BEYOND THE WIRE: LEVINAS VIS-À-VIS VILLAWOOD

A Study of Emmanuel Levinas's Philosophy as an Ethical Foundation for Asylum-Seeker Policy

by

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Certificate

I certify that the work in this thesis has not previously been submitted for a degree nor has it been submitted as part of requirements for a degree except as fully acknowledged within the text.

I also certify that the thesis has been written by me. Any help that I have received in my research work and the preparation of the thesis itself has been acknowledged. In addition, I certify that all information sources and literature used are indicated in the thesis.

Signature of Student

_____

Dedication

To My Family

Betty, Izzy, Casey-Ann, Kim, Hilly and Alexander

who have given me the knowledge of love and the love of knowledge

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Abstract

‘Beyond the Wire’ accounts for the seeker of asylum who unwittingly becomes entangled in the Australian detention regime. This thesis provides a lens through personal visits to Villawood Detention Centre—1999–2004—for studying the interpersonal and intrapersonal experiences behind the wire. Midrashim developed through a framework of Emmanuel Levinas’s philosophy reveal dialogic relationships in the visitors yard of surveillance. When interpreted through the multiple layers of the researcher–author’s Midrashim, boundaries are collapsed, disclosing spaces and lacunae.

People detained are not victims in these relationships, and power dynamics shift between the free and the locked up. The Midrash Social Research Methodology extends the boundaries of qualitative research methods, offering a new pathway for knowledge creation, which in this thesis is the *in-between*.

During the decade 1999–2009 the Australian Government’s response to people seeking asylum reflected an uncoupling of the letter of the law from the spirit of the law. This thesis argues for a paradigm encompassing ethics more than politics and law with which to conceive and receive the 21st-century refugee.

Prelude

Part One: Ubuntu—To Save a Life

"We thought he had gone soft." John Kani's mellifluous voice carries the drama of the story. He is telling me about Nelson Mandela.

"We thought he had gone soft in jail. We were ready to start the march on Pretoria."

In those days, the bad bad days of apartheid, 'Marching to Pretoria'[1] was a euphemism for starting the civil revolution.

"'But, Nelson, we have the arms. We can render the country ungovernable. We have the AK47s ready.' We had expected Madiba to say, 'Take it to the white man. Let's march on Pretoria'", he says—his eyes saying more than his words.

We're in a Sydney city coffee shop. I am hanging on John Kani's[2] every word as he unfolds this little-known account of the first meeting the handful of trusted leaders and close friends had with Mandela upon his release from captivity. Goose-bumps present themselves in ever-intensifying waves upon my arms as I listen, hardly breathing, not noticing either our coffee getting cold or the business people entering and leaving the busy city coffee shop.

Simultaneously with listening my mind is flitting here and there, seeking memory, stored long ago, that connects to this telling of Kani's. Something is feeling familiar.

I recall the connection. My friend Frankie, originally from a township, smuggled out after years in prison[3], now with two PhDs from Oxford, UK, and the Professor of Development Economics at Oslo University, left his position and security, returning to South Africa after Mandela's release. In my South African home, quietly in the lounge room, Frankie had told me: "Devorah, our patience is

[1] Pretoria was the administrative capital of South Africa. As such, Pretoria symbolised apartheid.
[2] John Kani—South African actor, director, playwright and initiator of South African protest theatre under the apartheid regime. Kani was in Sydney acting his play *Nothing but the Truth* at the Sydney Opera House. *Nothing but the Truth* is a tribute to his younger brother, who was shot and killed by the police in 1985, while reciting a poem at the funeral of a 9-year-old girl, killed during riots.
[3] People were held for 90 days in detention without trial. The 90 days could be repeated, thus challenging Habeas Corpus.

running out. You Whites have our patience and goodwill now—but for how long?"

John Kani continues; our heads move closer together across the table in conspiratorial proximity. I had met him, the South African legend John Kani, activist playwright and actor, in 2005 when he was playing his *Nothing but the Truth* at the Opera House in Sydney. Our initial meeting was proper. No handshake; no comrade's greeting either. Simple acknowledgment of each other. My heart thumping in my throat was the result of anxiety and excitement. How would Kani respond to my question. What is 'Ubuntu'?

At that time I was reading and writing about the Truth and Reconciliation Commission as an alternative to the Nuremburg Trials model for closure between victims and perpetrators. Almost unbelievably, synchronistically, Kani's season opened in Sydney.

The promised half hour became an hour and a half. Here we lived the sacred moment that only looks mundane. The entire experience of coming together in interview turned deep conversation, and recognition of each other beyond Black and White bodies, South African and ex-South African, woman and man, past and future, embodied what I will write about in this thesis.

I set the background of my question within the context of my thesis.

Desmond Tutu in his book on the Truth and Reconciliation Commission *No Future Without Forgiveness* writes: 'Ubuntu is very difficult to render into a Western language. It speaks of the very essence of being human' (Tutu 1999, p. 34).

"So, John, what is Ubuntu? How shall I write about Ubuntu?"

When Pontius Pilate washes his hands—in the Bible story—the Xhosa translation is based upon the root stem *ntu.* Pilate says take 'umunu'. That means 'take this human being'. Pilate says this to differentiate Jesus from the oppressors. It's *umntu* in Xhosa and *umuntu* in Zulu. **Ubuntu** means *the essence of being.*

Ubuntu is the only thread that seems to weave itself around all of us, connecting each one of us to the other. When that breaks, we become individuals—and individuals care about themselves; they become materialistic. More greed means less care, less respect, less responsibility to the other. Then, I have ceased to be my brother's keeper.

He continues with his story: “In South Africa at that time we had forgotten *Ubuntu*. A massive education was required to learn that **right is not the opposite of wrong. Right has no relationship to wrong**. Before Mandiba was released the elders didn’t say ‘Stop the killing’. They sent out the word to Wait. Wait for Nelson. Wait for Nelson Mandela.

“And then he was free. And we met with him, expecting him to give the order to take it to Pretoria. Instead he said:

“ ‘Wait. Please give us time to establish a new South Africa peacefully.’ So when Nelson asked us that, we said ‘Alright’.

“Because of that respect—a grey-haired elder—standing next to all the other grey hairs we couldn’t tell him to ‘piss off’—they looked so beautiful—the grey hairs … they were entrusted by the ancestors … by the Creator. So we needed to give this a chance and in so doing we gave peace a chance.

“Madiba asked us to wait. We asked him: ‘Why ?’

“ ‘If it saves One life[4]—it will be worth it.’ ”

We hug and begin farewelling each other. Turning—but at 45°, we turn again, and face each other. Yes, something special did happen *in-between* us. We hug each other again—this time holding on a while to the unique sacred ‘something’ that dwelt in our midst.

Some–where, some–time, some–place during our conversation Kani had asked me:

“Where is Ubuntu for Australia? What will you do?”

Part Two: The Tree—Foe or Friend?

“Where is Ubuntu for Australia? What will you do?”

With renewed courage and vigour I began writing the story about Rami—the day his application was refused by the High Court of Australia.

Within the first few weeks of our meeting I learned that Rami had no preparation at all for his court case. Cautious not to distress him further, I asked if he would appreciate some support. If so, still being sensitive to his situation,

[4] See Chapter Seven re the value of each individual life.

would he like me to help out. Hastening to add—almost without an interrupting breath—that I had no legal knowledge, but would do whatever it takes.

With eyes to the ground, the gentle Rami nodded almost imperceptibly. Three years inside had institutionalised the once feisty Rami well. The courageous one-time hospitality student who, escaping more torture at the hands of the Saddam Hussein regime's secret police, escaped on foot from Baghdad through Northern Iraq into oblivion until he reached Australia—entering the oblivion of Villawood Detention Centre.

Three—sometimes four—times a week I undertook the nearly intolerable drive to Villawood Detention Centre. The queues, the loneliness I felt, the time away from home, the money not spent on my children but used for petrol, food for Rami and tissues for my tears all seemed to culminate in the throat-constricting tension the day Rami's judgment was due to be passed down by the High Court.

Every cell in my body was on high alert. Meditating to stay calm, centred and focused I knew my role was either to celebrate or to commiserate. Always leaving the central stage of the drama to Rami. Misgivings flooded me. Had I explained clearly? Or had I failed the test of courage, making sure he knew that if he failed he was in the most vulnerable position of all his years in detention. Asylum seekers are most vulnerable to deportation when they are not in the middle of a legal process.

The day was long. Tick tock … tick tock … tick tock … And suddenly unannounced, the phone rang. "Oh, no— *Where* had I put my mobile. Please don't stop ringing."

"Devorah?" One word, the tone of his voice, and I knew the result.

"Would you like me to come now?"

"No."

"WHY?" Rami ALWAYS wanted me to come out whenever I could. "No"—today—was not good.

"Is someone else coming to be with you?"

"No." This is very <u>not</u> <u>good</u> I thought. Rami was *never* monosyllabic. His Middle Eastern manners were exquisite, always dancing the 'hello dance'. How

are you? How are your children? How are Mummy and Daddy (my parents)? And back to: So, *you* are good? …

Not today. This is bad. I shivered.

"I'll come. By the time I get there it will be visitors time."

"I don't want to make you upset."

I had been wrong. Rami as always was considerate of the other person. Knowing how devastated, how deathly he felt, he did not want his atmosphere, his vibrations, to pollute me.

How could my heart not be pulled? How could I not respect this young man who in the moment of deepest despair thought of someone other than himself.

And so I set off on the well-trodden way to Villawood Detention Centre, more distressed than ever before by the slow-moving traffic. Trying to control the cascade of questions—no answers possible while driving. How bad is he? Will I be able to cope? Shall I reveal the depth of my disappointment or must I be strong?

Driving, and berating myself for the insinuating thought "Now I will have to continue driving out to Villawood Detention Centre and going through the wire into the Villawood Detention Centre visitors yard of surveillance …" I was so tired.

And then—I saw him showing his security identity to the guard at the gate of the wire that divides the visitors yard of surveillance and Stage 2 living—*living*!—quarters.

For the first time in all the visits, Rami wanted to sit down at the bottom of the visitors yard, indicating the big tree near the fence, at the bottom of the yard. Internal alarm bells went off. Rami never wanted to sit down at the bottom of the yard at the big tree, near the fence. Had I misinterpreted "I don't want to upset you?" Did he have some plan?

How long did we sit in silence, the white bucket chairs facing each other, our knees touching? Silence. What could I say? How could I open up the conversation? I waited for a cue from him. None came. Instead, Rami sat looking

up at the big tree. I sat facing him, trying not to look too intensely at him, and he looked up at the big tree.

My nerves were wracked. I had reached the moment when I thought I knew what he was thinking.

"What are you thinking?" I finally broke the silence, imagining I knew the words that would follow my question.

Silence. His big brown eyes, suddenly sunken so far they were hardly there, looked at me, momentarily, and then back up at the tree. Silence.

"Are you thinking bad thoughts?" "We can work this out. There are more approaches we can take." "We'll prepare a submission for the Minister—" I was casting out the line into the abyss, trying to intercept an event that was already taking place.

"I mean: I know it's bad. But … you are precious, Rami. One day this will end. But not today …" Pausing to find more words to stop the imminence … As my voice scaled the notches of my desperation.

"No, Devorah." His very quiet, accented voice sounded for the first time under the big tree, near the fence in the Villawood Detention Centre visitors yard of surveillance. "No, Devorah. I am not thinking any bad thoughts. I know what you mean. No."

"What then?"

"I am praying to my God. I am asking my God, when it is my time? When will my God remember me?"

> Spirit is not in the I, but between I and Thou. It is not like the blood that circulates in you, but like the air in which you breathe. Man lives in the spirit, if he is able to respond to his Thou. He is able to if he enters into relation with his whole being. Only in virtue of his power to enter into relation is he able to live in the spirit.
> (Buber 1958)

Introduction

'Beyond the Wire' accounts for the seeker of asylum in Australia who unwittingly becomes entangled in the detention regime and it argues for a paradigm encompassing more than politics and law with which to conceive and receive the 21st-century refugee. It is about people who, under the canopy of the Conventions—the United Nations High Commissioner for Refugees (UNHCR) Conventions of 1951 and the Protocols of 1967—arrive at Australian borders to claim refugee status, but, having neither identity documentation nor visas, are immediately incarcerated in a detention centre.

Overview

Historically, approaches to refugees firstly are situated within a politico-legal frame that emphasises global human rights[5] and secondly are assigned to the problem-solution (a simplistic, palliative approach that ignores complexity) paradigm. In the previous century refugee-producing circumstances were considered episodic problems and, within the Conventions' frameworks, *ad hoc* solutions were instigated. However, globally both the countries and the contexts producing refugees are changing. Although the Conventions are still philosophically relevant, in practical terms—if followed to the 'letter of the law' without the 'spirit of the law'—they no longer encompass the realities of the global refugee-producing situations.

The international circumstances that prompt people to flee their homes, land and countries are complex and difficult to categorise, as environmental conditions add to human rights infringements to increase the global numbers of refugees. During the past decade, 1999–2009, the Australian Government's response to people seeking asylum reflected an uncoupling of the letter of the law from the spirit of the law. Reference to the United Nations High Commissioner

[5] The Human Rights philosophy addresses questions about the existence, content, nature, universality, justification and legal force of human rights. Within the context of human rights the United Nations High Commissioner for Refugees (UNHCR) safeguards the rights and well-being of refugees, upholding the right of everyone to seek asylum and find safe refuge in another state, with the options to return home voluntarily, integrate locally or resettle in a third country. It also has a mandate to help stateless people and promotes the respect for human rights and fundamental freedoms enshrined in the United Nations Charter (UNHCR 1951).

for Refugees principles and values has been rendered non-obligatory in the case of asylum seekers. Connections between the legal terms 'refugee' and 'asylum seeker', as defined in the Conventions, are disconnected in the practical, 'on the ground' practices of the detention regime in Australia.

The Australian detention regime has disconnected the philosophy of the right to rights from the dealings with seekers of asylum, and the values and principles guiding the UNHCR statutes have been occluded by the operational practices of the detention regime. The politics of the Australian detention regime have infused the category 'asylum seeker' with various emotive registers that have caused the seeker of asylum to be perceived as the unwanted Other. More strange than a stranger, the unwanted Other has conceptually been given life in a category inauthentically separate from the legislated classification of 'refugee'.

The unwanted Other—disconnected and infused with pejorative intent—is located within the normative paradigm of the Australian refugee discourse. Critically questioning this paradigm has shaped this thesis. Is the politico-legal framework still the most suitable to uphold protection for seekers of asylum? Can the 'right to rights' of international human rights law, the domestic law and the asylum seeker be re-connected or conjoined? And: Can the current problem-solution paradigm encompass operations of protection that include respect and dignity for all human beings?

The right to rights

The landscape examined in this thesis is complex, with the issues and topics crossing different disciplines. To position the exploration of the above questions within the larger sociohistorical context, the research literature is classified in a hierarchical, four-level model—Global (international), National (Australia), Local (Detention Centres, including the 'Pacific Solution') and Individual (interpersonal and intrapersonal experience in Villawood Detention Centre) (see Figure 1, Chapter One).[6] The hierarchical model *Refugees' Right to Rights of Protection* introduces the state–citizen discourse with reference to Hannah Arendt (Arendt 1951); meanwhile the dignity of the individual human being is foregrounded. Internationally the *human* is at risk of being lost from

[6] Importantly the model is to be interpreted as having permeable boundaries, so that literature at, say, the National level may also refer to the level above or the levels below.

'*human* rights' in the current politico-legal framing of the refugee.

The **global** level of the hierarchical model comprises an international purview that encompasses primarily international treaties, conventions and protocols that uphold the Human Rights *philosophy of protection* of refugees. Instances of international disregard and disrespect for asylum-seekers are extracted from the literature.

The next level comprises the **national** body of Australian human-rights, policy and legal literature. Examination of this category reveals disconnections between the refugee's *Rights to Protection*, the global *Philosophy of Protection* (Hathaway 2005; Huysmans, Dobson & Prokhovnik 2006; Nyers 2010) and the Australian *Operations of Protection* (Bagaric et al. 2007; Crock 1998) in the detention regime. At the national level, reports (see Palmer 2005) and inquiries (see Senate Inquiry 2002 *(A certain maritime incident)*) span all other levels of the hierarchical model.

At the **local** level of the model, the operations of protection in Australian detention centres are seen to be isolated from the Australian philosophy of protection (Crock, Saul & Dastyari 2006; Palmer 2005). As a signatory to the Convention, Australia subscribes to the right to rights, the principles, morality and the values of the UNHCR—yet the ethics of the former Howard Government have been queried by Amnesty International, the UNHCR itself and the Australian Human Rights and Equal Opportunities Commission (HEREOC 2004).

The last category of the hierarchical model is a lens for studying the **individual**, concrete conditions within Villawood Detention Centre, which is the detention centre that I visited from 1999 to 2004. The discourse in this category includes the interpersonal and the intrapersonal—experiences, narratives and observations. Significantly, at this level the extant literature lacks accounts of researched first-person experiences. Based on my personal experiences, of five years visiting Villawood Detention Centre and voluntarily advocating for detained asylum seekers to gain recognition as refugees, I firstly observed the disconnections between the international *Philosophy of Protection* and the actual *Operations of Protection* while, secondly, during the visits, I experienced the growth of relationships, connecting Australians and the refugees from multiple nations. It is here, in the space of the personal—the individual—that the core

value of the thesis inheres.

The ethical event

During the decade under examination, some of the people seeking asylum were detained for three, four and five years.[7] These people are the unwanted Others—the category severed from the category 'refugee'—whose claims for protection from trauma and fear of death are considered by the Government to be bogus until the veracity of their claims is verified. At July 2010, mandatory detention is still the policy pursued by the Labor government led by Julia Gillard, the majority of boat-arrivals being taken to Christmas Island immigration detention centre. Hence: 'While there is no time limit for the processing of refugee claims made on Christmas Island, claims made on the mainland must be processed within 90 days of application. Asylum seekers often spend months in the remote Christmas Island immigration detention centre with no idea of when their claims will be finalised or whether they will be sent back to their countries of origin to face the persecution they are fleeing … . Over 90 percent of asylum seekers that arrive in Australia by boat are found to be refugees and granted permanent protection visas. The majority of these people are being housed in what is effectively a high security prison facility … ."[T]he isolated location of Christmas Island makes it impossible to implement a humane immigration policy there."' (Baird 2009, n.p.n.)

The conceptual framework developed to research the personal lived-lives of the unwanted Others in the Villawood Detention Centre is grounded in the philosophy of French Jewish philosopher Emmanuel Levinas (1906–1995). Levinas's philosophy differs from normative ethics such as deontology—concerned with duties and rights; from utilitarianism—the calculation of the intrinsic value in a course of action that produces happiness, or maximum benefit, for more rather than fewer people; and from virtue ethics—the cultivation of virtues as habits of good character. Instead, Levinas initiates an Other-centred ethic. The ethics of Levinas invokes an awakening and emerging I—the self—who is responsible to the Other.

[7] Of them, 95 per cent were determined genuine refugees and were released with visas.

Central to this thesis is Levinas's *magnum opus*, *Totality and Infinity* (1961), a philosophical treatise indicating an ethics that must be, chronologically, the 'first philosophy' (Levinas 1961). Hence philosophy precedes ontology in the philosophical project. One's ethical response–ability to the needs of the Other, particularly the stranger and the vulnerable person, is non-negotiable and non-normative. Levinas's philosophical treatise insists that each individual being is unique and responsibility is dialogical relating in a face-to-face encounter *with* the Other. Listening and relating *with* must precede thinking *about*.

Adverting to Levinas's philosophy the thesis provides examples of non-reciprocal politico-legal relationships attested in world history and literature and argues for an ethics that is not instantiated in normative theory. Levinas urges that it is 'more important to find out who is speaking and why, than merely to know what is said' (Levinas 1961, p. 18). To explicate practical experiences of lived Levinasian philosophy 'behind the wire', I wrote Midrashim (see Chapters Four, Five and Six)—translated to mean 'inquiry' or 'searching'—akin to autoethnographic hermeneutic narratives.

Midrash as an arts-based social research methodology

The intention of this thesis is well described by Leavy when she cites the benefits of art-based methods, as included in the 'Midrash Social Research Methodology' (see Chapter Three):

> … arts-based practices can be employed as a means of creating *critical awareness* or *raising consciousness*. This is important in social justice–oriented research that seeks to … raise critical … consciousness, build coalitions across groups, and challenge dominant ideologies.
> (Leavy 2009, p. 13)

While, in this method of writing, the researcher does not set out to study herself, she is also living the experiences that she is researching. This genre of writing—research as writing—requires the researcher to layer and nest multiple layers of consciousness in the research writing. The iterative cycles of writing, reflecting and analysing are grounded in the Midrash Social Research Methodology. An unintended benefit of the Midrash Social Research Methodology was the personal healing of the researcher, as evidenced in the midrash Cherry Ripe (Chapter Four).

The Midrashim that I have written are to be located in the space at level one of the transdisciplinary, hierarchical model (Figure 1)—namely interpersonal and intrapersonal research. Like Foucault I set out 'to do' this work based on 'elements of my own experience':

> Every time I have tried to do a piece of theoretical work it has been on the basis of elements of my own experience: always in connection with processes I saw unfolding around me. It was always because I thought I identified cracks, silent tremors, and dysfunctions in things I saw, institutions I was dealing with, or my relations with others, that I set out to do a piece of work, and each time was partly a fragment of autobiography.
> (Foucault 1994, p. 458)

To research the Others in Villawood Detention Centre, within an ethical, dialogically relating framework, a methodology that moved away from a positivistic model of research was necessary. Positivist, scientific research frameworks would employ knowledge, a knowable reality and the truth as separate from the researcher, the research process and the research instruments. Leavy (2009), citing Jones, suggests that unlike positivist research methods, an arts-based research method is more suited to the 'lived life' and the 'told story' (p. 33). Since Levinas's ethical responsibility in face-to-face relating precluded solipsistically thinking <u>about</u> the asylum seekers, the research method had to be a research process capable, as Leavy suggests, of describing, exploring or discovering. Having decided that a positivistic research model would not meet the researcher's ethical requirement to uphold Foucault's 'fragment of autobiography' together with Levinas's inter-subjective relating, Midrashim became the research data, and the boundaries of researcher and researched collapsed.

Additional boundaries collapsed, producing a social-research model within the frame of the qualitative research that Denzin and Lincoln (2003) have named 'The Seventh Moment', a post-poststructural research model.

> We imagine a form of *qualitative inquiry* [emphasis added] in the 21st century that is simultaneously minimal, existential, autoethnographic, vulnerable [from the Latin *vulnus,* meaning 'wound'], performative, and critical. This form of inquiry erases traditional distinctions among epistemology, ethics, and aesthetics; nothing is value-free. It seeks to ground the self in a sense of the sacred, to connect the ethical, respectful self, dialogically to nature and the worldly environment.
> (Denzin & Lincoln 2003, p. 1052)

As Denzin and Lincoln predicted, the distinctions between epistemology, ethics and aesthetics were blurred in the research writing. The research <u>*is the writing*</u> as it dismantles the boundaries between data generation (the Midrashim),

as the data is reflected on (data analysis as the writing cycle of writing–reflecting–researching) and as theory is generated. The thesis is written with deference to Merleau-Ponty's prescriptive injunction:

> '… We must engage language in a primal incantation or poetising which harkens back to the silence from which the words emanate. What we must do is discover what lies at the ontological core of our being. So that IN the words, or in spite of the words, we find "memories" that paradoxically we never thought or felt before.'
> (Van Manen 1990, p. 13)

'Seventh-moment research' is also performative. The theatre performance *Through the Wire* (Horin 2004) comprises and functions as data secondary to the Midrashim. The playwright recorded interviews with seven people—four recently released people (two from Port Hedland and two from Villawood Detention Centre) and three Australian citizens, with whom the detainees develop relationships. Horin gave each interviewee a draft script to ensure their interview was faithfully reproduced in the script. The character Doreen in *Through the Wire* is the current candidate, Devorah Wainer. Doreen's lines are therefore the researcher's words, recorded in 2004. Importantly, the character Rami in *Through the Wire* is the Rami of the 'Cherry Ripe' midrash (see Chapter Four) and other cameos in this thesis.

The positivist tradition of research taught researchers to 'disavow their feelings; however, these kind of internal signals are vital to building authentic and trustworthy knowledge when using unconventional qualitative methods' (Leavy 2009, p. 49). To include the reader in the space of feelings, poetry is employed. As an aesthetic device (see Denzin & Lincoln, 2003) poetry is included without theorising, without making connections and without explaining the inclusion of any poem at a particular point in the text. 'Poetry offers a very particular form in which to interpret and represent human experience' (Leavy 2009, p. 64). While the poems are connected to the content on those specific pages, they are not interpreted within the thesis, in concurrence with Leavy's suggestion that poetry should not be viewed simply as another writing template.

The implication for a researcher taking a Levinasian stance towards the researched was that at all times I had to avoid being the agent for the experiences of the asylum seeker. The writing had to reveal the essence and texture of the experience and sensitively place the individual within the complexity of the whole research environment without totalising or 'flattening' the experiences and

relationships. To achieve the ethical and aesthetic aims I decided to use the agency of my voice and write the Midrashim.

Boundaries, spaces and lacunae

Generating data and analysing it, juxtaposing my own experiences as visitor and advocate with other secondary data sources, I discovered the disparities in-between two different spaces—'inside' and 'outside' the wire. 'Inside' I was part of the lived space of detainees and visitors; personal stories were given to me as a visitor, a friend and an advocate and I engaged with the plight of those detained. However, by contrast with the detainees, some of whom already had been incarcerated for three or four years, at the end of each visit—'outside' the wire—I could re-enter my Sydney-sider lived space, replete with loving family; my own home as my sanctuary reflecting my values and personality; understanding, stimulating, caring and fun-loving friends; a career; medical practitioners of my choice; the beach and the mountains; restaurants; shops for choosing clothing and food; environments for spiritual nurturing and growth. The vast differences between the two spaces triggered insight into the third space—the 'in-between'. The in-between is the liminal space between bounded spaces that, with the unfolding of the writing, comes to represent collapsed boundaries—so that, by Chapter Seven, the in-between is an ethical space akin to the space between the 'I' and the 'Thou' of Buber's I – Thou modalities (1958).

Midrashim

Chapter Four—Cherry Ripe, Chapter Five—Hineni and Chapter Six—Garden of Hope, with their story-like titles, are the Midrashim—the primary data—that reveal three key findings discussed in Chapter Seven. The detention centre came to represent boundaries and, equally, the space between the subject and the strange Other, between the rhetoric of the politician and the reality of the asylum seeker, between the Australian citizen and the rights-less person.

Firstly, the Midrashim show the consequences of missing, denying or misinterpreting the 'sinister alarm-signals' (Levi 1986) that are theorised in Chapter Seven. Secondly, they tell, in different ways, of the Levinasian face-to-face connections and community behind the wire, painting a picture of the

detainees that differs markedly from the generalised public impressions, infused with political rhetoric. Thirdly, once the pattern of boundaries revealed itself, the writing then showed the space of the collapsed boundaries—the ethical *I – Thou* space of in-between.[8]

Conclusion

This thesis shows that while the detention centre can be the place of illegal and traumatic incarceration, the liminal space of the wire can also be the space of transcendence to dialogical relating. It is written in a style that 'interrogates and illuminates those interactional moments when humans come together in their struggles over love, loss, pain, joy, shame, violence, betrayal, dignity' to tease out those instances '"when self and other are constituted in mutuality and acceptance rather than violence and contempt"' (Denzin & Lincoln 2003, p. 1052).

The space 'in-between' can be, as it were, the meristic rule—the en rule—between the *I* and the *Thou* in the *I – Thou* blend. I suggest that the initial philosophy of 'the Conventions' is the Levinasian responsibility to the Other. As such, I would hope that this research facilitates reorientation of Australia's responsibility to the seeker of asylum, charging the practice of protection with renewed understanding of the state's ethical responsibility to the world's citizens. Can a paradigm of face-to-face dialogical relating restore ethics to its rightful place at the heart of—as the driving force of—policy?

[8] The Chasidic story-teller, mystic and philosopher Martin Buber (1878–1965) claims in his *I–Thou* (1958) that 'all real living is meeting … I take my stand in relation to him'. His ethics arose from his exploration of direct, unmediated and dialogical relating through the stance of *I – Thou*.

Chapter One
21ST-CENTURY CHALLENGE: THE RIGHT TO RIGHTS

Overview

Chapter One explores the paradigm of the refugee problem-solution continuum and proposes reframing of that paradigm; a transdisciplinary[9] approach to the literature is required. Current human rights responses from organisations such as the United Nations (UN), United Nations High Commissioner for Refugees (UNHCR) and Amnesty International continue to point to the rights of refugees as laid out in 'the Conventions' (UNHCR Conventions of 1951 and the Protocols of 1967). The Conventions, although still philosophically relevant, in practical terms no longer encompass the realities of the global refugee-producing situations. The political scientist Nyers (2006) suggests that

> … as conditions and circumstances that give rise to refugee movements proliferate, a growing academic and policy literature has emerged to address its various political, social and human dimensions yet … questions are pertinent.
> (Nyers 2006, p. xiv)

Investigating the body of new literature, Nyers (2006) posed a series of questions that in turn started framing the approach to my work. Thus: What are the terms under which the refugee phenomenon has been framed? Why are refugees invariably framed as a problem in need of solution? What identities are constructed by the prevailing classification system of refugees and refugee movements? What political implications does this classification system have for how refugees can represent themselves as political actors?

As I researched Nyers's questions, it became clear to me that the question to ask was one of relationship. What connection was evidenced, in the decade under consideration (1999–2009), between international human rights law and domestic citizen law, on the one hand, and the protection of refugees, on the other? Further, how might such a relationship be functioning? To address these questions I examined the extant transdisciplinary literature.

[9] The transdisciplinary research strategy crosses many disciplinary boundaries to create a holistic approach. It can refer to concepts or methods that were originally developed by one discipline but which are now used by several others—for example, ethnography, a field research method originally developed in anthropology but now widely used by other disciplines.

A 'bio-political critique of humanitarianism' was developed by Nyers (2006), so that he could then 'outline a critical framework for interpreting refugee situations and practices' (p. xvi). By analysing the Conventions' definitions discursively he concluded that the refugee is *produced*—signifies—as a 'human being identified by a close relationship with the human emotion of fear'.[10] The appeal to fear as the defining qualification for refugee status consists in its being an emotion that is universally shared amongst all human beings.

> But human beings who are defined by their fear have a long history of being simultaneously defined as social outcasts, lacking full reasoning capacity and incapable of presenting an autonomous self governing form of personal subjectivity.
> (Nyers 2006, p. xvii)

Refugee-producing situations are complex and expanding as environmental conditions increase the global numbers of refugees. Adding to the complexity are very different discussions regarding the impact of environment on refugees (see McAdam & Loughry 2009; Myers 2002).

McAdam reports that according to the UNHCR it is becoming difficult to categorise displaced people because of the combined impacts of conflict, the environment and economic pressures. Additionally, with reference to her 2009 visit to Tuvalu, she discusses the complex 'wholesale rejection of the refugee label'—the refusal by people who in fact need protection to take up refugee status.

> To them the refugee label connotes victimhood, passivity, and a lack of agency … refugees are viewed as people waiting helplessly in camps, relying on handouts, with no prospects for the future. To be a refugee, in their eyes, is to lack dignity.
> (see McAdam & Loughry 2009, n.p.n.)

Academic and policy literature addressing the plight of refugees continues framing the topics and issues within the legal and political paradigm. Furthermore, in response to historical refugee-producing episodes, short-term emergency responses were normalised within human rights' frameworks typifying politico-legal problem-solution approaches. However, in contrast, the flow, diversity and complexity of refugees and people seeking asylum in the decade under question have changed and increased exponentially. First, emergencies producing refugees are globally more consistent than episodic. Second, no longer are the numbers of refugees or their countries of origin as easily anticipated.

[10] Association of the refugee with fear comes up again in recent research (McAdam, 2009) and in Hannah Arendt's (1951) account of the refugee.

Third, coupled with country of origin, is the complex of culture, religion, language, tribal differences—of which Anglo-European countries (the receiving countries) know very little. The increase in numbers of people arriving without papers or visas demands a revised approach to uphold the original intention of the Conventions.

Researching approaches, patterns and causes of refugeeism meant reading across different disciplines. The critical questions that have shaped this thesis arose: Is the politico-legal framework the most suitable to uphold protection for seekers of asylum? And: Can the current problem-solution paradigm encompass operations of protection that include respect and dignity for all people? As I proceeded to research these questions I noticed a recurring pattern of uncoupling. Connections between the legal terms 'refugee' and 'seeker of asylum', as they are defined in the Conventions, are disconnected in the practical 'on the ground' practices of protection. Disconnections have become representative of the normative paradigm of the refugee discourse.

According to the UNHCR definition 'a refugee is a person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country …' (UNHCR 1951). Article 1 of the 1951 Convention Relating to the Status of Refugees defines an asylum seeker as 'a person who has left their country of origin, has applied for recognition as a refugee in another country and is awaiting a decision on their application'. The Conventions (UNHCR 1951) define the asylum seeker as a conditional subset of the refugee, leaving little doubt as to their need for, and rights to, protection while their refugee status is undergoing determination.

However, Australian politicians and media and therefore the public speak of asylum seekers and refugees interchangeably. Bagaric et al. (2007) claim that

> … migration law [in Australia] has been a very controversial area over the past twenty years. The global movement of people and the plight of refugees have led to a series of controls on people entering into, and remaining in, Australia. The legislation containing the rules have been changed many times and the courts have considered hundreds of cases.
> (Bagaric et al. 2007)

As the discourse for treatment of people who seek asylum is framed by legal conventions and language, the human in the concept *human rights* is at risk

of being lost. People become objects of legal discourse. The point is made by Every, who points out that 'dehumanising removes asylum seekers as potential subjects from moral demands … promotes social indifference[11] ... preventing others from feeling empathy and connection by removing them from the ambit of moral obligation' (Every 2006, p. 142).

In the past decade (1999–2009) Australia has developed a complex and confusing set of policies that tend to exclude rather than to offer entry and protection (Crock, Saul & Dastyari 2006). Burnside (2007) points out that 'pragmatism is emerging as a sufficient justification of measures that, until recently, would have been abhorrent' (p. 145). After analysing correspondence between detainees and Australians who befriended them, Browning (2006) writes forthrightly that the detained lived in a space of threatened brutality and enforced disablement. Her research provides evidence of the abhorrent measures to which Burnside refers. Both Browning and Burnside are describing the unethical environment for and treatment of detained asylum seekers. However, whether ethics are alluded to within the context of moral discourse, or whether internationally ethics is raised with the main purpose of identifying new ethical options for the protection of refugees (Bagaric et al. 2007; Gibney 2004), the scholarly discourse remains within the paradigm of international and domestic law, politics and normative ethics.[12]

During the period 1999 to 2009 the scholars discussed in this chapter have indeed struggled with the tensions between the nation-state, international human rights and the needs of people seeking asylum. With regard to the politico-legal changes in Australia, Rogalla's doctoral thesis (2007) is interested in the Howard Government's complex puzzle of rhetoric about refugee policy and law. She insightfully highlights the Howard Government's shift from legal rationality to what she terms 'legal rationalism', explaining how the then government selectively used legal rationality to increasingly uncouple refugee policy from its normative purpose—namely protection of refugees. Similarly Pugliese (2004) describes what became an ongoing mire and morass of policies as a 'disembodied

[11] Levinas posits non-indifference as responsibility (see Chapter Two).

[12] Normative ethics is the attempt to provide a general theory that tells us how we ought to live in terms of the agent, the act and the consequences of the act. There are three types of normative ethical theory: (a) virtue; (b) deontological; (c) consequentialist. See also Bagaric et al. 2007, pp. 306–15. (Bagaric et al. 2007, pp. 306-315)

assemblage of laws and juridicisms' (p. 302). Yet other scholars such as Crock et al. (2006) have researched the realities of mandatory detention within the legal context, analysing the systematic destruction of the legal rights of asylum seekers by successive changes to the Migration Act 1958 (C'wlth) ('Migration Act'). Specialists in psychiatry and psychology point to the lifetime damage ongoing detention inflicts on detainees. HEREOC (2004) and Herzberg et al. (2003) focus especially on the mental health cases of children in detention that are almost unbearable to read.

I have also identified an ethics element[13] that, although absent from the research discourse, is available through an analysis of a literary genre. Within the decade of this inquiry (1999–2009), theatre, film, poetry and stories of first-person interpersonal and intrapersonal experiences have been published in Australia. The authors are released detainees themselves, friends of detainees, and detainee advocates (see Horin 2004; Newman & Mares 2007; Sallis, Miller & Dechian 2004; Scott & Keneally 2005). The well-known Australian author Helen Stone appraised the stories published by Sallis, Miller and Dechian as 'Stories to melt the hardest heart' (2004). Additionally verbatim theatre such as *Through the Wire* (Horin 2004)[14] takes us intimately and profoundly into witnessing experiences of first-person relating.

The short film *Tea for Two,* written by released detainee Hassan Sabbagh[15], is a measured, almost poetic, subtle autobiographical telling of his experience with the guards and his relationship with one specific advocate in Villawood Detention Centre. The issue of ethics regarding the detainee is unstated yet palpable owing to the medium and the production aims.

Hassan, a middle-aged professional and educated Iraqi, was known to the Department of Immigration, Multicultural and Indigenous Affairs (DIMIA) and the Australian Correctional Management (ACM) guards of Villawood Detention

[13] The ethics to which I am referring is located within the field of philosophy and presents a different paradigm with which to consider the concrete conditions for 21st-century refugees and specifically seekers of asylum.

[14] A sell-out hit at the 2004 Sydney Festival that enjoyed a hugely successful tour of NSW and a three-week season in Melbourne in 2005, *Through The Wire* is a play about three ordinary Australians and four refugees and the extraordinary, life-changing relationships that developed between them. The play was developed by Ros Horin from material gathered from in-depth interviews with the people who are the characters in the play. The character Doreen is the current candidate, Devorah Wainer.

[15] Sabbagh is now an Australian citizen.

Centre as someone who posed no threat to anyone. He had begun his Australian incarceration in Woomera and combined with Villawood Detention Centre he was detained for almost five years. The cameo in *Tea for Two* took place after three years in Villawood Detention Centre. Hassan's visitor Judy was a weekly regular, thus also known to DIMIA and the ACM. The treatment they received as seen in the cameo film is an authentic reconstruction of the treatment we all received, detainees and visitors alike, and raises the issue of dignity and respect on the one hand and criminalisation by attitude and behaviour on the other.

As my research progressed and I identified attitudes, behaviour and patterns within the detention system as common to international criminal justice systems (Affidavits 2006; Akhmatova 1940; US vs Jannotti in Affidavits 673 F.2d 578, 614 (3d Cir.1982)), I came to ask the question: Did seekers of asylum belong in the criminal justice system? And, since their visitors were subjected to and often traumatised by the criminal justice system, a second question arose: Is subjecting law-abiding Australian citizens to the violences of the criminal justice system acceptable? Australian citizens who ordinarily would never have encountered criminals and who were naïve about prisons and jails became disturbed—some, even traumatised—after visiting the detention centres. Nayela Everson, a para-legal and migration agent, describes her pre-sleep mind and actual nightmares in *Acting from the Heart*:

> Images of the nine-year-old who slashed his wrists and the man who jumped out of a tree are created and re-created in my mind, as I lie awake for an hour. Later I wake crying from a nightmare: I was in the camp (Curtin detention centre) trying to protect a child. I tried to run and scream but my legs were stiff and my throat empty.
> (Newman & Mares 2007)

Both the scene in *Tea for Two* and Everson's nightmare indicate two important research topics that this thesis explores. Firstly, the question of how the philosophy of protection is operationalised is begged when recognising the individual's sense of impotence and actual trauma when they are confronted with the concrete realities of the detention regime. Secondly, when the operations of protection are framed within the criminal justice system (which is the current politico-legal paradigm), all people involved in the system and subsystems are touched and damaged, albeit unequally. Yet an analysis of the stories, film and theatre as a genre of literature will reveal former DIMIA employees and former ACM guards together with other Australian citizens opting out of the paradigm of

fear and danger that criminalises the strangers arriving in Australia. Instead, after Levinas who writes that his philosophy of ethics as the first philosophy—prior to ontology—is a new paradigm of being ethical, they discover an approach that I have identified as an alternate paradigm grounded in an ethical approach.

To examine the literature in terms of the politico-legal and health systems and to find examples of ethical relating present in the extant literature, I have developed a hierarchical four-level model that categorises transdisciplinary literature into global, national, local and individual levels (see Figure 1). The **global** level (four) comprises an international stance that encompasses primarily international treaties, the Conventions (upholding the Human Rights philosophy of protecting refugees) and narratives illustrating dissonance—internationally for asylum-seeker issues. The next level (three) is the **national** body of Australian human-rights, policy and legal literature. Examination of this category reveals disconnections between the Refugee's Rights to Protection, the Global Philosophy of Protection and the Australian Operations of Protection. At the second, **local** level of the model, the Operations of Protection in Australian detention centres are uncoupled from the Philosophy of Protection—the philosophy embedded in the Global Rights to Protection, to which Australia, as a signatory, subscribed. The first section of the hierarchical model is used as a lens into the **individual**, concrete conditions[16] within Villawood Detention Centre, which is the detention centre that I visited from 1999 to 2004. Significantly, at this level the extant literature lacks accounts of researched first-person experiences. Therefore, it is into this space—into level one of the transdisciplinary model—that this thesis inserts the Midrashim[17] in Chapters Four, Five and Six.

Given the transdisciplinary nature of the model, and the complexity of the systems being explored, the boundaries between each level must be interpreted as permeable. That is to say, some of the research that I will refer to within the limits of one level will apply across those limits and be applicable at another level. The Palmer Report is an example: in my reading, the report crosses the borders of the model as it refers to Operations of Protection in Australian detention centres generally and to details of the Baxter Detention Centre specifically.

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[16] Levinas's ethics are practical in the concrete conditions as evidenced in this thesis.

[17] 'Midrashim' is the plural form of the Hebrew word 'midrash'. Here, midrash is used as a 'postmodern social science research model of inquiry. The term midrash, literally, exposition, investigation or searching, does not carry a univalent meaning' (Douglas-Klotz 1998, p. 181).

Refugees' right to rights of protection

The well-known Arendtian phrase 'the right to rights' (Arendt 1951) invokes the concept of human rights, based upon the presumption of the existence[18] of the entity 'human being'. Yet once a refugee escapes or is forced from his country of origin, he relinquishes his citizenship and Arendt points out that he thereby loses much besides the rights of a citizen. With this loss of citizenship, refugees lose not only all their rights but, more fundamentally, the right to have rights (Arendt 1951).

In *The Origins of Totalitarianism*, written in 1951, Arendt[19] is referring to the Jews who were rejected as human beings during the Shoah[20] and as refugees after World War Two, when they were treated as rejects of humanity everywhere. Arendt shows that *human rights*, if limited to the predicate 'the fact of being human', is vexed.

