Teaching with the Deathscapes Website[*]

Background Photo: Behrouz Boochani.

What is Deathscapes About?

This research seeks new ways to document, understand and respond to the critical issue of racialized deaths in sites of state custody such as police cells, prisons and immigration detention centres. It brings together a cross-disciplinary and transnational team from four countries to examine the conditions under which Indigenous and border-related deaths occur, and to explore how legal and social accountability for them is assigned. Moving away from individual national contexts, it seeks to identify and map, at global as well as local levels, the shared institutional practices, technologies and explanatory frameworks that characterize custodial deaths in the key settler states of Australia, Canada and the United States. It connects these settler states to Britain and the European Union in order to expose the past and ongoing (post-)colonial relations that continue to inscribe this configuration. By exposing and naming the structures that produce racialized deaths, Deathscapes' ultimate aim is to stop these deaths.

Key Research Questions that Underpin the Deathscapes Project:

The key research questions of the project are:

- What are the interrelations and underlying frameworks (historical, biopolitical, social, legal) that underpin the occurrence of Indigenous and border deaths in the settler states of the study?
- How is the violence differentially focused and organized for each group?
- What collective strategies and actions, at local, community, and official levels, can be employed to prevent racialized violence and death in custody?
- What practices do communities of resistance engage in to make deaths in custody visible and to demand justice for those who have died?

Deathscapes Key Terms:

A range of key terms orient the analyses of cases of racialized deaths on the Deathscapes site. (All the key terms are explained the glossary on the site.) These key terms are what enable the critical unpacking of the various structures and mechanisms that are mobilised by both state and non-state actors (including private companies and contractors) in their everyday operations, including: in the policing, charging, transport and imprisonment of Indigenous people; in the patrolling of a nation's borders and in the imprisonment of asylum seekers and refugees in immigration detention camps.

In the context of the key terms used in Deathscapes, three terms in particular stand in overarching relation across all the cases examined in the site:

Settler Colonial State: refers to a nation-state that has been founded through an act of colonial invasion. More than imposing colonial rule over the Indigenous people that the invading power has subjugated, settler colonialism is characterised by the deployment of strategies and

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mechanisms driven by the desired *elimination* of the Indigenous people whose lands the occupying power has seized and their eventual *replacement* by the invading settlers (Wolfe 2006).

Roxanne Dunbar-Ortiz writes in *An Indigenous People's History of the United States:*
> Settler colonialism, as an institution or system, requires violence or the threat of violence to attain its goals. People do not hand over their land, resources, children, and futures without a fight and this fight is met with violence. In employing the force necessary to accomplish its expansionist goals, a colonizing regime institutionalizes violence. The notion that settler-indigenous conflict is an inevitable product of cultural differences and misunderstandings … blurs the nature of historical processes. Euro-American colonization … had from its beginnings, a genocidal tendency. (Ortiz-Dunbar 2014, 8)

Strategies by which a settler colonial nation attempts to eliminate Indigenous people include: racialized criminal justice regimes that target Indigenous subjects and that result in their removal from their communities, the consequent break-up of families and their cultural networks, and their resultant over-representation in the prison system with its high rate of Indigenous deaths in custody. Settler colonial mechanisms of replacement include the suppression of Indigenous law, language and culture and the imposition of the settlers' law, language and culture in the context of the occupied state. Indigenous nations deploy a wide range of tactics in order actively to resist and contest the imposition of settler rule over their lives and lands.

Sovereignty: refers to the supreme authority deployed by a state in order to govern its people and territories. Sovereignty is the principal power that underpins a state's institutions of governance (such as federal parliaments or Congress) and its laws and law-making powers (at both legislative and juridical levels). A nation's sovereignty is enforced and securitized by such repressive apparatuses as the police force (at the domestic level) and the military (to protect its borders and to fight off external threats).

