Future Challenges*. New York: Routledge.

———. 2011b. "Where Are the Missing Vehicles? Critical Reflections on Viapolitics." Paper presented at the Summer School on "Border Crossing Selves", Hanyang University, Seoul, June 25-29.

———. 2013. "Foucault, migrations and borders." *materiali foucaultiani*, vol. II, n. 3: 201-213

Walzer, Michael. 1983. *Spheres of Justice: A Defense of Pluralism and Equality*. New York: Basic Books.

Wastl-Walter, Doris. 2011. *Ashgate Research Companion to Border Studies*. Farnham: Ashgate Publishing Limited.

Weizman, Eyal. 2007. *Hollow Land: Israel's Architecture of Occupation*. London: Verso.

———. 2010a. "Forensic architecture: Only the criminal can solve the crime." *Radical Philosophy* 164.

———. 2010b. "Political Plastic (Interview)." *Collapse VI*.

———. 2012a. "Forensic Architecture: Notes from Fields and Forums." In Documenta 13 ed. *100 Notes – 100 Thoughts*. Ostfildern : Hatje Cantz Verlag.

———. 2012b. *The Least of All Possible Evils: Humanitarian Violence from Arendt to Gaza*. London: Verso.

———. 2013. "Matters of Calculation: The Evidence of the Anthropocene, Eyal Weizman in Conversation with Heather Davis and Etienne Turpin." In Etienne Turpin, ed. *Architecture in the Anthropocene: Encounters Among Design, Deep Time, Science and Philosophy*. Michigan: Michigan University Press.

———. 2014. "Introduction: Forensis." In Forensic Architecture, ed. *Forensis: The Architecture of Public Truth*. Berlin: Sternberg Press.

Wimmer, Andreas, and Nina Glick Schiller. 2002. "Methodological nationalism and beyond: nation–state building, migration and the social sciences." *Global Networks* 2: 301-334.

Winant, Howard. 2004. *The New Politics of Race: Globalism, Difference, Justice*. Miseto: University Press.

Wilberforce, William. 1789. *The Speech of William Wilberforce, Esq. Representative for the County of York, on Wednesday the 13th of May, 1789, on the Question of the Abolition of the Slave Trade*. London: Logographic Press.

Wood, Marcus. 1999. *Blind Memory: Visual Representations of Slavery in England and America*. New York: Routledge.

Young, Robert JC. 2012. "Postcolonial Rens." *New Literary History* 43, no. 1: 19-42.

Zourabichvili, François. 1994. *Deleuze, une philosophie de l'événement*. Paris: PUF.