From her personal experience Arendt attests that the conception of human rights, based upon the assumed existence of a human being as such, broke down at the very moment when those who professed to believe in it were for the first

[18] Levinas develops existence in his philosophy (see *Existence and Existents*, 1978; translated into English by Alphonso Lingis from *De l'existence à l'existant*, 1947).
[19] Arendt escaped from Germany to France in 1933 after Hitler came to power. In 1940, after the fall of France to Germany, she migrated to America. The German Jewish woman therefore writes about the 'right to rights' from her personal experience.
[20] 'HaShoah' (השואה) is the Hebrew for the Holocaust, and refers to the Nazi *Final Solution* program for the extermination of European Jews during World War Two. Literally means 'destruction', 'catastrophe' or 'calamity'. The biblical word *Shoah* is preferred to *holocaust*, theologically offensive owing to its etymology—namely, a pagan Greek custom.

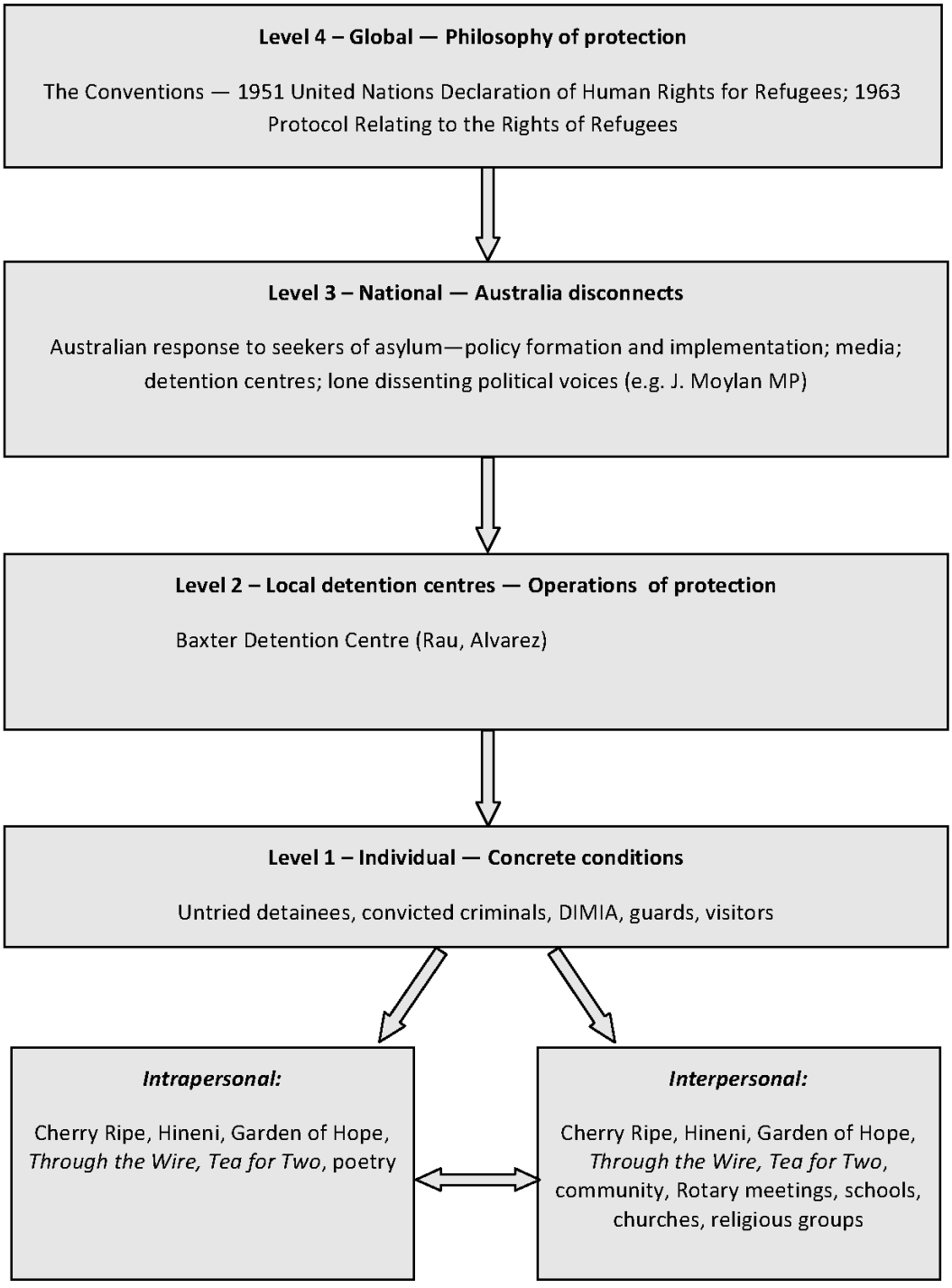


Figure 1: Refugees' right to rights of protection

time confronted with people who had indeed lost all other qualities and specific relationships—except that they were still human. The world 'found nothing sacred in the abstract nakedness of being human' (1951, p. 299). The reality for Arendt, as for the post–World War Two and post-Shoah refugees, was that despite the philosophy guiding the policy of rights of protection for refugees, the higher,

more noble attributes of the policy were untranslated by those who lived in the receiving countries.

Arendt grounds her theory of rights in the idea of citizenship, claiming that it is the absence of citizenship that correlates with the absence of rights. She is well supported by Agamben (1998, 2004), who somewhat echoes her critique as he 'calls into question the citizen-state relation, that always represents an exacting problem for the state' (Browning 2006). He does, however, extend the bounds as he explores a connection between democratic governance and the 'relationship of law and lawlessness, law and anomy' (Agamben 2004, p. 609). Agamben goes significantly further than Arendt to claim that when an individual's rights are no longer the rights of a citizen, he is exposed to 'bare life' and is always destined to exist in 'a state of exception' (Browning 2006, p. 41), thereby also—as one of the rights-less—losing control of individual destiny.[21]

Iranian refugee Moshen Soltany Zand was incarcerated in detention centres for nearly five years.[22] This poem is taken from the second spoken-word album of his work, titled *Australian Dream* (2006).

3 False Prophets
for you who hear

My pen speaks for the accidental criminal
who languishes and waits in a razor wire bind.
His Crime? To ask for freedom and humanity's compassion
But finds a fate much worse than the terror left behind.
Alone, afraid, alive but barely breathing
darkness and madness are companions in his head
his thoughts are filled with freedom's spirit leaving,
like suffocating crucifiction [sic], a slow and painful death.
Historians, historians, where are your pens?
How will you record the thorns that pierce their lips
In this century where men will land upon the moon of Venus
We cannot find a place for the refugee to live?
(spoken by Mohsen, Annette Hughes and Geoffrey Datson)
(Zand 2006)

21 The Howard Government further controlled the destiny of the asylum seekers by introducing the Temporary Protection Visa (TPV) in 1999 that restricted the Permanent Protection Visa (PPV)—denied family reunion, the right to work, support services and other rights.
22 A young clerk of the Military Courts, who blew the whistle on corruption in the legal system in Iran and had a death warrant put out on him, Mohsen Soltany Zand arrived in Australia in January 1999 and was held in Perth and Port Hedland Immigration Detention Centres, Western Australia (WA), and Roebourne Prison, WA. After 4 years, he was released with a Permanent Visa from Villawood Detention Centre, Sydney, New South Wales, in January 2003.

Mohammad Ali
by Ngareta Rossell

1. Mr Mohammed Ali
Owned rug shop twenty two A
At the southern end of the market place
Where he marked down the passage of days.

2. Next door was the cinnamon seller
A vendor of saffron and mace
Mr Mohammed Ali
Lived his life at an organized pace.

3. On Sundays he went to the desert
With his wife and his family of four
And they picnicked there by the clear water spring
In the wind, where the wild eagles soar.

4. Then Ali would visit the nomads
Who sold rugs of deep indigo blue
He inspected the reds, the yellows, the greens
The knots and the threads and the hues.

5. Designs he would choose with discretion
His judgement was sharp as a knife
From medallions and birds and animal forms
He favoured the strong tree of life.

6. He returned from his journey with figs
With almonds and walnuts and peaches
He recognized always the danger signs
When market place had changed its features

7. Sometimes at midnight the soldiers would come
They were dangerous, iron muscled men
In return for his money they left him alone
He would pay them again and again.

8. The cinnamon seller was nowhere in sight
His shop had been burnt to the ground
The soldier had come with their bullets and guns
And taken whatever they'd found.

9. Ali and the cinnamon seller
Together had worked out a way
If one of them had been raided
The other would leave that same day.

10. Mr Mohammed Ali
Told his wife of the neighbour's burning
He said he would leave that night
She should follow when soon he'd be earning.

11. He packed up one rug and a shirt
He had kept there for such occasion
He took cash and he locked up the rugs
In a cellar prepared for invasion.

12. He'd heard of a country a long way away
Where the soldiers left people alone
And at midnight he shuttered and barred up his shop
Then he struck out, on guard on his own.

13. He passed villages, hamlets and townships by night
He tramped mountains beneath the suns rays
He crossed creekbeds and rivers and oceans on boats
And he marked off the passage of days.

14. He arrived at the gates of that country so far
With his documents, suitcase and rug
The officials they took all his papers away
And declared that his fabrics had bugs.

15. Like an insect they sprayed him with fluid, then more
That stung both his nose and his eyes
We will keep you locked up a uniform said
Till we find out if you are a spy.

16. Now you could be a robber, gun runner or worse
You might be a gay or a stripper
For all that we know you're a dealer of drugs
You could well be old Jack the ripper.

17. No, no Sir you're wrong Ali drew himself up
I'm not from a sink or back alley
In my country of birth I'm a dealer of rugs
I am Mr Mohammed Ali.

18. We'll see about that, the officials made note
We will find if you are, who you say
And they locked him away in a dry desert camp
Where he counted the passage of days.

19. We will know very soon the official pronounced
If you're Check or Bidoon or from Hui
That's all right by me Mr Ali he said
As he marked off the passage of days.

20. On Fridays he thought of the Mosque and his prayers
On Saturdays he pondered his life
And each night alone in his small, narrow bed
And sent thoughts to his loving wife.

21. The first year he managed remarkably well
He kept busy, alert and alive
At the end of that time with his old ball point pen
He marked days three thirty-five.

22. The officials they told him he'd never sold rugs
That his lying caused trouble and strife
You know that's not true sir, for you have my rug sir
Designed with the grand tree of life.

23. Your rug has been burnt officials declared
So the germs and the bugs could expire
It was then that a light turned on in his head
He had jumped from the pan, to the fire.

24. Now he sits every day in his small hut alone
His beard is now flecked with some gray
And his best cotton shirt is frayed at the edge
On the seven hundred, twenty- fifth day.

25. And sometimes he dreams of the clear water spring
Of the nomads, his children and wife
Alas an illusion he wakes with a start
They have burnt out his whole tree of life.

Level 4 – Global — Philosophy of protection
The Conventions — 1951 United Nations Declaration of Human Rights for Refugees; 1967 Protocol Relating to the Rights of Refugees

Human rights protection for refugees and thus asylum seekers is enshrined in the 1951 United Nations Convention relating to the Status and Rights of Refugees and the 1967 Protocol Relating to the Rights of Refugees. The conventions came into operation not only at a time when the refugee challenge was episodic and when, therefore, crisis or *ad hoc* solutions seemed to be adequate but also at a time when the global numbers of refugees were comparatively small. As well, the countries producing refugees were mainly European and therefore, unlike the 21st century, the breadth and depth of the issue were significantly less.

The large numbers of people fleeing Eastern Europe after World War One were grouped and defined in legal terms as refugees. Later, after World War Two, the ratification of the Conventions and Protocols expanded the concept of a refugee to someone who seeks refuge in a country other than his own because of war and violence and/or out of fear of persecution on account of race, religion, nationality or political opinion. At the time of ratifying the Conventions the signatory institutions could agree philosophically to the human rights, political and legal contexts of protection. Furthermore the international community recognised the causes triggering the majority of refugee movements, such as World War Two, the Cold War and localised ethnic cleansing.

However, the 21st century posits radically different challenges, as the causes for people fleeing their own countries and seeking refuge are less known and understood by the hegemonic Anglo-European receiving countries. Not until a critical mass of refugees are taken in does the receiving country learn from the arrivals about the nuances and complexities of their specific situations.

The following examples illustrate the barriers for an asylum-seeker from lesser known refugee-producing situations and countries. The first illustration[23],

[23] In his research for an invigoration of Human Rights law, Simmons (2010) made frequent trips to The Gambia. With on-the-ground, practical knowledge his observations are instructive regarding the language barriers to a fair hearing in a life or death matter for the claimant when the judge's credibility determination is a key component of any asylum decision.

taken from Simmons (2010), is of a 27-year-old individual in a United States court to plead his case for asylum. As others in his family already had been granted asylum, it is fair to say that the causes for fleeing his country, The Gambia, were already known and established as genuine for refugee status. Despite English being the official language of his country the judge is insisting he speaks in Wolof and uses the translator. However:

> The Gambia is a polyglot nation, with conversations frequently shifting seamlessly from one language to the next without any apparent cue to an outsider (author's observations from frequent trips to The Gambia). … the court assigning a translator from neighbouring Senegal, where a different dialect of Wolof is spoken that is often intermingled with French. Further, Senegal and The Gambia are heavily Muslim with many words known mostly in Arabic. For example, neither Mr. Cham nor the translator knew the Wolof words for most months and dates, because they were mostly spoken in English, Arabic, or French.
> (Simmons 2010, pp. 225-227)

When asked the date of his birth, Mr Cham answered in English, but was reprimanded by Judge Ferlise. An excerpt from the transcript follows:

> JUDGE: All right. Remember what I told you, Mr. Cham? Mr. Cham, these instructions are not really earth shattering. They're not that complicated. We are going to stay totally in the Wolof language, now. All right?
> Answer: Okay.
> Question: Just, just answer in the Wolof language. It's rather simple. All right. What's your full date of birth, sir?
> Answer: 1979.
> Question: All right. Did you not just tell me 1978?
> Answer: '78.
> …
> JUDGE: Mr. Cham, the question is a rather basic question. When were you born? You said in English, 1978. You said to interpreter in the Wolof language, 1979, or at least that was interpreted as 1979. I just brought that to your attention. Now, we're back to 1978. When were you born, Mr. Cham? Give me your date of birth?
> Answer: I, I cannot count it in Wolof. That's the reason why I'm a little confused.
> Question: I want to know the date you were born, sir.
> Answer: 1978.
> Question: What date? Give me a month.
> Answer: September. September 28.
> Question: And, please -
> Answer: I'm sorry, sir. I'm sorry.
> Question: Would you, please, remain in the Wolof language. I don't know why you're doing this. I'm giving you instructions to speak only in Wolof and you keep intermingling English and Wolof.
> Answer: When it comes to counting, Your Honor, I am, I'm not very, very good at it in Wolof. I am better at counting in English than I am in Wolof. I'm very sorry.
> The interpreter tells Judge Ferlise that "they use the Arabic [names for the] month …" Judge Ferlise then asks the interpreter if he knows the Arabic names – but the interpreter says: "I know few of them. I don't know all of them ... I use the French or the English."
> The hearing continues:
> Question: Mr. Cham, do you have a problem following directions?
> Answer: I'm sorry, sir. I'm sorry.
> Question: Well, I'm, I'm tired. I'm sorry. And I'm tired of hearing you say I'm sorry. I don't want you speaking English.
> (Simmons 2010, pp. 225-227)

Despite the Country of Origin Information (COI) briefing that judges are given it seems that the language nuances as noted by Simmons are not included in the typical COI. In his chapter 'Rights talk' Simmons suggests that

> … the question becomes who should define what are the fundamental rights at stake? … A human rights of the Other calls for a preference for the rights of the marginalized based upon their life project as they define it.
> (Simmons 2010, p. 200)

The already marginalised Mr Cham clearly defined his project to the judge, saying that he does not count in Wolof—that certain words are spoken in English, others in Arabic, some in French and yet others in Wolof. Cham's life reality[24]—"When it comes to counting, Your Honor, I am, I'm not very, very good at it in Wolof. I am better at counting in English than I am in Wolof. I'm very sorry."—was ignored by the judge.

The second illustration, also from the United States of America, illustrates the mismatch between the original intention or philosophy of the Conventions and the concrete conditions of refugees seeking asylum. Fauziya Kassindja's story *Do they hear you when you cry* (Kassindja & Bashir 1998)—about her escape from tribal-ritual female genital mutilation—shows the disconnections between the globally enshrined philosophy of rights to protection and the actual operational failures to protect. *Do they hear you when you cry* illustrates an entirely different circumstance from those of the Anglo-European refugees of the 20th century. Her story clearly illustrates the difficulties refugees encounter when facing the ongoing conceptions and assignations of the Anglo-European hegemonic politico-juridical systems.

Fauziya Kassindjar fled Togo, West Africa, after her beloved father who had protected her from the tribal customs suddenly died. Soon after, her mother was banished from the family home by the father's sister, who promptly stopped Fauziya's education in neighbouring Ghana, in favour of marriage. Hours before the ritual genital mutilation and forced marriage to a 45-year-old man with three wives, 17-year-old Fauziya fled. I have included her brief description of departure from her country, not because it illustrates the specific circumstance causing her to seek refuge, but because it is against the ethos of this thesis to ignore the personal as shown in this cameo:

[24] Close parallels can be drawn with Australian cases where the claimant's life project was ignored, confused or made irrelevant at the initial interview, the Refugee Review Tribunal, or the court.

"Where are you taking me?" (She asks her sister.)
"Somewhere they won't find you. That's all I can tell you right now, Fauziya."
"The next day … as she boarded the plane: "You have to go now, Fauzy. I'll stand right here and watch you until you're gone, okay?"
It was the hardest thing I'd ever done in my life. I was supposed to just walk …
(1998, p.122)

Seeking asylum in America she was jailed under horrendous conditions, including gang-chaining, the humiliation of strip searches, incarceration in a high-security prison with murderers, and surviving tear-gas and baton beatings in a prison riot. She is an asthma sufferer who was confined with smokers. Furthermore, an agonising peptic ulcer remained undiagnosed and therefore untreated. Because of the chronic pain, she ate the bare minimum of food and lost a dangerous amount of weight.

Fauziya Kassindja was the first to successfully claim asylum in America from female genital mutilation. Being 'human' was insufficient to enable her to initiate her right to rights. Her encounter with the 'injustice and bias of an immigration judge who dismissed her reality, and refused to believe the truth she told' (Kassindja & Bashir 1998) illustrates the now well-documented general barriers to protection.

Level 3 – National — Australia disconnects

Australian response to seekers of asylum—policy formation and implementation; media; detention centres; lone dissenting political voices

(e.g. The Hon J. Moylan MP)

The prevailing attitude towards and conventional analyses of refugee movements is one that provides no place for refugees to articulate their experiences and struggles to assert their (often collectively conceived) political agency.
(Nyers 2006, p. xiv)

Hathaway (2005) explains that international human rights have a proclivity to subservience to domestic standards and legal culture. This is indeed the case in Australia, where the dominant domestic laws and policies create multiple disconnections from the robust international philosophy of protection. Nyers (2006) and Simmons (2010) point out that generally refugees are silenced by the very discourses that attempt to provide solutions to their plight. In *Rethinking Refugees* Nyers (2006) questions the terms under which the refugee

phenomenon has been framed, and again in his paper 'Missing Citizenship', Nyers (2010) challenges the framework that is the source of 'invisibility, speechlessness, illegality, and abjection'. Previously (2006) Nyers identified fear as the defining frame in which refugees were perceived. Currently (2010) he asserts the terms under which the refugee is framed is a politics that usurps the very humanness of the human who is the refugee—none more so than the refugee who without visa or papers arrives at Australia's borders seeking asylum.

Like Arendt's observations that Jewish refugees were rejected as human (Arendt 1951), so too during the past decade Australian politics has stripped the seeker of asylum of agency and humanity. In 2001, the Prime Minister, John Howard, said, "We will decide who comes to this country and the circumstances in which they come", thereby framing all would-be entrants as objects of law. The government of the day categorised the asylum seeker as a product, ascribing to him generic identifiers like 'boat-people' or 'queue-jumper'. Adding to the frame querying his legal validity as a human being John Howard, then Prime Minister, described him as a bizarre phenomenon, saying "I don't want people *like that* in Australia"[25] during the infamous Children Unthrown affair. [26]

As a signatory to the Conventions and Protocols protecting refugees, Australia made a clear commitment to first receiving refugees and asylum seekers and then assessing their circumstances and claim, in that order. But due process of protection crumbles and fails (present tense intended) as the right to rights is politicised and criminalised by and within the very domestic institutions that are responsible for protecting those who have the right to the rights of protection. Can those branded as right-less be once again held up to the light as right-full? Can, as Hannah Arendt believed was possible, the sacred be restored to the human?

As soon as human rights become an abstract concept, they become open to 'debate, criticism and juridicisms' (Pugliese 2004, p. 302). In his article 'The Incommensurability of Law to Justice: Refugees and Australia's Temporary Protection Visa' Pugliese points out that 'Australian refugee law resembles an apparatus principally constituted by a disembodied assemblage of so many legalisms and juridicisms' (2004, p. 302). Likening the 'disembodied apparatus'

[25] Notwithstanding the finding by an inquiry into the 'Children Unthrown' incident that no one attempted or threatened to throw their children overboard, the conception stuck with the media and public.
[26] Known interchangeably as 'Children Unthrown', 'Children Overboard' or 'Truth Overboard'.

to the body of the detainee, his article shows that the body of the seeker of asylum is usurped and his identity is constructed by political and legal agency. In addition to being rendered a disembodied being, he is represented by the legal and political agents as a victim, non-human by his own making or, worse, a dangerous enemy.

With reference to the SIEV X Perera (2006) expands the aspect of the asylum seeker as enemy in a state of war with Australia. 'Ships were forcibly boarded, fired on, and the navy authorised the use of 'necessary force' to prevent seekers of asylum setting foot on Australian soil. This state of war, characterised by the militarisation of maritime borders and a mobilisation of extreme national sentiment …'
(2006, p. 638)

In accordance with the constructed paradigm, the seeker of asylum is also required to be silent and invisible. The asylum seeker is bereft of any agency.

Instead of offering protection under the canopy of the Conventions, politicians have used rhetoric to fuel fear and distrust of those arriving and seeking asylum by verbally distorting and conflating the concrete conditions and legal facts as laid out by the UNHCR. For example, 'the idea of deserving and undeserving refugees has been promoted by some Australian politicians for their own political advantage' (Moylan MP 2006). However, the Conventions state very clearly that '[I]n international law, the term 'refugee' has a specific meaning and is NOT to be confused … ' (UNHCR 2002). Given that rhetoric is defined in the *New Oxford Dictionary* (version 2.0.3) as 'language designed to have a persuasive … effect on its audience, but is often regarded as lacking in sincerity or meaningful content' (*New Oxford American Dictionary* 2005) the production of the refugee and thus the asylum seeker as Other raises questions.

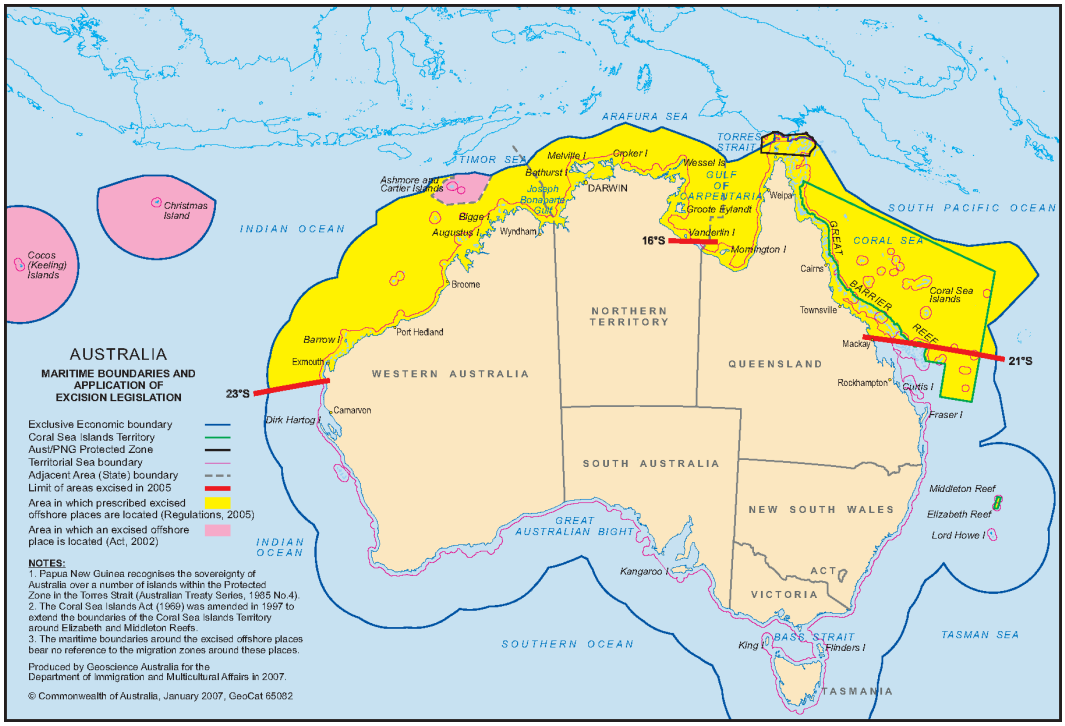
Questions are only partly answered by recent research that has started highlighting policies, law and the bureaucratic mazes that until now have seemed unjust, bizarre and inexplicable to those of us who encountered the detention regime. Scholars such as Rogalla (2007) efficiently demonstrate the relationship between those Australian policies that govern the operations of protection and how they disconnect from the macro, or global, refugee rights to protection*:* 'The trend has been toward policies that exclude, rather than regulate, the entry of refugees to Australia' (Crock 1998; Rogalla 2007, p. 344). Samson (2007) and

Palmer (2005) see the policies of the detention regime, as disconnected from the micro, or individual, circumstances of people who seek asylum in Australia.

Rogalla's thesis shows how Australia's Howard Government used 'legal rationalism' to disconnect from the Constitutional rights and philosophy of protection. Prime Minister Howard's legal rationality was in effect 'colonised by an ideologically charged practice and discourse of legal rationalism' (2007, p. 6). Considered in the light of Article 9 of the Universal Declaration of Rights, namely, 'No one shall be subjected to arbitrary arrest, detention or exile' (UNHCR 1951), the 'domestic standard' (Hathaway 2005) was either to interpret the Conventions too narrowly—by the *letter of the law*—or the Howard Government changed the law (Burnside 2007; Crock 2009; Pugliese 2004; Rogalla 2007).

The Australian detention regime exemplifies the problem raised by Hathaway (2005) for human rights. When international law is subordinate to domestic law the primacy and real value of human rights may be seriously compromised by the 'domestic standards present in the legal culture' (Hathaway 2005, p. 17). Thus, the government established new laws to detain the unwanted albeit genuine refugees and deprive them of their liberty. The Honourable Petro Georgiou MP pointed out that the historic progression of 'stringent measures' implemented by the Howard Government 'to prevent and deter seekers of asylum from arriving in Australia' included replacement of permanent protection by temporary protection and then 'more punitive reception centre procedures were introduced'(Georgiou MP 2006, n.p.n.). In 2001 the Howard Government again changed the law to erode further the rights of seekers of asylum. Named the 'Pacific Solution', the new law excises Australian islands to no longer be Australian (Millbank 2001) for the purposes of migration. The Pacific Solution excises 4600 islands to become *notAustralia.*[27]

[27] For the purposes of this work, I am calling the excision zones *notAustralia*.



Map 1: *notAustralia* Detention Centres

The zone *notAustralia* more effectively removes agency and visibility of the asylum seeker. Not only does the Pacific Solution fragment the geographical and political entity Australia but also it renders more dissonant the relationship between the refugee, the asylum seeker and the citizen.

The excision zone of 4600 islands: notAustralia disconnects and dissects Australia

In September 2001 the Migration Amendment (Excision from Migration Zone) Act 2001 (the excision legislation) amended the Migration Act 1958 (the Act).

The effect of the excision legislation is that non-citizens who have first entered Australia at an excised offshore place without lawful authority—meaning without a valid visa that is in effect—are barred from making valid visa applications on arrival or during their stay in Australia.

Excision laws allow for processing asylum seekers' claims outside of Australian migration laws.

The Pacific Solution allows for ‘removing’ parts of Australia from the Migration Zone, so that asylum seekers picked up in the *notAustralia* zones are restricted from making a valid protection visa application and are *not* eligible for certain legal protections usually available to any non-citizen in Australia. Previously people were sent to one of two detention camps, on Nauru and on

Manus Island, Papua New Guinea. Now they are incarcerated on Christmas Island.[28]

In *notAustralia* the *operations of protection* as guided by the legal rights and policies and processes that are enshrined in the domestic (Australian) legal system are disconnected from visibility and so the possibility of unaccountability is set up. Excision sets up a quandary. As excised land is no longer Australia for immigration purposes, Government immigration officers work de facto outside of the law of the land. They are still doing Australian Government work, but the legal framework regulating their actions is removed. The Honourable Judy Moylan MP points out that the premise that laws protecting people can be removed when that protection is in conflict with a desired policy outcome is a dangerous precedent to set in a democracy (MoylanMP 2006).

With yet another 'legal rationalism' (Rogalla 2007, p. 317) in 2006 John Howard again attempted to change the laws governing offshore processing. This time, two Liberal Members of Parliament, The Honourable Petro Georgiou and The Honourable Judi Moylan, crossed the floor to vote on the Migration Amendment (Designated Unauthorised Arrivals) Bill – Offshore Processing after impassioned speeches. The Honourable Judi Moylan's speech affirms the dangers of government officials (public servants) working in *notAustralia*:

> How can we in all conscience legislate to consign people to a place where they are out of sight and ostensibly out of mind? It flies in the face of that essential principle of democratic governance that there should be visible, credible checks and balances.
> (MoylanMP 2006, n.p.n.)

The movement from onshore detention centres to offshore detention on the excised *notAustralian* islands represented the progressive erosion of access by seekers of asylum to immigration law and protection (see Huysmans, Dobson & Prokhovnik 2006; Nyers 2010). Subsequently, as shown by The Honourable Petro Georgiou (2006), the Howard Government progressively introduced increasingly stringent and complex laws and policies.

Disconnection from the Australian democratic systems further dislocates the person who is already separated from family, country and culture. He is thrown into limbo, as the Pacific Solution cruelly and effectively disconnects and then effaces the laws, systems and process most needed by detainees.

[28] At the time of completing this thesis (July 2010) Christmas Island had reached full capacity. It remains the primary detention and processing facility, with other mainland Australian detention centres being re-commissioned.

Hello, I'm Ali[29], 24 years old, single, from Iraq. How are you, I hope you are well, more than ever thank you so much for your kindness and goodness. I'm also very grateful to canberra the refugee action Group. You make me very surprise, it is the greatest favour.
My pen isn't able to write a word worthy of praising you. I'm ashamed, that how can I compensate your kindness.
Regretfully, we really are missing the best days of lifetime for nothing in this wrong place. We have been affected by psychological problems. I wish, I would have been sunken in the sea, but never arrived to this land.
I have no idea with what hope, I can continue to live, anymore. After two years of detention for who has been charged with arriving to Australia as a refugee, of course, I love Australian people who are thinking like you.
I hate this life full of objection and oppression.
I'm also not agree with damage (fire) and violence. But these people are harassed from Government. They are too tired and hopeless. I'm so sorry that I make you nervous with these words. I give thanks to you and (R.A.C.) for everything again (parcels)

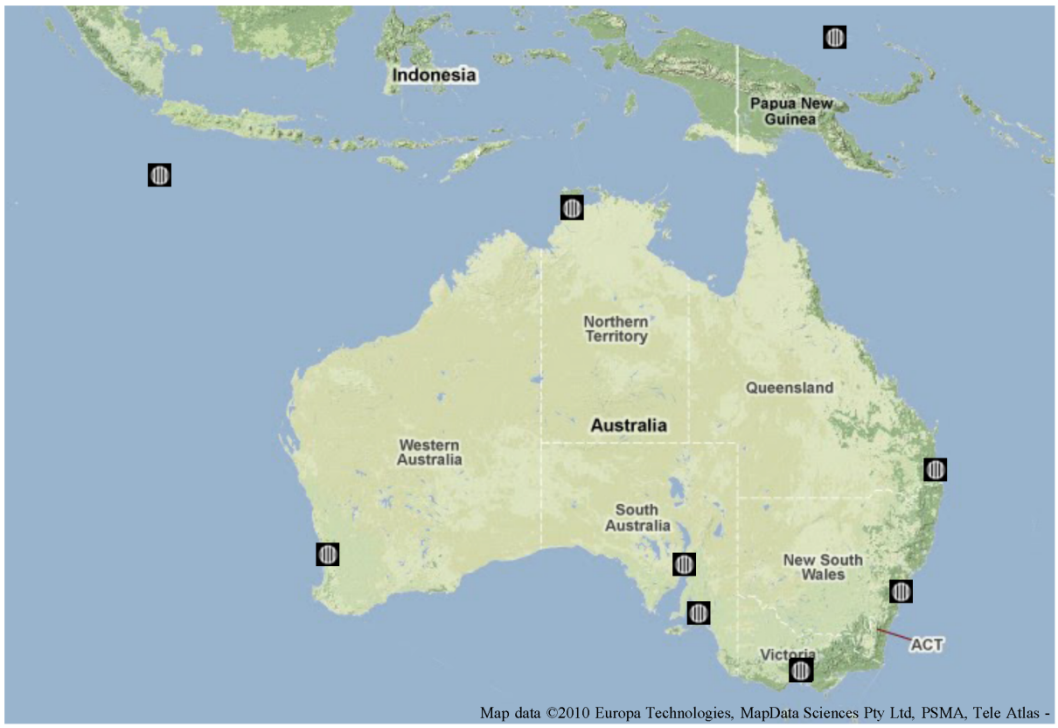
God bless you.

Onshore detention centres

Before the Pacific Solution and the birth of *notAustralia* between the years 1999 and 2001, 9500 'boat people' had arrived in (mainland) Australia. Any substantial increase of arrivals made the conditions resulting from overcrowding *inside* the detention centres so intolerable that in addition to the policies used as an instrument of deterrence now, too, 'the body of the refugee [was] instrumentalised in terms of an exemplary weapon to ward off other prospective seekers of asylum' (Pugliese 2002).

Seekers of asylum were not identified as people, who need clean clothes, protective shelter and adequate sanitation. Tom Mann, an education officer in Woomera, illustrates the increase in numbers over a one-year period. In *Desert Sorrow* (Mann 2003) he describes the difficult task of teaching in the year 2000 when there were only about 250 refugees. When he went back for a further six-month contract in 2001 there were up to 2000 people. The unbearable conditions in Woomera caused by overcrowding were, for example, a lack of water, queuing for toilet facilities, high daily temperatures combined with inadequate shade-shelter, no extra clothes to facilitate washing one set and changing into another, and young children who were separated from their parents or living in an unprotected environment amongst adults unknown to them.

[29] The name 'Ali' is used to protect this young man's identity.



Map 2: Onshore Australian Detention Centres

Given this anomaly of *protection* as operationalised in the detention regime Arendt's incisive question is apt: 'Who is going to protect those who are no longer protected by their states' (in Huysmans, Dobson & Prokhovnik 2006, p. 1). Huysmans et al. pose three additional questions to define the boundaries of the politics of protection: Who can legitimately claim a need for protection? Against which dangers can they legitimately make these claims? And, similar to Arendt: Who is going to do the protecting? (see Huysmans, Dobson & Prokhovnik 2006).

According to government social researcher Millbank (2001a) the primary objective of detention has always been to prevent de facto migration. So, detention is rationalised to be for as long as it takes to process claims for protection visas and to make removal easier when claims are rejected. 'All unlawful non-citizens in Australia must be detained and, unless they are granted permission to remain in the country (through the grant of a visa), they must be removed as soon as practicable' (Millbank 2001).

More recently, however, the argument for mandatory detention has changed—and continues to change (Bagaric et al. 2007; Rogalla 2007). Shifting the rationale for mandatory detention from ascertaining the person's identity and ease of removal to national security and border control became increasingly

prominent (Millbank 2001) in the decade 1999–2009. These changes demonstrate that, over time, recognition of the initial reason for detention (protection while the identity is being ascertained) has been lost, overridden, perverted or manipulated (see Burnside 2007; Crock, Saul & Dastyari 2006; Every 2006; Mares 2001). While accepting these matters are complex, scholars are perturbed about the general absence of ethics (Nyers 1999) and so raise questions about the disconnections between (a) the disproportionate operational responses to the vulnerable seekers of asylum and (b) Australia's claim to adherence to the humanitarian rights enshrined in the Conventions.

Separating land, law, logic and lives

By 2002 Australia had moved far away from the inaugurating philosophies of dignity, respect, protection and human rights of the Conventions. Two well-known maritime incidents—namely SIEV-4 (6 October 2001), better known as 'Children Overboard', 'Truth Overboard' or 'Children Unthrown', and SIEV-X (19 October 2001)—exemplify refugee policy that has 'increasingly uncoupled from its normative purpose to protect refugees' (Rogalla 2007, p. 344). Not only by pitting the Australian Defence Force against 'leaky vessels', 'overcrowded fishing boats', 'desperate refugees', 'vulnerable people' (Sidoti 2002; SIEV-X 2007) but also by 'constructing one story that was comprised of both image and verbiage from two separate sources, the story was misreported and the refugees were misrepresented' (Macken-Horarik 2010, n.p.n.). Both incidents point to the absence of an ethical responsibility simply to value and dignify human life. Both illustrate policies that are filial to the 'cruelty of … impersonal justice' (Levinas 1961, p. 300).

The general argument that the sovereign state decides who comes and stays is valid for the security and migration law of any country. However, examination of the context in which the Honourable Philip Ruddock, Minister for Immigration 1996–2003, claimed that 'the State determines which non-citizens are permitted to remain and the conditions under which they may be removed' (Millbank 2001) reveals bias and inconsistencies. The Australian High Court ruling (2002) on the denial of refugee rights points to the suffering caused by the Howard Government's bias and inconsistencies. In a 'staggering' 7–0 judgment, the bench ruled that the Refugee Review Tribunal's handling of refugee claims is

fundamentally flawed (Australian High Court 2002). Stripping asylum seekers of every basic right goes to the heart of unethical policies.

> In sum, the government … has now stripped asylum seekers of every basic right. Refugees can be blocked by military force from seeking asylum; detained indefinitely without trial; denied natural justice; and prevented from appealing to the courts.
> (Australian High Court 2002, n.p.n.)

There are former neighbours, brothers, fathers and sons, even husbands and wives, who have ended up divided by razor wire because of the different ways their claims have been treated.

> For example, many Afghanis are told that if they had a political problem in one part of the country they should have relocated to a province where they were unknown, as if that were as simple as moving from Perth to Sydney. In fact, in most parts of Afghanistan strangers attract so much scrutiny that you might as well pin your life story to your front door.
> … At the less subtle end of the spectrum, I know an Afghani man who was told, "Yes, the Taliban killed your father and your brother, so your father and your brother would have deserved visas, but you're safe here in front of me now, so how can you say you were in danger?" It's hard to imagine a more brutal catch-22.
> (Egan 2003, n.p.n.)

Jupp (2007) suggests that 'at the heart of opposition to refugees has been a lack of experience and understanding, rather than racism or even xenophobia. Most of the Australian-born have lived very sheltered lives, including most politicians and public servants'. Jupp describes mandatory detention and fear of 'boat people' as creating a 'series of blunders' (p. 189).[30]

The scholars Jupp (2007) and Rogalla (2007) exemplify different aspects of the phenomenon 'politics left to itself bears the tyranny of itself' (Levinas 1961): on the one hand, overdetermination within a narrowly politico-legal framework; on the other hand, overemphasis on unnuanced sociocultural features. That being the case, the 'blunders' illustrate the validity of Moylan's concern regarding the absence of checks and balances in democratic government (2006). Australia was clearly incapable of responding ethically to the plight of those seeking asylum, which returns us to the 21st-century challenge—reframing of Australia's response to refugees—which is underscored in the matter included in the SIEV-X national memorial project:

> The people of SIEV-X were brave people, trying to give their children a decent life. They could so easily have been safely living among us now, their kids at school with ours. In a modern era, with planes going overhead, satellites, radar, GPS, such a mediaeval tragedy should never have been allowed to happen. And in an era of serious climate change, when millions more refugees will be created in coming decades, we need to have systems in place to manage this more competently.
> (SievX 2007, n.p.n.)

[30] Indeed, blunders there *have* been, as shown in the Palmer Report (Palmer 2005). See the following discussion of level two of Figure 1.

Amal Basry, one of the 45 survivors of the SIEV X, who ultimately became an Australian citizen writes her testimony as one who witnessed, who continues in dreams and memories to witness. Her body wracked with cancer also continues witnesses the events of being rent asunder, of rejection and loss.

> Two years after the sinking of SIEV X the pain of the dying, of the sharks, of agonised waiting during a whole night and day, the pain of continued rejection, of waiting for citizenship and the imperative to tell her story become indivisible from the pain of cancer. Amal Basry loses her left breast, the one over her heart, as her body, the site of pain and trauma, bears its own witness to these events. After SIEV X this body has been remade. Amal, whose name means hope, now also embodies the dead.
> (Perera 2006, p. 642)
> Sometimes when the pain wakes me, in the night, in that moment between frightening dreams and the shock of reality, I think the sharks are feeding on my body, tearing parts of me away, and ripping at my soul.
> On the second anniversary of the sinking of SIEV X I knew I was ill. On 27 October 2003 I lost my left breast to cancer and now the cancer is in my bones and is eating away at me.
> The cancer eats like a shark. My doctors are kind and try to manage the pain but there is a deeper pain, the pain of loss, the pain of rejection. In those hours when I cannot sleep I see the lights that were shone on us as we fought to live in the water. (see appendix K)
> (in Perera 2006, p. 641)

Level 2 – Local detention centres — Operations of protection
Baxter Detention Centre (Rau, Alvarez)

During the early years of this new century medical practitioners (Herzberg et al., 2003), human rights lawyers (Burnside 2007; Crock, Saul & Dastyari 2006), advocates (Newman & Mares 2007) and visitors (Mann 2003) to the detention centres knew that 'in many ways, detention centres [were] a legal no-man's land, where detainees have fewer legal rights than convicted criminals' (Tom Morton ABC Radio National 2004). Consequently they were profoundly disturbed by the information that has more recently come into the public domain. Initially, as the volume of emerging facts increased, so too the public discourse reflected clarity and new understanding. The public was shocked by the frequently used dysphemisms to describe vulnerable people and the conditions in detention centres for people who were found to be genuine refugees. Outrage began to show in the literature. A discourse was beginning, together with

admission of error at the highest levels of government. The Honourable Petro Georgiou referred to 'cruel, harsh and wrong policies' and The Honourable Judi Moylan urged the public to 'search [their] consciences':

> The disturbing consequences of the mandatory detention regime became more apparent and Australians who had once accepted the policy as being necessary came to see that it was cruel and wrong.
> (Georgiou MP 2006, n.p.n.)

In contrast, however, to the suggestion in both their speeches to the House of Representatives that Australians' newly found preference for seeing the policy as 'cruel and wrong' had become the evident 'catalyst for change', I question their conception of the 'catalyst'. If an ethical paradigm for protection suited to the needs of the 21st century is to be unfolded, accurate examination of the purported shift in public conscience is an important step.