As we demonstrate throughout the analyses of Deathscapes cases, the category of sovereignty is crucially tied to the operations of the settler state, precisely because the settler state stages, at the moment of its colonial foundation, a move to usurp or steal the sovereignty of the Indigenous nations that it has invaded, and to systematically replace Indigenous sovereignty with the entire apparatus of settler sovereignty, including its regime of governance, laws, language, and so on.

The imposition of settler sovereignty impacts directly on the Indigenous peoples of colonised nations through the imposition of such things as racialized forms of settler law, and on asylum seekers and refugees, through the settler nation's racialized border policies. In effect, in the context of a settler colonial state (for example, Australia or the United States), the settler government usurps Indigenous sovereignty in its assertion that it has the power to declare the delineation of the nation's borders (which repeatedly violate the borders of existing Indigenous nations) and the right to determine who may enter the body of the settler nation (in violation of the unceded Indigenous sovereign right to offer hospitality to those who wish to enter their nations).

Race: refers to the manner in which a person is classified or grouped according to perceived physical or cultural attributes. Even though race might appear to be biologically based because of its particular focus on physical attributes, it is not a biological category; rather, it is a socially constructed category that has embodied and material effects on the subjects it identifies and targets. Critically, this process of classifying someone according to their race results in their being assigned to a hierarchical scale that reproduces asymmetrical relations of power, with white people at the apex of this hierarchy. The category of race, then, is a powerful technique by which to generate and reproduce unequal relations of power, and to thereby ensure that those groups assigned to the lower end of the race hierarchy are seen as lesser beings to whom human rights do not necessarily accrue.

Race and techniques of racialisation are crucial to enabling the operations of a settler state and to its imposition of settler sovereignty. For example, in designating the Indigenous people it colonises as racially 'inferior' (backward, savage, uncivilised and so on), it legitimates the dismissal and destruction of their laws and culture and it rationalises the campaigns of violence that it deploys against them. In the context of the border, by racialising refugees and asylum seekers as 'inferior' (backward or immoral ['they throw their children overboard']) or as 'threats' ('they are all terrorists'), it legitimates letting them die at sea or their being placed in the often lethal conditions of indefinite detention in the offshore camps (as in Australia), or separated from their children at the border (as in the United States in 2018).

Racialized Violence: Indigenous peoples, refugees, Black and migrant subjects
Within the violent frame of the settler colonial state, centred on Indigenous deaths as a form of ongoing clearing of the land, the deaths of other racialized bodies within the nation and at its borders--including Black, migrant and refugee deaths--**reaffirm the assertion of settler sovereignty.**

To focus on Indigenous deaths and other racialized deaths is not to collapse the differences between racialized groups, or to ignore the presence of other racialized populations in these states, but to address some of the shared strategies, policies, practices and rationales of state violence deployed in the management of these separate categories. We situate deaths in custody within the shared contexts and interrelated practices of the settler state as they are embedded within contemporary global structures. The inclusion of the UK and EU in the project recognizes continuing processes of racialization in these places, and the often disavowed 'brute *racial* fact of this deadly European border regime' (De Genova 2018: 1766).

In considering how Indigenous peoples and refugees both unsettle the legitimacy of the settler state we do not overlook the critical structural differences between them; rather we focus on how these two groups in **their different ways** interrogate the settler state's assertion of absolute authority within its claimed territorial limits. It is for this reason that Aboriginal activists and theorists in Australia repeatedly state that offering hospitality to refugees is a means by which Indigenous people affirm their own sovereignty over the land (Birch 2001). In the passport ceremonies held at The Settlement in Redfern, the late Uncle Ray Jackson conferred Aboriginal passports on non-Indigenous Australians, including refugees and asylum seekers, and also arranged for Aboriginal passports to be smuggled to two men held in mandatory immigration detention. He articulated the basis on which the passports were confirmed as follows:

> The issuing of the Passports covers two areas of interactions between the Traditional
> Owners of the Lands and migrants, asylum seekers and other non-Aboriginal citizens in

this country. Whilst they acknowledge our rights to all the Aboriginal Nations of Australia we reciprocate by welcoming them into our Nations. (ISJA Media Release 2012, cited in Pugliese 2015, 88)

The reciprocity between Indigenous people and migrants/refugees underlines the need for the latter to consciously question the structures of the state, rather than uncritically subscribing to the narrative of a settled multicultural nation:

> For non-Anglo migrants and refugees, our struggles around access to citizenship and residency rights cannot obscure the central question that inheres in the problematic term 'naturalized' … In our struggles for access to the institutions of citizenship non-Anglo Australians have a clear choice about the *forms* of citizenship we assume, in the sense both of something taken on and in the sense of something taken for granted, within the narrative of Australian nationhood. (Perera 2005)

As Meriki Onus, a Gunnai and Gundjtmara activist, noted at a forum for criminalised and racialized communities in Melbourne:

> We've experienced racism from day one and they have never let up on us. We've always been public enemy number one. It doesn't matter which wave of migrants they hate next. It is always about hating us with the same intensity from day one. Unless people start sharing solidarity with us, unless the anti racist movement addresses settler colonialism, we are going to be here talking about the same thing in the next 20 years. (Tungandame 2018)

In the U.S context, the Lumbee Indian historian Malinda Maynor Lowery refuses the simplified positions of those who would see current political struggles 'in black and white' terms:

> Over the same years that Indians became invisible, many of the Confederate monuments went up, in an attempt to rewrite history and make the Civil War about states' rights and happy plantations. (Lowery 2018)

The decolonizing of the past, Lowery suggests, must also involve recognizing interlocking oppressions as well as shared solidarities among target groups, rather than a drawing of borders around them.

The Deathscapes site links:
a) Technologies of punishment and criminalization that cut across different places of punishment and state violence, often operated by the same private contractors, such as domestic and ICE prisons in the U.S, or in Australia, between 'on-shore' and 'offshore prisons'.
b) Interrelations of historical and current practices of displacement and enforced mass movement, transportation and deportation. For example, Indigenous people refer to themselves as 'refugees' on their own land because of the displacement and dispersal of Indigenous peoples from their lands in North America and Australia by settlers' farming and mining industries. Racialized forces of labour and capital drive migration movements within and without state borders. Even as we mark the historical differences that distinguish practices of displacement and enforced mass movement, we also trace the lines that interlink these same practices. (For example, the Great Migration of African Americans northwards from the rural south can be linked to the migrations from global south to north or the movement of Latin Americans displaced by war and poverty into the United States. The iconographies of Middle Passage find their return in today's desperate and brutalizing voyages from African coasts).

c) Racialized technologies that target the social and cultural organization of target groups and that aim to fragment, disperse and break down their cultural, linguistic and political power: for example, the separation of children from their parents in residential schools in Canada and missions in Australia find their echoes in the current U.S. policy of separating migrant children from their parents at the border; in the context of the latter Jelani Cobb reminds also reminds that 'the separation of families has deep roots in the American past': 'the sale of children was such a common feature of slavery' (Cobb 2018).

d) Transnational practices of resistance to the systematic targeting and punishment against racialized peoples, such as Indigenous groups, Black people, refugees and migrants. Deathscapes situates itself within these transnational practices of resistance and it works to underscore the critical significance of establishing solidarity movements whose aim is to expose and, ultimately, *to end* regimes of racialized punishment. On a visit to Australia, the leaders of the Black Lives Matter movement stated:

> When we started Black Lives Matter, we understood that this movement wasn't just for the United States but one that would centre black communities around the globe. We don't see this as …. relegated to the United States but as a human rights movement which allows us to have a broader conversation about anti-black racism across the globe. (Cullors and Diverlus 2017)

Organization of Deathscapes:
The exchanges and links of various sections of the site are in line with Deathscapes as a project that crosses visual culture, aesthetic politics, critical theory and social justice activism. While the case studies constitute our primary research through analysis of specific deaths in custody, the Inspirations and Galleries sections present a snapshot of the transnational and multi-dimensioned underpinnings of the project, drawing on performance, poetry and visual art as well as critical theory and activist manifestos. The Engagements section encompasses a range of activities, including publications, talks and dispatches, where team members present immediate reports from unfolding inquests and inquiries.