The catalyst for changed perspectives is other than the public's awareness about the concrete conditions for seekers of asylum in detention. Rather, it is directly related to the unfortunate circumstances of Australian citizen Cornelia Rau. This distinction is important, as it was only after the media covered her story that the public became aware of the wrongful and cruel conditions under which asylum seekers were detained (Every 2006).

The public spoke out because an Australian citizen, Cornelia Rau, was unlawfully incarcerated in Baxter Detention Centre. Not, first, *anOther* but, first, an Australian citizen catalysed the public's wrath. Because Rau was suspected of being an unlawful non-citizen (a non-citizen who does not hold a current visa), she was incarcerated and subjected to the Government tyranny, cruel policies and damaging attitudes. 'The case of Cornelia Rau shaped public opinion about the treatment of asylum seekers in a way no previous episode had' (Manne 2005, p. 19).

The Palmer Report is the parliamentary inquiry into the unlawful detention of Cornelia Rau and also an examination of the unlawful deportation of Vivian Alvarez. Both women are Australian citizens yet they were, respectively, detained and deported. Mick Palmer, a long-serving Federal police commissioner, headed the inquiry, which found:

> … analysis of these matters reveals the underlying problems and deficiencies similar to those applying to the extended unlawful detention of Ms Rau and the removal of Vivian Alvarez. These problems appear to be at the root of a significant proportion of the other referred cases.
> (Palmer 2005, p. 201)

Missing from the Palmer Report is the scenario that played out inside the Baxter Detention Centre for weeks prior to Rau being located and identified. At that time, a handful of concerned detainees were the only people in Australia who knew that Rau, or Anna as she named herself, was in Baxter Detention Centre. A few detainees told the guards and staff at Baxter Detention Centre of their concern about their fellow detainee Anna. They also telephoned their advocate-friends, telling us that there was something very strange about one of the new detainees. The detainees said that they found her to be sweet-natured and they were disturbed when the guards' maltreatment exacerbated her mental disturbances.

In particular, two points were overlooked in the Palmer Report. Firstly, the asylum seekers *knew*. But because they were people detained, what they said was ignored or not believed. As a consequence of the prevailing mind-set, the Howard Government was in denial of the alarm-signals. Secondly, DIMIA officers habitually failed to recognise and to respond responsibly to the fact that incarceration of people seeking asylum in Australia was unlawful and wrong. DIMIA and the ACM denied agency and voice to the non-citizens and citizens.

Other disturbing facts that the detainees reported informally were corroborated in the Palmer Report (2005). The Report raises the question: 'How is the disparity between the seriousness of Anna's (Rau's) situation – indefinite imprisonment – and the indifference and thoughtlessness of the DIMIA officials in charge of her case to be explained?' One explanation the Report offers is that the DIMIA officers did their best to identify Rau, 'but there was nothing to guide them in their actions ... nobody was in charge' (2005, p. 17). I suggest the tyranny of incarceration and deportation occurred because of the disconnections as shown in Figure 1. Those disconnections in turn impacted on the concrete conditions of the personal, as reflected in the literature. Such disconnections are in fact alarm-signals[31]:

> De-humanising removes asylum seekers as potential subjects for moral demands, removes any claims to a cause, or a just grievance, in fact removes any claims to subjectivity whatsoever. ... promotes social indifference ... preventing others from feeling empathy and connection by removing them from the ambit of moral obligation.
> (Every 2006, p. 142)

[31] The term 'alarm-signals' is taken from Primo Levi (1986), *Survival in Auschwitz*. See Chapter Seven.

The ‘serious problems ... deep-seated cultural and attitudinal problems within DIMIA … the failure of leadership’ exposed by the Palmer Report (2005) revealed the wave that may overwhelm when the perturbations of ‘politics left to itself’ and ‘the cruelty of the impersonal’ (Levinas, 1961) are not subjected to the checks and balances of democratic governance.

While the inquiry headed by Mick Palmer AM was under way the brutal deportation of another Australian citizen made front-page and headline news. Just as Rau had not been not believed, so was Vivian Alvarez not believed by DIMIA personnel. Indeed, DIMIA records include at least two references by officers regarding the construction of a story that she was ‘smuggled into Australia as a sex slave and wants to return to the Philippines’ (Palmer 2005, p. 227). Although from Alvarez’s DIMIA file notes it is clear that she consistently rejected that construction, it eventually was written up as a fact. Although there is no signature against that entry when it appears in her file, it was the day after the entry was made that she was deported.

DIMIA officers’ propensity to ignore the veracity of the story being told is endemic. As such, non-acceptance of the word of the seeker of asylum leads to the grave injustice of ‘exercising the power to deprive someone of their liberty’ (Palmer 2005, p. 61). Yet awareness of the gravity of this overreaching of authority seemed to escape the personnel and the public, so that the prevalence of the unlawful removal of liberty, of incarceration compounded by inhumane attitudes and of cruel treatment was unknown, denied, and ignored or accepted as necessary by the public until the Rau story became known. Only when Australian citizens (Rau, Alvarez) were the recipients of the same unduly harsh measures as asylum seekers did the absence of checks and balances for such significant responsibilities come under scrutiny. Only then did the discourse begin to include the rights of non-citizens.

Palmer’s inquiry revealed serious problems, such as deep-seated cultural and attitudinal deficits, within DIMIA. The inquiry noted that the leadership failed to deliver the outcomes required by the Government in a way that is firm but fair and respects human dignity.

Such facts about DIMIA and the detention regime that previously were hidden and of no interest now incensed the Australian public. Equating Cornelia

Rau's status with other 'unlawfuls' who are incarcerated included her under the veil of the impersonal and invisible—the rights-less. Rau's unlawful incarceration and Alvarez's unlawful deportation were the **rigorously logical conclusions of the concept that they were 'unlawful non-citizens'**.

As a suspected non-citizen, Cornelia was, by contrast, almost a non-juridical being, with virtually no legal protections or legal rights. In order for her to be incarcerated, in theory for the remainder of her life, all the law required was that a junior official with authority under the Migration Act form a reasonable suspicion that Cornelia had no right to be on Australian soil.
(Manne 2005, p. 7)

Slowly the public withdrew their blind faith in the Prime Minister's public statements about the detention system (Amnesty International 2002; Rogalla 2007). Instead, his words were recognised as misleading. People were shocked to read the Palmer Inquiry's revelation that over 200 Australian citizens were unlawfully incarcerated. Exposure of the deception and gross injustice of earlier incidents like SIEV-X and 'Children Overboard' failed to mobilise the public as did the incarceration of 'one of us', an Australian citizen. 'The Cornelia Rau affair taught the public that the lazy trust it had placed in government – not to inflict on innocents serious harm – was unwarranted' (Manne 2005, p. 19). In turn, the media—that had seldom taken up the story of asylum seekers of asylum—ran a week of front-page news on the Rau story. Consequently the Australian electorate was less blinded and entrapped by the 'fears and lies that had been surrounding the entire topic of asylum seekers and mandatory detention' (Connelly 2006, n.p.n.).

Level 1 – Individual — Concrete conditions
Untried detainees, convicted criminals, DIMIA, guards, visitors

The missing piece: aneu logou

The voices which should be empowered by human rights law are often disregarded by human rights law and they are even frequently further silenced by it. They remain in Aristotle's term, aneu logou (without a voice).
(Simmons 2010, p. 3)

When Rami arrived at Sydney airport seeking asylum, he was taken directly to Villawood Detention Centre. All seekers of asylum taken to Villawood Detention Centre were first locked in Stage 1, which is the high-security section for tried and charged criminals. Amad was accommodated in a dormitory of Stage 1 together with convicted criminals who, on expiry of their visas, were removed from Australian jails.

The story of a young Iraqi man, Rami, who was 'thrown' into Stage 1 reveals the impersonal operations of the detention regime. Knowing that he had committed no crime and that Australia was a signatory to the Conventions he was convinced that jailing him and placing him with convicted criminals was an error. He 'knew' he didn't belong with criminals—he had committed no crime. Despite his total terror, daily he put on his suit, so that he would be appropriately dressed when 'they' realised 'their' mistake and came to release him. He wanted 'them' to see he was not a 'rubbish' person and so dressed as a 'gentleman'.

After one month of waiting he no longer donned his suit. After two months of sleeping on the floor, he was told to carry his mattress to another dormitory in Stage 1 to make room for a new 'rubbish person'. No one knew he was there. No one there knew him. After three months in Stage 1 he was so depressed that he no longer cared.

Then, informed that he was about to be removed to Stage 2, he quickly put on his now shabby suit. In Stage 2, he met asylum seekers who had been incarcerated for three to five years. His hopes of release were dashed. Feeling 'forgotten' he threw his suit under his bed.

(Wainer 2002)

In October 2004 the Baxter Detention Centre held almost all the detainees who had been imprisoned in detention centres in Australia for several years. Almost all were by then profoundly depressed. As the DIMIA manager at Baxter, Kay Kannis, revealed to the Federal Court in early 2005, the majority of them were prescribed powerful antidepressant medications.[32] Some had completely lost their minds. The recently retired Baxter psychiatrist, Dr Howard Gorton, told 'Four Corners' (Australian Broadcasting Corporation): 'The people I saw and treated at Baxter were the most damaged people I've seen in my whole psychiatric career. Up until that time, I'd never met an adult-onset bed-wetter. I'd never met someone with psychological blindness' (reported in Manne 2005, p. 13). The standard test for measuring depression, the Hamilton Rating Scale, rates a score of 24 as 'severe depression'. Every Baxter detainee who was tested by an independent psychiatrist scored 39 or higher.

The Rau incident epitomises DIMIA as the detention regime that had disconnected from the essence—the voice—of the detainee. Denial of their credibility denies the Conventions that accord everyone the right to seek and enjoy asylum.

Other than the few supporters of the detainees, the majority of Australians would not, or could not, listen to the human voice of the asylum seeker. Through the delicate connections and sensitive relating between myself and other

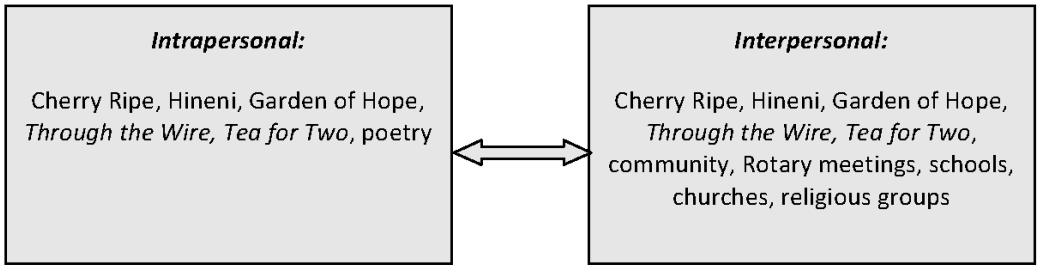
[32] According to the Controlled Substances Procedure each dose of medication has to be swallowed in front of the medical practitioner. This practice, unknown to most of the people detained, increased their suspicions of 'being drugged' and their sense of helplessness.

Australians who befriended seekers of asylum, we came to know the depth and breadth of intricacies, the impenetrable and the vulnerable aspects of the situation, the alarm-signals and above all the individuals behind the wire. No longer was the 'simplicity of the shock jocks, or the binary of the politicians credible' (Burnside 2007). We were coming to know people who in no way matched the hostile descriptions as relayed by politicians and the media (see Every 2006; Leach 2003; MacMaster 2002).

The following situations are not evidenced simply to convince us of unethical policies and practices. Of them, much has already been written and publicised. Instead, it is at this nexus of ethical theory, data and relata that engaging with our entire beings will create a new paradigm and then inescapably an ethical paradigm.

The interpersonal and the intrapersonal

At the first level of the model, interpersonal and intrapersonal relating transcend both the cruelty of the impersonal and the tyranny of politics left to itself.



Literature at this level of the hierarchical model (see Figure 1) is lacking. For this reason I began writing the midrashim (see Chapters Four, Five and Six). In the pattern of quasi grounded-research method combined with an action-learning research method, the writing itself guided me to further literature. Triggers in the midrashim led me to the Affidavits as published in *Caught! The Public list of judicial misconduct, prosecutorial misconduct, ethics violations, civil rights violations and legal misconduct in Rhode Island* (2006). The Affidavits are from the Intake Service Center (ISC), which is a maximum security facility serving as Rhode Island's jail for male offenders.

Under the heading *Disrespectful Treatment at the Intake Centre* I read the following account of a woman visitor[33]:

I was visiting my son in intake in the summer of 2003. Upon passing through the metal detector it beeped. The man in front of me had on steel toe boots and a short spiked belt. He was asked to remove these items and allowed to put them back on. The reason the detector beeped after taking off my shoes was because of my underwire bra.
I was asked to remove my bra and no wand to scan me was available. I was not allowed to put my bra back on and I only had a tee shirt on. I hadn't seen my son in quite some time due to an injury and being hospitalized. However I was allowed to go to the waiting area down stairs and await his visit.
Each guard commented on how they liked my tee shirt. The tee shirt was plain white. It wasn't the tee shirt they were looking at. After sitting for 10 minutes I was told my son had lost his visit. Upon leaving the guards commented on the tee shirt again. My arms were across my chest. I was humiliated and I asked to see a female officer. They answered, "We don't have any on duty." I asked for the senior officer. They answered, "He's in a meeting."
The guard who had me remove my bra was aware of my son losing his visit and seemed to enjoy my humility. I asked for his badge number and name. He said, "Don't catch cold now and laughed." This was total discrimination. Needless to say I cried in the parking lot. I felt violated and it seemed like I was the prisoner. If I am made to feel this way, then what goes on behind closed bars?

'The practices seem designed to deliberately antagonize, frustrate and anger inmates …' is appended to her statement.

Reminiscent of queuing in the rain in the midrash Cherry Ripe (Chapter Four) is a different affidavit.

Approximately 3 minutes before 8, about 10 people came inside to get out of the heavy rain. They were quickly told by the staff, "We didn't call anyone in yet, go back outside." For 3 minutes this group of visitors had to stand out in the rain waiting for a signal from the staff while they chatted amongst themselves.
(Affidavits 2006)

At this level of the hierarchy the Midrashim themselves were already starting to become research literature per se. As with the affidavits above, I reviewed the extant body of transdisciplinary literature to broaden the span of secondary research literature.

When I first read *Rekviem* by Anna Akhmatova (see Appendix C) I dismissed it because of scale. There is no comparison between Australia and Russia. Yet my second reading of Akhmatova revealed, like the affidavits, the exact match of words to some that I had already written.

During the writing I asked myself, Why? Why did I do this—visit Villawood Detention Centre? Addressing the question—seeking deeper meaning—I read Martin Gilbert's *The Righteous: Unsung Heroes of the*

[33] Her discussion of the queue is like the one I had already written in Cherry Ripe (see Chapter Four).

Holocaust (2002). This genre of literature became my lens for discussing the unique value that Levinas places on each individual.

> Be wary of a humanity whose progress is conditioned solely by its institutions and its techniques.
> (Emmanuel Levinas, 1996, p. 120)

My visits to Villawood Detention Centre were not easy. The physical challenges (a long drive, often in heavy traffic; standing in processing queues; undignified searches) that preceded my entry to the visitors yard were bad enough. In addition, the emotional turmoil of the visits, the discomfort of extra high or low temperatures in the western suburbs of Sydney and the lack of shelter seemed to increase the difficulties visit by visit. Often I had to brace myself before I set out and afterwards, at home, I was exhausted and debilitated. The visits took their toll on me, and family and friends asked "Why?" Why was I doing it?

Not only the visits, but taking up cases for recognition of refugee status, visas and release, assembling pro bono legal teams and preparing documents for the Minister of Immigration consumed hours, energy and emotions. I became increasingly reflective during the five years of going in and out of the visitors yard at Villawood Detention Centre. Moreover, I began to consider the relationship between my internal drive to return again and yet again and the phenomenon I was witnessing and experiencing inside the visitors yard. What compelled me (and a few other visitors), against huge odds, to return again and again to that visitors yard?

Increasingly I needed to make sense of the world in which I had placed myself. As my relationships with detainees deepened, I needed to make sense of the disparities between the fine people I was meeting inside and the negative ascriptions on the outside. At that time, a few other advocates were, like me, closely connected with a detainee. We began to support each other—informally. We queued together, shared information about processes and phoned to cry and debrief each other. We understood what each other experienced. And we asked the question "Why?" "Why are we doing this?"

Why *did* we do it? Why did *I* do it? The title of Mares and Newman's compilation *Acting from the Heart* (2007) provides one answer. Advocate-visitors

reveal the ‘maze of emotions’ (p. 81) in ‘confront(ing) the despair’ (p. 101) and the ‘emotional extremes’ (p. 103) that went with their ‘harrowing visits’ (p. 2). A para-legal and migration agent who contributed to the book reveals her ‘sacrifices and battling nightmares to visit’ (p. 89). Notwithstanding the difference in each advocate’s sense of responsibility, their story and their reasoning, a common response to the question ‘Why?’ emerges: “Because I must.”

I, too, had no answer beyond “I must.” In these situations the ethic stands before the ontology. Being inescapably responsible to the Other precludes privileging of my Self.

Chapter Two
THE ETHICAL EVENT: LEVINAS VIS-À-VIS VILLAWOOD

Overview

Emmanuel Levinas (1906–1995) introduces a new philosophical project about which he started thinking during World War Two and that he developed after the War. As a naturalised French citizen he was interned in a prisoner-of-war camp located near Auschwitz. His entire family, who had remained in Lithuania, were eradicated in the Shoah. Although his thoughts were forming before the War, after 1945 his life project connected Judaism with his phenomenological philosophy.

> Although his work also refers to Buber, Bergson, Rosenzweig, Marcel, Sartre, Merleau-Ponty, and others Husserl and Heidegger are the only twentieth-century philosophers who are almost constantly present in his thought, whether as inaugurators of a new way of philosophising or as respected adversaries with whom he is in discussion.
> (Peperzak, 1983, p. 1)

For Levinas, however, Heidegger's subject-centred conceptions of universal knowledge and truth privileged the self—the 'I'—at the expense of relational beingness. Arguing that philosophy privileged reason, Levinas rejected the primacy of ontology as his interest in the human situation and its meaning increased his focus on the person other than himself. Referring to the language of philosophers as 'Greek'—the language of intellectual reasoning— he declared that Heidegger's language of ontology 'violently absorbed difference into an ontological self-identification … Jacques Derrida pointed out in 1967 that Levinas does not want to propose laws or moral rules … it is a matter of [writing] an ethics of ethics' [34] (Bergo 2008, p. n.p.n.).

Levinas's ultimate rejection of Heidegger's phenomenological ontology marked an important rupture in Levinas's work and life. Thereafter Levinas's work was devoted to 'an ethics of ethics', which he called the responsibility for

[34] Jacques Derrida, 'Violence and Metaphysics' in *Writing and Difference*, trans. Alan Bass (Chicago, IL: University of Chicago Press, 1980; first published in 1967), pp. 79-153, writes: 'It is true that Ethics in Levinas's sense is an Ethics without law and without concept, which maintains its non-violent purity only before being determined as concepts and laws. This is not an objection: let us not forget that Levinas does not seek to propose … moral rules, does not seek to determine *a* morality, but rather the essence of the ethical relation in general … in question, then, is an Ethics of Ethics [which] … can occasion neither a determined ethics nor determined laws without negating and forgetting itself' (p. 111; French, p. 164). Levinas addresses Derrida's observation in *Otherwise than Being or Beyond Essence,* op. cit. (1974).

the Other, declaring that 'Ethical testimony is a revelation which is not knowledge' (Levinas, 1985, p. 108).

Despite having started to consider his philosophy of the Other in the late 1920s, for Levinas the Shoah interrupted the trajectory of Western ontology. With Levinas in mind, Kepnes (1998) proposes that postmodern Jewish philosophers' response to suffering has been an intensification of ethics and responsibility.[35] 'They have shown a passion to think about responsibility more radically and more honestly in the face of suffering ... to protect others from suffering' (1998, p. 21).

Not only was suffering the strangeness of the stranger, and being othered, a recurring theme in the life of the philosopher (Levinas 1984; Malka 2006), but he too was incarcerated. While interned in Fallenbostel[36] Levinas felt himself to be 'no longer part of the world' (Levinas 1988a). The Shoah remained bitterly with Levinas, as did his lifelong feeling of not belonging (Caygill 2002). And he holds the totalitarianism of the Shoah consequential to the limitations of the ontologic paradigm of philosophy.

Levinas poignantly captures an element, born of his personal suffering, that is profitably taken up in connection with the seekers of asylum: '[Peace] does not restore to the alienated beings their lost identity'(Levinas 1984, p. 22).[37]

Precisely because Emmanuel Levinas's background and his personal experiences are not separate from his philosophy[38], his work is suited to a philosophical template for reframing a philosophical and operational response to the vulnerability of asylum seekers. Ethically and aesthetically Levinas intersects

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[35] It is important to clarify that here Kepnes is not excluding, or 'othering', non-Jews. He is specifically referring to the Jewish philosophers' relationship with Torah.

[36] Fallenbostel was the prisoner-of-war (POW) camp for French, German and later Russian soldiers located next to the Bergen-Belsen death camps. By Spring 1942 more than 40,000 of the prisoners had died due to inadequate food, shelter and medical care and the ruthlessness of the Wehrmacht. Until recently, almost nothing substantial was known of Levinas's internment. However, his family has recently agreed to publish his POW diaries.

[37] In addition to the project 'Beyond the Wire', I submit this quotation to the current Gillard Government that, as this thesis is being prepared for submission, is reconsidering the asylum seeker policies. One argument put forward is that as there is now peace in Sri Lanka and Afghanistan is a safer place, the asylum seekers can be returned to their countries. But—after escaping their countries, the boat trips and being left to languish in detention centres, 'Peace does not restore to the alienated beings their lost identity'.

[38] After Auschwitz (sometimes used to refer to the entire Shoah) Levinas dedicated himself to reinvigorating Judaism. Through his phenomenological methodology, Levinas set out to investigate post-Shoah Judaism and meaning for Judaism specifically in post-War Europe. As a young boy, living in Lithuania, Judaism had been equivalent to the air he breathed (Levinas 1984). As a result of the inhalations of his childhood, Levinas the adult exhaled a unity of 'Talmudic wisdom and phenomenology in a unique contribution' (Rabbi Klenicki, Levinas's obituary, *New York Times*, December 27, 1995).

with the Midrashic methodological writing style and my worldview—as an immigrant to Australia who felt strange and other, as a former activist against the unethical South African apartheid regime who felt estranged and othered from her country of birth, as a former leader in multicultural New South Wales and as a Jewish woman.

> *'C'est la science des naivetes*—philosophy is the work of reflection that is brought to bear on unreflective, everyday life.'
> (Levinas in Bernasconi & Critchley (2002, p. 6)

This chapter begins with an orientation of the thinking that is required to connect Levinas's philosophy with Australia's detention regime, followed by elucidation of Talmud[39] as it unfolds in Levinas's thought. 'Beyond the Wire' relies on key Levinasian philosophical concepts that are best mobilised through an explication of the originating Hebrew. Both *Hineni*—הניני and *Chesed*—חסד require more than simply translation, since they are foundational to framing concepts like 'face to face', 'responsibility' and the 'stranger' in 'Beyond the Wire'.

The ethical event

To address the Levinasian paradigm in the context of substantive reframing of the current compromised protection of people seeking asylum in Australia, I explore elements of his philosophy via the Midrashim.

> Levinas is 'the best representative of postmodern Jewish philosophy' including the hermeneutical approach. 'These hermeneutical approaches were developed with an open spirit that has not only seen a whittling away of barriers separating academic disciplines but has also witnessed the creative possibilities of scholarship that emerge when long-held distinctions between the sacred and profane, philosophy and literature, test and interpretation, high and low culture and politics and aesthetics are put aside.
> (Kepnes 1996, p. 2)

Dialogical relating with the asylum seekers as the 'Other' is theorised in the midrashim, with reference to Levinas's injunction that 'unless our social interactions are underpinned by ethical relations to other persons, then the worst might happen, that is the failure to acknowledge the humanity of the other' (Bernasconi & Critchley 2002, p. 13). 'The worst'—the Shoah—also includes countless other disasters of his century, where the other person is faceless and his

[39] The collection of Jewish exegetical, hermeneutic and legal writings derived from Torah; also known as 'Oral Law' (Torah being 'Written Law').

life or death is a matter of indifference. In defiance of indifference, Levinas raises the necessity of responsible communication being initiated by an act of generosity. 'Beyond the Wire' takes up the defiance of indifference as applied to the people who seek asylum in Australia.

At all times, while in defiance of indifference, the endeavour requires holding to the position, as Levinas clarifies in his life project: conceiving of philosophy as ethics—more than rational thought. 'It is incontestable that in every philosophical reflection, in every philosophical essay, there are memories of a lived experience, which is not rigorously intellectual' (Levinas 1988, p. 96).

Levinas is not arguing for yet another 'normative ethic to be instantiated in our thinking' (Levinas in Hand (1989), p. 191). Instead he is requiring us, as Bernasconi suggests, 'to reorient our thinking' (Bernasconi & Critchley 2002). More than a reorientation of thought, Levinas, I propose, is arguing for a new paradigm in which a different way of thinking can emerge. I suggest he is calling for a paradigm in which prior to thought reorientation we experience the meaning of being ethical (Levinas 1988a). To achieve the new paradigm we are required to be open to *experience* the other person as he is, rather than to theorise about him, using the self's own mind (Hand 1989; Levinas 1988a).

> Unlike theoretical reasoning that aims for closure, bounds and fixes the Other, the ethical relationship is, as any relationship, open. The human I is not a unity closed upon itself, like the uniqueness of the atom, but rather an opening, that of responsibility, which is the true beginning of the human and of spirituality.
> (Levinas 1984, p. 182)

Levinas boldly inserts spirituality into the ethical relationship. Heir to this Levinasian reframing, the Midrash Social Research Methodology (see Chapter Three) of 'Beyond the Wire', as Denzin and Lincoln (2003) assert, 'seeks a sacred epistemology that recognizes the essential ethical unit of mind and nature … . This sacred epistemology is political … and civic transformation' (p. 1052). Simply, the decent person's action is the ethical event. In his conception of respond-ability—responsibility—Levinas takes us through the passage of raising to consciousness the understanding and actions of what the 'decent person ought to do' (Gilbert 2002, p. 114). In Levinas, ethics is a wave that swells to the event.

The stranger cannot be known by thinking about him, the consequence of which is to universalise him, for that, according to Levinas, cruelly neutralises him. His unique character, values and dreams disappear when he is totalised in a

process of generalisations and totalisation. Levinas is thinking of the injunction in the Torah 'Do not kill'. Neutralising him, invisibilising him, silencing him—kills his unique, individual self. What is left in existence in a totality system is merely a thought about him.

Mr Cham, the asylum seeker from Gambia (see Chapter One) was reduced to a thought within the mind of the Immigration judge, when the judge cruelly neutralised Mr Cham's spoken language that included English and Arabic interspersed in Wolof. The judge committed a Levinasian violence by not 'paying attention to the strange world inhabited' by Mr Cham.

Relating can only be ethical 'when we pay attention to the other and take account of him and the strange world he inhabits' (Levinas 1961, p. 15). Then and only then the ethical Self engages and relates, listens and dialogues with the stranger. With powerful humility and insight that touches on his own concept of holy, Levinas dignifies the stranger and introduces the sacred into the discourse:

> … he does not merely present me with lifeless signs into which I am free to read meanings of my own.[40] His expressions bear his meanings, and he is himself present to bring them out and defend them.
> (Levinas 1961)

> Man as Other comes to us from outside, a separated—or holy—face.
> (Levinas 1961, p. 291)

Levinas's *Totality and Infinity* (1961) is a philosophical treatise that initiates an ethics requiring us to consider the asylum seeker before ourselves. His philosophical project is clear—ethics precedes ontology.[41]

Chesed

> … the endeavour was to present my relationship with another not as an attribute of my substantiality, not as an attribute of my hardness as a person …
> (Bergo 2008, p. 83)

At the heart of Levinas's ethic is *chesed*—סחד, the first act that has no cause. *Chesed* suffuses and animates the level of the visible and in the chain of social dynamics is the primary spark that initiates subsequent action.

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[40] I am compelled to consider how much sorrow and tragedy could have been averted had the RRT (Refugee Review Tribunal) taken an approach akin to this one ethical injunction.

[41] Ontology deals with the nature of being and is the philosophical study of being, existence and reality. As the philosopher of alterity, Levinas establishes as primary an ethic that considers first the Other and then the Self. *On Escape,* first published in 1935 and further developed in *Totality and Infinity*, was Levinas's first break with the ontology of the Western philosophical tradition.

The self's responsiveness to the Other at the concrete level is a loving expansive act. In order to discover the world of asylum through a Levinasian lens, an explication of the Hebrew word חסד—*chesed* as a specific Judaic concept is instructive. Levinas is referring to a specific context in Micah 6:8 (*Etz Hayim* 2001), where *chesed* is one of two words in a Hebrew phrase: אהבת חסד—*ahavat chesed*. The word preceding *chesed—ahavat*—is the (contracted) third-person singular possessive of 'love'. The translation of *ahavat chesed* is thus 'the love of'. *Chesed* is translated as 'kindness' or 'loving-kindness'. Therefore, the phrase *ahavat chesed* can be translated as 'the love of loving-kindness'. However, in addition to the translation, one needs to discern the context as well to convey the feeling and thereby the deeper meaning derived from the language.

Levinas shows that this passage in Micah is about the love in lovingly giving. It is therefore an action[42], not a thought, concept or attitude. Similarly for Rabbi Leiberman, a Kabbalist[43], *chesed* is the proactive initiator of interaction and must therefore be the first act (Lieberman 2000). An act that has no cause, *chesed* precedes all others as the only unconditional and unmotivated action. Rabbi Lieberman explains that

> … being first is no mere hierarchical ranking. Being first carries within itself a property that no other element in the universe possesses. Every action in the universe has a cause—except that which is the first one. Within the sphere of visible action, chesed is without cause, a proactive expression of expansiveness.
> (Lieberman 2000)

Hineni as the ethical event

To explicate the concept of Hineni, I turn to the Torah. *Hineni*—הנני meaning 'Here I am', is first read in the book of Genesis, which is the first book of the Torah. In the *Cambridge Companion to Levinas* (Bernasconi and Critchley, 2002) Putnam provides a concise etymology. The first part of the word is *Hine*—הנני and is translated as 'here' only in a presentational context. The second part is *ni*— נִי which is a suffix as a contraction of the pronoun *ani* אני, translated as 'I'. So, *Hineni*—הנני—is the presentation of myself.

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[42] Judaism is an action-oriented religion concerned with the acts of living in the here and now as opposed to rewards after death or in a future life.

[43] Traditions of mystical hermeneutics point to the importance of individual letters and letter-combinations. The Semitic languages depend upon a root-and-pattern system that allows a text to be rendered literally in several different ways (Douglas-Klotz 1998).

Hineni—I present myself

We learn more about the I, myself, and to whom *I* am presenting from continuing the exegesis.

Hineni—הנני Here I am

We read that God calls to both Abraham and Moses and both immediately answer God's call with *Hineni—* הנני. No other words intervene between God's call and their response.

And God said to him: Abraham	וימאו אליו : אברהם
And he said: Hineni	ויאמר :יהנג
Genesis 22:1	
And God said to him: Abraham Abraham	ויאמר : א ברהמא ברהם
And he answered: Hineni	ויאמר : הנני
Genesis 22:11	
And he [God] said: Moses Moses	ויאמר : משה השמ
And he answered: Hineni	ויאמר :הנני
Exodus 3:4	

(1) Hineni — הינג —Here I am—. is not descriptive; it is presentational.

Hineni answers the interrogative pronoun. Putnam refers to *hineni* as the speech-act of presenting myself, of making myself available to another. Despite any misgivings, doubts or confusion the two leaders (Abraham and Moses) have the same immediate response: *Hineni—* יהנג. I am available. I take this responsibility for showing myself to you. They answered God's call with an acknowledgment of their own presence.

(2) Hineni—הינג— Here I am—is not a statement of location.

The Torah presents the stories of real people inclusive of their human imperfections, rather than mythological or perfect deity figures.[44] God calls out to Abraham (Genesis 2:11), who hears God (2:11). As Abraham was fully human, by extension we can know that God speaks to all humans. Additionally, Abraham answers God—which means that he hears God's voice, calling. Thus, by

[44] The Torah instructs one on day-to-day living by giving examples of human men and women.

inference we learn that it is possible to hear God speak to each individual uniquely. Moreover, we learn that we can answer. God speaks to each individual and uniquely each individual can hear and respond to God. In this event of dialoguing with God there is only one possible response: *Hineni*—Here I am. The Torah shows that *Hineni* is the only response-able response to God's call.

(3) Hineni— הינני —*Here I am—*is not a passive response; it is a vital act.

We read of dynamic relating between God and each individual. In the book of Exodus the Sinai moment is described. We read that the infinitude of God was seen and experienced by all present—the infinity of the Wholly Other illuminating all. The unknowable Other is otherwise than being (Levinas 1991). This experience—the illumination of the otherwise-than-being on all faces—influences the Hineni event. The call to ethical action is the call of the unknowable Other, the Stranger—the seeker of asylum—who confronts us with an infinite moral claim, one that is anterior to all theoretical or intellectual judgments (Levinas 1961).

(4) Hineni—הינני—* Here I am—*initiates 'the face' from the Wholly Other.

At Mount Sinai the Israelites (the Jewish people) were presented with the ethical code more commonly known as commandments. The midrash tells that not only the Jews were present at that Sinai moment. When God—the wholly unknowable Other, the wholly Other—showed God's self, amidst what is described as thunder and lightning, the light and power of God at that moment rested upon the face of all humanity physically present and also for the entirety of people to come in the future.

> Verses 13 and 14 of chapter 29 *Deuteronomy* relate the Messianic word of Moses addressed to his people: "Neither with you only do I make this covenant and this oath; but with him that standeth here with us this day before the Lord our God, and also with him that is not here with us this day." And in the Talmudic tractate *Shevuot 39a* we can already discern the faces of these absentees … (Levinas 1988a)

(5) Hineni— הינני* — Here I am—*as action-oriented ethics.

As a traditional Jew, Levinas did not 'believe'[45]—he *knew* that he stood at Sinai. As did all peoples. At Sinai the people present and thus all future souls, too, responded by accepting the ethical code with the words:

We will do and we will hearken: *Na'se v'nishma—נעשה ונשמע*

The action component of Hineni derives from the Sinai moment when the Israelites stood at the foot of Mount Sinai receiving the Torah and responding to the code of ethics saying: '*Na'ase v'nishma*'—We will do, and we will hearken. '*Na'se v'nishma*'—*נעשה ונשמע*then becomes the injunction to, first, act: ethical response-ability prior to contemplation (hearkening) and understanding (hearkening with intuition). My reading of Levinas takes his conception of the only response-able ethic as, first, 'to do' from the Sinai moment when all Others were standing at the foot of the mountain—all Others upon whose face God, the Wholly Other, has rested.

Hineni intersects with the detention regime as the ethical requirement of the Australian Government to take responsibility for those who seek asylum—upholding human rights and more than their legal rights. Following Levinas the only response possible is with actions that uphold the infinite and the sacred 'face to face'.

The few verses from Genesis cited above are not the only ones portraying dynamic exchanges between Abraham and God. Abraham spoke to, listened to, argued with, bartered and negotiated with God. "Please forgive my boldness in continuing to speak to you, Lord. I am only a man …" (Genesis 18:27). Today, such dialogues and debates with God are typically considered figurative or allegorical. Or, such an exchange would be declared non-rational, or personal fantasy, as conceptions of God are constantly called into question by theoretical investigation and by the powerful influence of science and technology on our understanding of the universe. Relating with God is largely unrecognised and unrecognisable. Still, regardless of one's personal attitude to or relationship with God, basing his arguments on the God of, and the events in, the Torah, Levinas adjures and counsels us not to spurn and abandon a stranger.

[45] Generally Judaism is not a belief-based religion, but a religion of the here and now, as evidenced through one's actions.

Relating face to face behind the wire, in the visitors yard at Villawood Detention Centre, stands in stark contrast to the political and media spurning and abandoning of the asylum seeker on the other side of the wire. The difference between the two positions in relation to the wire—inside and outside—is the concern of ethics, which, as Levinas specifies, is located 'neither in the analysis of specific problems nor in the discovery of universal laws' but in the vulnerable being of flesh and blood (The Other, Utopia and Justice in Levinas 1984, p. 131). The bedrock of **the ethical event** is the initial responsible action. My ability to respond is predicated on the ethical stance that I take.

Levinas unveils the concept of **responsibility** which serves to motivate ethical considerations 'that are not reducible to the traditional paradigms of normative theory' (Levinas in Hutchens, 1989, p. 167). Intertwining two traditional paradigms of normative theory—knowledge and ethics—yields a rich understanding, I submit. Traditional normative ethics are concerned with

> … what is right, fair, just or good … what we ought to do. Ethical claims are debatable and contestable. In ethical discourse we encounter conflicts of value, interest or sentiment, and choices between principles, decisions and actions.
> (Preston 2001, p. 18)

Traditionally ethical decisions require the use of our powers of reason and rationality (that are governed by our ontological worldviews), which Levinas points out is inadequate—always returning to the Shoah as the ultimate limitation produced by self-absorbed ontological philosophy. Preston raises for question the limitations of Western tradition that is dominated by a rationalistic and cognitive approach—'discerning universal principles rather than addressing the multi-faceted dynamics of right relationships' (Preston 2001, p. 23).

Universal principles totalise people into, I submit, production-line-type commodities, as a result of rationalist cognitive thinking that makes no room for the sacred, the unique, the individual through intangible ways of knowing. Kuhn-White promotes knowledge that is developed with

> … curiosity, kindness and humility … arising from a combination of inner growth (soul work) with learning about others and one's place in a broader, interconnected world. This combination will work towards wisdom rather than mere 'cleverness'. Near the beginning of World War II, the actor Charlie Chaplin made 'The Great Dictator', a film dealing with the terrors of totalitarianism. His speech at the conclusion of the film is apposite to the point I am making:
> Our knowledge has made us cynical, our cleverness hard and unkind. More than machinery we need humanity. More than cleverness we need kindness and gentleness. Without these qualities life will be violent and all will be lost. You are not machines; you are not cattle. You are men; you have the love of men in your heart …
> (Kuhn-White 1997, p. 8)

Bernasconi suggests (2002, p. 250) that for Levinas's conception of responsibility to be practical in our lives, the way we see ourselves or the way we approach 'concrete situations' must reflect the meaning of ethics. Meeting the detainees in Villawood Detention Centre visitors yard of surveillance mobilises the Levinasian approach to concrete situations. The new paradigm—an ethics of ethics—is already in site, within sight with insight in Australia.

In his eulogy to Levinas, *Adieu,* Jacques Derrida testifies that

> … the reverberations of his thought will have changed the course of philosophical reflection in our time, and of our reflection *on* philosophy, on what orders it according to ethics, according to another thought of ethics, responsibility, justice, the State, etc., according to another thought of the other …
> (Derrida, 1997, p. 4)

The reverberating of his thought can order another thought of ethics, responsibility, justice, Australia, seekers of asylum … .

Talmud

> Within the text [Torah] are enclosed an infinite number of meanings that require a plurality of people in their uniqueness, each one capable of wresting meanings from the signs, each time inimitable. (Levinas 1990, p. xvi)

When Levinas refers to 'the Hebrew' he is associating the language and the learning of Talmud and a Talmudic style of writing and speaking that, according to Derrida (2002), 'lacks transition' and has a 'conjunctive-disjunctive' texture (p. 143). Alternately, 'the Greek'—the 'language of all philosophers' (Levinas 1984, p. 96)—is the argument, rhetoric and connecting devices that dominate Western philosophy (Derrida 2002). The 'Greek' is a distinctly different paradigm of searching for meaning, of understanding and of communicating from the Talmud.

The Talmud is a record of 3rd–5th century BCE rabbinic scholarly conversations. Grappling with God's word as given in the Torah, Talmudic rabbis passionately challenged each other to uncover explanations and meaning in 'active and interactive study' (Holtz 1984). Eventually the Talmud canonised the lively dialogical conversations of the many and varied rabbis who 'debated and pondered aloud' (1984, p. 19). Their names are recorded in connection with their explication or contra, so that today the Talmud is read as a multivocal scholarly source.

In the Talmud we read, firstly, the general dialogue of particular options. Not only are the ultimate issues of our existence addressed in the Talmud but, most significantly, they are not solved. As the Talmud shows conflicting ways of thinking through important issues by means of a dialogical relational method, so too Levinas is showing us the importance of dialogical relating. In contrast to theory sourced in the mind that is filial to the Cartesian cogito, dialogical relating is a valid source of knowledge. 'I do not underestimate the importance of knowledge, but I do not consider it to be the ultimate axiological judgement' (Levinas 1984, p. 191). Thereby Levinas affirms his position that without underestimating knowledge as framed within the 'Greek' body of knowledge (philosophy), other ways of coming to know and other bodies of knowledge per se are equally, and sometimes perhaps even more valid as knowledge qua knowledge.

Secondly, the Talmud always encourages further inquiry, never allowing a final or exclusive interpretation. Levinas points out that in its debates about many issues, the Talmud paradoxically brings opinions that will ultimately be rejected by the Halachah[46], even allowing, in some extreme cases, the recording and study of opinions which are considered heretical and theologically opposed to the basic corpus of beliefs. In other words, the structure of Talmudic thought never removes a valid thesis, but posits it as one of the 'poles of thought that circulates between it and the opposite pole …'. '[With the] phenomenological importance of all aspects of the text' (Wygoda 2001, n.p.n.) in mind, the reader engages to find what could be the meaning of even an ultimately rejected opinion.

The opinions of legendary teachers and students are voiced, defended or refuted and even the contributions of lesser known rabbis are included. The 'rich emotional world of human repartee, struggle and illumination' (1984, p. 19) that is the Talmud acknowledges and records more than the knowledge the rabbis acquired. Knowledge, being other than theory, is the composite of multiple teachers and learners as they intensely related to and experienced God through the study of Torah.

With reference to this concept of the importance of all voices in the discourse, Levinas concludes that responsible communication depends on an

[46] Halacha is formal Jewish law prescribed in the Torah.

initial act of generosity. By speaking to the Other, I enter into relation with him. We engage in living dialogue, in which 'it is more important to find out who is speaking and why, than merely to know what is said' (Levinas 1961). In turn, taking up the value of such an attitude to the expansion of knowledge reinforces Levinas's ethic that values the 'multiplicity of persons' (2002).

According to Levinas the expression of the Other does not inform me about his inner experiences. He appears and supports his appearance by expressing himself. He can address the word to me; a conversation with him is possible. Through this the Other is a being which manifests itself (as it is in itself): '… the accession of my person to the uniqueness of the I called and elected to responsibility for the other …' (Levinas, 1961).

The inescapable responsibility of every Jewish person is to uphold the same open, dynamic, dialogical method as the legendary Talmudic rabbis—knowledge both includes and transcends the self and time. Coming to know entails both immanence and transcendence, emerging through relationships—first to God, then to the Other and then to society.

Levinas—Lithuanian, French Jewish philosopher—and Derrida—Algerian-French Jewish philosopher—are both influenced by their life experiences of feeling the dissonance of a stranger and being othered. Their philosophies reflect knowledge of Torah and the daily, shabbat, festival and holy-day prayers that refer repeatedly to one's obligations to the stranger, the sick, the needy, the orphan and the widow. In addition to numerous biblical prohibitions against the mistreatment of strangers, there are commands to love them (the stranger) even as God does (Deut. 10:18-19).

Unlike the notion of romantic love, the love commanded includes caring for their basic needs and extending to them the same social services to which disadvantaged Israelites were entitled. 'You shall not wrong a stranger or oppress him, for you were strangers in the land of Egypt. You shall not ill-treat any widow or orphan' (Mishpatim / Exodus 22:20–21). We are to treat aliens, the needy, the sick, widows, orphans, and other marginal members of society as we would want to be treated in similar circumstances. The 'decency of a society is measured by how it cares for its least powerful members' (*Etz Hayim* 2001). 'His humiliation concerns me, the exaltedness of his misery touches' (Spiegelberg & Schuhmann 1994).

Although people seeking asylum are not actually part of Australian society, they are illegally held in limbo (Bagaric et al. 2007; Crock 1998, 2009). It is precisely because the letter of the law has been uncoupled from the spirit of the law that 'Beyond the Wire' argues against the legal paradigm as a frame for approaching asylum seekers. Developing and expanding the argument in symphony with Levinas's knowledge qua knowledge 'Beyond the Wire' takes the reader through a phenomenology to the place of collapsed boundaries and lacunae. It concludes at a newly offered place and space of the 'in-between'

Adieu

> He endured living suspended between the 'living and the dead', divulged Chief Rabbi Gutman to the intimate gathering around Emmanuel Levinas's grave. Continuing, he described Levinas as one 'whose thoughts after the catastrophe obliged us to rethink the human as awakening, as insomnia, as responsibility.'
> (Malka 2006)

'This morning [25 December 1995] Jacques Derrida delivered the eulogy, in a blanched voice, barely audible above the wind' (Malka, 2006):

> Adieu!
> For a long time, for a very long time, I've feared having to say Adieu to Emmanuel Levinas.
> I knew that my voice would tremble at the moment of saying it, and especially saying it aloud, right here, before him, so close to him, pronouncing this word of adieu, this word à– Dieu, which, in a certain sense, I get from him, a word that he will have taught me to think or to pronounce otherwise.
> (Derrida 1997)

Chapter Three
MIDRASH AS AN ARTS-BASED SOCIAL RESEARCH METHODOLOGY

Overview

In *Method Meets Art* (2009*),* Leavy sees arts-based methods as disruptive to the traditional research continuum, emphasising that 'the holistic approach to research is not only about the epistemology–theory–methods nexus, but also the relationship the researcher has with his or her work' (p. viii). Scott-Hoy in Leavy (2009) claims that autoethnographic narrative[47] can be used to 'explore serious issues, as experienced and perceived by individuals, while placing those issues in a larger sociohistorical context' (p. 51). In the new paradigm of qualitative research, at the intersection of telling, retelling and living the story, the distinctions between researcher, researcher-as-participant and the research data collapse. As a result of the collapsing boundaries, the phenomenon rendered experiential is 'the storied nature of human experience … [Indeed] the inquiry process itself is storied' (Connelly & Clandinin in Gudmundsdottir 1998, n.p.n.)

At the heart of this project is the Midrash Social Research Methodology (MSRM), which maintains a coherent convergence of Levinasian ethics and knowledge creation. The Midrash Social Research Methodology is an extended phenomenological social-science research method framed by and grounded in midrash—literally meaning exposition, investigation or searching, as discussed by Douglas-Klotz (1998) and Kepnes (1992).[48]

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[47] Narrative inquiry is a qualitative research method and 'is increasingly employed as a methodological approach to trauma studies' (Leavy 2009, p. 29). Qualitative research, generally, is suited to transdisciplinary research, and narrative inquiry specifically is a method for the researcher to employ truthful representation of the Other—representation and legitimation. 'Autoethnography is a method of self-study in which the researcher is viewed as a viable data source' (Leavy 2009). The author writes about the personal in a genre of writing–research that displays multiple layers of consciousness. The self is the witness and catalyst (in Leavy 2009, pp. 38–39).

[48] The term 'midrash' does not carry a univalent meaning. Narrowly, midrash can refer to a classical rabbinic story explicating Torah. However, as Neusner (1987, 1989) has pointed out, midrash 'continues to be actively used today, not only in scholarly religious circles, but also as a context for evaluating and re-evaluating the various discourses, social, political and religious, that inform the contemporary Jewish experience' (Douglas-Klotz, 1998, p. 181–2).

An example of the broad use of the term is found in the critical essays of Israeli philologist S. Hareven (1995): [T]he constant, never-ending midrash is one of the strongest and most important ways of overcoming the damage caused by static, sanctified myth.
(Douglas-Klotz, 1998, p. 182)

Phenomenology is a research orientation providing rich insights into the everyday world of humans. Phenomenological research can also be approached as hermeneutical research. Hermeneutical studies, according to Becker (1992), use literary texts, reading texts interpretatively, and witness life-events, re-framing and re-languaging them. 'Hermeneutic work is dynamic, creative and open-ended' (Becker 1992, p.32). Hareven in Douglas-Klotz (1998) draws attention to the power of midrash to moderate a story or a conception that is in danger of becoming fixed—rigid and bound. Here there is a conjunction with Levinas, who deplores the static 'theoretical reasoning that aims for closure, bounds and fixes the Other'. The hermeneutics of phenomenology and midrash converge in the Midrash Social Research Methodology.

Levinas radically diverged from the German school of phenomenology. Kepnes (1992) argues that Continental Jewish philosophers like Buber and Levinas moved the centre of epistemological discussions. In the wake of the Shoah they 'eschew[ed] foundational philosophical models' (Kepnes, 1992). The Shoah 'radicalise[d] epistemological concerns and [brought] up ethical and theological issues' (1992, p. x). But the questions posed by the Shoah cannot be answered—'After Auschwitz, there should be no final solutions' (Greenberg in Kepnes, 1992, p. xi)—and Fackenheim sees that Jewish thought must henceforth be midrashic: 'Midrash helps to lift up, reflect upon, and develop an understanding … interprets by telling stories of events' (Kepnes 1992, p. xi). Midrash witnesses the unpresentable.

Peperzak (1983) reflects on two rhetorical questions proposed by Levinas: 'Is our main attitude toward reality that of theoretical contemplation?' and 'Is not the world presented in its very being as a centre of action, as a field of activity or of care?' (p. 118). Following Peperzak (1983), the Midrash Social Research Methodology proposes the following three principles by means of which a Levinas-based response to these essential rhetorical questions may be developed:

- The true 'order of reason' is an order in which we talk to one another.
- The Other is not the object of a vision. To look at another's face—the face-to-face of an encounter—has a structure other than that of vision

or perception: it has the structure of speech and language-as-discourse (*discours*).

- The primary truth and source of all truth has to be found in the attitude that enables another human being to present himself/herself as he or she is.

The midrash in social science

Unlike traditional qualitative research that acknowledges the researcher is implicitly the text, the researcher and the author of the text are one in the Midrash Social Research Methodology. The story, the voice and the reflexivity are explicitly the researcher's. In Method Meets Art (Leavy 2009, p. 259) Macbeth establishes reflexivity to be 'a deconstructive exercise for locating the intersections of author, other, text and world'. To the instance (moment) of each term as stated by Macbeth, the Midrash Social Research Methodology adds the instance (moment) of the researcher herself. The Midrash Social Research Methodology actuates midrashic fission at the intersecting of researcher as author, Other, text and world.

Before his landmark contribution to dialogical philosophy, Martin Buber (1878–1965)49, Jewish philosopher and mystic, gained recognition for introducing Chasidism to the West. Chasidism, an 18th-century form of mystical Judaism, is known for its treasury of embodied tales and story telling. Such is the power of story in mystical Chasidism that the words of the story, in themselves, become events.

Buber tells us that his telling the old stories reveals the new that 'already lay dormant in them when they were told for the first time' (Buber 1955). Chasidic tales tell of life in narrow streets, dark rooms and cobbled squares; of ordinary people in ordinary marketplaces; of the struggles of the poor and downtrodden; of encounters with tzaddikim (righteous ones); of kings and other rulers; of ardour, indifference, loss; and of the dreams of the people telling the

[49] Zank, in the *Stanford University Encyclopaedia*, says of Buber: 'A man of considerable organizational talent, Buber shunned responsibility for the nascent political institutions of Zionism. Instead, he attempted to transform the Zionist movement with his advocacy of a binational solution to the Jewish–Arab conflict in Palestine … widely considered to be an indication of the political utopianism Buber developed' (Zank 2007, para. 1). The 'political utopianism' developed by Buber has informed many streams of the post–World War Two democratic and human rights movements in the West.

narratives and the dreams of those people who listened to them (Kepnes 1992). The stories' settings and dynamics match the visitors yard—the yard of surveillance—in the Villawood Detention Centre.

Buber insists that we do not tell and interpret such stories to find our collective 'I' but to awaken the telling of others: 'Our telling is a cry, a search, not for ourselves but for the Other. ... The search for the other, the search for the Thou, must be carried to the unfamiliar, the foreign and the strange' (Kepnes 1992). According to Kepnes, Buber would have his readers ask of his narratives: 'How do these narratives shed light on my own experiences of meeting?' (1992, p. x). And what of these narratives can I take into my own encounters with others, with the stranger, with the Other? Herein lies the power of midrash.

Midrashic questions are not Socratic. Midrashic questions are dialogic—raised to engage the reader with the narrative (or the text). Thus at the intersection of the narrative, the narrator and the listener is interpretation. As is told,

> A rabbi, whose grandfather had been a disciple of the Baal Shem, was asked to tell a story. "A story", he said, "must be told in such a way that it constitutes help in itself".
> "My grandfather was lame. Once they asked him to tell a story about his teacher. And he related how the holy Baal Shem used to hop and dance while he prayed. My grandfather rose as he spoke and he was so swept away by his story that he himself began to hop and dance to show how the master had done. From that hour on he was cured of his lameness."
> That's the way to tell a story!
> (Buber 1947, pp. v-vi)

Each iteration of reflexive writing allows multiple dimensions of meanings to present themselves. To Macbeth's definition, I would add that 'time' is also established by reflexivity. Layering and weaving accounts of written reflexivity concurs with Clandinin and Connelly in Leavy (2009), who account for storytelling as a research method as the researcher's 'simultaneously telling and retelling of their stories as they are living them' (p. 27).

Formation of Midrash Social Research Methodology

The midrashim I present are re-presentations of my experiences behind the wire in Villawood Detention Centre.

I was bothered. I wrote. I read. I saw the lack. I analysed. I wrote.

I was bothered.

Entering Villawood Detention Centre can be likened to going 'through the looking glass'. When moving from the *outside,* through the wire, to the *inside*, we pass prison guards and move through security scanners, with, along the way, a plethora of tags, locks and bolts, that separate the outside and the inside, being activated. To me it echoed the Mad Hatter in *Through the Looking Glass*: 'Nothing would be what it is, because everything would be what it isn't. And contrary wise, what is, it wouldn't be. And what it wouldn't be, it would. You see?'

Confusion and contradiction originated in the linguistic and conceptual dissonance between 'refugee' and 'seeker of asylum' (see Chapter One) at the borders of Australia, the borders of the politicians and the public, and the borders of the wire that demarcates the detention centre. Asylum seekers are situated as the unwanted Others, whose culture and values are dangerously transgressive and distinctly different from Australians'. Worse, according to the 'contrary wise' rhetoric, seekers of asylum are different from refugees—because, as John Howard claimed, the Australian Government did not lock up refugees … .

Other 'would be's' and 'wouldn't be's' were increasingly represented by the wire as the border of the different realities. Between the 'looking-glass' versions of reality and personal experiences—mine and those of others who actually went *inside*—the seekers of asylum detained *inside* remained invisible and unknown to the politicians, bureaucrats, media representatives and members of the public discussing them on the *outside*. Meanwhile *inside* they were treated like objects—an effect of the criminal–penal culture and system that was readily observable by the visitor. In that space, to borrow the words of Hannah Arendt (Arendt 1971), they were 'more effectively cut off from the world of the living than if they were dead' (p. 124). An absence of the voices from *inside* exacerbated the heterogeneity of voices *outside*. The phenomenon of friendship, relating and community in the yard of surveillance *inside* remained an undisclosed and undebated alternate reality.

Since my personal encounters with seekers of asylum quickly deepened my awareness of the complexity of the situation I had entered, I was bothered and confused. Faint murmurings from deep inside myself pointed to similarities with

my experiences of the South African apartheid regime. In Australia—in Sydney—less was available to categorisation and contradistinction. I needed to understand what was going on.

Meanwhile the perspective of human beings living lives *inside*—or lives in suspension—was lacking. This troubled me, too, and I began to want to know why the lived lives of real people appeared to be missing from the consciousness of Australians. I had begun to experience and witness close bonds of friendship and as such began to explore what insights could plausibly be brought to the *outside* realities from my insider knowledge, through my contact with the *inside* realities.

I wrote.

'Personal experiences that trouble or puzzle a researcher' (Reinharz 1992) can be the starting point of an inquiry. Indeed, a personal experience that deeply disturbed me initiated my social research. I wrote.

As I wrote, multisensory triggers awakened my memories. At times, the memories were clear and lucid as they awakened and I was able to capture them immediately. Others, however, were unclear or hazy, sometimes floating around or above me with a cloud-like elusiveness. With the passage of time I became increasingly adept at recognising and clarifying the messages transmitted from an activated memory base. The writing took on a form akin to the nested layers of the midrashic storyline.

Whereas auditory, olfactory, visual and tactile felt-memory triggers became more readily identifiable, the pain locked into the physical body took longer to reveal itself. The healing nature of this method of research writing became clear to me.

Figure 2 shows the personal dynamics that come to bear in the writing of midrashim in accordance with the principles of the Midrash Social Research Methodology—both consciously and unconsciously. Importantly though, while writing I consciously avoided, as much as humanly possible, introjecting possible themes or any conclusions that I may have prematurely anticipated. As an "epistemology of insider-ness" the research results were surprisingly unanticipated.

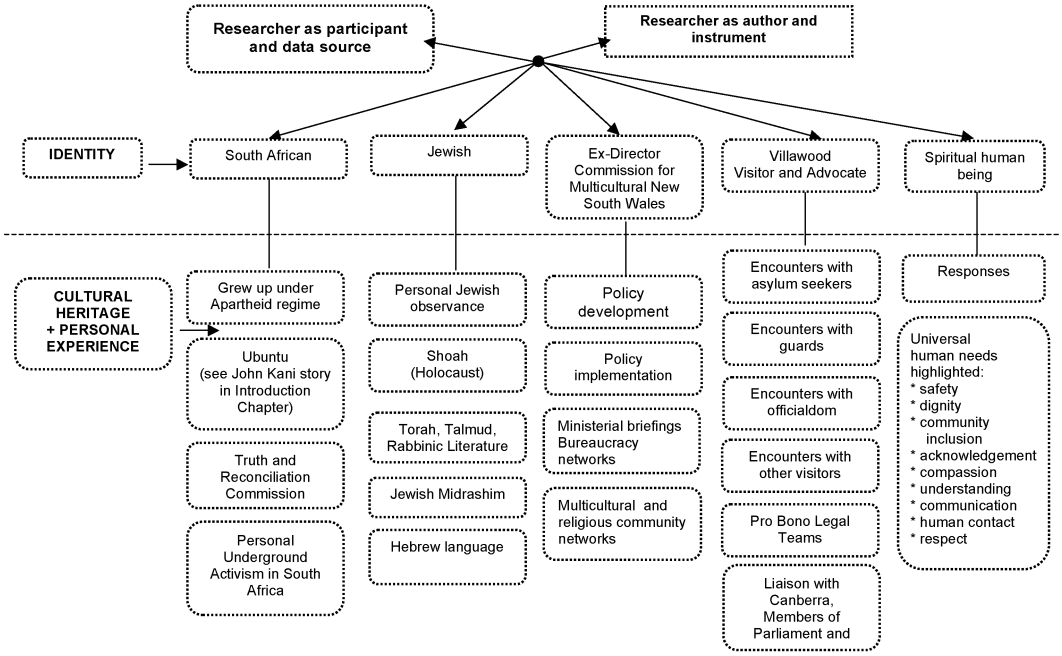

Figure 2: Locating the researcher in the research

At the outset, I thought I would be writing to make visible and to give voice to the 'cauterised' (Simmons 2010, p. 13), absent seekers of asylum. Because the detention regime excluded them, I would write stories articulating scenes I had witnessed behind the wire in order to make visible the invisibilised, to give voice to the silenced. I quickly realised, however, that while during the writing of invisibility in the cause of invisibility I could rely on well-defined research-reporting principles, giving (proposing) voice to the silenced was liable further to colonise the asylum seekers. However, adherence to the principles of the Midrash Social Research Method redirected the 'writer's block' of Cherry Ripe (Chapter Four), ensuring that the midrashic intention prevailed over mere reporting or, worse, appropriation. 'Whoever assumes the charge of bearing witness in their name knows that he or she must bear witness in the name of the impossibility of bearing witness'(Agamben, in Perera 2006, p.350).
(Also see 'On leaving the theatre', Appendix O.)

Maintenance of the essential conflation researcher–author–Other–Text–world in accordance with the terms of the Midrash Social Research Methodology necessitated moving away from the interpersonal (figured by the Cherry Ripe of

the title) and into, initially, the intrapersonal (reflexive memories of South Africa, occasioned by queuing), then the 'in-between' of the midrashic resolution. In accordance with the design of the Midrash Social Research Methodology (wherein hermeneutics of phenomenology and midrash converge), as the researcher engages in the 'process of storying and restorying in order to reveal multidimensional meanings and [to] present an authentic and compelling rendering' (Leavy 2009, p. 27), the personal—inter- and intrapersonal—are transformed by dialogical relating (*discours*).

I read. I saw the lack. I analysed.

In A Human Rights of the Other: Toward a Deconstruction and Reinvigoration of Human Rights Law (Simmons 2010) Simmons states that 'human rights law should find its inspiration from the Other, the marginalized person who, in most cases, has no other place to turn' (f. 3). After all, he argues, the *raison d'être* of human rights law should be the protection and empowerment of those who have been most marginalised (f. 3).

Subsequently Simmons (f. 21) observes that 'any *author* [emphasis added] would be unable to accurately represent or do justice to the voice of the Other'. According to Spivak (Simmons, in press) the difficulties in speaking for the Other are 'intractable', because the voice of the marginalised will necessarily be re-presented discourses that reinforce the hegemonic power structure (see Court transcript, Chapter One, for example).

Both Simmons and Spivak identify a problem that close reading of both primary and secondary sources—by the social-science researcher motivated by interpersonal encounters to inquire into the status of asylum seekers in Australia—reveals is a problem that is itself marginalised. Reading, I saw the lack. Analysis eventually engendered the Midrash Social Research Methodology. The process and patterning (matrix of the methodology) are shown in Figure 3.

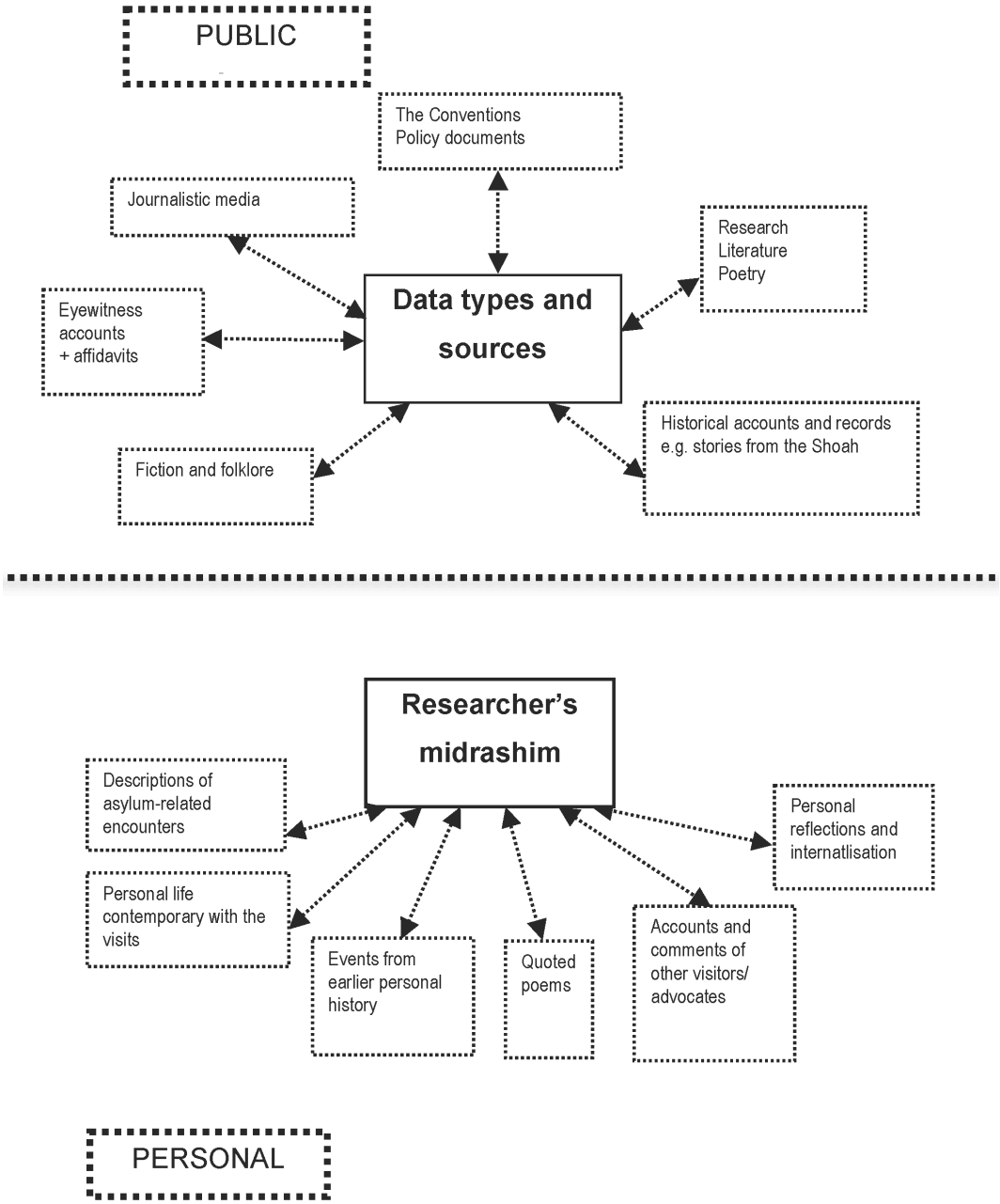

Figure 3: Data sources

I wrote.

Figure 3 shows the multiple applications and intersections of personal and public-domain data underscoring the complexity of life as a researcher and as the researched. The midrashic text-type allowed me to unwrap and re-fold attachments and detachment, associations and revulsion, bonds and disconnection, intersections and incongruence, in the Villawood Detention Centre visitors yard of surveillance in response to the paucity of research and literature in the space between theory and its application.

To avoid a reporting style associated with the researcher-as-author and to reveal the seeker of asylum as an immanent being, I wanted to write courageously.

As the writing itself progressed, the text itself spoke to me, and I in turn developed a relating—a dialogue—with the text itself. Thus midrash: personal data from the midst of living relations and shared situations, supported by public-domain data, including poetry, performative works, media reports and investigations, historical articles and monographs, international research material and local eye-witness accounts of the same or similar living-relations and shared situations.

Hineni is the first story that I wrote. Initially I used three different fonts to denote (a) the narrative storyline, (b) the felt-embodied experience together with the multisensorial triggers as I wrote and (c) the re-membered feelings and thoughts from the original time behind the wire. Subsequent iterations rendered the tripartite typology, integral to the research methodology, accessible via less obvious cues.

By the time I started writing the midrash Cherry Ripe, reflection on the phenomenon of writing itself led to an internalised personal dialogue. Tenni and colleagues in Leavy (2009) describe engaging in dialogue with ourselves that leads to all ‘kinds of internal signals [that] are vital to building authentic and trustworthy knowledge’ (p. 49). As I progressively asked more questions of myself, I began recognising that the questions were epistemological—seeking meaning—and not about problem solving. A methodological concomitance inheres in the forgoing of unnuanced problem solving for the more strenuous reflexive self-interrogation: truth telling—the modality—is more securely based.

Cherry Ripe describes how the writing itself unveiled physical pain that led to recognition of prompts and the memories. The vignette in the midrash Cherry Ripe connects with numbing the self to withstand an emotional and physical onslaught and therefore raises questions about the effects on people detained of emotional and physical mistreatment, whether intentional or occurring by default—whether, that is, the mistreatment amounts to an error of either commission or omission.

In a scenario different from Cherry Ripe yet also illustrating the damaging consequences of numbing the self, the midrash Hineni describes my visual memory and felt-memory of seeing the torture scars on the torso of a detainee for whom I was the volunteer-advocate.[50] In the vignette, I describe my need to hide my revulsion from him. But also, only by retrospective reflection, I realised how numb I needed to be to hear the story and see the scars. In his case I had not been not-numb enough and so was unable to hear the initial-interview tapes[51] of a young man. I began vomiting because what I heard was so horrific.[52] In turn, the question arises of how numb is numb enough for a volunteer in the absence of appropriate debriefing. Importantly, in this vignette, the domino effect of the detainee's pain on the wider community (beyond the inner circle of the interpersonal relationship, to the volunteer's family and friends) amplified the research focus.

As the narratives emerged from my memory, I noticed a range of emotions, thoughts and feelings arising together with the story-line that I was developing. Slowly I began realising that in fact, from the first time I moved through the wire into the Villawood Detention Centre, I had unconsciously started numbing some of my felt-memory. 'The border guards of my mind expand their control, excising certain islands of thought as invalid to the Cherry Ripe story' (Wainer 2010).

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[50] In the role of a volunteer advocating recognition of the rights of the seeker of asylum, I listened to the tapes, read the transcripts, and listened to the personal telling of the story to understand the legal case and to find the best approach, within the policies of the day, for securing recognition of refugee status, receipt of a visa and release from detention.

[51] The 'initial interview' is the first interview with border authorities and government officials as the person arrives at an Australian border and asks for asylum.

[52] For this case, I recruited and briefed a law-student volunteer, who listened to the tapes and did the reading for me. Thereafter her help was invaluable to me on his case. Both she and her husband and their families became close friends with the detainee. When he was released, he stayed in her family's home until they set him up in his own apartment.

The midrash Cherry Ripe tells of my initial, shock response to the guards at Villawood Detention Centre.[53] The episode raised questions in connection to the vulnerability of the detainee who has suffered trauma in the country of origin or during the journey to the hoped-for place of refuge. One vignette also reveals the involuntary shutting down of my emotions to avoid feeling too vulnerable and out of control. Another unconscious reason for shutting down was my concern not to take on the fear, anxiety, rage, depression, loneliness, grief and general pain that suffused the Villawood Detention Centre's yard of surveillance. The preternatural fear of contagion amounted to a powerful communication-blocking response that called for rigorous self-interrogation if the research methodology was to be fully instituted and maximally productive. Furthermore fear of mirroring was no more than perpetuation of the closed and nugatory fear-of-fear feedback system.

As I denied, suppressed or numbed out the painful experiences during the visits, leaving them psychologically unattended, they instead became lodged as aches in the body. However, the process of writing seemed to thaw the frozen memories: some oozed out, some dripped and others gushed torrentially. Furthermore previously submerged or ignored pains and representations in the body manifested during the writing process. The process of re-membering[54], focusing and thawing is described in Cherry Ripe.

> Half consciously, and quickly, before the self-reflexive musing could progress, I closed off the felt-thought that was already an ache. The ache that already was developing into a pain, a floating, intermittent, empty pain. The pain detained. The ache generalised alongside other wounds. (Chapter Four)

The second passage from Cherry Ripe shows the process of reflection and re-membering while writing.

> Paying attention to the feeling of tightness in my gut opened the recognition of the constriction in my throat. Recognition that this knot in the belly and the constriction in the throat are apparently connected: an unknown stranger dwelling within. A hitherto invisibilised part of my life experience. Now revealing itself to me, this embodied stranger still presented as tension and constriction that until now has been generalised and unknown to me. Now it moves to arrive in my consciousness—locates … places … speaks … calls … asking to be seen and recognised.

[53] Memories of the South African police and government officials during the apartheid regime precipitated post-traumatic shock. I experienced time blurring and confusion and became deeply anxious.

[54] To 're-member' is to remember creatively—to re-create, or to reassemble the constituents of a complex structure.

… Only by inquiring could I discover the meaning that I gave to that specific experience. Only by engaging with the stranger within could I relax and then release the knot in the belly and the constricted throat. … Now it is so blindingly obvious to me that the accumulation of tension started on the first day I visited Villawood.
(Chapter Four)

Using the method of writing that entails an 'active exploration of images and views, emotions and feelings with a continual jumping-about and movement' (Van Manen, 1990), I found the narrative revealed rich and valuable data. Moreover, while experiencing the range of emotions arising in connection with writing the story, I realised that these emotional thoughtscapes and landscapes were partially different from those that occurred in real time in the Villawood Detention Centre. Certain feelings, physical and emotional, presented themselves as if for the first time while writing. Yet others were definitely the same, perhaps more or less intense, but identifiably remembered painful memories. As the difference between past-telling-voice and present-telling-voice became clear, the process itself of writing my thoughtscapes and landscapes as they arose caused a third telling-voice, as it were, to emerge. I liken this third telling-voice to the voice recognition of insight and results from reflection, the voice of authenticity and trustworthiness. The third telling-voice is akin to the validating data in a more traditional research method and arose precisely because of attentiveness to 'partial and situated truths … the context of knowledge-discovery' and most importantly openness to the 'dismantling of dualisms … subject–object, rational–emotional, concrete–abstract' (Leavy, 2002, p. 8). The third telling represents the gap *in-between* the other two time-voices.

The convergence of theory and method is evidenced in the *in-between.* As, on the one hand, a theoretical contribution unfolded from the gap *in-between* the *outside* and the *inside* of Villawood Detention Centre, so, on the other hand, a methodological epistemology arises from writing and reflecting on my memory *in-between* the time of writing and the original experience. The research writing unfolded to become an arts-based methodology that intentionally dismantled the dualities and transcended the boundaries, creating thereby a third option—namely social-science research as midrash. Consequently the whole story of the research had to be told before any conclusions could be drawn. Even I, as the researcher and writer, could not know the end of the story until I got there.

Chapter Four

CHERRY RIPE

Attention awakened

While putting in order the words of a poem describing my desire for summer and the sensual delights of the summer sun warming, heating and as-if-melting the body, I paused to reflect upon the summer in 2002 when I experienced the heat as oppressive, stultifying. It was my tense body that came to mind rather than the relaxation-as-if-being-melted consciousness that I usually associate with a hot summer's day.

This story, an intentional love story titled 'Cherry Ripe', begins with my reflections relating to a specific experience on one of those unkind summer days in 2002. Although the same season of the poem 'Summer', none of the "caressing warmth" reached me that day. It was raining that summer's day—the sudden, unanticipated downpour that sometimes unashamedly presents itself regardless of one's clothing, location or destination. Smugly I drove towards Villawood Detention Centre. No embarrassingly wet-cling-to-the-body or even worse wet-cling-to-the-body-transparent clothes for me that day. No unappealing flattened-droplets-dripping-hair either. No offensive attack by the rain: having learned to keep an umbrella in my car the rain merely offered respite from the relentless heat. Or so I mused!

SUMMER

On the days you are absent
In the months you are weak
I ache
Suffering my yearning for you

And then in the cycle you return
To me alone
To thrill me
To please me
To sustain, to nurture
to open and open and open
Me to you and you to me

In your absence I am cramped, closed, here, not absent
Yet not open. How do I continue in the present - not open?

By forgetting your caresses
Your warmth that reaches me
Delights, and thaws me
Sensations, exhilarations
Tingling to my bones, softening and unfolding,

In the winter I am dry without you
In the winter I am deep deep within without you
In the winter I am white, I am pure, I am within

And then the burst of your rays
The golden, rose, pink, translucent white
that open my pores, my cells, my bones
My head my heart
My soul.

I live again
Loving dancing, receiving and giving,
Free with your warmth, your heat
I delight and play with you
You're with me again,
Around me surrounding me
Accompanying me with no tomorrow.

The Cherry Ripe story unfolds itself on that rainy summer's day at the Villawood Detention Centre. Unlike the 'soft opening' of the poem, that day inside the visitors yard I was neither soft nor open. Unable to receive a love token offered to me, that day was like the winter of the poem. I was "cramped, closed".

Leaving Villawood that day in 2002, I was disquieted. Why had I rejected so callously and offhandedly the love token? Half consciously, and quickly, before the self-reflexive musing could progress, I closed off the felt-thought that was already an ache. The ache that already was developing into a pain, a floating intermittent, empty pain. The pain detained. The ache generalised alongside other wounds

Maya Angelou writes that history, despite its wrenching pain, cannot be unlived and, if faced with courage, need not be lived again. When, writing the poem 'Summer' and pausing to reflect upon that summer's day, inside Villawood Detention Centre, comparing the poem 'Summer' with my 'winter' experience, I noticed my attention shift subtly from the non-invasive musing of the mind to a knot locked in my belly. And then I notice the move of the knot to my throat, too. There—simultaneously in the belly and the throat—the knot revealed itself to me. Paying attention to the feeling of tightness in my gut opened the recognition of the constriction in my throat. Recognition that this knot in the belly and the constriction in the throat are apparently connected: an unknown stranger dwelling within. A hitherto invisibilised part of my life experience. Now revealing itself to me, this embodied stranger still presented as tension and constriction that until now has been generalised and unknown to me. Now it moves to arrive in my consciousness—locates … places … speaks … calls … asking to be seen and recognised. Unconsciously, I had thought I could control body pain by sublimation, by denial—by locking it away …

Not a new sensation, not a new pain, instead <u>now</u>, newly attended. Is this a call for the courage of which Angelou writes? The courage to face not the thought-memory; the courage to face the felt-memory. In his article 'Venturing Past Psychic Numbing: Facing the Issues', psychoanalyst Robert Gregory writes that there is an almost gravitational pull towards putting out of mind unpleasant facts. Quoting Daniel Goleman, Gregory (2003) continues, 'We tune out, we turn away, we avoid. Finally we forget, and forget we have forgotten. A lacuna hides the harsh truth.'

While I hid the 'harsh truth' from myself, I othered this part of the story together with the meaning that is interwoven with experience. Only by inquiring could I discover the meaning that I gave to that specific experience. Only by engaging with the stranger within could I relax and release the knot in the belly and the constricted throat.

A tension awakened

I remember …

It was raining! Sharing umbrellas with each other as we queued in the rain outside the processing room. "Queued", I noted to myself, "is hardly the accurate word—as we *huddled* together, friends and strangers." There was something about that queue at Villawood Detention Centre that connected all who stood there, rain or sun, hot or cold. That two-hour wait bonded us.

Then it was my turn to huddle under the narrow door lintel just before stepping through the entrance to the processing room.

"Two", the ACM guards announce, glaring at the visitor who sought shelter by stepping 'out of turn' under the beam for cover. The briefly triumphant stance of upright spine and broad shoulders changes to droop as the visitor steps back, the one step necessary, to again be 'waiting in turn' in the rain, so that only the requisite "Two" enter.

"No umbrellas," says the ACM processing officer to me after I have been processed and tagged and prepared to go through the violet infra-light chamber.

"But … the … rain," I stammer incredulously. The officer, impervious, doesn't even reply. Doesn't even raise an eyebrow. Nothing. He has spoken. That is enough.

"You mean I can't take my umbrella inside?" He stares blankly at me, his lips motionless, cold disinterest oozing indifferently from him. The floor I am standing on is cold and hard. Suddenly my thigh muscles are too tight, too tense. I am not to take the potentially dangerous weapon into the visitors yard. As I wonder which might be worse—to have the guard bark terrifyingly at me or the guard who annihilates me with such invisibilising disinterest—I ask, with flaring nostrils that smell my own mix of fury and futility. I ask politely, controlling every syllable and note, in order to disguise my raw repulsion:

“Will my umbrella be safe here?”

Disinterest turns to a withering directness:

“We’re very busy here.”

“Does that mean you are too busy to watch for our umbrellas?”

“They’re not our problem. You can take it back to your car if you want to be sure.”

Incredible! Unbelievable! What is the smell of ice?

“You mean: walk the 10 minutes back to the car; leave the umbrella there; return, getting wet, AND go back to the end of the queue?”

Having waited about 1½ hours in the queue, I am in no mood to give up my place—or to get wet!

Leaving the umbrella and chancing finding a dry spot inside was the lesser of the two disagreeable alternatives.

Why did I make such a fuss over a silly old umbrella? The umbrella itself was so insignificant that I don’t even recall if it was old or new. Recalling my anger at and loathing for the guard and the system as I write, I feel the tension constricting my neck and, as if straining backwards, reminding me of my reaction that day. Before writing this story I hadn’t noticed the tension in my shoulders, neck and thighs. Have I been living with these tense muscles? Have they just knotted up now? Or is this a cellular memory of my tension in those days now activated with the writing of the story? My attention is on my tense thighs. The standing in the queue for too long, again and again each visit, accumulating-the-tension thighs. In those days it was easy to imagine the tense thighs were due to the standing. Together with the thighs, my neck and shoulders are also screaming at me with the burning, ripping, tightening of muscles that never completely relax. As if they have lost their intelligence or the know-how of ‘relax’. Does my body need some let-go-and-relax nous?

What about the people detained, existing year upon year, in an unrelenting state of tension? Unable to sleep at night due to the fear, anxiety and terror related to apparently unresolvable and indefinite detention. Additionally people detained told me they also suffered from memories of torture and trauma that amplified when they closed their eyes at night. Memories that precluded sleep, as did the ever-present deep grieving for their losses—family, friends, freedom. Dropping into a fitful sleep as dawn approached, no exercise for the 3, 4, 5 years of

incarceration, produced aching bodies that moved about like partially stooped, ponderous old men in pain. Shuffling about, their watery bodies seemed not to breathe, as if halting the breath would block at their nostrils the acrid smell of the pervasive tension filling the air in the Villawood Detention Centre.

Now it is so blindingly obvious to me that the accumulation of tension started on the first day I visited Villawood.

My attention was awakened to a tension awakened …

The windmills of my mind[*]*: my story becomes midrash*

January 2003: I am writing as I sit cross-legged on my comfortable, new-ish, blue, modern-ish, minimalist-ish couch. Gentle cooking aromas, wafting through my open patio doors call my attention. Indian spices! I think I have smelt Indian food cooking for the past few days. "Must have new neighbours." Yet another floating thought passes through my mind. The mind that I think is concentrating on writing this story. The next thought pattern, linking in like a nested Russian doll, takes me to my recent trip to India. I am seeing those exquisite multicoloured saris in a blended image with the girl-woman, baby on hip, hands thrust begging into our little pfut-pfut cab. The smog-filled air's smells are not yet familiar to me. Oil, kerosene, incense, goats, dung, human bodies. Low cloud at dusk seemingly responsible for their mingling into one aroma that I now label as Mumbai! Mount Abu was different, I muse. Subtract from Mumbai the densely packed numbers of people. Add space to the best of Mumbai; add Naki Lake and monkeys. Dogs, too!

With a jolt I realise I am not writing or concentrating on the story.

Is this avoidance? The past two weeks I have tried to write this story. Each time my keyboard fingers move in a saying of their own.

"What am I writing?" I ask myself with disdain. The pitch of my internal voice rising.

Ctrl S. Save.

Yet another version.

[*] 'The Windmills of Your Mind'. Words & music by Alan & Marilyn Bergman & Michel Legrand (from the film *The Thomas Crown Affair*): "Round, like a circle in a spiral / Like a wheel within a wheel./ Never ending or beginning, / On an ever-spinning wheel … ."

Diligently try again. Day after day I observe this story, in varying versions, arriving of its own volition on the page that is my computer screen. After saving Cherry Ripe_vs5 on my seventh or eighth day of attempting to write the story I had planned, had intended to write, I give up—bereft!

"This is NOT what I am meant to write. WHY can't I write any more?" I agonise. The writing is the seeker of asylum. I am the politician saying, "We don't want writing like this on the pages of our computer screen." I am the guard vigilantly taking muster regularly to check if the illegally arrived words are well detained and incarcerated; locked away from the other words that I have already sanctioned as valid and useful for this project.

The border guards of my mind expand their control, excising certain islands of thought as invalid for the Cherry Ripe story.

"Exercise! I am physically tight so obviously my mind is tight," I rationalised to myself. Dawning on me at that moment, as a huge revelation bringing immense relief, is the (in hindsight) illusion that I am taking control—that I am able to wilfully control this writing project with the logical assessment: "I need to exercise."

The following day, fresh and enthusiastic, I sit down to write. And yet again—the same flotsam and jetsam of words and phrases that are strange to me arrive on the page that is my computer screen. Uninvited memory—sensations of that rainy day in Villawood Detention Centre invade and overwhelm the body. I look for …

"Music! Some agreeable-soothing-help-me-concentrate music to banish this unwanted sensate arrival," I muse as I turn my music collection. The tense, lactic-acid-locked-in muscles mixed together with the metallic, rancid-anxiety smells of Villawood Detention Centre are intolerable and must be banished. The gorgeous clear blue skies terrorise my vision, and the ideal summer temperatures plague me. I hear the call "go to the beach"; "a swim will be delicious"; "you need some exercise" (again!) (daily!); "the sea will be perfect for the body today".

Music! My defence against these unwelcome self-indulgent perhaps even self-sabotaging internal voices.

Searching through my CDs for the 'right music', unwittingly I encounter the CD that I often (read 'obsessively, always') played en route, driving to and from Villawood in the lived-time of this story.

Autumn, 1 March 1988

My brother, the pilot, died suddenly when his plane, about to land, exploded. After the initial shock and heartbreaking tears, I became efficient, caring for Mum and Dad, my sister, my children, guests. Was I numb? How numb was I? It was then, as now, that music penetrated the filter of my mind. Only music reached into the closed off, or numb, depths until unwittingly tears gathered their own healing force and I cried. Bereft! What happens to us, when circumstances prevent our tears or we create the reasons not to cry? When we are not sufficiently tuned in or skilled enough to read our bodies, to know the levels of numbness? What is it that informs us? What breaks through? Since Stanley's death I know that music touches me so that I can access the topography of my corporealised pain, wherein lie the frozen and numb detained parts of myself.

We were there like those
who've been there for ages
She spoke,
I spoke and evening fell
She showed me her ideas on beauty
I listened, she listened and it got dark
Could you tell me your name?
I'm Chiara, what's yours?
And spring played all around us
Would you mind if in an instant
I fell in love with you and your air of serenity
But tell me do you come here often?
We were there, she spoke, I spoke
Is it OK but I'd follow you to your door if you show me the way or
at least if you're coming tomorrow
If you're coming tomorrow.
But tell me if you're coming tomorrow
If you're coming tomorrow

Now, hearing the words of the songs that I played during those interminable drives, to and from Villawood Detention Centre, I begin to wonder: "Was I numb then? Am I numb now? How numb am I?"