DEATHSCAPES' USE OF VISUAL CULTURE
The Deathscapes' site draws heavily on the use of visual culture, including photographs, paintings, videos, maps and so on. Images, precisely because of their graphic nature, are seen to lend themselves to aestheticising operations that are often seen to be the exclusive purview of the visual medium. This is a fallacy, as all modes of representation – including the textual, discursive, descriptive, analytical, scientific, legal and so on – are inscribed with constitutively aestheticising attributes that encompass the broad range of rhetorical techniques often seen to be the exclusive purview of 'art': these include the use of metaphor, simile, personification, repetition, and so on. There is no cultural medium that is not always already constituted by a range of aesthetic techniques and attributes. What distinguishes the medium of art is that it *reflexively* draws on aesthetic techniques in order to convey its 'message.' Other genres and discourses, such as the legal, academic or scientific, disavow their constitutive aesthetic attributes in order to present the fiction that they are purely 'factual,' 'apolitical' and 'neutral.'

Art as a Medium of Protest and Resistance:
Art (understood across the broad range of cultural practices) has been repeatedly mobilised by communities who have been the targets of state violence as a way to resist and counter the state's objectifying – legal, ethnographic, scientific, governmental – accounts. In the absence of

access to the official platforms through which to speak back to state violence, targeted communities have drawn on art as a way to represent their otherwise silenced viewpoints and in order to embody and materialise their acts of resistance and protest, to celebrate their cultural practices and histories of survivance and to memorialise and commemorate their dead. The [REDress project](#), by Metis artist Jaime Black, now globally recognized (though not universally supported), is an instance that seeks to make visible, through 'an aesthetic response … the more than 1000 missing and murdered Aboriginal women in Canada'. Another recent instance is Ojibwa artist Christian Morrisseau's gigantic artwork, [Seven Fallen Feathers](#), painted as testimony for his son, as well as six other young Indigenous students who died in Thunder Bay, Canada. The painting is featured on the cover of Tanya Talaga's award-winning book *Seven Fallen Feathers: Racism, Death, and Hard Truths in a Northern City.*

These practices have a long history. In the post-frontier context of a settler-colonial state such as the United States, as Philip J. Deloria underscores that, 'while military conflict was no longer an option, the struggle between Native people and the United States had not concluded. Across Indian country, the recognition of military defeat had pushed Native people to develop strategies for continuing the struggle … on the *cultural front*' (2004: 104, our emphasis). They mobilise a range of aesthetic practices, including canvas, sculptures, murals, dance, music and so on, to assert their unceded sovereignty and survival of their cultures.

In the Australian settler-state context, for Indigenous people the nexus between culture and politics is inextricable, as is graphically evidenced by their mobilising visual art in their various political petitions asserting their unceded sovereignty, for example, the [Yirrkala bark petitions](#) and the recent [Uluru Statement from the Heart](#).

In the context of Australia's offshore immigration detention centres, Behrouz Boochani has mobilised the aesthetic genre of the documentary, filmed on his mobile phone, in order to record and visually represent for the international community the lethal conditions of the Manus camp. His film, *Chauka, Please Tell Us the Time*, has screened across innumerable film festivals across the world.