Possibly just numb enough to go through the wire again and again and again. Or, so numb that I don't even know how numb … .

"But tell me if you are coming tomorrow … " Bocelli. 

The healing, life-affirming tears flow. I am no longer the intelligent-in-control-of-my-writing student. As if claiming a lost part of myself—perhaps a new part of myself is expanding—no longer am I able to avoid scrutinising the representations that defy my presumptions of the story. These representations, of their own volition, consistently appear on the pages of my computer screen. And I concede.

Entering Villawood Detention Centre: resonances across space and time

The metallic odour of the environment, uninvited, invades. Overwhelmed by the fencing, gates, locks and bolts I see as I walk from the car park, I have little awareness of what awaits me in terms of fences, locks and bolts. The smell of iron, metal, is material. Or is it the rusty atmosphere that I start sensing, I wonder. Feeling as if I am all nostril, I recall reading that the olfactory sense is the first sense developed. Babies first recognise or know their mothers (or primary carer) by her smell. Unlike the first smell of Mum, here, at the Villawood Detention Centre gate, nothing is familiar to me. The rancid body odours and sharp breaths emitted by anxious people mingled with the dissonant odours of fences, locks and bolts and assaulted my olfactory senses that first day. The day is hot. The earth is dry and dusty.

A guard sees me walking towards the gate. Now! Heart pounding, I am almost there. The gate!

"Soon I will be inside." The thought is a combination of anticipation, curiosity and dread. I recall a childhood movie, *Bambi*. The deer halted mid-step, ears erect, nose twitching as forest-fire smoke reached their thicket. I felt like Bambi who saw his parents instinctively know danger, yet he was still innocent of the grave import. These felt-thoughts are abruptly halted—suspended—as I see the guard walk away from the gate. Has he walked away intentionally, I wonder? I stand in front of the first gate and wait.

Is he showing his power? Is he signalling to me that I don't get inside to visit without him unlocking the gate and allowing me to enter the first waiting compound? Is the plan to intimidate, to humiliate, the visitor?

Then I notice other guards patronisingly moving around as if focused on pursuing their duties. It seems they are gazing right through me. I panic.

Whew! No need to have panicked, it was clearly all in my imagination. A strolling guard approaches the gate. A massive bunch of clanging keys is pulled from his pocket and he unlocks the gate. Matching his stroll, step by step, I enter. And wait. He locks the gate behind us. What now? The panic returns with greater intensity. Another gate is unlocked in front of me. "Ahhhh! This is OK," I confirm to my tight, pounding head as I step into the queue.

As if Bambi, I did not know how many hours of my life were to be spent in that queue—hot hours; wet hours; freezing cold, cranky hours; reading-a-book hours;

chatting-to-other-queuing-visitors hours; raging-anger hours; shifting-from-foot-to-foot, aching-legs-and-back hours.

Uniquely, it was only in this first hour that my face turned grey and my breath shortened. I feel my throat tighten and constrict. My heart is racing, increasing the pounding in my head with waves going through my throat and as if bouncing, vibrating on my tongue. Like Akhmatova (see Appendix C) in her queue, I see hands begin to quiver and my legs became like rubbery lead (Akhmatova 1940).

Standing in the queue that first day visiting Villawood Detention Centre I hear a soon-to-become-a-friend's voice sound an alarm:

"Are you OK? You're grey. Are you going to faint? What is it? Breathe!"

In the distance I hear a voice, the words blurred as if coming to me through cloud, saying something about the guards … prison … solitary confinement … South Africa …

"You are here in the queue … Villawood Detention Centre … Australia, not South Africa … . Feel yourself in this present moment."

But now I am not in the queue at Villawood Detention Centre.

I am back in South Africa before my brother was killed. My apparently unobliterated fear and terror of the South African police and authorities surges, reemerges. After 13 years outside South Africa, the visceral as well as psychological response to the experience of the guards and the queue at Villawood Detention Centre shocks and surprises me. I don't want to remember. I want to run.

Now a little girl, perhaps 3 or 5 or maybe 7 years old, awoken during the early hours of the morning, I lie rigidly in my bed, hardly breathing; listening. I heard the police van's brakes screeching as they stopped at each house in our street. The grating throaty rev of the engine as the van started and moved on to the next house has awoken me. Screech–rev; screech–rev. And then I hear screams. Followed by the yells. Doors slam. Male voices in the language I don't understand cause an internal icy quiver. Guttural sounding words, unkind and unfriendly voice notes in the language that I didn't understand.

The sounds are now moving closer to our house. Screech – rev – scream – van door slam; screech – rev – scream – van-door slam again. Screech – rev – front door bang and bang again:

"Don't do it, Izzy."

“Don’t do it, Izzy.” The voice comes from within my own home now. My mother, whispering the whisper that is always audible, beseeching my father, Izzy, to not do what? The apartheid apparatus searches homes of the whites for any black people who might be sleeping in the maid’s room without the required documentation. The pass.

The reviled pass of the apartheid regime permitted black people to work and live in a specified white area. At night, terrorising and terrifying the neighbourhood, the police would inspect white homes for any others who were there without the correct pass. Usually these others were companions, husbands, lovers, partners, friends. Perhaps even a child, a son or a daughter, a brother or a mother or a sister. If caught, the offenders were jailed.

From what was my father to desist?

Later I learnt that my father resisted the police. Speaking Afrikaans, the language I didn’t understand, the language of the police, my father, gun in hand, would insist on a search warrant before they were permitted to enter our property. In those days in South Africa, people disappeared—incarcerated without trial, criminalised as Enemies of the State, perhaps deported. This my mother feared. Resisting the authorities was sufficient for such an eventuality.

And so, heart pounding, rushing blood sounding in my ears, the smell of fear mingled with dry dust in my nostrils, I enter the lock-up compound, complete the security-check documentation, with further terror that I will be traced and found from the address on **this** page. And I join the queue—after a few years of visiting Villawood Detention Centre I have come to know or at least recognise enough people to have some companionable chats while waiting in the queue. However, when I started visiting, I often stood alone. Those days of queuing in the rain, in the heat up to 42 and 48 degrees on Christmas Day 2002, or in the winter’s cold of 10 degrees, always felt endless and rawly exposed.

Once upon a rainy day

Today I am upset. It was raining.

Every time I visit, I do my best to look good. The people detained see none other than their visitors. What would they care how I look? Normally I have “bad hair” days; “don’t know what to wear” days; “Gee, don’t I look good in that” days; or “Who cares—no one will even notice” days. But never one of those days when

visiting Villawood Detention Centre. Dressing well, looking good, was one small way I could show respect to the captives I visited. The non-verbal communication I attempt is “You are special”; “You are important to me”; “You deserve a presentation of myself that is appropriate, considered and clear”. It seemed so important to always give that respect; that regard; that consideration—as if my thoughts, my appearance, could annul some of the vitriol poured on the detainees. Rami from Iraq had once whispered to me: “The visitors help me feel that I’m a human being. I don’t know myself that I’m human when I’m locked up.” I hoped that my attention to dress would reverse some of their amputation from life. If I am visible to myself, then they too will be visible.

I am visiting Rami. Where is he? I make my way past Nawu who rises to greet me, kissing both cheeks. A faint glimmer of life flickers in his eyes only momentarily and then he sits again. I nod silent greetings to his visitors, some of whom I know; others I recognise as Regulars. All the while my eyes darting: Where is Rami?

“How you, Nawu?”

“Good, good—thank you. Fine.”

Not me, I remember thinking, not me. I have only had the past 10 minutes of lost independence and I am raging. I feel lost. How can you say fine, Nawu? I think. What is fine?

In the remembering now, I am also wondering who was more lost then. Was Nawu lost to his free self, for the years of denial of freedom and of individuality? Or was I, because of the immediacy of my experience?

“How you, Devorah?”

“Thank God, Nawu. Thank God,” I reply as the customary greeting begins it dance.

“How’s your wife, Nawu?”

Why am I asking this question? Nawu has been in Villawood Detention Centre for three years. His body has already turned from solid, healthy and fit to the blubbery, watery, untoned no-shape, the shape that eventually masquerades as the body while inside.

Nawu’s wife arrived with him as a seeker of asylum. She is an exquisitely beautiful young woman. Was she so withdrawn before Villawood? They have three children. After two years inside, his wife and three children have been

released with permanent residence visas. This is now Nawu's fourth year in Villawood Detention Centre. He worries constantly. His children are becoming unmanageable. They are not studying well. His wife needs an operation. She isn't mobile—well, only sort of mobile. So she can't mother the children properly. "Who will take her, who will nurse her after the operation? That I must do," he agonised with relentless angst.

"I must look after my family" is his constant mantra.

So WHY do I ask? It is polite to ask. I ask for the same reason I bother about my appearance. And so the greetings continue. He inquires about my children, I about his. All the while my eyes darting, looking for Rami.

He sees my eyes darting around the visitors yard. "Rami was here." He interrupts the greeting dance, thus demonstrating acquisition of and flexibility to slip into the more 'get to the point' Australian manner of communication. "Maybe he just went to his room to get something," Nawu suggests.

I tighten. Going to his room means he must walk through the now pelting-down rain, without an umbrella, it having recently been designated by Australian Correctional Management a 'potentially dangerous weapon', on the same list as pencils and cigarette lighters.

"Thanks, Nawu." I move on. I am starting to feel like a pressure-cooker, with concern and irritation building. "Why has he gone to his room and left me here?" I ask myself. I hate it here under the only shelter in the visitors yard. HOW CAN HE leave me standing here?

"Excuse me." I have spotted a spare chair. "Is this chair taken?" I ask the people who are seated, eating, around the table. I get some blank looks. My frustration is building.

"I can take chair?" I ask, controlling my voice. More blank looks. "You speak English?" I didn't think I had shrieked, although I felt like shouting at the blank faces eating food that assaulted my olfactory senses, here under the shelter, with the rain pelting down.

"I don't want to share space with them. These are not MY friends," my inner voice whines. "Chair—me." I start lifting the white plastic bucket chair, noticing a few others looking at me. I can't read this situation. "What is going on here?" I feel prickly. But I can't define the prickle. Embarrassment—yes? Frustration—yes? Rage at the situation—yes? But it's something else … Is it my or their

‘something’? People are packed close to each other, all squeezing themselves under the one shelter. Here under the shelter … I am nauseated by the smells of these foods … I’m panicking … I DON’T WANT to be here …

At that moment an arm encircles my waist and I am turned around 180 degrees. Rami is there by my side. Saving me. But from what?

“Where the hell were you?” I hiss at him.

“There,” he points. “There. I didn’t even see you arrive. I am so sorry. It’s this crowd here. I didn’t see you. So sorry. I’m so stupid—I didn’t see you—I’m sorry …”

“Nawu said you went to your room,” I accuse him.

Gently, quietly: “No, I didn’t.”

Rami has performed the impossible. He has created a space for just the two of us with the two chairs that he was guarding. Just two chairs for us. He knows I hate the crowding, the bodies, the smells, the sensations, the confusion under the shelter on rainy days.

I breathe a sigh of relief. We sit opposite each other. Facing each other, knees touching, leaning forward on our white plastic bucket chairs. I look deeply into his eyes—and I settle. Looking into eyes is how I have learnt to know the answer to the unspoken question: “How are you?”

I’m aware of a swift shift from the general indignity of having to queue for hours, the rain, having to hand in my umbrella, exposure to what felt like all the harsh elements, to this. Rami, permitting me to look silently into his eyes.

Perhaps it’s my fury, my defencelessness, my exposure to, yet again, the callous Australian Correctional Management processing officer that is now surfacing and twisting itself. I HAD to be polite. I had to denounce my desire to be treated with regard. I had to censure my response to the manner in which the guard spoke. I had to suppress that lioness instinct to attack the Australian Correctional Management officer. Always the thought close to the surface that if we visitors are so disregarded, how much more so are the people detained annihilated. We can walk away. Unlike those who are detained and incarcerated indefinitely.

This is my mood; Akhmatova’s ‘alien delirium’, if you will. I try to centre myself, to clip the wings of madness that have covered my soul, feeding me fiery wine (Akhmatova 1940). Rami is a gentle soul. A perceptive young man. He extends himself now—for me. He knows how to make me laugh. And does exactly this.

Here under the shelter, where visitors and people detained are squashed together on the white bucket chairs that leave no room to move freely from group to group; where bodies rub up against bodies in too close proximity; where the food smells attack all pervasively; and the sky is dark, thick and brooding and the rain renders hearing almost impossible. It is the laughter that rises above the hushed sounds of people sharing conversation, couples' intimacies; English or French learners; babies crying; teenagers yelling and the slurping of noodle soups. The laughter is magnetic. Roles have been reversed: the inmate, my friend, has given me, a visitor from the free world, asylum in this harsh environment.

Intimacy, freedom and fragility

[There are threads here of the intimacy of the communal experience, the freedom known in those moments, the fragility of it when Rami goes, the intimacy of Rami's token and the freedom/power he experiences in that moment, and then once more the fragility as the moment is broken.]

Slowly they approach us. Each one finding a way to include his chair in the evergrowing circle. Valerie, Mahmud, Osalp, Chrissy, Mohammed, Rami and Myself.

The harsh day begins its transition to dusk. The rain lessens its own violent nature, halting a while. All is silent and fresh. Visitors leave, passing through the 10-foot high fence on the left of the shelter. Most people detained have exited the visitors yard through the security fence and gate that separates their accommodation yard from the visitors yard. There is a feeling of space. In this space I am inspired. I feel refreshed. It's time for some fun.

"So what would you like to drink for your sundowner, Osalp?" I ask, knowing he's a Muslim who observes the prohibition of alcohol.

He looks at me blankly. Rami peers at me, with a look that says "Has she gone mad?" Osalp sometimes flips into violence.

Rami is instantly alert.

"It's such a beautiful evening—after all that noise—all of us here under the shelter and the rain pelting down. Now I feel like a drink," I repeat the theme.

They get it. Osalp says, "I'd like some red wine."

"What? How boring are you?" I instantly respond.

And slowly one by one, each detained person offers some crazy never heard of cocktail, assuring us all it's real. One describes a lovely cameo of not only the

drink they would like but also the mood, the environment, the scene in which they now find themselves. One is engulfed in a romantic fireside tête-à-tête. Another is a couple strolling in hand along the beach. And, so, our creative imaginations set us free.

Mohammed is now telling us about the woman, his girlfriend, with whom he will enjoy his drinks.

"What? Are you leaving me?" I feign heartbreak. Rami becomes a little twitchy. Devorah is MY friend is clearly his thought. Heightened sensitivity due to the environment and due to their vulnerability increases our ways of knowing each other.

"**I** wouldn't leave you," Rami says to me somewhat possessively and emphasising the 'I'.

Valerie teases him: "Is Devorah your girlfriend?" Oops—a sticky moment. We all know there is no suitable, accessible label for this relationship.[*]

Bravo! Rami offers "Yes, of course", and places his arm in a boyfriend-ly manner around my shoulders, pulling me closer to him.

"Oh!" I feign surprise.

"Who was your first love?" I ask Rami. And the conversation livens up significantly. Each one telling their stories of love. And with the telling, they are free. Free men and women. Lovers. Not story tellers. Livers of the great world out there.

I take the ball and run with it:

"And you, Osalp? When was the first time you had a girlfriend?" Osalp is drop-dead-gorgeous. Even here, behind the wires, he is constantly be reminded of his desirability by not only the detained but also by the visiting women.

"I've never had a girlfriend, " he says with a straight face. "No one loves me."

I am faking a sob. I find a tissue and do a loud nose-blow and wail. "Poor Osalp. No one loves him. He has never known love"—as I rush round the table to console him with a hug and stroke his brow.

Peals of laughter all round. And out of the corner of my eye I notice Rami has jumped up and is darting across the visitors yard to his accommodation yard.

[*] Horin, *Through the Wire* (2005).

We all stop playing the game—WHAT is going on? In this environment anything is possible. Sudden flare-ups, flips, aggression and suicide. They have seen it all. And we are all back in Villawood Detention Centre under the shelter.

A few suggestions are offered. Opinions as to where Rami has gone. Why he has gone? Will he return? A few attempts at regaining the *joie de vivre*. We all want to be back there—free. Enjoying the reverie. And then Rami returns triumphantly, presenting a box of 'Quality Street' chocolates.

This is the celebration offering. The highest quality champagne is offered in the joy of the moment here in Villawood Detention Centre.

We all settle. I am relieved. The all-important choices are made. Each one in turn with noses dipped towards and into the box, turning the different sweets over and around, appraising the variety in anticipation of their flavours. Will I have this one? Will I have that one?

In the silent moment, I become reflective. How fragile it all is here. And my reflection takes me back to my anger and vile bile earlier that day. I am feeling such appreciation for my friend. Rami was able with his laughter to pull me out of my disturbed self. "Quite amazing, really," I muse, "given that he is the captive."

This afternoon, it was the detained seeker of asylum, my friend Rami, who was able to free me from the captivity of my prior confusion and frustration and my intense discomfort under the crowded shelter.

This has been an excellent visit after all. Now I feel so connected to this soul who with an overflowing heart brought the chocolates to share with us all.

As the others choose their chocolates, Rami moves even closer to me. His deep-brown eyes soft pools now, he opens his palm towards me. In it lies one red-wrapped Cherry Ripe. "This is for YOU," he gently mouthes.

This is his love wrapped in bright cellophane. The love for which he is truly yearning. Momentarily the boundaries are non-observable. His heart is overflowing.

More than the one dozen red roses of a free man are offered to me.

His palm open, my eyes somehow simultaneously on his palm and looking into his eyes, I take a breath. I am floating in the silence of knowing no separation. I am the recipient of pure, creative love. The only bit of red, wrapped around the chocolate, is the sacred offering, the sacred declaration of this moment. It is sacred, true to and pure within this moment.

AND I reject it!

"Oh, that's so sweet of you, Rami," my patronising I-am-pretending-I-don't-know-what-is-going-on-here voice whines. "I actually don't like Cherry Ripe. Thanks all the same."

And then, somehow to soften the blow: "But Casey—Casey LOVES Cherry Ripe. Should I keep it and take it to her?"

I need to soften this a bit more, so even more patronisingly: "From YOU, OF COURSE."

He shrivels. I, in a hideous, shrieky I-am-in-control voice, say to no one specific and all in general: "Hey, what about me! Which chocolate shall I choose?"

Rami is invisible. He is the one locked up. Yet he was free. He could run freely to get the box of chocolates. I am numb. Dead. I am free yet in a perverse 180-degree flip I am immobilised. Frozen. Detained. Devorah invisibilised herself, reduced to playing a role. Rami felt the flow of love. Rami dared to be connected. Compromising myself, my heart was unable to acknowledge the love token, the flow between us connecting us. Fearing a moment's loving connection I have instantly moved to produce 'the unwelcome Other', 'the detainee strange to me'. Now I am the stranger. The stranger to be feared. The stranger who harshly annihilates the seeker of asylum offering the love token.

19:00. Visiting time is over and it is time to leave Villawood Detention Centre. The ritual hugs of the dead. Today both of us are dead. Leaving time always triggers his transformation back into the bent old man. His hands like claws that cannot really take hold of the wire fencing. Arms disappear. I see only the numbness-deadening, receding eyes staring alternately at the ground and then at me as I pass through the first unlock-and-lock gate. Like a scarecrow unable to stand upright, he flops even lower, his arms now visible as if they have re-joined his hands. Using the wire fencing, he holds himself up. I turn, as I always turn for a last glance, to see him before the next unlock and step into the blue infra-light vacuum chamber of Dr Jekyll & Mr Hyde.

This time, filled with self-disapproval and disappointment, I don't care about the unlocking-locking and more unlocking-locking. Each rattle of keys, the slam of gates, odours of guards, guards' uniforms, muted words of other departing visitors, take me further and further from my known self. Simultaneously deceiving and slowly numbing myself, I rationalise:

“Of course I couldn’t accept the chocolate-love-token. That would have been a false signal … He’s a detainee … I need to keep the boundaries clear … ”
“Of course I can’t FEEL this farewelling week after week, year after year. I would become immobilised with the anguish of seeing him re-collapsed into the unwelcome detainee, as I walk away to the Sydney bush and beaches, the laughter and love of my family.” I add to and shift my story, thereby making it more comfortable to sensibilities, further inducing an othered numbness that becomes corporealised pain while locked within. Only years later will it be recognised, welcomed and released.
Then I am ‘outside’ and in my car.

I turn on my mobile. As always, I phone home to tell my children I am ‘out’ and starting my journey home.
“Are you OK, Mum?” Casey inquires.
“Yeah. Why, Love?”
“Was it a hard visit?” she persists gently.
“No. Actually quite fun.” I start to tell her, but she interrupts.
“I don’t know—you don’t sound OK, Mum. Don’t waste money on the mobile now. I’ll make supper for you. Please drive carefully.”

Chapter Five
HINENI*

"Waa, waaa, waaaaa." Ahmed's urgent voice was riveting. I froze. The secret signal between us, that only he and I could interpret.

He arrived in Australia by boat and now his story seems no longer to be his own personal story. Boat people! They and their stories are too similar to each Other's stories. His unique personal story, his own danger, his threatened life, is now in danger of no longer being unique. Boat people stories are now being universalised. They were tortured, they ran, their boat almost sank. They seek asylum …

Ahmed had lost four plus years of his life in detention camps. His story must not become generalised; popularised; losing personal individual unique qualities. Ahmed is not a 'Boat-People'; he is not a detainee; he is not an asylum seeker. He is Ahmed!

Ahmed was a stateless Palestinian, born in a refugee camp. He had been held for six years, in a Syrian prison replete with regular torture—unsophisticated, crude, brutal torture. Against this unimaginable back-drop the young man escaped from his country, and started his pathetic journey to Indonesia and by boat to Australia. He was 32 when I met him in Villawood Detention Centre and had already been detained by the Australian apparatus for almost four years.

Scars revealed

"Look!" he said to me. "Look … here … the marks from the torture," he said, lifting his shirt, turning to show front and back.

I panic. I am trapped. I have to look. To see. To witness.

I have seen torture marks on others before now.

"Please, God, don't let me recoil; please give me the strength to cope with this sighting."

What is the appropriate response? I never know. Frequency hasn't immunised my horror. I am now one foot away, even less, from the site of such unforgivable, unjustifiable, unwarranted, reprehensible disfigurement.

* Hebrew; literally 'Here I am'.

Even as I write now, telling this story, while so clearly picturing, re-experiencing, almost re-locating myself back there, I see the glistening newly erected, additional fences and wires at Villawood (Vilewood). Patches of brown dust, like a patchy skin disease, compete with the pathetic excuse for grass in the visitors yard, the people dotted around the visitors yard each with their own cultural food smells wafting unbidden and definitely unwanted into the mix … The surveillance apparatus, the guards …

In this moment of writing—somewhere between looking back and actually being there in that visitors yard—I am jolted, as if from a dream, or a fog, as I notice how I objectified the body that has been tortured. No! Why can't I say "His tortured body"?

I write "have seen torture marks on others …" rather than talk of Ahmed's or Rami's or Mahmud's scars—blue, purple, twisted, gnarled and uneven. Scars showing themselves as strangely white on otherwise marble latte- or cappuccino-coloured skin. By distancing myself, I reveal my need then, as now, to protect myself from fully feeling, from completely comprehending, from the imagined smell of flesh at the moment of being seared … imagined screams and yells as more than one place on the body is electrified, the crack of the tortured body, the fragmenting of the tortured psyche—of such sighting and imagining that his "Look! Look here" calls forth.

His revealing is not born of sensationalism. On the contrary, this is a privately excruciating moment in the yard of surveillance. Ahmed extends beyond his personal privacy by showing me his torso, showing proof of his story. "They said I lied. You can read the transcripts [of the Refugee Review Tribunal (RRT) interview]."

Again, rage boils within. Like bile rising, anger has a bitter-yellow, vile taste. As if a permanent indigestion, my anger is always there when I hear the oft-repeated, always experienced "They didn't believe my story."

Now, I am in the comfort of my writing place—crisp skies, life-giving sun shining, African quela music playing sounds from my childhood in the deep resonant natural harmony of male voices. I am again churned. My eyes sting! In Villawood Detention Centre, Ahmed and the others before and after him, in the

muted voice tones of the living-dead, pleadingly said to me, “They didn’t believe me.”

Deep within, I notice a flicker of doubt. How dare I even for that fleeting, almost non-existent second, doubt Ahmed. The look, somewhat questioning eyebrows, distancing eyes, an unresponsive mouth that silently conveys, “I know what you are saying is not true.” If I don’t believe him—I have raised the knife that cuts the soul and so poisons not only me but the relationship between us, too.

I remember developing a ‘quick-awareness button’ to remove such doubt. *They* thought they knew. *Their* disbelief, *their* will to disbelieve, cost about 95% of the detainees three to five years of their life. No, I was determined not to play God and decide about truth and life. That is too burdensome a role for me. I couldn’t bear to be one of those who emit the toxic damage associated with playing God.

I recall the time I listened to his interview tapes in order to establish a case for return to the review tribunal. I shudder as I realise how unprepared I was for what I would be hearing on those twelve tapes. By tape three I was retching owing to the impossibility of hearing this detainee’s almost matter-of-fact voice recount the details of his torture.

So, here in an open, exposed, public environment (the visitors yard which is under surveillance), a Muslim man shows his body to a Jewish woman. The moment is not lost to either of us. This ‘in-between space’, where all boundaries and conditions are suspended, is where deep in my heart and soul I silently call forth strength not to fail him with a look of horror or a gasp betraying my revulsion.

I am a volunteer coordinating the legal teams, spearheading other vital activities, to secure his recognition as refugee with subsequent visa and release. Ahmed wants me to see, to witness his evidence of torture and therefore fear of return to his country of origin, Syria. His eyes fill with tears, he sways slightly, he gently rolls his head.

“My brother… They took my brother after I left my country. We heard that they broke his legs, then my mother had a heart attack, so no one told my family anything more …”

We stand in silence.

"Cousin, I can't go back there. My brother hasn't been seen. Maybe he's still in there?" Ahmed imagines.

I silently wonder if, in his brother's case, death might not be preferable.

We are silent.

He pulls down his shirt. His head hangs. He droops as if he is devoid of the energy required to put away the image, to placate his inner guilt-torment of his brother's suffering caused by his flight to freedom. Well … he had hoped it was to freedom.

Hoarsely, in his Arabic accent: "I can't go back there. I can't go back." He sits down.

"Tea?" he offers me the cooling mint tea from his ever-ready flask. I so enjoy his mint tea.

High-alert warning cry

"Waa, waaa, waaaaa." The signal we set up to let me know he is in danger of forced removal, secret deportation.

I groan, "Oh no, Cousin; oh no! How long have I got?" I ask.

I am ready to kick-start plan A, B or C into action, depending on how long before he is restrained, injected and forcibly removed.

I am on the verge of tears with shock. When planning the coded distress signal, it was fun. We had laughed a lot, suggesting different signals and testing the sounds. "Waa, waaa, waaaaa" developed from us mimicking a helpless baby that can but cry to signal distress or a need.

Then, the full import didn't really strike me. Perhaps I never thought I would actually hear the "Waa, waaa, waaaaa". Did I not dare 'go there'? Did my consideration of an emergency signal come from the intellect that plans without including my felt-self?

Kinship behind the wire

It was shortly after meeting him that Ahmed started calling me Cousin.

"Because you are my cousin," he explained. His family came from Bethlehem. They spoke Hebrew. "We are cousins," he had proclaimed as he presented me with a picture that he had drawn, symbolising our kinship and discussing the merits of recognising our kinship. That day Ahmed unfolded a

deeper connection between us with lively ensuing dialogue relating to Israel–Palestine.

"No! …… Not 'Waa, waaa, waaaaa' me !!!! It's my Cousin. 'Waa, waaa, waaaaa' my Cousin. It's my other Cousin and she is young and she is beautiful and she's in shock and she's very troubled. She's here now. Come quickly."

He was babbling. My brain was scrambling. What was he saying? Had they given him the injection already and he was mumbling in drugged madness? No, that can't happen. He would be restrained, handcuffed, heavily guarded and unable to use his prohibited mobile. He wouldn't have the mobile with him.

"Cousin, what are you telling me? What is 'Waa, waaa, waaaaa' ?" Did my voice sound calm? Or was I shrieking?

"Why can't I hear my own voice?" I interrogate myself with urgency.

"Ooooh. Oooooh. Sorry, Cousin. Sorry to upset you." It was his voice that was calm. "My other Cousin they brought in today is young Israeli girl. She is too scared. She is crying and confused. She needs you. Come. Come."

"Does she know you are calling me, Ahmed?"

"No."

"Did you introduce yourself?"

"No. She is too scared. She doesn't know I am her cousin."

My throat constricts. I swallow. Again I swallow. My eyes moisten. I don't know if in this moment my heart opens or closes. It's opening as I feel care for Ahmed, as I recall how he extends himself. Despite his woeful situation, he calls me. My heart closes, I still am partly numb—my protection, my defence against all that intolerable pain, the atmosphere of angst, anxiety, anguish that is palpable behind the wire. And I protected myself, by not fully feeling.

Only now, as I write these stories, do I realise how I had unconsciously numbed myself. How much numbing is just numb enough? I need to function. Has the numbness frozen? Yes and no: both frozen-numb and defrosted-numb. It was him noticing her plight; him caring; him phoning that defrosted the numb so I felt waves of tenderness soothing my muscles and my heart.

And then again the numbing—so I can shift into action and deal with the situation; the hour-long drive in that traffic; the one- or two-hour wait in the queue; the 38 degree heat that day; the stamping; tagging; scanning of the security

checks; the locking; unlocking; slamming of gates until I will be in the visitors yard to meet Ahmed with his other Cousin.

I remain numb. Just numb-enough. And it is uncomfortable for me. I suppress my own fear and anxiety, push away those soft waves and feelings so that I can act.

'*Na'ase v'nishma*—We will do, and we will hearken'. Words from the Torah float around my head and settle within.

Shabbat

The peaceful, floating, restful Saturday juxtaposes itself to the hard, incessant, pounding, relentless beat of the work-week. The unanticipated, therefore shrill, ring of my mobile cuts through my sense of silent well-being. "Unusual for Ahmed to call so early in the day" is the thought as I notice his caller number. I am slightly jarred and now alert.

"Thank you, Cousin. Thank you for the lovely food I had last night."

I am confused.

"What food?" I probe gently.

"The food, Cousin; the food you sent in for Shabbat. Humous, Pita, Kebab, Salad. The food!"

Usually able to think quickly, I draw a blank. I am perplexed.

Ahmed's Cousin, the Israeli, had been incarcerated on a Friday afternoon with no explanation of why she was where she was or for how long.

"But who will tell me?" Her near-hysterical repeated question was met with disinterest: we've-heard-this-terror-before.

"It's Friday. Everyone has gone home."

"When do they come back?"

Immigration operating procedure is to incarcerate people on Friday afternoon, leaving them in the zone of terror until Monday. Sara had been inside for just long enough to learn that some had been locked up in Vilewood (Villawood Detention Centre) for more than three and four years. This, too, is part of the villainous method of breaking people down.

I met her, spoke Hebrew, and as she wrapped her arms around me, she collapsed onto my shoulder, her very long blonde hair a wee bit matted, entwining

us. And she sobbed and sobbed and sobbed. Not hysterically. Sarah sobbed the sob of shock, of fear turned terror, of the helplessness that precedes anger and with the life-force that precedes the automaton. I have seen people there as they slowly month by month release their life-force and begin to droop. Then tear-ridden, sleepless, baggy dark eyes, watery untoned bodies, un-styled hair and clothes stagger slowly around Villawood Detention Centre.

For each one there arrives a moment when there no longer seems any purpose for holding on. They enter Vilewood each according to their past circumstances: in touch with reality, demonstrating appropriate responses, speech patterns, relating, healthy bodies, alert minds, spunky personalities, hopeful. And slowly after months of waiting … waiting … no release … no visa … no family ---- No work. No autonomy. No exercise. No friends. No shade. No sun. No shelter. No clothes. No relating. No believing. No trust. No sleep. No relief. No release. No name. Ongoing, timeless incarceration with no end in sight, literally and liminally. The desert stretches out in front of them. The concrete wall of their compound is all. They stoop, bend, become watery, slow down and become the walking dead. An expiration takes place.

"They took my shampoo," she self-consciously explains. Silent still, I look deeply into her eyes. "And my money. Can you get my credit card? My cash?"

With that list, she remembers her mobile phone.

"My phone—" Her voice quavers and becomes a wail.

"My dad; I can't call my dad, Devorah." It all pours out in Hebrew. Her Israeli accent gets to me and I have to look away. She shouldn't see my tears. Right?

I can't even recall how I felt at that moment! Dare I even admit this to be so? I feel shame that after 1½ years I have no felt-memory. Visual memory there is. I recall what Sara wore. I recall how Ahmed hovered—watching—yet remaining incognito. Yet what did I feel when holding with this traumatised and terrified, clinging and crying, no longer a stranger to me, young woman. Sara was the same age as my daughter who at that time was living and studying in Israel. What causes this loss of feeling? Did I feel then? And only now, while writing, I don't feel, or can't recall what I felt? Was it the numbing again?

After two weeks of being dehumanised, institutionalised, invisibilised, Sara made a claim to kosher food.

"At least I must have kosher food for Shabbat. Devorah, I am Jewish. I must eat kosher on Shabbat." Behind the wire, confused and terrified, this was more of a brave and gallant protest for life, to be witnessed and heard, than a religious requirement. Sara was not religious. Sara demanded living. She had not yet reached that letting-go-of-life moment. The food was brought in, after visiting hours—after 7 pm to reduce visibility of a situation that could become inflammatory. Sudden, unanticipated escalations of drama were inevitable where people were 'buried-alive', in Villawood Detention Centre. What could fresh food on order stir up?

It was Friday night, Shabbat, in Villawood Detention Centre. Sara was locked into the single women's accommodation yard, and Ahmed was locked into his section, Stage 2, where single men were housed amidst couples, families and children.

Sara's at the wire. Rattling the security wire between the two yards attracts someone's attention. She asks them to fetch Ahmed.

Now, while writing, much more is personalised. Not then, but now I wonder who she asked? How long did it take for Ahmed to get the message? Was he lying aimlessly on his bed when someone he knew or didn't know knocked on his door? Did he first grab some other clothes? Did he take or hide his illegal mobile-phone? Was he having coffee and chatting with another incarcerated someone?

Are these the questions of the vicarious witness?

It was there, in the most unlikely of spaces, the space of no space, that Sara, fiercely proud and independent, waited at the wire. Her eyes, that had recently acquired dark shadows from sleeplessness, tears, fear and trauma, looked out for Ahmed, who came unquestioningly to the wire.

"The food was so yummy! The best in more than 5 years. Thank you, Devorah," I hear him continue on the telephone.

"You mean the kosher food I sent in for Sarah?"

"Y E S …." with the "Duh—what else?" tone.

“But … but …” His “duh” inhibits my freedom to inquire further. Bracing myself I ask: “But how did you get it? I asked them to deliver after visiting and lock-up time. Did you get permission to eat together?”

“HUH???? Que???” Ahmed speaks five languages and apparently *English-nuance* is his sixth language recently learnt from young Aussie visitors. He’s been *inside* for five years, which now, it seems, is enough to learn “duh” and “huh” with the appropriately withering tones.

The “huh” is his incredulity that I could even think, never mind utter, the question out loud: “Did you get permission to eat together?”

“No, Devorah”, gentling his sixth language and returning to his soothing Arabic accent. “Not even asking permission.”

He’s enjoying himself. Momentarily he savours having a private life. Nothing in Villawood Detention Centre is private. All is known. But I didn’t know how he got the food. “The best food in more than five years.”

“She fed me.”

Silence.

“She fed me, Devorah, through the wire, piece by piece. My hands were too big to take it. I put my mouth to the wire. Nothing even spilt. The best food I had—more than even 5 years.”

Chapter Six
THE GARDEN OF HOPE

My dad, Yitzchak, is a wonderful gardener. Mahmud, who always carried the deep, cellular sadness born of his illegal sojourn in a country other than his beloved Iraq, of his multiple losses, including the death of his offspring, of the traumatic journey and the five-year incarceration, was never far from the crippling depression.

When Ruth and I noticed the signs of him shifting back into that unreachable place, I asked my Dad to visit him, highlighting their shared passion, talent, skill and knowledge of gardening. I had a strong sense that contact with an older man would be containing, a balm for Mahmud. Mahmud needed a Wizard.

Throughout the years of my visits to the detention centre my dad had been guardedly supportive. While always totally available for me to unburden my aching heart or to tell my stories as my way of making sense, finding meaning in the world I had stepped into, my dad carried enormous fear for me, his fear of the consequences of visiting the detention centre. "What will they do to you when they find out?" he asked me.

His question bears witness to the permanent damage inflicted by the South African apartheid regime. 'They' are the authorities. 'They' are the all-powerful authorities of the South African police state that was the South African apartheid regime. 'They' punish; 'They' imprison without trial those people who support the Other. In South Africa the Other was the 'Black'. Here, in Australia, the Other—for my dad—is the Iraqi, the Iranian, the stateless Palestinian, the Somali and always the Aborigine. Logically, for my dad, since the authorities lock them up, visiting and supporting the detainees could incur punishment—imprisonment—for his daughter. Perhaps her passport will be seized; perhaps she will be sentenced for the ill-fated visits she made. Perhaps she will lose her job.

"Is Dad also still locked up," I wondered, "detained in his experience that wounded and bruised his compassionate soul?" Fear had been successfully introduced then, by the South African regime and now, by the Australian apparatus. — —In South Africa a university student studying social work—a 26-year-old with a huge heart—carried a pot of soup to the home of one of her clients

in Soweto. Rosie was intercepted (by the police) and jailed as an enemy of the state. My friend Rosie! An enemy!!!! "The whole pot of soup fell to the ground – wasted," she wailed to me. "How dare they waste the food that so many desperately need."

Rosie, 'enemy of the state'[55], was held in solitary confinement for four months without a trial. My precious friend suffers periodic flashbacks and emotional fragility since her time alone in that prison cell *twenty-four years ago.* — —My dad preserves the memory of Rosie's and others' experiences.

Dad didn't say yes immediately. Mum was vexed that I had asked. At that time, my parents had only their Australian permanent residence visas and had not yet received citizenship. They greatly feared the consequence of a negative result to their application for citizenship if my father visited Mahmud.

Mahmud was in need. I had to ask. My intuition told me that an older male, with the common bond, would be good for Mahmud. What drove me, at the expense of my parent's tranquility?

"What can I bring for him?" was my dad's gruff, circumspect assent.

Laden with sugar, tea-bags, fresh fruit and telephone cards, we headed for the interminable fences, wires, locks, bolts, queues and processing at the almost-too-high-to-see-over counter at Villawood Detention Centre.

Tears seeped out of their usually well-closed ducts when I saw the terror that overwhelmed Yitzchak when he passed through the detector and it suddenly beeped. An immediate, involuntary response: Dad, ashen faced, was frozen to the spot, his hands above his head as if a gun was pointed at him. Deeper even than the apartheid scars, Yitzchak's World War Two memories jumped into untimely life at the shocking sound of the beeping detector.

[55] The South African Apartheid regime, from the mid-1970s to the 1980s, was ruled by government–endorsed police security forces, military secret intelligence and counter-intelligence. In 1979 under 'Pik' Botha a 'civilian agency' was established to identify security threats to South Africa and to launch operations—targeting and eliminating targets identified as 'enemies of the state'. Rosie was a professional social worker taking food to a client when arrested as an 'enemy of the state'.

‘Cleared’, we continued through the blue infra-light, vacuum-sealed, security-check chamber and waited for the guard to open the heavy, dense, metal door to the unlock-and-lock gates into the visitors yard. Then: “Mahmud, please meet my father, Yitzchak. Dad, this is my friend, Mahmud.”

“Am I mad?” I asked myself. With doubt assailing me ferociously, I wondered if my confidence in my subjective certainties was the product of too much time spent visiting the people detained, a distortion sourced in the contagion of the detention centre.

As I look at my father during the introductions my instinct is to grab him and run, outside of and far from the security-high fences, away from the miasma of pain that suffuses the visitors yard. I know—indubitably, from a dimension of cosmic time—that his face reflects the shock, horror and fear of all who first arrive to be locked up in the detention centre.

How do I protect Dad and Mahmud from my anger and anguish, threatening to vent like a rancid subterranean fissure within my being? They’ll see it. They’ll recognise it and know it. And it will hurt them both.

In Mahmud’s hand is the kettle for tea. Mahmud laid the tablecloth then set out the plastic cups, the various teas and the little sweets to accompany the tea. Dad clumsily gave him the sugar and other gifts he bore.

“My Dad’s a fantastic gardener—just like you.”

Silence, as the men start *seeing* each other. A seeing I had learnt about since visiting Villawood. A seeing born in the presence of total vulnerability and trauma. A seeing in the yard of surveillance. Different from the seeing the blind develop, but a seeing also developed in the absence of the known, in the lack of the usual spaces, acumens, rhythms and practices of daily life.

“Mahmud, why don’t you show Dad your garden? Dad, perhaps you’ll notice what plants you might bring for Mahmud next time.”

I sat there as they walked off. —Will Mahmud go into one of his torrents of anger and vitriol that involuntarily overtake him from time to time at unidentifiable triggers? Honouring the confidentiality of his personal story I had briefed Dad sparingly. Why? Was I now as mistrusting as those 'inside'? How quickly can we leave? What if Mahmud is acutely uncomfortable with a Jewish man? Did Mahmud agree to meet with Dad only to please me?

Such was my turmoil, confusion, and self-berating as I sat watching them that day. This is typical of 'their' way of thinking after being locked and isolated and denied and told by Australian Correctional Management "No one wants you. You are nothing."—"Have I caught their airborne thoughts? taken on their demons? ...."

Dad and Mahmud standing arm in arm at the wire fence, looking out through the chicken-wire that separates the visitors yard from the living-quarters yard. Looking through—to where the garden miraculously grows and blooms, a symbol of hope.

And then, as they turn, I see them clasp hands in the way of Middle Eastern men. I have seen Indian and African men clasp hands this way, too. My Dad seems so at ease exceeding his cultural conventions to meet with Mahmud's way. Did the Anglo-European colonial gentleman make any internal comparison with the hand-holding Black miners and garden 'boys'? Was his parents' Ludvak background of East-European hand-holding men within his collective unconscious? And they start circling the perimeter of the yard in the manner of the visitor and detainee who have a personal, not-to-be-overheard conversation to conduct. One usually only sees those well known to each other circling the perimeter. It is the cue for all to stay away a while. It's the absurd form of privacy one constructs when under surveillance within the constantly lit visitors yard.

And then it is time to leave. The sun is setting; the weather has turned. Dad doesn't have his thicker jacket. I had assured Mum it would be a short visit and that he would be home much earlier than … I never imagined …

And then, just before we leave the unlock-and-free-the-visitor : leave-behind-the-detainee gate which leads to the yard which leads to the check-the-security-tag-and-hand-stamp-infra-blue-light and before opening the vacuum-metal-door and before the cutting of the plastic wrist-tag and before the collecting of the keys and the drivers licence at the almost-too-high-to-see-over processing counter—

Just before we walk through the gate, they hug. They cry. They release each other looking deeply through the eyes into the stories each has told the other. Both men now far away from home. One with a passport and applying for another. The other with no passport and no application lodged.

Both fathers have lost their sons. Both sons were killed by the authorities. Then, beyond the story, into the soul they had found in each other—the soul of courage, the soul of humility, the soul of love, the infinite soul. They embrace again. Each man then gathers his energy, braces himself, and both emerge from the soft beauty of the sacred bond of love to be the Muslim and the Jew, the detained and the free. And we walk away.

Chapter Seven
BOUNDARIES, SPACES AND LACUNAE

Overview

The Midrash Social Research Methodology extends the boundaries of traditional qualitative research methods, offering a new pathway for knowledge creation that includes 'messy text … where all humans are worthy of dignity and sacred status' (Denzin & Lincoln 2003, p. 1052). The insertion of 'self in a sense of the sacred, to connect the ethical, respectful self, dialogically to nature and the worldly environment' (2003, p. 1052) is consistent with research that is substantiated by the epistemology–theory–methods nexus.

Traditional analytical tools, qualitative or quantitative, were unsuited to the structure and method of Midrashic Social Research. Nevertheless writing the Midrashim includes analysis, through the iterative cycles of reflection and rewriting as Leavy proposes:

> … using theory and existing scholarship during analysis, *engaging in cycles of analysis* throughout the research process, can help researchers utilising these methods to locate themselves within the process …
> (2009, p. 20)

Leavy also recommends '*using theory explicitly* during data analysis' (p. 19) as a method of generating new interpretations and alternative meanings.

In this chapter the three arts-based writing templates comprising the Midrashim are deconstructed. First, the cyclical nature of the writing, including reflection and analysis, is made explicit, in connection with the data, as *meaning and insights*. Second, *theory* is presented explicitly in the text itself, either as part of or as the pathway to the findings. Third, the autobiographical style of the midrashim 'is critical for creating new knowledge about the *experience* of pain, loss, grief … spirituality … subjugation' (Leavy 2009, p. 41). Importantly, including the emotional experience as part of the knowledge itself renders the text intense, vital, non-linear, incomplete and, at times, 'even difficult to read' (2009, p. 42).

This chapter discusses the research themes, insights and interpretations within three categories of spaces. The first and second are bounded spaces

represented by the divide of the wire. The third space represents lacunae and collapsed boundaries.

- **Space One: Sinister alarm-signals**

—Through the wire, from the 'outside'

- **Space Two: Ethical signals for quiet study**

—Ethical connections and the community 'inside', behind the wire

- **Space Three: The in-between**

—The liminal space of collapsed boundaries, beyond the wire

Themes, patterns and trends that emerged during the writing of the Midrashim indicated two separate approaches to the seeker of asylum. One approach is located within the space of the much publicised and researched (see Chapter One) responses of the Howard Government to the seekers of asylum within the context of the legalisms, juridicisms and political rhetoric of the detention regime. Mechanisms of the regime have tragically 'desecrated'[56] and damaged the most vulnerable, by further traumatising them during their period of indefinite incarceration. This is well covered in the literature, as shown in levels two and three of the *Refugees' Right to Rights* model (see Figure 1, Chapter One). Most of the data for this space is taken from the performance piece *Through the Wire* (Horin 2004).

The other approach emerges from the Midrashim as spaces of ethical events. Less is known about the ethical events behind the wire in Villawood Detention Centre, where a small community of Australians and detainees of many different cultural, familial, linguistic, religious and geographic backgrounds was developed. 'Face to face' in the Villawood Detention Centre visitors yard of surveillance people listened to each other. The detainees were not victims in these relationships, and power dynamics shifted between the free and the locked up. Freedom was not always associated with the physically free, but altered and adjusted when interpreted through the multiple layers of consciousness the Midrashim reveal. Relationships were built, each distinct from the other and distinct from other similar types of relationships—incarcerated and free; victim

[56] 'Desecrated' is chosen to connect the sacred with the human.

and victor; Jew and Righteous Gentile; welfare worker and client. The characteristics and qualities of the relationships behind the wire aggregate to reveal an ethical space that goes beyond the wire, and most of the data here is from the Midrashim.

Susan, in the *Through the Wire* scene titled 'Why I got involved'—of the secondary data set—explains that she has just returned from a holiday outside of Australia and was shocked to hear and see news reports about Australia that did not represent her country as she knew it. In the short space of time that she was away, so much seemed to have changed. She had to find out first-hand. This is why she first went to Villawood Detention Centre.

> Susan: I was overseas when the Tampa happened! And then — I started hearing reports about the election build up and John Howard going on about 'terrorists, queue jumpers, border protection' and all the rest. And I thought "what on earth is going on?"
> And then the very day I arrived back in Australia, the SIEV X went down with the loss of 361 mostly women and children and I was so outraged. Not just about the sinking, well the sinking was appalling — but I was shocked by the lack of reaction of the Australian people.
> …
> Susan: So when I got back home, I was determined to see for myself what was happening in the detention camps.
> The great rolls of razor wire were like a symbol of everything barbaric suddenly sprung up in Australia. And I wondered what had happened to this country.
> And I wondered what had happened to this country in the short space of time that I'd been away — eight weeks.
> (Horin 2004)

Susan's response sets the tone of the ethical paradigm by firstly taking her responsibility to the Others —'I was determined to see for myself what was happening in the detention camps'—and secondly by her gut reaction—'I was shocked by the lack of reaction of the Australian people'. Susan responded to a trigger. Something shocked her into action. Preceding her action was a feeling—outrage and shock. She is outraged by the lack of reaction of the Australian people to the SIEV-X tragedy. 'Three hundred and sixty-one mostly women and children' drowned with very little outcry from the Australian people. The lack of reaction typifies the indifference Levinas condemns.

Indifference to the plight of hundreds of drowned women and children is alarming. More than indifference Perera (2006) cites the then Minister for Immigration, Philip Ruddock MP, who shockingly turns the SIEV X drownings into a positive spin of deterrence.

> In his first statements to the media on 24 October 2001, after the hundreds of deaths became public, Ruddock commented that 'this tragedy may have an upside' because of its value as a deterrent to others.

(Marks in Perera 2006, p. 647)

Primo Levi[57] (1986) writes instructively about a chain of signals that alarm us, linking them specifically to the automatic conceiving of a stranger as an enemy. Referring to his own life experience Levi says that the 'lager'[58] is the 'product of a conception of the world carried rigorously to its logical conclusion' (p. 9).

Space One—Sinister alarm-signals

Alarm-signal 1: Indifference

Levi prefaces *Survival in Auschwitz* (1986) with the explanation that his book is not intended as an 'account of atrocities' (p. 9). Nor, he points out, is it his intention to add accusations—readers already know about the death camps. He was examining the chain of events, or syllogisms, that propel a group of people to the Lager and he writes to reveal the chain that paved the way to the cattle cars and death camps.

'Beyond the Wire' has revealed, during the decade under inquiry, 1999–2009, sinister alarm-signals indicative of the chain of events, and syllogisms, propelling asylum seekers in Australia toward an increasingly harsh detention regime. Susan in *Through the Wire* (Horin 2004) mentions SIEV-X (see Chapter One) as one of the alarm-signals, and then reveals a chain of events to which the majority of Australians were indifferent.

> 'The great rolls of razor wire were like a symbol of everything barbaric suddenly sprung up in Australia … in the short space of time that I'd been away—eight weeks' (Horin 2004, in the scene 'Why I got involved').

[57] Primo Levi was born in Turin, Italy, in 1919. In 1938, he first felt his Jewishness, but completed his degree in chemistry in 1941 and then joined the partisans. At age 24 he was captured and transported to Auschwitz, where he was considered useful, due to his chemistry degree. Working in the Germans' laboratory inside Auschwitz, he was able to smuggle food and stay warm enough to stay alive until scarlet fever took him to the infirmary. Left for dead when Auschwitz was abandoned he was spared the winter death march to Buchenwald.

[58] 'Lager' is the word Levi uses for the death camps. The German word is translated as 'warehouse' or 'storehouse'.

Also in *Through the Wire* Gaby, the Australian nurse who worked in Curtin and Woomera detention centres, says she did not know what she was getting involved in:

> Gaby: I had no idea! I was completely ignorant, when I first started … for me it was just a job … late '99 … I thought I may as well give it a go. I don't think any of us knew what we were getting into.
> (Horin 2004, in the scene 'Why I got involved')

To be ever-vigilant regarding the sinister alarm-signals is Levi's (1986) adjuration to guard against indifference. Levinas, too, repeats in different texts his caution against indifference. 'It is the shattering of indifference … even if indifference is statistically dominant' (Levinas 1988a, p. viii). Unlike the statistically dominant numbers of Australians who had not raised their voices, or their vote, against the witnessed indifference to the acute suffering and death of desperate people fleeing their countries and seeking asylum—genuine refugees—Susan took steps to 'shatter the indifference'.

> The ultimate indifference is indifference to the Highest Court in the land. A decision by Australia's High Court on August 8 [2002] … ruled that the procedures that have been used by the federal government's Refugee Review Tribunal (RRT) to reject thousands of asylum applications since 1993 are procedurally unfair and therefore unlawful ….
> (Australian High Court 2002)

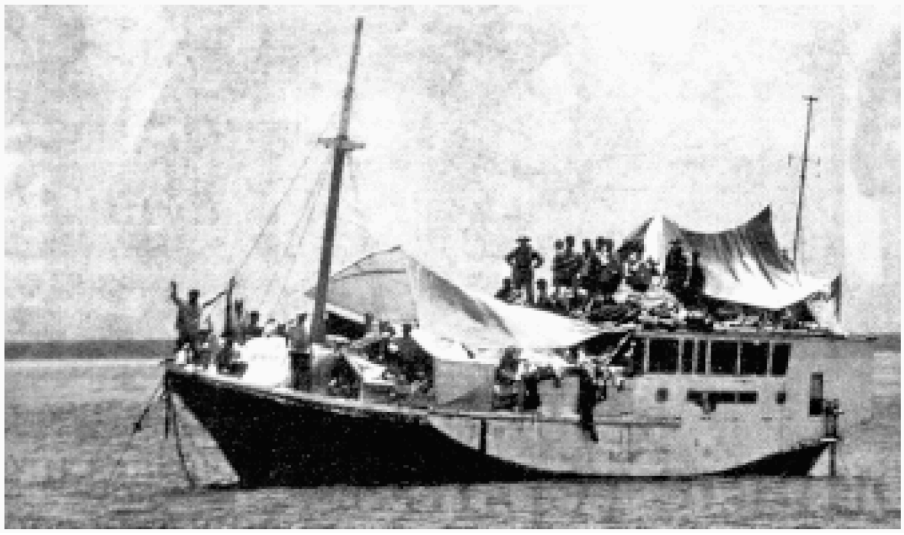
Levi proposes '[furnishing] documentation for a quiet study' to counter indifference. By showing the conceptions, spaces and syllogisms of the *sinister alarm-signals* in the chain to the detention centres this thesis provides documentation for quiet study. Australia has a long history of refugee-resistance, be it xenophobia or 'lack of experience and understanding' (Jupp 2007, p. 177). It is, however, vital to the well-being of the nation—of any nation—to be alert to a trajectory that bears alarm-signals.

Alarm-signal 2: Rhetoric and double-speak

> The overall impression was one of a modern day concentration camp—razor wire, mud, sad faces and shame.
> (Organ 2003)

The Australian public are assured they can feel safe, as the Pacific Solution mobilises the Australian Navy for the purpose of border protection and border control. The implication is that those terrified and sometimes starving people, crowded into dangerously substandard, small and sometimes leaky boats

are like enemies—the objects of fear—and so have to be martialled by the Australian Navy.



Source: Refugee Action Committee

A boat roughly the same size as SIEV-X

Burnside (2007) likens the language of the Government—'illegals', 'queue jumpers'—to 'doublespeak'. Doublespeak uses language 'to smuggle uncomfortable ideas into comfortable minds' (Burnside 2007, p. 99). However, in terms of alarm-signals what the Government said—dismissal of the High Court judgment—points to a reversal of the time-honoured separation of law and land and adds to the picture of 'double-speak' in the discourse:

> The government's response to the High Court judgment displayed its contempt for basic democratic rights. Both Prime Minister John Howard and Attorney General Daryl Williams dismissed the importance of natural justice, a centuries-old protection against arbitrary power. (Australian High Court 2002 n.p.n.)

Of the detention centres themselves, Burnside asserts:

> 'Immigration Reception and Processing Centres' is a false description in every way. They are locked up without trial, for an indefinite period … held behind razor wire (or a courtesy fence) and slowly sink into hopelessness and despair.
> Mr Howard's habitual dishonesty has deceived a nation into accepting these obscenities, while he massages our conscience with soft words for hard things.
> (Burnside 2007)

Alarm-signal 3: Mechanisms for reducing the human to the merely existential

Hannah Arendt argues that:

> Where violence rules absolutely, as for instance in the concentration camps of totalitarian regimes, not only the laws … but everything and everybody must fall silent … Violence itself is incapable of speech, and not merely that speech is helpless when confronted with violence.

(1951, p. xxxii)

Nyers (2006) has established that refugees are generally framed by the emotion of fear (see Chapter One) but the detention system offers no asylum from their fears. Inside the centres detainees live with daily threats of physical violence. They live with ongoing fear for their lives.

Mohsen Soltani Zand began writing poetry inside Villawood Detention Centre after three and a half years' incarceration.[59]

If one person dies
If one person dies, there is always one who will bury them.
If a bird falls from the sky, there is one who will mend its broken wing.
If a building collapses, someone will dig to rescue survivors.
After the deluge, the ones who are left will search for loved ones.
There are still just consciences.
We are the dying, just barely breathing.
We are the birds, hearts pierced by the arrow of faith.
We cry out from beneath the rubble of humanity
Washed up by the flood to this shore.
We are innocents who have kissed the noose of Australian democracy.

Biological existence was raised by Agamben with reference to the death camps of the Shoah, and Browning (2007) and Pugliese (2002, 2004) connect the detention regime with Agamben's *Homo Sacer* (1998), which refers to a person who *could be killed without accountability*. *Through the Wire* graphically illustrates the life-threatening experiences of the detainee.

Shahin: I didn't get an interview … Nothing …. For the first ten months I was in Curtin—I was kept in total isolation.
Gaby[60]: No contact with the outside world at all.
…
Shahin: They try to make us go crazy by ignoring us …
Susan[61] then refers to Moshen: … One time it was the police in full riot gear—batons, boots, the lot. Another time he was hauled into "Management Block" and beaten till he was black and blue …. thoughts about suicide and black awful despair.
Rami: Me—I just try to sleep—for as long as possible. I want to kill time—just to make the hours pass. I don't mix much with the other detainees. Some of them have no patience left. They can go crazy if you just say hello.
(Horin 2004, in the scene 'Relationships in Detention')
… years of incarceration that produced aching bodies that moved about like partially stooped, ponderous old men in pain. Shuffling about, their watery bodies seemed not to breathe, as if halting the breath would block at their nostrils the acrid smell …
(Cherry Ripe, Chapter Four)

Two more accounts taken from Coffey (2006) and Jackson (2006) tease out even further the source of fear and the result of living with that ongoing fear for their lives. Preventable tragedies shown below are usually known to the

[59] See Appendixes for other poems.
[60] Gaby is a qualified nurse.
[61] Susan is a practising clinical psychologist.

population of the detention centre, with the information becoming known to detainees in other locations.

Immigration Detention Centres are a historically recent phenomenon in Australia, but they possess many of the characteristics of older closed institutions of incarceration. Modern principles of administrative law and government service delivery have not informed the manner in which the centres have operated. This has had many consequences, not the least being manifest inadequacies in detention centre mental health services. The Commonwealth's failure to create agreements with the states in order to ensure access to state mental health services, the isolation of immigration detention health services from state health legislation and policy, and the delivery of detention health care by means of private contractual arrangements have in combination resulted in highly unregulated mental health services for detainees. Mental health clinicians working with detainees have been confronted by ethical challenges less commonly encountered in orthodox treatment settings.
(Coffey 2006, p. 67)

The co-convener of the inquiry, Professor Linda Briskman from Curtin University in Western Australia, said the inquiry had been told of at least 10 people who had died in detention since 1999, "but people are generally speaking of more than 10 deaths".

Fatima Erfani, a mother of three detained on Christmas Island, died in January 2003 after being treated incorrectly. She was suffering from high blood pressure but was instead treated for a migraine and died from cerebral bleeding.

Tongan Viliami Tanginoa, who overstayed his visa, dived to his death from the top of a basketball hoop at Maribyrnong detention centre in December 2000.

Professor Briskman said yesterday details of the other deaths would be covered in the inquiry's second report next year.

The Age is aware of at least two other deaths in detention.

The report documented an attempt by a 12-year-old boy to hang himself.

A former nurse working for detention centre operator ACM told the inquiry a doctor attended Baxter detention centre five days a week but detainees could only have appointments on the day allocated for their compound. Sometimes the wait for an appointment on the "right day" could be up to three weeks, she said.
(Jackson 2006 n.p.n.)

The following account of a detainee in an Australian centre describes how those detained feel forever changed. What becomes apparent here is that while the social and political architectonics of the detention centres are *politically* argued for, the Australian population is not aware that their government is violating the basic human rights of each individual.

How can I describe this place? It is a place where no human being can ever forget. A place full of agony, deprivation, despair and sorrow. Everyone that came to me at Port Hedland said I deserved to suffer because I chose Australia as a country of freedom to live. Australia for me is a country of torture.
Mariam (Samira et al. 2001, p. 3)

Alarm-signal 4: Human commodities

When humans are denigrated, humiliated and persecuted, the sanctity of human life is threatened everywhere …
(Trachtman & Meyer 2004)

Shahin: I was 1319
And every body knew us because we were all isolated boys …
Gaby: They were the '3…' guys
Shahin: They would call us the '13…' guys
(Horin 2004, in the scene 'Relationships in Detention')
Elli Leaver: They all have a number. They don't have names in there, which is very degrading.
Katie Brosnan: When you hear something like that it really is reminiscent of what happened in Nazi Germany. If we're going to give these people numbers, let's give them tattoos as well - let's put their number on their arm. People without names.
Rebecca Baillie: Until two years ago, 15-year-old Nooria Wazefadost was a detainee with a number.[62]
(O'Brien 2002)
Nyala Everson, a migration agent reports as follows:
When they were taken to Curtin, the children - then aged 11 and 14 - became frightened and confused. They did not understand why they had been taken to a prison. Their possessions were confiscated and they were forced to wear the same clothes for two months.
They have been separated from each other into different rooms for long periods of time. They are called by numbers, not by names, and are not allowed to see the nurse unless they show an ID card with their photo and number on it.
(Everson 2002 n. p. n.)

When their boats are intercepted, seekers of asylum are transported to *notAustralia* in the holds of military or cargo boats (see Browning 2006; Burnside 2007) that lack water and toilet facilities and are dark.

In the midrash Hineni (Chapter Five) Devorah (the researcher–author) relates Sara's experience:

Ahmed's Cousin, the Israeli, had been incarcerated on a Friday afternoon with no explanation of why she was where she was or for how long.
"But who will tell me?" Her near-hysterical repeated question was met with disinterest: we've-heard-this-terror-before.
"It's Friday. Everyone has gone home."
"When do they come back?"

Immigration operating procedure is to incarcerate people on Friday afternoon, leaving them in the zone of terror until Monday. Sara had been inside for just long enough to learn that some had been locked up in Vilewood (Villawood Detention Centre) for more than three and four years. This, too, is part of the villainous method of breaking people down.

[62] On 4 April 2002 the Australian Broadcasting Corporation's *7:30 Report* broadcast an interview that included these references to Woomera Detention Centre.

I met her, spoke Hebrew, and as she wrapped her arms around me, she collapsed onto my shoulder, her very long blonde hair a wee bit matted, entwining us. And she sobbed and sobbed and sobbed. Not hysterically. Sara sobbed the sob of shock, of fear turned terror, of the helplessness that precedes anger and with the life-force that precedes the automaton. I have seen people there as they slowly month by month release their life-force and begin to droop. Then tear-ridden, sleepless, baggy dark eyes, watery untoned bodies, un-styled hair and clothes stagger slowly around Villawood Detention Centre.

For each one there arrives a moment when there no longer seems any purpose for holding on. They enter Vilewood each according to their past circumstances: in touch with reality, demonstrating appropriate responses, speech patterns, relating, healthy bodies, alert minds, spunky personalities, hopeful. And slowly after months of waiting … waiting … no release … no visa … no family ---- No work. No autonomy. No exercise. No friends. No shade. No sun. No shelter. No clothes. No relating. No believing. No trust. No sleep. No relief. No release. No name. Ongoing, timeless incarceration with no end in sight, literally and liminally. The desert stretches out in front of them. The concrete wall of their compound is all. They stoop, bend, become watery, slow down and become the walking dead. An expiration takes place.

"They took my shampoo," she self-consciously explains. Silent still, I look deeply into her eyes.
"And my money. Can you get my credit card? My cash?"
With that list, she remembers her mobile phone.
"My phone—" Her voice quavers and becomes a wail.
"My dad; I can't call my dad, Devorah." It all pours out in Hebrew. Her Israeli accent gets to me and I have to look away. She shouldn't see my tears. Right?
(Chapter Five—Hineni)

In *Through the Wire*, Ros Horin's play, the unwanted and undocumented, the unannounced and unauthorised characters attest to the changes wrought by the experience of detention in Australian centres:

Susan: Moshen could never sleep much … he'd have terrible nightmares … the nightmares and psychosis started after he had been severely beaten in Port Hedland—twice.
(Horin 2004)

In the same scene:

Gaby: It was the small indignities that made some people snap. Like grown men breaking down … weren't allowed a piece of bread in their room. Or, women having to queue in the hot sun for ages to ask for sanitary pads or soap.
(Horin 2004)

The position of this work is according to the value of <u>each</u> <u>unique individual</u> as demonstrated in the Babylonian Talmud Sanhedrin 4:8 (37a): 'Whoever destroys a soul, it is considered as if he destroyed an entire world. And whoever saves a life, it is considered as if he saved an entire world.' Levinas, too, takes up his discussion of the unique individual with reference to the Torah:

He interprets the Biblical claim that 'the judge does not look at the face of everyone' (Deut. 11:7) to mean that the individual Other who stands before the court of law is no longer looked at directly in the face, but rather judged in accordance with universal laws and precepts, as though he or she were absent. Such is what Levinas called '[the] contestation of uniqueness'.

To surmount the ineluctable violence committed in the name of universal justice, Levinas … proposes the reintroduction of the face-to-face relation. If the lofty ambitions of justice are not to be drowned in administration and Stalinism, he argued, "it is necessary that I rediscover the unique … each time as a living individual and as a unique individual who can find, in his very uniqueness, what a general consideration cannot find."
(Hansel 2009, p. 150)

Levinas, too, was forever changed by his experience in an internment camp during World War Two. Designated a Jewish prisoner of war (POW) Levinas was separated from other French POW officers and sent to a special camp, Fallingsbotel. He describes his years in the camp as a 'parenthesis' during which he and his fellow prisoners felt 'no longer part of the world', and, confronted the racism of the guards and local Germans, no longer even part of humanity.

Levi (1986) also describes losing his sense of humanity in Auschwitz:

> Imagine now a man who is deprived of everyone he loves, and at the same time of his house, his habits, his clothes … he will be a hollow man, reduced to suffering and needs, forgetful of dignity and restraint, for he who loses all often easily loses himself. He will be a man whose life or death can be lightly decided with no sense of human affinity.
> (Levi 1986)

The pattern of separation and segregation of the stranger occurs with notable regularity in the stories and accounts of seekers of asylum. The mechanisms are the same for Levinas and Levi, for Rami and Sara—separation, isolation, loss … . A young man detained on Nauru[63] writes poetry …

> I shouted and no one heard my cries,
> The universe laughs at my cries,
> This load has broken my back,
> Every joint in the body is cracking
> (Gordon 2005)

Primo Levi alerts us to the inexorability of the movement into nihilism when a government dehumanises and commodifies. Humans within the totalitarian production line become commodities—the 'caseloads' from 'processing centres' (Pugliese 2004). They are the commodities filial to camps and centres unchecked by care and compassion—unchecked by an ethical stance that considers the heart and soul, the sacred life of the Other.

Alarm-signal 5: Numbing

When Dr Carmen Lawrence MP stated that 'The Government encourages us to turn our faces away from the refugees' (Lawrence 2004) she directly identified an important cause of the alarm-signal of indifference. Turning one's face away from the needy strikes at the heart of Levinas's deplored un-

[63] *This is not detention: this is Hell* was published in 2005, in the *Sydney Morning Herald*, after Michael Gordon, the author, met the last 54 asylum seekers held on Nauru. Mullaie, a young Afghani on Nauru, wrote the poem.

responsibility, of which, he asserts, Heidegger is guilty. An interview in *Le Monde*, 1992, publishes Levinas's claim that '[T]he absence of concern for the other in Heidegger and his personal political adventure are linked' (Bernasconi & Critchley 2002). With this comment about Heidegger's personal and political selves, Levinas alerts us to a crucial philosophical moment that the Midrash Social Research Methodology grounds in actual experience. We cannot profitably separate parts of ourselves.

Both suppression and denial are concomitant self-protective mechanisms. How many of the members of parliament in Howard's Government were numbing themselves and were not aware of the mechanisms of protection and self-defence?

The Midrash Social Research Methodology gave the author space for personal insight to how numb she had become:

> Only now, as I write these stories, do I realise how I had unconsciously numbed myself. How much numbing is just numb enough? … I remain numb. Just numb-enough. And it is uncomfortable for me. I suppress my own fear and anxiety, push away those soft waves and feelings so that I can act.
> (Chapter Five—Hineni)

Yet, when Dr Lawrence—reporting Senator Vanstone—continues it seems that neither numbing nor self-protection was the mechanism for turning away from the needy:

> The Minister (of Immigration) implied that the experience of detention was not particularly harmful, even though so many of those in detention are depressed, because "I'm not sure that everybody would regard depression as a mental illness." Nudge, nudge—at least not sensible people like you and me (Lawrence implying Vanstone's[64] sentiments), just bothersome groups like the World Health Organisation, The Royal Australian and New Zealand College of Psychiatry and the Commonwealth Department of Health.
> (Lawrence 2004, n.p.n.)

Senator Vanstone's position, as rendered by Dr Lawrence, signifies the dissonance between the conception of the seekers of asylum and of the Australian citizen. Yet Australian citizens, too, were hurt by the detention regime—not only those released who are now Australian citizens, but also those who visited Villawood Detention Centre. Without implying comparability of scale and magnitude of the damage, yet upholding the principle of the parity of value of each individual life, Cherry Ripe (Chapter Four) and Hineni (Chapter Five)

[64] Yet in the same year that the Minister of Immigration, the Honourable Amanda Vanstone MP, was publicly denying that depression is a mental disease, Jeff Kennett, ex-Premier of Victoria, was interviewed on Andrew Denton's *Enough Rope* in his role as Chairman for *Beyondblue. Beyondblue*, established in 2000, acknowledges that depression is an extremely serious disease.

provide examples of visitor injury:

And so, heart pounding, rushing blood sounding in my ears, the smell of fear mingled with dry dust in my nostrils, I enter the lock-up compound, complete the security-check documentation, with further terror that I will be traced and found from the address I had to supply. And I join the queue—after a few years of visiting Villawood Detention Centre I have come to know or at least recognise enough people to have some companionable chats while waiting in the queue. However, when I started visiting, I often stood alone. Those days of queuing in the rain, in the heat up to 42 and 48 degrees on Christmas Day 2002, or in the winter's cold of 10 degrees, always felt endless and rawly exposed.
(Chapter Four—Cherry Ripe)

Flare-ups inside Villawood Detention Centre could happen without notice. I have seen such frightening sudden situations that have required guards, guns and body-handling in the visitors yard. The environment and atmosphere inside was always edgy, fear-filled, sad and tense. We were affected on every visit.

"I don't want to share space with them. These are not MY friends," my inner voice whines. "Chair—me." I start lifting the white plastic bucket chair, noticing a few others looking at me. I can't read this situation. "What is going on here?" I feel prickly. But I can't define the prickle. Embarrassment—yes? Frustration—yes? Rage at the situation—yes? But it's something else … Is it my or their 'something'? People are packed close to each other, all squeezing themselves under the one shelter. Here under the shelter … I am nauseated by the smells of these foods … I'm panicking … I DON'T WANT to be here …
(Chapter Four—Cherry Ripe)

And:

Perhaps it's my fury, my defencelessness, my exposure to, yet again, the callous Australian Correctional Management processing officer that is now surfacing and twisting itself. I HAD to be polite. I had to denounce my desire to be treated with regard. I had to censure my response to the manner in which the guard spoke. I had to suppress that lioness instinct to attack the Australian Correctional Management officer. Always the thought close to the surface that if we visitors are so disregarded, how much more so are the people detained annihilated. We can walk away. Unlike those who are detained and incarcerated indefinitely.
(Chapter Four—Cherry Ripe)

Devorah is numb but not quite numb enough when she sights Ahmed's scars:

"Look!" he said to me. "Look … here … the marks from the torture," he said, lifting his shift, turning to show front and back.
I panic. I am trapped. I have to look. To see. To witness.
I have seen torture marks before now.
"Please, God, don't let me recoil; please give me the strength to cope with this sighting. …"
(Chapter Five—Hineni)

Some were still very young[65] during their years of incarceration in Australian detention camps, where they witnessed ongoing violence by the

[65] Several authors have described high levels of depression, anxiety and post-traumatic stress disorder (PTSD) in adult asylum seekers detained in Australia. They have also observed that detention may profoundly undermine the parental role, leaving children with little protection or comfort. Considerable evidence exists that refugee children themselves are at significant risk of developing psychological disturbance (PTSD, depression, anxiety and sleep disorders), but they frequently present with mixed symptoms, not necessarily fulfilling a single diagnostic category. The likelihood of psychological disturbance increases with the synergistic impact of multiple risk

guards, and self-inflicted bodily harm and suicide by some of those who were detained. Too easily the Australian public, prompted by certain politicians and media accounts, tut-tutted about the "people like those". A 10-year-old girl's desperation was not revealed:

In Woomera, month after month, their condition deteriorated. In particular, the ten-year-old girl stopped eating, stopped looking after herself, had trouble sleeping, and began scratching herself constantly. … on a Sunday night, while her parents and younger sister were at dinner, she took a bedsheet and hanged herself.
(Burnside 2007, p. 26)

Which Australian citizen believed, along with Senator Vanstone, that depression can be disconnected from 'mental illness'? Were they ignorant of the truth about detention centres? Sister Connelly speaks out against becoming numb—shutting down.

These attacks being planned on the right to life and safety of people escaping from oppressive regimes say a great deal about Australia. They demean and betray us. They reduce our humanity. This is not to argue that we should treat people well only for our own sake, but it points out that it follows as night follows day, that our actions not only say who we are, but make us who we are.
(Connelly 2006, n.p.n.)

Cherry Ripe exposes how '… we tune out, we turn away, we avoid. Finally we forget, and forget we have forgotten. A lacuna hides the harsh truth …'. And in Hineni: '[B]y distancing myself, I reveal my need then, as now, to protect myself from fully feeling, from completely comprehending.'

Alarm-signals are the links in a chain

> … unless our social interactions are underpinned by ethical relations
> with other persons, then the worst might happen, that is,
> the failure to acknowledge the humanity
> of the other.
> (Bernasconi & Critchley 2002)

The incarceration and suffering of seekers of asylum are alarm-signals that can alert us to an incipient chain of absences of ethical and moral responsibility (lacunae)—to which this research project says "never again".

In political life … humanity is understood from its works—a humanity of interchangeable men, of reciprocal relations. The substitution of men for one another, the primal disrespect, makes possible exploitation itself.
(Levinas 1961, p. 298)

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factors, including observing parental helplessness, separation from parents, witnessing or experiencing traumatic events, and the time taken for immigration status to be determined.

In accordance with Primo Levi's recommendation, we have 'quietly studied' and considered as alarm-signals the experiences described by incarcerated individual seekers of asylum. Significantly, they describe the loss of hope, family, feeling human and life itself, all filial to the disabling and destructive chain of detention-regime events.

Space Two—Ethical signals for quiet study

After such knowledge, what forgiveness?
(T. S. Eliot, *Gerontion*, 1920)

Alternate to the spaces of alarm, signals that give prominence to ethical events are distilled from the broad, complex spaces of the Midrashim. 'Quiet study' of this document, 'Beyond the Wire', draws out the responsible, the transcendent and the infinite.

Transcending fear and rhetoric, the Levinasian inescapable ethical responsibility—the Hineni event (see Chapter Two)—is experienced. Levinas clearly describes his work as a new paradigm of thinking other than normative ethics and where ethics cannot be instantiated. Rather, consideration of the Other as within the texture and fibre of the way one views life itself constitutes the paradigm.

In his discussion of 'other' and the 'same' Levinas is clear that

'… to be I is, over and beyond any individuation that can be derived from a system of references, to have identity as one's content'. The I is not a being that always remains the same, but is the being whose existing consists in identifying itself, in recovering its identity throughout all that happens to it.'
(Levinas 1961)

In all his works, Levinas thematically calls the self to *show up for* and to *engage with* the Other. The ethical relation is a description from the point of view of an agent *in* the social world and not a spectator *upon* it. This is the movement of Levinas's thinking that Derrida (in Bernasconi & Critchley 2002, p. 6) compares to the movement of a wave on a beach, always the same wave returning and repeating its movement with deeper insistence.

The Midrashim are instructive, offering examples of cameo Hineni moments—that is, the visitor first 'shows up through the wire' before befriending and advocating for the detainee.

"What can I bring for him?" was my dad's gruff, circumspect assent.

After some time has passed:

Dad and Mahmud standing arm in arm at the wire fence, looking out through the chicken-wire that separates the visitors yard from the living-quarters yard.
And then, as they turn, I see them clasp hands …
(Chapter Six—Garden of Hope)

Ethical-signal 1: Acting with moral conscience

The Torah's lens of 'obligations [that] are addressed to people both in the singular and in the plural, recognising that the individual and society are equally responsible and accountable' (*Etz Hayim* 2001) is the lens that abundantly informs the Midrashim. However, such an ethic is not the preserve of the Torah. Revealing his ethical stance, Rami, who was a young Iraqi student before he fled from the Saddam Hussein regime, says:

Rami: It was during the Gulf War. I was 19 and still a student.
Doreen: He was studying in the hospitality industry.
Rami: I was doing my work experience as a concierge at the reception desk at a 5 star hotel.[66] At that time we had many foreigners staying there—journalist working for all the major news agencies like Reuters, Visinews, CNN. Peter Arnett the well-known journalist was there at that time. We also have a group of United Nations arms inspectors staying at the Hotel at that time … Suddenly the Government General Security called the Hotel front desks departments to a meeting and they gave us this briefing:

Rami describes the briefing—behaviours which he, as a young student acting with moral conscience, refused to conduct.

Rami: Then they took me into General Security for one and half months and …
It was not a prison where they took me. It was not a jail … there was different. When they arrest someone they just tie you up—on the eyes and hands—you feel the car is moving—then suddenly you are shocked. Where am I? Where have they put me?
It was just a small hole in the ground—in the dark. A small hole one metre by one metre. Metal door—nothing in it. No window—no light just darkness …

Rami describes the torture he suffered. Rami was instructed to perform his briefing upon release—or be killed.

[66] The Al Rashid Hotel—favoured by journalists and media personnel. It gained fame during the 1991 Persian Gulf War when CNN conducted their newscasts from the hotel, propelling the network's senior war correspondent, Peter Arnett, to journalism's zenith. Between the Persian Gulf War and the 2003 invasion of Iraq, the building was the main housing facility for Western businessmen and diplomats, as well as the foreign press.

Rami: They gave me three days to get back to work. And in that three days I managed to … escape.
(Horin 2004, in the scene 'Rami's story')

Rami knew that he, the individual, could not behave as the leaders of his society required. Perversely, he was then locked up in Villawood Detention Centre for almost four years.

In the midrash Garden of Hope (Chapter Six) the young student who carried soup to a family in Soweto also exemplifies the individual who cannot accept the commands and constraints of his or her country's repressive system. She had been acting with moral conscience and was jailed. She, too, was acting with moral conscience by going into Soweto and again—when caught—her thought was for the food before herself.

Rosie was intercepted (by the police) and jailed as an enemy of the state … "The whole pot of soup fell to the ground—wasted," she wailed to me. "How dare they waste the food that so many desperately need."
(Chapter Six—Garden of Hope)

Levinas suggests that I do not find the other located in the 'system of references'—that is to say, references such as 'asylum seeker' or, in the case of Rosie, 'enemy of the state'. Levinas sees that I find 'transcendence in the face of the Other' (Formosa 2006, p. 41). Indeed, Rami and Rosie radiate the illumination of the Other in the paradigm that refuses to posit them as 'asylum seeker' or 'enemy of the state'.

Levinas argues that without any pre-reflection or any notion of reciprocity, without any specific purpose, I have a 'non-indifference' to him—so that I reach out, and act accordingly. This is always my responsibility to *anOther*, who calls out to me for assistance and justice. Levinas's work reveals that he is writing with his mind, intellect, heart and soul as he argues for an ethics other than knowledge—the relationship itself that is ethical (see Chapter Two).

Ethical-signal 2: Voice … agency

On first reading Akhmatova[67] I rejected any connection with a Leningrad prison during Stalinist Russia and the Villawood Detention Centre. Yet by the

[67] See Appendix C. The poet Anna Akhmatova was born Anna Gorenko in Odessa, in the Ukraine, in 1889; she later changed her name to Akhmatova. In 1910 she married the important Russian poet and theorist Nikolai Gumilyov. Shortly afterwards Akhmatova began publishing her own poetry. Although they had recently divorced, Akhmatova was nevertheless stunned by the

time I was writing the Hineni midrash, the account of Amed jolted me into realising I had rejected a Russian account due to the scale—Stalin's crimes against humanity. Thereby I had missed the uniqueness, the value, of each individual—in Russia and in Villawood Detention Centre. The space revealed was not of scale—it was about agency. When personal voice is removed, who speaks out? When people are invisibilised, who shows them to the citizens of the state?

Rereading her epic poem, I was struck by the similarities of individuals' experience and that she took up agency in poetry.

Instead of a Preface
During the frightening years of the Yezhov terror, I spent seventeen months waiting in prison queues in Leningrad. One day, somehow, someone 'picked me out'. On that occasion there was a woman standing behind me, her lips blue with cold, who, of course, had never in her life heard my name. Jolted out of the torpor characteristic of all of us, she said into my ear (everyone whispered there) - 'Could one ever describe this?'
And I answered - 'I can.'
It was then that something like a smile slid across what had previously been just a face.
[The 1st of April in the year 1957. Leningrad]
(Akhmatova 1940)

Always centring his discussions on the knowledge inherent in interpersonal relating Levinas reflects on the rights of individuals (and how they are inextricably linked to those of others). The link to be explicated here is less to the tribulations of the visitor as shown by Akhmatova and the visitor to Rhode Island Prison (Affidavits 2006) (see Chapter One) than to the **Hineni of the visitors**. We enter into Villawood Detention Centre and participate; we are phoned at home; we participate in each other's lives.

It is only by responding to him that I become aware of the arbitrary views and attitudes into which my uncriticised freedom always leads me, and become responsible, that is, able to respond. It is then that I see the need of … doing justice to the other in my thought and in my action.
(Levinas 1961, p. 15)

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execution of her friend and former partner Gumilyev in 1921 by the Bolsheviks, who claimed that he had betrayed the Revolution. In large measure to drive her into silence, their son Lev Gumilyov was imprisoned in 1938, and he remained in prison and prison camps until the death of Stalin and the thaw in the Cold War made his release possible in 1956. Persecuted by the Stalinist government, prevented from publishing, regarded as a dangerous enemy, but at the same time so popular on the basis of her early poetry that even Stalin would not risk attacking her directly, Akhmatova's life was hard. Her greatest poem, 'Reviem', recounts the suffering of the Russian people under Stalinism—specifically, the tribulations of those women with whom Akhmatova stood in line outside the prison walls, women who like her waited patiently, but with a sense of great grief and powerlessness, for the chance to send a loaf of bread or a small message to their husbands, sons, lovers. The poet was awarded an honorary doctorate by Oxford University in 1965. Akhmatova died in 1966 in Leningrad. (Akhmatova 1940)

Ethical-signal 3: Hineni

> Participation is a way of referring to the other: it is to have and unfold one's own being without at any point losing contact with the other.
> (Levinas 1961)

In *Acting from the Heart* (2007) Judy McLallen describes the first time she met Hassan inside Villawood Detention Centre. At the time, no one had ever visited him.

> I saw a man crouching behind the wire and staring into the visitors' area. No-one visited him, so he stayed inside the detainees' compound … he looked blindly straight ahead, still as a rock.
> "Who's that?" I asked. … "That's Hassan … He's got no-one and he's lost his family".
> She [Kerry] introduced us and immediately he launched into a tirade of complaints that lasted, I swear, a good 20 minutes.
> He's mad … what've I done?
> Suddenly he just stopped talking. I looked …
> … "Will you visit me again?" [68]
> 'That day I stepped into a world I'd never seen before; a friendship built on dead men's shoes, a sense of protectiveness that overshot all my Jewish mothering attributes.'
> (Newman & Mares 2007, p. 10)

Like Judy, the visitor-advocates experienced what Levinas (1961) proposed as the first act that has no cause—namely the inescapable response-ability to the concrete conditions of the detainee to whom we first offered friendship, then support and hope. We returned again and again—and then again.

Three years later, Hassan wrote the poem 'The Visitor'—he slowly takes up his own voice.

The Visitor
by Hassan Sabbagh

Have you ever seen someone who loves his torturer?
Have you ever heard about someone loved in his fifties?
I am that one
When she is coming
I start shaking
My heart dancing
Embarrassing
Like a teenager meeting his girl for the first time
She is as gentle as the breeze of a spring morning
The rose in first blooming
A butterfly
She is a balsam on the wound
She is so gorgeous

At this juncture it may be easy to conclude he is writing to or of his lover. But, no:

[68] Judy did visit—again and again—until, after more than five years, Hassan was recognised as a genuine refugee and released with a visa. Today he has converted his Baghdad University accounting degree to Australian qualifications and is studying a Masters degree of Economics and Commerce. He is an Australian citizen.

When I see her
I forget my suffering, my torture and my deprivation,
She makes me happy.
Who is she? She is the old woman who comes from faraway.
She is the little girl who heard of asylum seekers,
She is young and middle-aged Australian women
(Scott & Keneally 2005)

Hineni is feeling

Through the Wire captures the first Hineni day in concrete terms—as experience—when Susan and Doreen, respectively, went through the wire:

Susan: The first time I was out there, I met this, absolutely haunted, frightened, devastated young man … Please find me a lawyer … please I need a barrister. He was going from person to person to person telling his story, or bits of it. There were lots of people and he was sort of circling and beseeching "please I need … this is my case …" That was Mohsen.
He tried to tell me all this in his broken English—but it was like Double-Dutch at that point. At that time I had no idea about legal processes—RRT (Refugee Review Tribunal)—or any of it. But I could feel his urgency. I could feel his need. His fear was palpable.
(Horin 2004, in the scene 'First Connections')

In this scene, Susan's 'I could feel his urgency … his need' is, according to Levinas, the injunction for a paradigm in which prior to reorientation of thinking we experience meaning. To achieve this new paradigm we are required to be open to experiencing the other person as he is. However, a very different experience of feeling the other is sketched in Doreen's words:

Doreen: I landed up in a big circle around one of the trees … being shy in crowds, I'd just sit and observe, and I turned to this very still person next to me and said "Please forgive me for being so quiet, but I am actually shy", and we exchanged names … that was Rami. And we got talking.
(Horin 2004, in the scene 'First Connections')

Albeit shy, Doreen says "*Hineni. Here I am* making myself available to you." This *chesed*-like act is the showing up (see Chapter Three) that began as she entered Villawood Detention Centre and as she opened conversation with Rami. And, more, Doreen *feels* Rami—he is very 'still'.