In Deathscapes, we do not deploy art works for merely 'decorative' or supplementary 'aesthetic' purposes. The aesthetic is, rather, part of the infrastructure of the site. The artworks on the site operate across a number of intersecting political levels: they offer testimony of what otherwise would remain unsaid and unrepresented; they offer graphic examples of acts of protest and resistance; they instantiate agency in contexts in which it is often so brutally denied; they amplify, through their visual languages, the key analytical and political concerns articulated in the various case studies of racialized deaths.

In Semester 2, 2018 we are piloting the Deathscape site with postgraduate and undergraduate units in Medicine, Law, Media Studies and Indigenous Studies in the countries in which the research is carried out. Students are invited to produce material in any form they choose (blogs, videos, critical writing, case studies, visualisations, artworks) in response to the site. Selected responses will be featured on the site.

Sample Questions on the Deathscapes Project:
When students visit the Deathscapes' sites, we offer these sample questions as ways to orient their study of the various cases:

- Discuss the function of sovereignty across two of the case studies in different national contexts.
- Discuss the connections between the different sections of the site, for example between the Inspirations section as offering a theoretical framework for the case studies, and the case studies themselves.
- Explain the ways that the images used in a case study work to illuminate or amplify your understanding of a particular case?
- What knowledges do the images make available to you that would not be available if only written text had been used in the analysis of the particular case?
- What affective or emotive dimensions do the images bring to bear in your learning about a particular case?
- Discuss how the visual images generate political interventions and effects in the context of the particular case that you are studying?

REFERENCES

Birch, Tony, 'The Last Refuge of the "UnAustralian"', The *UTS Review* 7.1 (2001): 17-22.

Cobb, Jelani, 'Juneteenth and the Detention of Children in Texas' New Yorker June 19, 2018
https://www.newyorker.com/news/daily-comment/juneteenth-and-the-detention-of-children-in Texas?
Cullors, Patrisse, and Rodney Diverlus, 'Black Lives Matter in Australia: wherever black people are, there is racism – and resistance' *The Guardian* November 2, 2017. https://www.theguardian.com/us-news/2017/nov/02/black-lives-matter-in-australia-wherever-black-people-are-there-is-racism-and-resistance

De Genoa, Nicholas. 'The "Migrant Crisis" as Racial Crisis: Do *Black Lives Matter* in Europe?' *Ethnic and Racial Studies* 41, 10 (2018)1765-1782.
https://docs.wixstatic.com/ugd/4fd32d_4aa921c17f394585ac8142ca6c83a1b8.pdf

Deloria, Philip J, *Indians in Unexpected Places* (Lawrence: Kansas University Press, 2004).
Dunbar-Ortiz, Roxanne. *An Indigenous People's History of the United States* (Boston: Beacon Press 2014).

Hoare, Philip 'The sea does note care' *The Guardian* April 21, 2015.
http://www.theguardian.com/world/2015/apr/21/the-sea-does-not-care-wretched-history-migrant-voyages-mediterranean-tragedy

Lowery, Malinda Maynor, 'We are the original Southerners' *The New York Times* May 22 2108.
https://www.nytimes.com/2018/05/22/opinion/confederate-monuments-indians-original-southerners.html?smprod=nytcore-ipad&smid=nytcore-ipad-share

Perera, Suvendrini, 'Who will I become? The Multiple Formations of Australian Whiteness' *Australian Critical Race and Whiteness Studies* 1.1 (2005).

Pugliese, Joseph, 'Geopolitics of Aboriginal Sovereignty: Colonial Law as "a Species of Excess of Its Own Authority", Aboriginal Passport Ceremonies and Asylum Seekers' *Law Text Culture* 19.1 (2015) 84-115.

Tungandame, Bertrand, 'Call on Aboriginal and other minorities to unite forces against racism' NITV, https://www.sbs.com.au/yourlanguage/english/en/audiotrack/call-aboriginal-and-other-minorities-unite-forces-against-racism

Wolfe, Patrick, 'Settler colonialism and the elimination of the native', *Journal of Genocide Research*, 8:4 (2006): 387-409.