Hineni—I present myself

Yitzchak met Mahmud with "*Hineni*"—despite all else, "*Here I am.*"

Mahmud was in need. I had to ask. My intuition told me that an older male, with the common bond, would be good for Mahmud …
Tears seeped out of their usually well-closed ducts when I saw the terror that overwhelmed Yitzchak when he passed through the detector … Dad, ashen faced, was frozen to the spot, his hands above his head as if a gun was pointed at him …
Then: "Mahmud, please meet my father, Yitzchak. Dad, this is my friend, Mahmud."
(Chapter Five—Hineni)

Ethical-signal 4: Engaging with the Others

My uniqueness lies in the responsibility I display for the other.
I cannot fail in my duty towards any man any more
than I can have someone else stand
in for my death.
(Hand 1989)

The week that Devorah met Rami in Villawood Detention Centre she learnt it would be his birthday. Devorah takes up agency for Rami, who cannot conceive of celebrating his birthday 'inside'. Worse—after two and half years inside, Rami had lost the sense of himself and that people could engage with him, a real human being.

Rami: "Actually tomorrow's my birthday …"
Doreen: "I'm coming back next week, and I'm gonna bring you birthday cake and candles and we're gonna have a birthday party."
Anyway, I found out that he liked white chocolate, and I got this HUGE, I mean gross, BIG big big white chocolate cake with all white chocolate things on it, candles, and I rounded up friends of mine and we bought cool drinks and paper plates the whole bit, crisps, and we went in.
It wasn't easy to find—a white chocolate cake. I went out in my lunch hour … and I was terrified it would melt in the car …
As he came through those gates I stood there and I must have had the biggest grin of triumph on my face and he looked at me, he just looked … You could see that he was trying to make sense of what he was seeing.
…
Rami: I didn't have anything to hear that you would come back with the cake.
Doreen: He had heard my words: "I'll come back with a cake", but his experience didn't allow him to even believe, or imagine …
(Horin 2004, in the scene 'First Connections')

Ethical-signal 5: Freedom

One follows the Most High God, above all by drawing near to one's fellow man, and
showing concern for 'the widow, the orphan,
the stranger and the beggar'.
(Levinas in Hand 1989, p. 251)

The cameo that follows questions the space of freedoms. I, Devorah, lose my freedom the moment I reject Rami's Cherry Ripe. Alternately, Rami was free—he offered me 'a dozen red roses'.

As the others choose their chocolates, Rami moves even closer to me. His deep-brown eyes soft pools now, he opens his palm towards me. In it lies one red-wrapped Cherry Ripe. "This is for YOU," he gently mouthes.

This is his love wrapped in bright cellophane. The love for which he is truly yearning. Momentarily the boundaries are non-observable. His heart is overflowing.

More than the one dozen red roses of a free man are offered to me.

His palm open, my eyes somehow simultaneously on his palm and looking into his eyes … .

AND I reject it!

Rami is invisible … . I am numb … . I have produced 'the unwelcome Other', 'the detainee strange to me'.
(Chapter Four—Cherry Ripe)

Ethical-signal 6: Responsibility to the Other

The midrash Garden of Hope arises from the commitment to responsibility to the Other, as instituted by the writer and then enacted by both the writer and her father. However, passage to the dialogical relating implied in commitment to the Hineni event is challenging. Devorah muses:

"Am I mad?" I asked myself. With doubt assailing me ferociously, I wondered if my confidence in my subjective certainties was the product of too much time spent visiting the people detained, a distortion sourced in the contagion of the detention centre.
As I look at my father during the introductions my instinct is to grab him and run, outside of and far from the security fences, away from the miasma of pain that suffuses the visitors yard. I know—indubitably, from a dimension of cosmic time—that his face reflects all the shock, horror and fear of all who first arrive to be locked up in the detention centre.
(Chapter Six—Garden of Hope)

Yet Yitzchak, also a Torah scholar, was prepared to be vulnerable in his ethical response-ability.

In a midrash told by Martin Buber we meet two men meeting each other in their silence, illustrating this project's interpretation of Hineni—הנני. The open, responsive man—the social agent—engages with *l'autre* and he, the closed man, is profoundly changed. In that morning meeting, the reserved man in Buber's tale essentially shows up to the receptivity of the other.

Through this barest of settings, given in a quick, almost thought-less manner, we struggle to fill in the gaps. Who are these men? What do they look like? Are they travelling by train? What did they learn about each other in the morning? Is Buber one of the men? Even this is not stated. This lack of information reinforces the strangeness and solitude of the two men involved. We do not receive specific information because the two men themselves care little about the details of each other's lives. They are content to remain strange, content to remain in their solitude. Most importantly, we do not receive background information; Buber wants to stress that such information is not a necessary precondition for an *I – Thou* encounter.

Buber gives us only those elements of a character sketch necessary for an understanding of the dynamics of the *I – Thou* event. Buber tells us that one man is open, receptive, calm. The other man is the opposite type. He is a man who holds himself in reserve. He withholds himself. Then suddenly as the men sit beside each other "not speaking with one another, not looking at one another, not once turned to one another, something happens". Our closed and reserved man, through a special, unique experience, is suddenly able to open himself, and this the other man feels though no word is said or gesture made (Kepnes 1992).

Buber presents us with the story.

> Although human dialogue has its distinctive life in the sign, that is in sound and gesture … [human dialogue] can exist without the sign, but admittedly not in an objectively comprehensible form. On the other hand an element of communication, however inward, seems to belong to its essence. But in its highest moments dialogue reaches out even beyond these boundaries. It is completed outside contents, even the most personal, which are or can be communicated. Moreover it is completed not in some "mystical" event, but in one that is in the precise sense factual, thoroughly dovetailed into the common human world and the concrete time–sequence.
> (Buber 2002)

> "Silence Which Is Communication"
> Imagine two men are sitting beside one another in any kind of solitude. … They do not speak with one another, they do not look at one another, not once have they turned to one another. They are not in one another's confidence, the one knows nothing of the other's career, early that morning they got to know one another in the course of their travels. In this moment, neither is thinking of the other; we do not need to know what their thoughts are. The one is sitting on the common seat obviously after his usual manner, calm, hospitably disposed to everything that may come. His being seems to say it is too little to be ready, one must also be really *there.* The other, whose attitude does not betray him, is a man who holds himself in reserve, withholds himself. But if we know about him we know that a childhood's spell is a lid on him, that his withholding of himself is something other than an attitude, behind all attitude is entrenched the impenetrable inability to communicate himself. And now—let us imagine that this is one of the hours which succeed in bursting asunder the seven iron bands about our heart—imperceptibly the spell is lifted. But even now the man does not speak a word, does not stir a finger. Yet he does something. The lifting of the spell has happened to him—no matter from where—without his doing. But this is what he does now: he releases in himself a reserve over which only he himself has power. Unreservedly communication streams from him, and the silence bears it to his neighbour. Indeed it was intended for him, and he receives it unreservedly as he receives all genuine destiny that meets him. He will be able to tell no one, not even himself, what he has experienced. What does he now "know" of the other? No more knowing is needed. For where unreserved has ruled, even wordlessly, between men, the word of dialogue has happened sacramentally.
> (Buber 2002)

Meeting inside Villawood Detention Centre, the visitors and the seekers of asylum, respectively, equally lack knowledge of the Other to whom they present themselves. Like the two men meeting in Buber's midrash, 'something happens' between the two people. *Through the Wire* captures the 'something' in the Villawood Detention Centre visitors yard of surveillance.

> Doreen: Slowly I started meeting people. … We landed up in a big circle around one of the trees. And being shy in crowds, I'd just sit, and observe, and I turned to this very still person next to me and said "Please forgive me for being so quiet, but I'm actually quite shy", and we exchanged

names, and I said, “You know, I’m just the kind of person who, if I’ve got nothing to say, I don’t say it”.
And that was Rami.
And we got talking.
(Horin 2004, in the scene 'First Connections')

The midrash Garden of Hope offers another cameo of the intangible ‘something special’ happening between two people—a special, unique experience.

… Dad and Mahmud standing arm in arm at the wire fence, looking out through the chicken-wire … looking through—to where the garden miraculously grows and blooms, a symbol of hope. And then, as they turn, I see them clasp hands in the way of Middle Eastern men. I have seen Indian and African men clasp hands this way, too. My Dad seems so at ease exceeding his cultural conventions to meet with Mahmud’s way.
(Chapter Six—Garden of Hope)

Visitors to Villawood Detention Centre have no guarantees for the outcome of their Hineni event. Devorah in Cherry Ripe (Chapter Four) describes feeling like a Bambi—lost in the thicket, sensing danger, not knowing which way to turn. Taking Yitzchak into Villawood Detention Centre is a fraught experience; the Midrash reflects the multiple layers of consciousness.

Tears seeped out of their usually well-closed ducts when I saw the terror that overwhelmed Yitzchak when he passed through the detector and it suddenly beeped. An immediate, involuntary response: Dad, ashen faced, was frozen to the spot, his hands above his head as if a gun was pointed at him. Deeper even than the apartheid scars, Yitzchak’s World War Two memories jumped into untimely life at the shocking sound of the beeping detector.

As I look at my father during the introductions my instinct is to grab him and run, outside of and far from the security-high fences, away from the miasma of pain that suffuses the visitors yard. I know—indubitably, from a dimension of cosmic time—that his face reflects the shock, horror and fear of all who first arrive to be locked up in the detention centre.

How do I protect Dad and Mahmud from my anger and anguish, threatening to vent like a rancid subterranean fissure within my being? They’ll see it. They’ll recognise it and know it. And it will hurt them both.
(Chapter Six—Garden of Hope)

‘Something happens’ in the ethical event that rests on the intangible qualities of transcendence and infinity. Each self is response-able to transcend any totality and recognise the infinite Other.

Space Three—The in-between

Collapsing boundaries

Central to this thesis are spaces—literal and metaphoric. The spaces are dichotomous, paradoxical and some are unexplored—the lacunae *in-between*. The wire of the onshore detention centre signifies, in concrete terms, boundaries

between the spaces occupied by the seekers of asylum and the Australian communities. The metaphoric wire separates Australia and *notAustralia*. The wire is also a signifier of discontinuities. In the Midrashim the wire is immanent; it is also, in the Midrashim, transcended.

The in-between is the liminal space where boundaries collapse. Only after all the Midrashim had been written did the *in-between* come to light. Writing the food-sharing cameo in the midrash Hineni (Chapter Five) and reflecting on the choice of words for the text, I noticed a preference for writing "She fed me, Devorah, between the wire, piece by piece". Wanting to avoid introducing another term (*between the wire*) in connection with the wire—*through the wire*, *behind the wire* were already familiar— I settled on "She fed me, Devorah, through the wire, piece by piece".

Writing the Midrashim was typically less of an analytical process than I experienced writing that sentence. Regarding the internal questioning and ambivalence almost as field notes, I asked 'What is this about? What does my internal response to the language tell me about the project itself ?' The answer came: The symbolism of Sara—the Israeli—feeding Ahmed—the Palestinian—was important. Food itself is symbolic of nurturing and nourishment, and it struck me that even 'inside' after the humiliation, confusion and shock of being locked up, Sara stepped into dialogical relating with Ahmed. Any situation may become the vehicle for the ***I – Thou*** attitude of dialogical relating—the ***I*** takes an interest in the ***Thou*** (see Levinas 1961).

'All real living is meeting' (Buber 1958, p. 4) came to mind while reflecting on the sentence which illuminated the notion of the in-between. The meeting place is the space of the in-between. There the Israeli cares for the Palestinian; the free, Jewish post-colonial gentleman, Yitzchak, holds hands with the captured Iraqi Muslim gentleman, Mahmud. Together, arm in arm, they look through the wire to the Garden—of Hope.

Thus the boundaries of the wire collapsed. The literal boundaries between inside and outside collapsed as Rami called Doreen at home and made her laugh; as Hassan wrote poetry for Judy. The metaphoric boundaries of freedom collapsed as Susan became Mohsen's 'mother' and as Mohsen wrote poetry from inside Villawood Detention Centre that was then published. Rami was able to comfort and protect Devorah in the visitors yard of surveillance on a rainy day. Likewise,

Rami was free when he offered Devorah ‘one dozen red roses’. The representative boundaries collapsed as Mahmud planted his garden with his spoon and watered it from his mug.

Literal boundaries the Government had constructed to protect the Australian citizen from ‘people like those’ collapsed. Australians took food, photographs—Sydney life—inside. The detainees met a culture and language new to them. Australian women in clothing that opened the boundaries of bodies, revealed the body, were not the negative stereotypes Muslim men had been told about. Women who did not know the boundaries of not touching a Muslim man greeted the detainees wholeheartedly in the Australian style of hugging and kissing. Muslim men taught the women the style of kissing the air at the cheeks. Australians learnt the number of times to kiss the cheeks according to the different cultural backgrounds of the detainee. And boundaries collapsed. In-between, a Levinasian community grew where each one of the multiplicity of unique souls was as important as the other. Together they transcend the wire.

Levinas urges us to meet face to face in dialogue particularly with the vulnerable and people who are strange to us, arguing that ‘[T]he face of the Other expresses infinitude’ (Levinas 1961, p. 47). Meeting face to face began as an ethical event—the visitors enter Villawood Detention Centre. Levinas’s cruelty of indifference is shattered and people relate dialogically so that ‘[T]he self is not a substance but a relation. It can only exist as an **I**, as taking an interest in a **Thou**’ (Levinas 1996).

> Meeting with the other person consists in the fact that despite the extent of my domination over him and his submission, I do not possess him.
> (Levinas 1988a, p. 9)

The I – Thou attitude is the alchemy for transcendence **beyond the wire**. Susan and Moshen, Rami and Doreen— ‘Through the Wire’—offer a view into the space of the boundaries as they collapse into an I – Thou of concrete situations of daily life. A metaphoric dance of freedom and captivity takes place.

> Mohsen: You’re very bossy. Do you know this?
> Susan: Sometimes Mohsen would say that to me—when I’d try to tell him what to do, like “Do some exercise, try to walk every day” …
> Anyway to make things very clear I started interpreting our relationship as mother and son. And, he started to call me mother …
> Sometimes on the phone late at night, when I was fading Mohsen would say—
> Mohsen: Your battery is flat, Susan.
> Susan: … and he’d make a silly voice.
> Mohsen: I don’t think the old car will make it up the hill!

Susan: And I thought "maybe I won't."

Doreen: Eventually I said to Rami "If we're going to spend many hours just you and me sitting and talking together, I need an equal—a relationship of equals. I don't want—I can't relate to the victim. I want Rami to show up. So find yourself. Forget you are in Villawood Detention Centre … "
And that was really difficult because …
Before that it was just things like "yes Doreen, thank you Doreen, anything you say Doreen … "

Rami: I could feel her actually. She was driving one hour, you know. Until she gets to Villawood Detention Centre only to see Rami who is a detainee, not an Australian citizen. Can you imagine that. It's a very, it's a big feeling …

Doreen: I just somehow thought … "If he's been invisible for three years, it's time for him to show up. Nobody should be invisible."
… he used to phone me sometimes at night and make me laugh, he would have me in fits of laughter … that touched me, that someone in his situation, would go to the effort to make me laugh.
(Horin 2004, in the scene 'Relationships in Detention')

'The idea of infinity is the social relationship … Infinity is characteristic of a transcendent being as transcendent; the infinite is the absolutely other' (Levinas 1961). The alchemy for transformation to the ethical self is a personal and social attitude of ***I – Thou***. When I *show up*—the Hineni dynamic—and *present myself*, I am already choosing the ***I – Thou*** attitude of dialogic relating as described by Buber. Yitzchak, in the Garden of Hope (see Chapter Six), invokes the ethical event when he goes to Villawood Detention Centre to visit Mahmud.

Mahmud was in need. I had to ask … What drove me, at the expense of my parents' tranquility?

"What can I bring for him?" was my dad's gruff, circumspect assent.

And then, later, a different form of non-abandoning:

Silence, as the men start *seeing* each other. A seeing I had learnt about since visiting Villawood. A seeing born in the presence of total vulnerability and trauma.
(Chapter Six—Garden of Hope)

The words used to describe the experiences in Villawood Detention Centre—the Midrashim—are more than mere words: they 'propagated into the living world the I in relation to Thou' (Buber 1955).

A seeing in the yard of surveillance … a seeing also developed in the absence of the known, in the lack of the usual spaces, acumens, rhythms and practices of daily life.

… And they start circling the perimeter of the yard in the manner of the visitor and detainee who have a personal, not-to-be-overheard conversation to conduct. One usually only sees those well known to each other circling the perimeter. It is the cue for all to stay away a while. It's the absurd form of privacy one constructs when under surveillance within the constantly lit visitors yard … Just before we walk through the gate, they hug. They cry. They release each other looking deeply through the eyes into the stories each has told the other. Both men now far away from home.
(Chapter Six—Garden of Hope)

In-Between

She fed me … She fed me, Devorah, through the wire, piece by piece. My hands were too big to take it. I put my mouth to the wire. Nothing even spilt. The best food I had—more than 5 years.
(Chapter Five—Hineni)

The Israeli and the Palestinian in the Hineni midrash have reached beyond the wire. What lies in-between Sara and Ahmed as he receives good food is the space that comes from the combination of *Hineni* and dialogical relating.

The primary word I – Thou can only be spoken with the whole being.
The primary word I – It can never be spoken with the whole being.
(Buber 1958)

The whole being is the in-between.

Buber understands that we never live totally in the primary ***I*** of the ***I – Thou***. However, the movement to dialogical relating entails a shifting of conceptual and cognitive assemblages. The horizontal thinking of dialogical relating—through the living dialogue, in face-to-face conversation—enables the unique illumination of the infinitude inherent in the in-between of the ***I – Thou*** relation. The face cannot be totalised because it expresses infinitude (Simmons 2010). Only in dialogical relating do I transcend the primary ***I*** of the ***I – Thou*** to reveal and witness the infinite Other.

'We engage in living dialogue in which it is more important to find out who is speaking and why, than merely to know what is said' (Levinas 1961).

Buber alludes to dialogue saying that He feels he may trust this man, that this man is taking part in his life, accepting him before desiring to influence him. And so he learns to ask …
(Crowell 1990)

The life of human beings says Buber, is not passed in the sphere of transitive verbs alone. It does not exist in virtue of activities alone which have some *thing* for their object.
I perceive something. I am sensible of something. I imagine something. I will something. The life of human beings does not consist of all this and the like alone.
This and the like together establish the realm of *It.*
But the realm of *Thou* has a different basis.
When *Thou* is spoken, the speaker has no thing for his object. For where there is a thing there is another thing. Every *It* is bounded by others; *It* exists only through being bounded by others. But when *Thou* is spoken, there is no thing. *Thou* has no bounds.
(Buber 1958, p. 4)

We may seek to transcend, first as individuals and, later, as a group. This intentionality of transcendence is the way beyond the wire, the 'way' of this thesis. The 'quiet study' of the Midrashim, as seen in the examples given in this

chapter, shows both the old paradigm to reject and the new to which Levinas pulls us. For the new paradigm to flourish the internal shift required is to take one's stand in the I–Thou—the ethical event of responsible action, where relating is dialogical.

'[I]t is … not love of knowledge that is important. It is knowledge of love that guides …' (Levinas, 1961). In-between each face-to-face is the ethical event and the dialogical relating—as each cameo of the Midrashim shows. The dialogue must occur for each *Hineni* moment to come to rest, in between the in-series moments.

> The imperative is ethical … for in listening to the human voice of the other and in responding with our human voice we touch that which is human. In touching the human we close the gap that separates peoples. In closing the gap we repair the tear in human relations.
> (Kepnes, Ochs & Gibbs 1998)

Chapter Eight
CONCLUSIONS

Overview

At the time of concluding this thesis, Australia is facing the 43rd Federal election that predictably will thrust the asylum seekers to the foreground as an election campaign issue. The leader of the opposition party (the Liberal party) has already begun to socially engineer the topic as a problem. Asylum seekers become weapons of electoral mass destruction. At the time of elections, the discourse for treatment of people who seek asylum is less framed by legal conventions and language than by political rhetoric. This year, 2010, human rights has not been raised by either political party. Instead the discourse is focusing on border protection and people smugglers—reinforcing the problem-solution paradigm.

Social engineering, in 2010, seems not to have produced the asylum seeker election weapon as a "terrorist" or "people who throw their children overboard to blackmail the government". However, regardless of the approach to the election campaign, the humanity of the asylum seekers and their right to rights is still at risk of being lost. The point is made by Every that 'dehumanising removes asylum seekers as potential subjects from moral demands … promotes social indifference[69] ... preventing others from feeling empathy and connection by removing them from the ambit of moral obligation' (Every 2006, p. 142). Currently, the mechanism for dehumanising the person who seeks ratification of refugee status is to focus the conversation on border protection and people smugglers.

Election campaign issues are 'sinister alarm-signals' (Levi 1986), as they were in 2001 preceding the 40th Federal election. Then, the sitting Prime Minister, John Howard, exploited the events, introduced the Pacific Solution—*notAustralia*—and went on to win the election. As part of the election campaign, in 2001, the Government, through the media, linked asylum seekers with invasion, floods of queue-jumpers and even a tsunami of 'illegals' was predicted as a national emergency. Two significant events that Howard exploited were the

[69] Levinas posits non-indifference as responsibility (see Chapter Two).

‘Tampa’ and the ‘Children Overboard’ incidents. The ‘Tampa’ incident led to The Border Control Act—the creation of *notAustralia*.

The Border Control Act also allows the Australian navy to intercept boats before they enter Australian territory. This further violates the human rights of asylum-seekers, for it creates a system that does not meet Australia’s non-refoulement obligations and under which asylum-seekers of asylum ships can be themselves detained and then either taken outside Australia or brought into the migration zone. The aftermath of the Tampa incident has shown that such detention may be extremely lengthy, potentially involving people being kept in poor conditions during protracted negotiations with other states and international institutions. This situation, because of its indeterminacy, may well be in breach of Article 9 of the International Covenant on Civil and Political Rights.
(MacMaster 2002, n.p.n)

The ‘Children Overboard’ or ‘Children Unthrown’ incident was presented to confirm the Government’s election campaign position on the imminent dangers that strange, unknown Others could bring to Australia.

PHILIP RUDDOCK, IMMIGRATION MINISTER: More disturbingly, a number of children have been thrown overboard again with the intention of putting us under duress. I regard these as some of the most disturbing practices that I have come across in the time I have been involved in public life. Clearly planned and premeditated.
MICHAEL BRISSENDEN: And so began one of the most controversial chapters in Australian politics. As John Howard put the issue of national security at the heart of his campaign for a third term, along came a leaky boat and a political opportunity. Having already underlined the border control issue with the 'Tampa' now there was living proof that queue jumpers were not the sort of people Australia should be welcoming.
JOHN HOWARD, PRIME MINISTER: I express my anger at the behaviour of those people and I repeat it. I can't comprehend how genuine refugees would throw their children overboard.
MICHAEL BRISSENDEN: Indeed, almost no-one could comprehend such a desperate act.
(Kerry O'Brien ABC TV 2004)

An Australian parliamentary inquiry has disclosed the untruthfulness of ‘Children Overboard’ (Senate Inquiry 2002).

In 2004, after the 41st Federal election, Cornelia Rau, an Australian citizen, was found in Baxter Detention Centre causing a wave of public anger. Together with the conditions behind the wire becoming known, the fear that an innocent Australian citizen could be locked up, indefinitely, without trial (and trail), replaced the fear of border protection. A different border was feared—the wire. Anger at the ‘illegal arrivals’ was replaced with anger towards the Government for incarcerating a citizen. The public was becoming wiser about mechanisms of the detention regime. At the same time as Cornelia Rau’s wrongful detention was published in the media, so too was the wrongful deportation of Vivien Alvarez—also an Australian citizen.

The Government[70] that had established a culture of ignoring the veracity of asylum seeker claims, deeming them bogus, asserted its authority in the culture of non-belief regarding Alvarez, like Rau before her. The Australian citizen was deported, and the tenor of asylum seekers for the 42nd election campaign changed. Although asylum seekers were an election campaign issue, along with other attitudes and policies, the public had lost its taste for the Prime Minister, John Howard. The Liberal Howard Government lost the election.

During the past few years, 2008–2010, the asylum seeker discourse has followed arguments of refugee-producing 'push' or 'pull' factors. Increasingly economic rationalism has been introduced in connection with Christmas Island detention centre and border control. Regardless of the economics and the push factors—events in the refugee-producing country itself—or the pull factors—Australian asylum seeker policies being 'softer' than in previous years—the politics of the discourse continues within the framework of the Refugee Conventions, Human Rights treaties and international law. The spirit of the law—the human's right to life, dignity and protection—is disconnected from the letter of the law—21st-century limitations in the Refugee Conventions.

In her speech to the Lowy Institute, 6 July 2010, on the topic of asylum seekers Prime Minister Julia Gillard reported that 'during the past month the primary refusal rate has exceeded 70 per cent'. During the years that I visited Villawood Detention Centre, 95 per cent of those who had been refused in their primary application for refugee status were later found to be genuine refugees. However, currently, because Christmas Island, the main detention and processing centre, is *notAustralia*, asylum seekers have no legal rights to appeal the primary decision, and no Australian citizen can dismantle the boundaries of the wire for and with them.

[70] Rogalla (2007) shows that the success of these developments depended on mandatory detention operating in secrecy, especially during the early stages of the Howard Government's changes to refugee policy. Such secrecy, it is suggested, consisted partly of secrecy surrounding conditions inside detention and was partly due to an information process that made information almost inaccessible. It is argued that justifications by the Howard Government, based on the ideology of legal rationalism, significantly contributed to this process (p. 102).

The crucial point is that laws and institutions must find their inspiration in the original ethical relationship with the Other. Applied to human rights law, the raison d'être of human rights institutions must be to respond to the ethical demands of the Other and this response requires a continuous questioning as to whether the institutions have done enough for the Other. Any original violence that would further silence the Other must be continuously deconstructed.
(Simmons 2009, p. 11)

The iconic photograph (see Appendix B) of Levinas's beaming face and outstretched arm is almost welcoming, reminding us that 'if we are going to put ethics at the center of our discussions and if we are going to address the suffering of victims, then it seems to [me] that we are talking in the shadow of the Shoah' (Steven Kepnes, Peter Ochs & Gibbs 1998, p. 41). Post-Shoah, Levinas, asked about democracy, explained its importance for him: '[O]ne can debate decisions; there is no human decree that cannot be revised' (Levinas 1984, p. 83). With this statement, Levinas reinforces choice qua ethics. Continuing a conversation, Levinas is asked: '[D]o you not fear that liberal democracies would be undermined by the resurgence of murderous "hopes," tied to the return of nationalism, xenophobia, anti-Semitism?' (p. 189). His response illustrates the point made by Kepnes et al. about the Shoah: 'I believe in the force of liberalism in Europe. But I also have too many memories to be certain in my answer' (1984, p. 189).

Memories have been shown through the Midrash Social Research Methodology to be essential to an ethical worldview, and ethical text. The confluence of Levinas's memories that took him to the pinnacle of philosophy also offers a constructive way forward to the vexed and perplexing issues of refugees. Equally, the memories of the author–researcher, myself, revealed the boundaries, the spaces and the lacunae of the wire. Explicating Levinas's responsibility to the Other in the Midrashim has collapsed the boundaries as represented by the wire, and takes an ethical stand in relation to the in-between. After Buber, the midrashim point to the 'something' that happens at the in-between of I – Thou relating.

Contributions and future research

I would like to see further research testing the in-between. I imagine a cross-disciplinary team including refugees who have been incarcerated 'inside' holding

the ethical stance of standing in dialogical relation to each other, in an action-research project.

Discussing the distinction between justice and charity, Levinas introduces the concept of the third party: 'A sovereign judge who decides between equals … the relation between me and another must leave place for a third party' (Levinas 1984, pp. 183–184). I recommend that future research begin with explicating 'the third' of the in-between. How does 'the third' contribute to a new, ethical 21st-century paradigm?

The conceptual contribution of the in-between has been shown to metaphorically take both citizen and refugee beyond the debate of the wire. Possibilities for other explications need to be researched.

The Midrashim have illuminated the problem of numbing. The phenomenon of numbing is important to understand in terms of volunteers. Australia advances policies for volunteering, as well as the informal grass roots situation like those we experienced when taking up our responsibility behind the wire.

The ethical responsibility to the seekers of asylum did not end when they were released from Villawood Detention Centre. Susan, Judy, myself, Ngarita (author of the poem 'Mohammad Ali') and countless others nationally continue with support and settlement, as well in other situations. What is 'in-between' total numbing of feelings and disconnection with the self, and the self's ability to function in stressful and unknown environments? What support for volunteers is needed?

Midrash Social Research Methodology

The Midrashim offer a personal, alternative, relevant perspective on an important period in both Australian history and the collective history of human rights, refugee movements and the Conventions, signalling alarms at the time when refugee movements are likely to increase enormously. The Midrash Social Research Methodology can be used for further research.

Moreover, as the Midrash Social Research Methodology is a contribution of this thesis to Arts-based 'Seventh Moment' (Denzin & Lincoln 2003) research, further researching of the methodology itself and how it opens the space for other researchers' creativity and subjectivity is invited. Leavy (2007) opens Chapter

One with the following: ‘Many researchers in the social and behavioural sciences enter the academy full of what my mother calls “chutzpah”: a palpable energy, desire to make a difference, and fearlessness about shaking things up’ (p. 1). I am encouraging ‘chutzpah’ in future research. The Midrash Social Research Method opens the way for the researcher’s passion and truth to prevail.

Vis-à-vis Levinas

Levinas’s key work is not only arguing for a new philosophical system; he is also praying or dreaming or simply hoping against hope that what he says might be true—that out of the sheer fact of otherness, there is hope of ethical life. Nothing else, as he has seen, can protect the ‘widow, the stranger, the orphan’—the Jew. Nothing could protect him from being interned as a prisoner of war in France —‘a stranger in his land’. And nothing could protect his entire family from the gas chambers. Levinas knew that in a different setting, yet another group becomes the otherness that is grist to the mill of power and politics.

The different setting has presented itself. The detention centre with the different group, the asylum seeker, is now the site of our attention, and the uptake of Levinas’s hope as presented in his philosophy; his prayer.

For Levinas, only this prayer will do; only this prayer really speaks to that terrible loneliness of a stranger in a foreign land.

Australian story

All the detainees in the Midrashim are now Australian citizens, yet the interpersonal and intrapersonal aspects of life behind and through the wire—importantly, the richness of the communities behind the wire—were destined to be excluded from the Australian story. Behind the wire is the space of invisibilisation and silencing and of *notAustralia*—beyond the scope of the chronicles of national history.

This thesis ends one of the disconnections that have been disclosed. Now, the annals include original insights that reveal much about the personal, the social, the religious and the cultural on both sides of the wire. Thus—beyond the wire.

Coda

I was running late that Friday afternoon. Every week, in preparation for Shabbat, I cleaned our home, changed the linen, washed my hair … . This week I wasn't preparing the Shabbat family meal. Instead, our family was going to my parents for dinner. I hadn't seen Mum and Dad in a while. Rami seemed to be taking so much of my time and energy these days.

As I stripped my bed, I mused about how he had picked himself up after that terrible day under the big tree, near the fence at the bottom of the Villawood Detention Centre visitors yard of surveillance. We had submitted an application for refugee status to the Minister of Immigration. We had ticked all the boxes against the UNHCR guidelines for a refugee.

In my reverie, I forgot the bed-making and the house-cleaning and sat down with Rami's file, reading the letter from the Vatican. — —Only when, desperately, one day I stood shaking his shoulders saying: Give me something. You HAVE to give me a character reference from someone that the Government will accept— That was the day Rami said that the Catholic Chaldean priest who taught him in Baghdad, was now in the secretariat of the Vatican …

Playfully checking that my ears had no wax distorting what I was hearing, I asked him to repeat exactly who-what-where—and then asked for the information all over again. Rami agreed to call his priest; he even had his phone number in the Vatican. Nothing arrived. But Rami assured me that it would arrive. He had agreed to write a letter, and so he would. Rami is not so important as the Pope, was patiently explained to me.

And then, one night, well before dawn, my phone rang. Sleepily, before saying who I was, I somewhat irritably and defensively responded to the thickly accented voice: "Who is calling, please?" To this day I don't know why I didn't put down the receiver—the standard response to such a call. On the letter that Rami's priest faxed that night is the stamp of the Vatican. Was that the magic that helped Rami? Who knows.

Shortly afterwards, Rami received a letter from the Minister of Immigration, offering him a permanent visa.

Now, nine months later, still in Villawood Detention Centre, Rami could no longer hold himself together. Nine months previously freedom had seemed within reach. Was the letter a hoax? Were they about to deport him?

But this Friday night I wanted to be with Mum and Dad and my daughters. The phone rang. An officer from Villawood Detention Centre wanted to know if I could come to fetch Rami right now. No, I replied, explaining that my bed was not made and my bath water was running. Never had I experienced a DIMIA officer or a detention centre guard at a loss for words. She gasped.

Then, somewhat patronisingly and very patiently, she explained that Rami was free to go, he was being released. But I had to be there to fetch him. Protocol precluded advising him of his freedom more than one hour before he departed from the wires. I had to be there to meet him. When can I come, so they know when they can tell him …

Shortly after Rami's court case had failed to engender hope, I asked him what he would most like to do the day he was released. I want to see nature. I want to go where there are trees and grass. And I want to see the sea—the horizon, as far as the eye can see. As always Rami was clear, his requests simple.

The only time Rami had ever requested anything from me was when he was so depressed and anxious that his throat had constricted and he couldn't eat. What can I bring you? I was concerned. He was getting very thin. All Rami wanted was a McDonald's burger.

What sort? I asked.

You choose.

I was a vegetarian. What did I know about McDonald's burgers? But I bit my tongue.

And so, the day after Rami left his rubbish clothes in Villawood Detention Centre and walked away from the wire, we went to Manly Beach. He had severe motion sickness during the drive. After almost four years being locked up he had become unaccustomed to the motion of the car. So when we arrived in Manly we strolled along the Corso and I suggested he eat something to settle his stomach. Perhaps a McDonald's?

I gave him the cash, told him where to queue and how to order and nervously waited outside. When he emerged, I said triumphantly:

Now THAT is freedom. Buying your own McDonald's.
"No, Devorah," said Rami. "Freedom is having a HOT McDonald's."
Rami: 'I'm a king / I'm in Paradise / I'm free', Rami shouted as he walked out of Villawood Detention Centre wires.
Doreen: I knew the feeling would be strong, but not this intense. When Rami was released I was just overwhelmed. It brought up so many emotions for me. I just cried and cried all week.
Rami: Now all I want is to see my name and picture on a Visa that says "I belong". I want to discover "who is Rami".
Doreen: And you know I felt deeply connected to the Holocaust somehow … to those people who did not survive and those who helped Jews hide and escape.
…
And then, the next day, I drove him to the beach.
Rami: I was so happy to just see the water. And then what we did was—
Doreen: Yes! When Rami had been really, really despairing in Detention—I taught him a prayer. It is a prayer of renewal, a cyclical prayer. And I taught him this prayer. In Hebrew.
(Horin 2004, in the scene 'Freedom')

That day, sitting under the big tree, near the fence at the bottom of the Villawood Detention Centre visitors yard of surveillance, when Rami told me he was praying to his God, I said that I had a prayer to share with him.

Rami speaks Aramaic, which is similar to Hebrew. Each visit, together we would practise the prayer and take hope that the prayer will have wings.

After the McDonald's burger—the Burger of Freedom because it's hot—we walked to the beach, where Rami could see as far as the eye can see.

Looking out, for his future, for freedom, for hope and life, we said:

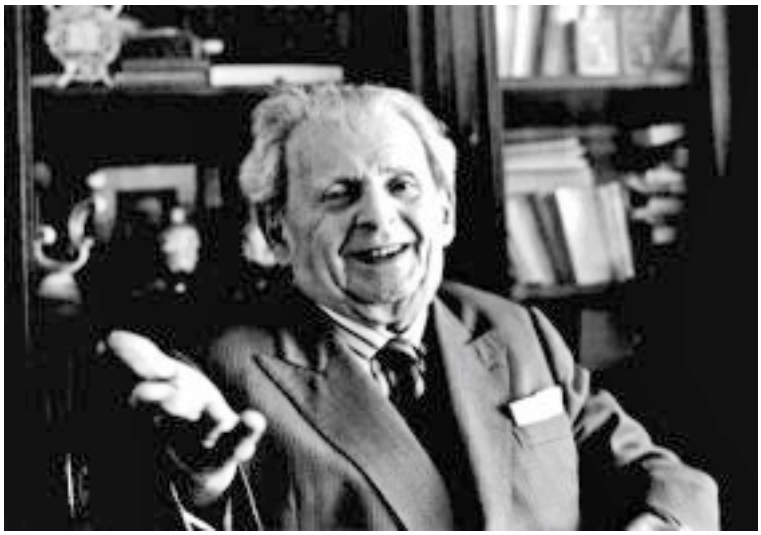
Baruch ata adonai, eloheinu melech haolam	ברוך אתה יי אלהנו מלך העלם
She'hechi'anu, v' ki'im'anu, v' higi'anu	שהחאנוכמנוו הגענוו
La'zman Ha'zeh	לזמן הזה

Our blessings to You, our Eternal God, Benevolent Guardian of the Universe, who has kept us alive, sustained us and enabled us to reach this moment in time.

Appendixes

Appendix A

Emmanuel Levinas Biography



Born in Kovno Lithuania, 100 km west of Vilna that was known as 'Jerusalem of the East', in the year 1906 to an observant Jewish family his formative years were in a Jewish community surrounded by famous *yeshivot*[71]. Consequentially he 'breathed in Judaism with the air' (2001, p.6) and the first language he learned to read was Hebrew or as he fondly refers to 'the square letters' (Levinas 2001). The family spoke Russian at home, as well as Yiddish and from a young age he studied Hebrew. Located n the main street of their city was the bookstore owned by his father, and his aunt was the director of the Russian library in Kovno. Then during the WW1 they moved to Kharkov in Ukraine where he studied at the Russian gymnasium. This is where the young scholar learnt to love the Russian classics, which in turn, he attests, awakened his interest in philosophy.

In 1939 a naturalised French citizen, Levinas enlisted in the French officer corps and within the year he was captured and incarcerated as a prisoner of war. The experience of incarceration whilst his family was being eliminated in the ovens of Auschwitz has impacted on and dominated his post war self and thereby his philosophy. Levinas the man, considered himself to be a Holocaust Jew, who is the other in the Ukraine, the stranger in France, anOther in the prisoner of war

[71] Yeshivot is the Hebrew plural for yeshiva; an academy for the study of central Jewish texts such as Torah and Talmud.

camp and also felt his otherness in the academy. I find it inconceivable to communicate his following statement without a personal comment on the underlying bleak honestly and loneliness expressed. Could that be because I, the researcher associate with that experience of never belonging? Regardless of how I read his words, he determines that 'where ever I am I feel like I'm in the way' (Levinas 2001) is his personal experience. Similarly, Derrida the Jew growing up amongst the Muslims, in an Algerian Jewish, French-speaking family living amongst Arabic speaking society, moves to France and again does not belong. Like Derrida, Levinas remained conscious of his otherness buried deeply and not so deeply within.

Like Levinas, I am of Lithuanian heritage, but I have never stood on Lithuanian soil. Along the same lines, I was born into an observant Jewish family, have studied Talmud, but the air I breathed was not of Judaism. Instead, it was the toxic air of the South African apartheid regime. As a child in the country of psychic and ethical dissonance, I lost part of my identity as a South African. In place, I found my identity as a spiritual and ethical being. Later, as a migrant to Australia I also knew what it felt like to be a 'stranger upon the earth' (Psalm 119:19).

In an almost poetic honesty, similar to the work of Blanchot (Blanchot 1969) and Celan (Celan 1952), Levinas reveals the pain of the Stranger; the alienation of the Other that is relevant too, when considering the seeker of asylum held in detention in Australia. So it is, that Levinas has set the precedence for this theoretical framework that resonates with my worldview, the outflowing of my memories and lived experiences. This too is the experience of the traumatized other who may, we wonder, be consciously awareness of feeling in the way; always; all-ways. For now, we return to the post-Shoah line of thought that Wyschogrod described as the 'hungering for the sacred in a post-Shoah, post modern world' (Steven Kepnes, Peter Ochs & Gibbs 1998).

Eventually in 1996, shortly after Levinas's death, Marion, professor of philosophy at the Sorbonne, acclaimed: 'If one defines a great philosopher as someone without whom philosophy would not have been what it is, then in France there are two great philosophers of the twentieth century: Bergson and Levinas' (Bernasconi, 2004 100).

Not only was ‘being Jewish was as natural as having eyes and ears’ (Levinas 1984) for Levinas whilst in Kovno, but later as an adult he connects his philosophical ‘tastes’ with ‘the texts’ (2001, p.84) which is the word he uses for the Talmud. During an interview with Myriam Anissimov (Levinas 1984), he illustrates his meaning by immediately revealing his worldview. Just as Levinas breathed Judaism into the phenomenological method, similarly I have theorised his Continental philosophy oeuvre (Levinas 1961, 1988a, 1988b, 1996) with understanding from my intrinsically Jewish worldview. Just as Levinas illustrates how Judaism has most naturally shaped his work, so too it has been natural for me to turn to Judaism. Consequently, the ethical aspects I take up in this thesis create a theoretical premise based on both their significance in Torah and Talmudic sources.

As such, he sorely tested his own ethical stance, which his granddaughter Joëlle Hansel (2002) argues he began to consider in 1929. Later on, Levinas expresses how difficult it was for him, the other – the stranger, to hold to his ethical stance, particularly during the holocaust and his internment. Yet, he continues to affirm that his personal experience served to strengthen his conviction that being ethical had to precede any ontology of the self. When during an interview (2001, p.96) he mentions that: ‘It is incontestable that in every philosophical reflection, in every philosophical essay, there are memories of a lived experience, which is not rigorously intellectual’, he reveals the impact of his wartime experiences including the Shoah.

> Over a quarter of a century ago, our lives were interrupted and doubtless history itself. There was no longer any measure to contain monstrosities. When one has that tumour in the memory, twenty years can do nothing to change it. Soon death will no doubt cancel the unjustified privilege of having survived six million deaths.
> (Levinas, 1996)

Appendix B

Anna Akhmatova

Rekviem

(Composed between 1935 and 1940 and occasioned by Akhmatova's grief over the arrest and imprisonment of her son.)

Not under foreign skies
Nor under foreign wings protected -
I shared all this with my own people
There, where misfortune had abandoned us.
[1961]

INSTEAD OF A PREFACE

During the frightening years of the Yezhov terror, I
spent seventeen months waiting in prison queues in
Leningrad. One day, somehow, someone 'picked me out'.
On that occasion there was a woman standing behind me,
her lips blue with cold, who, of course, had never in
her life heard my name. Jolted out of the torpor
characteristic of all of us, she said into my ear
(everyone whispered there) - 'Could one ever describe
this?' And I answered - 'I can.' It was then that
something like a smile slid across what had previously
been just a face.
[The 1st of April in the year 1957. Leningrad]

DEDICATION

Mountains fall before this grief,
A mighty river stops its flow,
But prison doors stay firmly bolted
Shutting off the convict burrows
And an anguish close to death.
Fresh winds softly blow for someone,
Gentle sunsets warm them through; we don't know this,
We are everywhere the same, listening
To the scrape and turn of hateful keys
And the heavy tread of marching soldiers.
Waking early, as if for early mass,
Walking through the capital run wild, gone to seed,
We'd meet - the dead, lifeless; the sun,
Lower every day; the Neva, mistier:
But hope still sings forever in the distance.
The verdict. Immediately a flood of tears,
Followed by a total isolation,
As if a beating heart is painfully ripped out, or,
Thumped, she lies there brutally laid out,
But she still manages to walk, hesitantly, alone.
Where are you, my unwilling friends,
Captives of my two satanic years?
What miracle do you see in a Siberian blizzard?

What shimmering mirage around the circle of the moon?
I send each one of you my salutation, and farewell.
[March 1940]
INTRODUCTION
[PRELUDE]
It happened like this when only the dead
Were smiling, glad of their release,
That Leningrad hung around its prisons
Like a worthless emblem, flapping its piece.
Shrill and sharp, the steam-whistles sang
Short songs of farewell
To the ranks of convicted, demented by suffering,
As they, in regiments, walked along -
Stars of death stood over us
As innocent Russia squirmed
Under the blood-spattered boots and tyres
Of the black marias.
I
You were taken away at dawn. I followed you
As one does when a corpse is being removed.
Children were crying in the darkened house.
A candle flared, illuminating the Mother of God. . .
The cold of an icon was on your lips, a death-cold
sweat
On your brow - I will never forget this; I will gather
To wail with the wives of the murdered streltsy (1)
Inconsolably, beneath the Kremlin towers.
[1935. Autumn. Moscow]
II
Silent flows the river Don
A yellow moon looks quietly on
Swanking about, with cap askew
It sees through the window a shadow of you
Gravely ill, all alone
The moon sees a woman lying at home
Her son is in jail, her husband is dead
Say a prayer for her instead.
III
It isn't me, someone else is suffering. I couldn't.
Not like this. Everything that has happened,
Cover it with a black cloth,
Then let the torches be removed. . .
Night.
IV
Giggling, poking fun, everyone's darling,
The carefree sinner of Tsarskoye Selo (2)
If only you could have foreseen
What life would do with you -
That you would stand, parcel in hand,
Beneath the Crosses (3), three hundredth in

line,
Burning the new year's ice
With your hot tears.
Back and forth the prison poplar sways
With not a sound - how many innocent
Blameless lives are being taken away. . .
[1938]
V
For seventeen months I have been screaming,
Calling you home.
I've thrown myself at the feet of butchers
For you, my son and my horror.
Everything has become muddled forever -
I can no longer distinguish
Who is an animal, who a person, and how long
The wait can be for an execution.
There are now only dusty flowers,
The chinking of the thurible,
Tracks from somewhere into nowhere
And, staring me in the face
And threatening me with swift annihilation,
An enormous star.
[1939]
VI
Weeks fly lightly by. Even so,
I cannot understand what has arisen,
How, my son, into your prison
White nights stare so brilliantly.
Now once more they burn,
Eyes that focus like a hawk,
And, upon your cross, the talk
Is again of death.
[1939. Spring]
VII
THE VERDICT
The word landed with a stony thud
Onto my still-beating breast.
Nevermind, I was prepared,
I will manage with the rest.
I have a lot of work to do today;
I need to slaughter memory,
Turn my living soul to stone
Then teach myself to live again. . .
But how. The hot summer rustles
Like a carnival outside my window;
I have long had this premonition
Of a bright day and a deserted house.
[22 June 1939. Summer. Fontannyi Dom (4)]

VIII
TO DEATH
You will come anyway - so why not now?
I wait for you; things have become too hard.
I have turned out the lights and opened the door
For you, so simple and so wonderful.
Assume whatever shape you wish. Burst in
Like a shell of noxious gas. Creep up on me
Like a practised bandit with a heavy weapon.
Poison me, if you want, with a typhoid exhalation,
Or, with a simple tale prepared by you
(And known by all to the point of nausea), take me
Before the commander of the blue caps and let me glimpse
The house administrator's terrified white face.
I don't care anymore. The river Yenisey
Swirls on. The Pole star blazes.
The blue sparks of those much-loved eyes
Close over and cover the final horror.
[19 August 1939. Fontannyi Dom]
IX
Madness with its wings
Has covered half my soul
It feeds me fiery wine
And lures me into the abyss.
That's when I understood
While listening to my alien delirium
That I must hand the victory
To it.
However much I nag
However much I beg
It will not let me take
One single thing away:
Not my son's frightening eyes -
A suffering set in stone,
Or prison visiting hours
Or days that end in storms
Nor the sweet coolness of a hand
The anxious shade of lime trees
Nor the light distant sound
Of final comforting words.
[14 May 1940. Fontannyi Dom]
X
CRUCIFIXION
Weep not for me, mother.
I am alive in my grave.
1.
A choir of angels glorified the greatest hour,
The heavens melted into flames.
To his father he said, 'Why hast thou forsaken me!'

But to his mother, 'Weep not for me. . .'
[1940. Fontannyi Dom]
2.
Magdalena smote herself and wept,
The favourite disciple turned to stone,
But there, where the mother stood silent,
Not one person dared to look.
[1943. Tashkent]
EPILOGUE
1.
I have learned how faces fall,
How terror can escape from lowered eyes,
How suffering can etch cruel pages
Of cuneiform-like marks upon the cheeks.
I know how dark or ash-blond strands of hair
Can suddenly turn white. I've learned to recognise
The fading smiles upon submissive lips,
The trembling fear inside a hollow laugh.
That's why I pray not for myself
But all of you who stood there with me
Through fiercest cold and scorching July heat
Under a towering, completely blind red wall.
2.
The hour has come to remember the dead.
I see you, I hear you, I feel you:
The one who resisted the long drag to the open window;
The one who could no longer feel the kick of familiar
soil beneath her feet;
The one who, with a sudden flick of her head, replied,
'I arrive here as if I've come home!'
I'd like to name you all by name, but the list
Has been removed and there is nowhere else to look.
So,
I have woven you this wide shroud out of the humble
words
I overheard you use. Everywhere, forever and always,
I will never forget one single thing. Even in new
grief.
Even if they clamp shut my tormented mouth
Through which one hundred million people scream;
That's how I wish them to remember me when I am dead
On the eve of my remembrance day.
If someone someday in this country
Decides to raise a memorial to me,
I give my consent to this festivity
But only on this condition - do not build it
By the sea where I was born,
I have severed my last ties with the sea;
Nor in the Tsar's Park by the hallowed stump
Where an inconsolable shadow looks for me;

Build it here where I stood for three hundred hours
And no-one slid open the bolt.
Listen, even in blissful death I fear
That I will forget the Black Marias,
Forget how hatefully the door slammed and an old woman
Howled like a wounded beast.
Let the thawing ice flow like tears
From my immovable bronze eyelids
And let the prison dove coo in the distance
While ships sail quietly along the river.
[March 1940. Fontannyi Dom]

Born June 11 (June 23) 1889, Bolshoy Fontan, near Odessa, Ukraine, died March 5, 1966, Domodedovo, near Moscow, Russia. Russian poet recognized at her death as the greatest woman poet in Russian literature.

Appendix C

Detentions without Trial during the Apartheid Era

By Robert Vassen

Throughout most of the English-speaking world, the writ of habeas corpus was adopted, respected and practiced. Habeas corpus is a Latin term translates as "let us have the body" and was issued to any detaining authority to produce the detained person in court and show just cause for holding this person in detention. If the authority believed it had just cause, a formal charge had to be laid and evidence brought to court to prove the case. If the authority could not justify the detention, the person had to be set free.

In South Africa, this writ was practiced without exception until the end of the 1950s. In fact, the only meaning given to, or associated with, 'detention' related to school children in primary or high schools who were held back after regular school hours as punishment or in some cases as a 'last chance' to complete unfinished homework assignments.

In 1963, the then Minister of Justice, B.J.Vorster, gave new meaning to 'detention.'

On the 10th July, 1963, the most senior members of the African National Congress, The High Command, most of whom had been living "underground," were caught at Lilliesleaf Farm in Rivonia. To accommodate the capture of these senior ANC members, the General Laws Amendment Act, Number 37 of 1963 was rushed through Parliament and applied retroactively to June 27th 1962, mainly but not exclusively so that the people arrested at Rivonia could be detained and held in solitary confinement. On the 6th October, 1963, these Rivonia Trialists were formally fingerprinted and charged. Nelson Mandela, who was already serving a five-year sentence on Robben Island, was brought back to join these senior members and all were eventually sentenced to life imprisonment and flown to Robben Island on the 13th June, 1964 to serve their sentences. It should be remembered that as political prisoners, a life sentence meant life, with no chance of parole.

Under this General Law Amendment Act, the security police, also known as the Special Branch, were given the authority to arrest anyone they suspected of

being engaged or involved in any act against the State and to hold them incommunicado for 90 days at a time. The once highly respected and almost sacred habeas corpus fell away. This act, usually referred to as the 90-Day Act, was passed to give the Special Branch the authority to interrogate and to extract information, and the public was not entitled to any information including even the identity or whereabouts of people being detained. Detainees could literally and effectively "disappear." If no charges were to be laid, the Special Branch had to release the individual or individuals after 90 days. At the time, Vorster boasted that this was repeatable "until this side of eternity."

In her book, *117 Days,* Ruth First gave a vivid account of this repeatable process: of how she had been handed her clothing and possessions and told she was free only to be re-arrested as she exited the police station where she was being held. When this process of being released and then re-arrested proved to be too cumbersome, the government introduced and passed the 180-Day Detention Act (the Criminal Procedure Amendment Act, Number 96 of 1965). Eventually, this 180-day law would be replaced yet again by the Terrorism Act, Number 83 of 1967, which allowed the government to detain individuals indefinitely until all questions had been answered satisfactorily or no further purpose could be achieved by holding the detainees.

The primary aim of the government was to extract as much information from detainees as possible, and the Special Branch resorted to all means possible to get this information. Endless hours of interrogation, where detainees were deprived of sleep, was commonplace. Leaving the lights on 24 hours a day to disorient detainees was another form of coercion. Forcing detainees to stand on their toes with protruding nails on a wooden strip placed under the heels was another form of torture. Where these methods did not work, physical assaults were common. The Special Branch often worked in twos: the 'good guy' and the 'bad guy' taking turns to inflict both physical and mental torture.

The aim of the detainee was to resist at all costs. This was the most difficult part of detention. Alone and subjected to all sorts of humiliation and physical and mental torture, it was difficult to remain steadfast. Always uppermost in the mind of the detainee was: "Will they break me? Will I cave in and give them what they want to know?" Some did not succumb, while others did. Two who did not 'break' were Mac Maharaj and Laloo Chiba, cadres in

Umkhonto we Sizwe (MK), the armed wing of the African National Congress, who served their sentences on Robben Island. Ahmed Kathrada, who was imprisoned with them on Robben Island, wrote:

Both had been severely tortured with electric shocks and beatings, made to stand on the same spot for days on end and verbally abused. It disturbed us greatly to hear how Mac, desperate not to break under this onslaught 'of the most sadistic and obscene nature' had tried to slit his wrists with shards of broken eggshell. It was not until Laloo testified before the Truth and Reconciliation Commission that I realized how much he had suffered, but neither man betrayed their comrades. (Ahmed Kathrada, *Memoirs*, pp. 208-209; 155)

It remains a great moral dilemma how the ones who broke and gave information should be regarded. History will have to deal with that.

The other important factor in detention for the detainees was how to hold on to one's sanity. These people were in solitary confinement and held under the worst of conditions with only a copy of the Bible. In such circumstances, how does a person retain their sanity and try to remain rational? Stories abound of individuals reciting all the poems they had ever learned in school; others made chess boards with whatever was at their disposal and spent hours playing. Yet others, who could find nothing to make marks with, played mental chess. Stories are told of detainees singing all the songs they heard or remembered. Whatever came to mind they would utilize just to keep a firm grip of reality and the world outside.

Tragically, a great many detainees would be killed in detention while under intense interrogation and torture. It was not uncommon for the authorities to inform the press that so-and-so had slipped on a bar of soap, suffered concussion and died, while others had purportedly committed suicide. Hundreds came to such tragic ends; Kathrada wrote about one of them, Suliman 'Babla' Saloojee, who was his close friend:

Suliman Saloojee, my dearest friend Babla, was dead, killed by the police. This most gentle of men, this inveterate prankster, my comrade and source of strength, had been picked up under the ninety-day detention law, brutally interrogated and tortured to death - by the sadistic Rooi Rus Swanepoel - then

flung from a window on the seventh floor of Gray's Building, Johannesburg headquarters of the security police, on Wednesday 9 September 1964…

Not surprisingly, the so-called inquest accepted the police version that Babla had committed suicide by jumping to his death. I have never doubted, however, that he died under interrogation, and that his body was then thrown out of the window… The magistrate found that 'nothing in the evidence suggested that Saloojee had been assaulted or that methods of interrogating him were in any way irregular. He found that no one was to blame for his death.

Ahmed Kathrada, *Memoirs* (p. 207)

In his notes in *Memoirs*, Ahmed Kathrada notes: "In later years, inquest after inquest - in the cases of Imam Haron, Ahmed Timol, Neil Aggett, to name but a few - returned verdicts of suicide. I cannot recall a single case among the scores of deaths under 90-day detention in which an inquest magistrate held the security police responsible" (page 384).

There were others who were more fortunate and were eventually released. Many threw themselves back into the struggle while others went into exile, either on orders or self-imposed. In exile, the vast majority continued to be active in working for the struggle.

Robert Vassen wrote this essay specifically for *South Africa: Overcoming Apartheid, Building Democracy.* Vassen was active in the struggle inside South Africa until be went into exile in London in 1963. He continued anti-apartheid work from exile.

http://overcomingapartheid.msu.edu/sidebar.php?id=12

Appendix D

Global Detention Project

GlobalDetentionProject

Last updated: November 2008

Australia Country Profile

Map of "In Use" Detention Sites

For more detailed information, see the complete List of Detention Sites.

Disclaimer | Sources | Categories

Country View

1. Baxter Immigration Detention Facility
2. Brisbane Immigration Transit Accommodation
3. Christmas Island Immigration Detention Centre
4. Glenside Mental Health Facility
5. Manus Island Offshore Processing Facility
6. Maribyrnong Immigration Detention Centre
7. Melbourne Immigration Transit Accomodation
8. Nauru Offshore Processing Facility
9. Northern Immigration Detention Centre
10. Perth Immigration Detention Centre
11. Perth Immigration Residential Housing
12. Port Augusta Residential Housing Project

13. Royal Darwin Hospital
14. Sydney Immigration Residential Housing
15. Villawood Immigration Detention Centre

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(This is only a partial list. More detailed information is available upon request.)

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PROGRAMME FOR THE STUDY OF GLOBAL MIGRATION

Appendix E

Immigration Statistics

IMMIGRATION DETENTION STATISTICS SUMMARY

Community and Detention Services Division, DIAC - As at 24 July 2009

As at 24 July 2009, there were 977 people in immigration detention[1], including 293 in immigration detention on the mainland, 684 in immigration detention on Christmas Island.

Of 293 people in immigration detention on the mainland, 9 were children (aged under 18 years) - 4 were detained in the community under residence determinations[2], 1 was in alternative temporary detention in the community[3] and 4 were in immigration residential housing.

Of 684 people in immigration detention on Christmas Island, 69 were children (aged under 18 years) - 22 were detained in the community under residence determinations and 47 were in alternative temporary detention in the community.

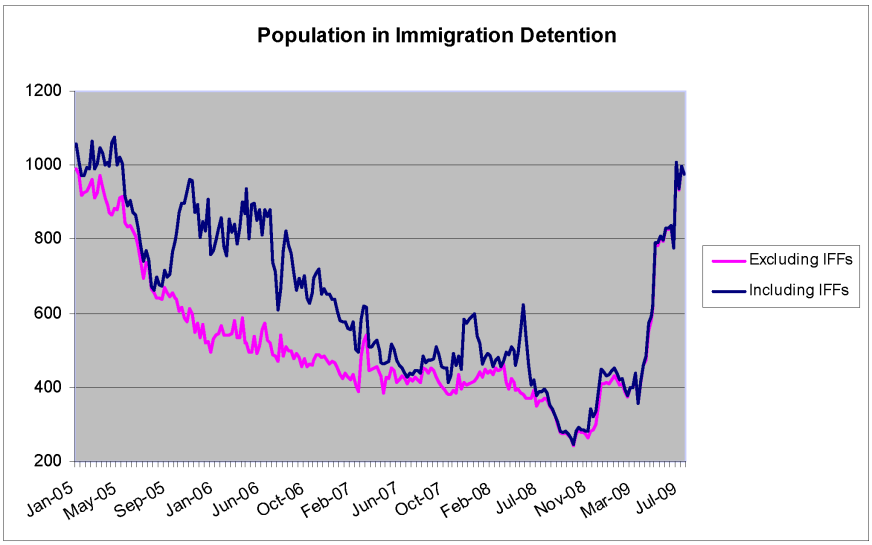
[1] Immigration detention as set out under ss 189 or 249 of the *Migration Act 1958.*
[2] Community Detention does not require the person to be accompanied by a designated person.
[3] Includes detention in the community in private houses / correctional facilities / watch houses / hotels / apartments / foster care / hospitals with a person designated under the Act.

Figure 1

Place of immigration detention (Regular use capacity)	Men	Women	Children	Total	Change from last week
Villawood IDC (358)	134	22		156	-9
Northern IDC (Darwin) (382)	0	0		0	-1
Maribyrnong IDC (70)	22	3		25	+1
Perth IDC (27)	20			20	+7
Christmas Island IDC (400)	556			556	-10
Total in IDCs (1237)	**732**	**25**	**0**	**757**	**-12**
Sydney Immigration Residential Housing (34)	14	2	**1**	17	+3
Perth Immigration Residential Housing (11)	15		**3**	18	0
Brisbane Immigration Transit Accommodation (29)	20			20	-3
Melbourne Immigration Transit Accommodation (30)	3			3	+1
Total in Immigration Residential Housing and Immigration Transit Accommodation (104)	**52**	**2**	**4**	**58**	**+1**
Community Detention (Mainland)	12	4	**4**	20	-1
Community Detention (Christmas Island)	8	4	**22**	34	-2
Alternative Temporary Detention in the Community (Mainland)	18	1	**1**	20	-4
Alternative Temporary Detention in the Community (Christmas Island)	18	19	**47**	84	-6
Restricted on Board Vessels in Port	4			4	+3
Total	**844**	**55**	**78**	**977**	**-21**

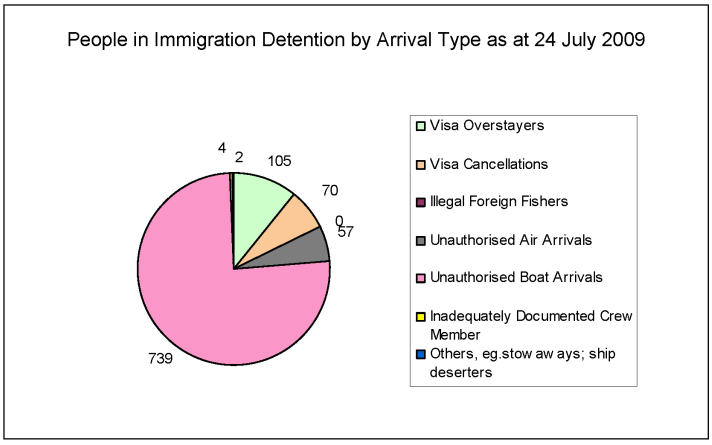
.

Figure 2



The following pie chart shows that as at 24 July 2009 there were 175 people (about 18 per cent of the total immigration detention population) who had arrived in Australia lawfully and were then taken into immigration detention for either overstaying their visa or breaching their visa conditions, resulting in a visa cancellation. The number of people in immigration detention who had arrived unlawfully by air or boat as at 24 July 2009 was 796, representing about 81 per cent of the total immigration detention population.

Figure 3



The following pie chart shows that as at 24 July 2009 there were 588 people who had not applied for a protection visa while in immigration detention and were not currently undergoing a non-statutory refugee status assessment (RSA) at an excised offshore place such as Christmas Island. There were 41 people who, having applied for a protection visa after having been taken into immigration detention, were awaiting a decision from the Department on their protection visa application. A further 41 were seeking a merits-based or judicial review of a negative decision on their initial application for a protection visa or on an application remitted for decision by the RRT or the courts. There were 56 people who had their protection visa application refused. There were 251 who were in immigration detention on Christmas Island who were undergoing RSA processing.

Figure 4

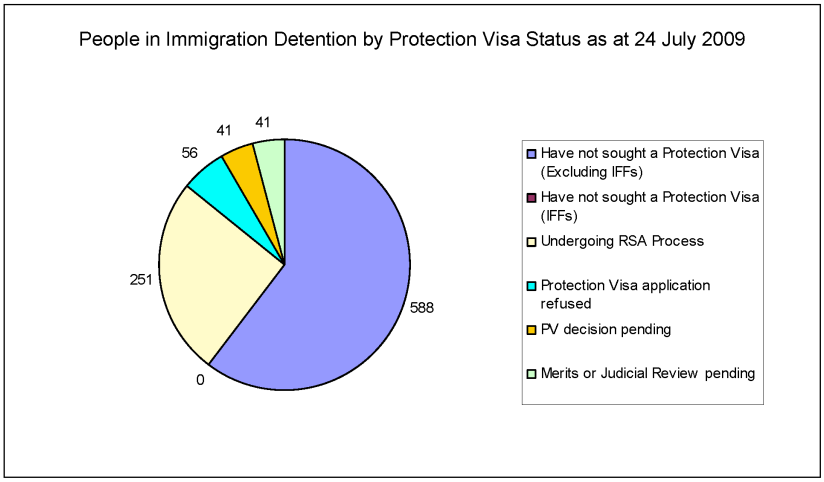


Figure 5

Location of people in immigration detention as at 24 July 2009	
	No. of People as at Midnight Census
Immigration Detention Centres (excluding IFFs)	
Immigration Detention Centres (excluding Christmas Island)	**201**
Christmas Island Facility	**556**
Total in Immigration Detention Centres (excluding IFFs)	**757**
Alternative Detention (excluding IFFs)	
Immigration Residential Housing (excluding Christmas Island)	**35**
Immigration Residential Housing Christmas Island	**0**
Immigration Transit Accommodation	**23**
Alternative Temporary Detention in the Community	**104**
Restricted on Board Vessels in Ports	**4**
Total in Alternative Temporary Detention Arrangements	**166**
Community Detention	
Community Detention (excluding Christmas Island)	**20**
Community Detention, Christmas Island	**34**
Total in Community Detention Arrangements	**54**
Illegal Foreign Fishers (IFFs)	
Immigration Detention Centres (IFFs)	**0**
Alternative Temporary Detention in the Community (IFFs)	**0**
Total IFFs	**0**
TOTAL IN IMMIGRATION DETENTION	**977**

Figure 6

People in immigration detention by nationality as at 24 July 2009					
Nationalities	**Adult**		**Child (<18 years)**		**Total**
	Male	**Female**	**Male**	**Female**	
Sri Lanka	335	13	12	1	361
Afghanistan	287	0	51	2	340
China, Peoples Republic of	58	19	0	2	79
Iran	16	5	3	2	26
Malaysia	15	3	0	0	18
New Zealand	15	3	0	0	18
Indonesia	12	1	2	1	16
Iraq	11	3	0	0	14
Vietnam	10	0	0	0	10
South Korea	7	2	0	0	9
Other	78	6	2	0	86
Total	844	55	70	8	977

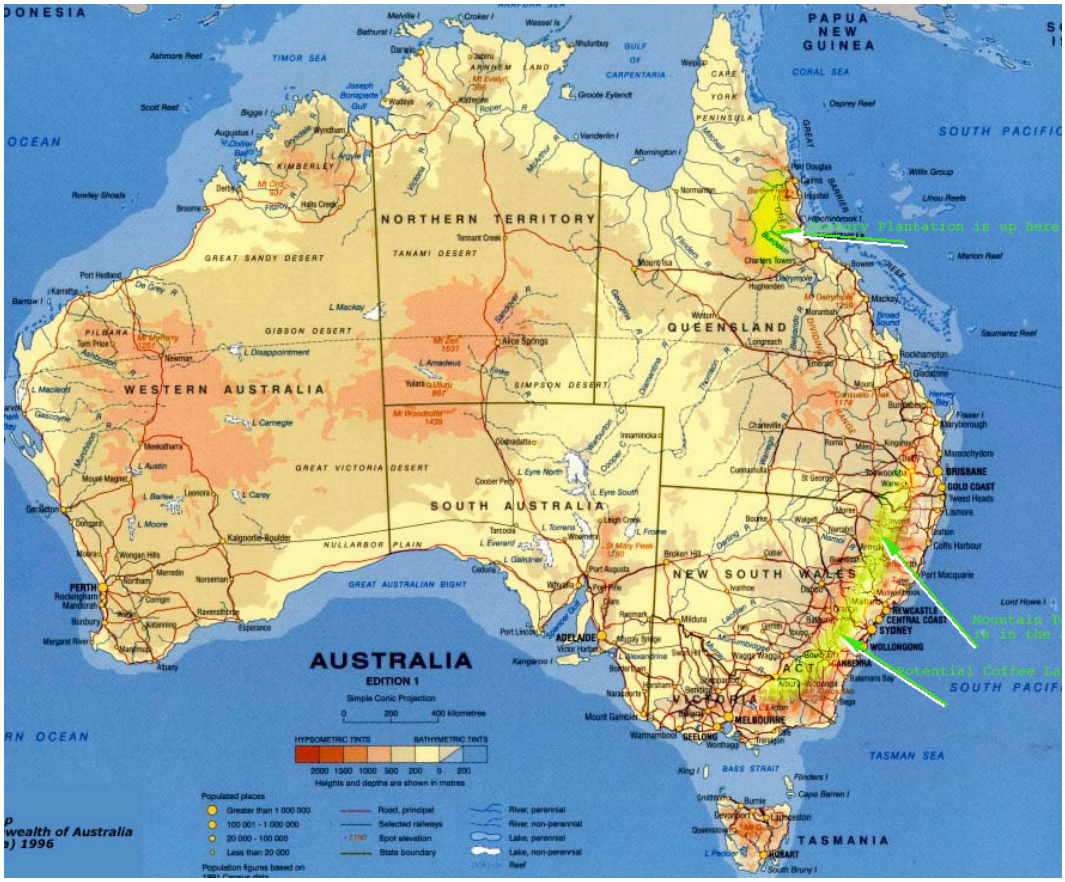
Figure 7

Children in immigration detention as at 24 July 2009	
Type	**Total**
Immigration Detention Centres	**0**
Immigration Residential Housing	**4**
Immigration Transit Accommodation	**0**
Alternative Temporary Detention in the Community	**48**
Community Detention	**26**
Total	**78**

As at 24 July 2009, there were 78 children (aged under 18 years) in immigration detention. 26 were detained in the community under residence determinations, 48 were in alternative temporary detention in the community and four were in immigration residential housing.

Appendix F

Physical Map of Australia



Appendix G

Comparative Research Tenets by Patricia Leavy

Quantitative	Traditional Qualitative	Arts-Based
Numbers	Words	Stories, images, sounds, scenes, sensory
Measurement	Meaning	Evocation
Tabulating	Writing	Re(presenting)
Value-Neutral	Value-Laden	Political, consciousness-raising, emancipation
Reliability	Process	Authenticity
Validity	Interpretation	Truthfulness
Prove / convince	Persuade	Compel
Disciplinary	Interdisciplinary	Transdisciplinary

Appendix H

"The Woman Poet"

Gertrud Kolmar

You hold me now completely in your hands.

My heart beats like a frightened little bird's Against your palm. Take heed! You do not think A person lives within the page you thumb.To you this book is paper, cloth, and ink,

Some binding thread and glue, and thus is dumb, And cannot touch you (though the gaze be great That seeks you from the printed marks inside), And is an object with an object's fate.

And yet it has been veiled like a bride, Adorned with gems, made ready to be loved, Who asks you bashfully to change your mind, To wake yourself, and feel, and to be moved.

But still she trembles, whispering to the wind: "This shall not be." And smiles as if she knew. Yet she must hope. A woman always tries, Her very life is but a single "You . . ."

With her black flowers and her painted eyes, With silver chains and silks of spangled blue. She knew more beauty when a child and free, But now forgets the better words she knew.

A man is so much cleverer than we, Conversing with himself of truth and lie, Of death and spring and iron-work and time. But I say "you" and always "you and I."

This book is but a girl's dress in rhyme, Which can be rich and red, or poor and pale, Which may be wrinkled, but with gentle hands, And only may be torn by loving nails.

So then, to tell my story, here I stand. The dress's tint, though bleached in bitter lye, Has not all washed away. It still is real. I call then with a thin, ethereal cry.

You hear me speak. But do you hear me feel?

(Rittner & Roth 1993)

Appendix I

Mohsen Soltany Zand Poetry

http://www.stickylabel.com.au/mohsen.html

1. when it rains

(*lyrics Soltany Zand, female vocals Jane Camaho* Tell the ground to open its mouth and eat me. I am alone now, cannot believe you are gone. Just the same way that I did not believe when you came. You came from the road without any warning, And all my love and heart then belonged to you. You leave without any warning and leave me alone with my bitter silence and loneliness.

[May it come to you]

I have no control over the will and desire to see you You come and go as you wish. My wounded heart is counting the moments to see you again. I had no will and control over this friendship and never will You even stole my lonely life. Go and I wish you success. But be sure when it rains it reminds you of my tears. I wish that your loneliness comes to an end.

[May it come to you] Mohsen gave us this poem on our third visit as a reminder that we had befriended him - he had no choice in the relationship, but he ironically suggests at the end that we'd be lost without him. And he is right.

2. sunset *lyrics Soltany Zand, vocals Annette Hughes, Jane Camaho, music Matt Redall* The sun sits on the horizon, warm & ancient. Coming close to darkness it projects a bold shade of red. For the heart of the world, a beautiful view. Some people are passionate. Others are narrow-minded and close their eyes To the law of life. The red shade is a message, a gift to the people, The world becoming dark. Night is rising and the day is finished. Night brings mourning to the sunset. The tears of the night are the stars in the sky. Flickering, crying for the day. Some nights there is moonlight for the morning. Some days the bright sun can be hidden by cloud. Sometimes the sky cries raindrops, sometimes blood. A falling star, a meteor can clean the face of the sky. Wiping away the tears. When the sky is upset and cries the wind is its comfort. Sometimes light in the moon, light in the sky, makes the light of love. When the sky is upset in its heart dew spreads on the ground in the morning. If I go into the sunset I have no sky. I have no moon or clouds for crying. Nor wind to make me comfortable. I have no falling star

or meteor. I sleep on the ground with more and more soil on top of me. All alone. Animals may have a party feasting on my body. If I make a party for animals. Then I am alive with myself. In Port Headland the sun sets over the Indian Ocean and desert, lighting up blood red skies above an immense ancient landscape. It's not quite so picture postcard from behind razor wire.

3. you *lyrics Soltany Zand, vocals Yvette Duncan*

Everytime I sleep I search for the dream of love. You are the story of love Your name is as beautiful as love. Everytime I try to write love. I write your name You are the histroy of being You are the reason I breathe You are sweet dreams of love for me. They say you are a dream You are my guardian angel They say if I am good my guardian angel Will stay with me forever You are my reason for being You intoxicate me You are just love

4. the wall *lyrics Soltany Zand, vocals Annette Hughes, Music traditional arrangement by Geoffrey Datson* In the distance I can see a ruined wall hear the whirl of the wind there as I approach the wall I sense that there are people behind it. I get closer to the wall I smell a perfume from the past I reach the wall My heart is beating faster What's behind the wall, why are they so quiet? If there are people there, why can't I feel their breath? I look over the wall Yes, as I guessed, there are many people here. But everyone is silent They cannot even move There are so many, from every land of the past So many, but they do not speak. Awake, they might have been enemies, But they lie side by side like lovers, all sleep. with out breathing, peaceful, Together behind the wall. The most extraordinary thing about the detention centre visiting yard is the mix of people from all over the world who in their own countries are forced to kill each other, but here, have become friends, forced as they are to co-exist. Safe behind the cemetery wall we are all share our common humanity.

5. Suicide *lyrics Soltany Zand, vocals Geoffrey Datson* Destiny, I am looking for you. In the nights, in the sky all day I follow you. Where are you, in past memories or in the future? Destiny, where are you? I want to find you I want to end your brutality Hey, destiny, I will find you I will face your brutality With all my might This word may be your last, For know this, destiny I can mark a full stop to your sentence I could kill you And will, When I die. When the only control you have over your life is to take it, it is not surprising that so many youths in detention have attempted suicide. Perhaps this is a clue to the cause of the growing rate of youth suicide in

Australia.

6. Advance Asylum fair *lyrics/vocals Geoffrey Datson [for Mohsen]*

I met a man who's locked up. He doesn't think it's all right. I'm inclined to agree, considered it day and night. His only crime, as far as I can tell Is to disagree with his government. And that goes for me as well So if you think it's all right, yet he and I agree, Maybe you should meet him, for yourself and see. Well, he's not as tall as Bin Laden, and funnier than Ali G, But mainly most of all, he's the same as you and me. He came into our country on a boat or in a plane. They'll kill him back at home, so he can't go there again. So he's locked up in detention, writing in a book, About the southern stars, you should go and have a look. It's beautiful in his mind; I've been there. I didn't meet any terrorist, just some guy who cares. I told, him about a case at law, The doctor who is sued for making a phone call, Or the council that's responsible for sand under the sea. So welcome loony poet, swim in here to me.| Yeah, I understand the argument for a balanced economy, But all the oil behind Afghanistan, won't set your grandchildren free. To keep him locked up is costing 5 times the dole, But he can lecture me on Persian History and is welcome in my home. They say he's crazy and needs protection from himself But Irony of ironies, the razor wire's provided by our commonwealth. I know it isn't logical. I know that it is wrong. I know it isn't reasonable, that's why I've got this song. I repeat it isn't fair, I repeat it is not right. Help me with this problem so we can all get sleep tonight.

7. if one person dies *lyrics Soltany Zand, female vocals Annette Hughs*

Published in Heather Tyler's Asylum (Lothian Press, 2003)

If one person dies, there is always one who will bury them. If a bird falls from the sky, there is one who will mend its broken wing. If a building collapses, Someone will dig to rescue survivors. After the deluge, The ones who are left will search for loved ones. There are still just consciences. We are the dying, just barely breathing We are the birds, hearts pierced by the arrow of faith We cry out from beneath the rubble of humanity Washed up by the flood to this shore We are innocents who have kissed the noose of Australian Democracy We were the fan to the political fire, who now find ourselves in the flames. We who believed in the dream of freedom, are stuck fast in a quagmire of prejudice. You are the only hope after God And you are the light in the darkness of

Australian politics You are the ones who are left We hear the voice of conscience though your mouths.

(This poem was reads to thousands at the refugee day rallys held across Australia in 2002.) This poem was read to thousands at Refugee day rallies across Australia. An expression of thanks on behalf of the people in detention to those who continue to campaign for justice and human rights.

8. Mother By Mohsen Soltany Zand for his mother, spoken in his native Farsi. The words may be foreign, but the emotion, love and heartbreak of his delivery is universal.

[English translation] The shame is aflame on my pen The embarrassment burning my paper My head is bowed in beseeching I swear to god I want nothing but for you to forgive me I've done things that were wrong But you never ever blamed me Your eyes full of kindness, never scolding I yelled at you and shouted I was rude and disrespectful I pushed your patience You were sorrowful for what would become of me. In the dark of night you prayed for me to Allah You cried for me .You made wishes, you appealed. You settled on the prayer mat. You prayed to Allah for me. Every second you called to Allah for me Forgive me, please forgive me Happy Mother's day, please forgive me I now your heart is larger than the ocean For love, I've no way to tell you Just forgive me, for the sake of Fatimah, please forgive me. Happy mother's day.

MORE POEMS by Mohsen

Don't Cry For Me Don't cry for me my hair is going grey Don't cry for me, sorrow has broken my heart Don't cry for me , life has slapped y face red Don't cry for me day and night are the same Don't cry for me sunrise and sunset are no different in my heart Don't cry for me autumn and spring are the same Don't cry for me let me remain alone Don't cry for me allow me my destitiution Don't cry for me let me become the echo of a name to you Don't cry for me. **Where is the Melody?** I want to sing, Want to shout, Want to sing the song of life. Were is life? Must sing of love. Where is the poem? Song should be sung with poetry. A poem with no reason has no meaning. So where is the reason? You are the reason, The reason is your name. There is no song more melodic than your name, No poem more meaningful than your look, No shout louder than your love's honesty, So I seek your name. The only song of my existence. **SEAGULL** I want to keep the colour of your eyes in my dreams I want to keep memories of your

kindness to my loneliness I want to see the dreams, sweet dreams. I want to relieve the past with you. I want to confess and tell you I want to tell you and give my heart relief I want to touch your warm hand one more time I want to see the desire and love in your eyes once again I want to be a butterfly and fly around your candle in the dark night I want to burn my wings on your flame I want you to be a soft flower on the hill of my heart I want to fly above you, singing I want you t be the sea of my passion I want to be the seagull that goes to die in your sea. I want, but I don't know how… I want, maybe never.

FAITHFUL Why are you looking for someone? Why are you searching in your mind for something? What do you want to find? Who are you looking for? What are you really searching and looking for? You can't find anything in the desert of my loneliness You can find nothing, just my loneliness I don't know which hand will take mine I don't know who would enter my lonely desert I don't know what loneliness is trying to tell me But I know enough that loneliness is always faithful.

Lonely Forever I was a green spring leaf By now I am withered and autumn red I was the rush of the river But now I am a slave to ice I was a soft spring flower's petal But now I am blanketed by snow. I was a raft But now I am adrift in the desert I was the wind, But now I am in the eye of a cyclone I was a wave, But now I am a surguing tsunami Now, without song I am mute Now I am lonely forever. I am looking but I see nothing I am looking but I see nobody I am looking but I see only myself I am looking but I see nobody Just my loneliness

If You Want to Go Every second passes like a year Every year without spring Every spring without flowers Every Flower without colour. Ashes. Everywhere I go finds a dead end in my heart. My heart is always waiting forever sweating, sweat that is sour, Sour like poison, Poisonous pain of destiny, Destiny is not clear. Every aim is without belief Belief is for nothing Nothing is all life is without you.

True Freedom I am running;east, west, north, south, I want to run until my feet cannot keep up, I run because it makes me feel free, There is no fence anymore, I want to shout, And celebrate this happiness, Sit with friends and drink together. Oh,pity on me, what kind of party will it be? Which friends? Still now some of my friends are detained behind the fence, Still now children sit behind the fence, looking away and dreaming of freedom, Still now mothers feed their babies,eyes full of tears from the pain of "Australian kindness ", Still now children go to bed with frightened faces, the officer ’s pager their

lullaby, Still now there are children who light a candle for Jesus, and ask,"If Jesus is real,why doesn ’t he listen?", Still now there are people who reassure them,every minute that they care, Still now people bleed from the knife of indifference plunged into their hearts, Still now some would rather kill themselves than face deportation back to their country. There may be no fence for me, But there is a fence that limits all my memory, This fence has enveloped all my heart,mind,existence. My work begins now, I have to run ... You,who are reading this, Come with me, Me and you make "we ", Together we can all escape, I know that I can never forget, But come and run with me, You will give me the courage to take the black curtain from my memory, But first,let ’s have a party, And "we "celebrate by wearing our shoes, And "we "will never take off our shoes until we all reach true freedom.

Appendix J

Through the Wire Program

Image Credits
Laurens Tan, "*Adapt Enforce 13*", 2003
digital 3D modelled animation stills in lightboxes
90 x 64 x 4 cm each
Courtesy the artist & Ivan Dougherty Gallery, College of Fine Arts UNSW
Hossein Valamanesh:
"*Longing belonging*", 1997
direct colour positive photograph, carpet, velvet, 2 components.
"*Open Book*", 1993
paper, binding, ribbon
"*On the way*", 1990
earth, synthetic polymer paint on jute, pigment, Persian shoes, silk scarf, bread, walking stick, cedar, pine
Collection: the artist (photo M Kluvanek)
Represented by Sherman Galleries, Sydney
Courtesy the artist and Sherman Galleries
"*Untitled*", 1995
lotus leaves on gauze, sythetic polymer paint.
Collection: Faulding 150 Anniversary Fund for SA Contemporary Art 1995, AGSA

Guan Wei, "*Island No 2*" 2001
acrylic on canvas, 137 x 165 cm
Represented by Sherman Galleries, Sydney
Courtesy the artist and Ivan Dougherty Gallery
UNSW College of Fine Arts

Nasser Palangi, Memory Collage
Work on paper, 2003 – 2004

Amin Palangi - Photographs Iran, 2003

Marco Bok - Portrait photography, 2004

FILM
From "*Holiday Camp - how is your liberation bound up with mine?*"
• © drive-by-shooting/tallstoreez productionz 2002
jennifer lyons-reid, carl kuddell, thorsten black
additional footage
• Ska TV Melbourne - Pipp Starr
• indymedia Brisbane
Moz, *Photographer/Activist*

THE PRODUCERS UNIT
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Studio Executive Producer: Virginia Hyam
Producers: Greg Clarke, Noel Jordan, Tory Loudon
Business Administrator: Julie Cottrell-Dormer
Assistant Business Manager: Kerri Sutton
Studio Production Coordinator: Yvonne Hockey
Assistant Producers: Sally Blackwood, Craig Cooper, Jo Duffy
Marketing Executive: Peter Wood
Marketing Coord: Georgia Rivers
Studio Marketing Coord: Craig Donarski
Marketing Assistant: Sveta Gilerman
Publicity Officer: Bree Winchester

Through the Wire
Asst Producer: Sally Blackwood
Event Manager: Richard Montgomery
Sound/ AV: Jeff Hardge
Lighting: Chris Day & David Kocass
Communications Coord: Christopher Wynton
Marketing: Jacqui Bonner Marketing
Publicity: Sarah Wilson, Mollison

SYDNEY OPERA HOUSE TRUST
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Tim McFarlane,
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SYDNEY OPERA HOUSE
THE STUDIO

The Studio at Sydney Opera House presents a Racing Pulse Production produced by Performing Lines

Through the Wire

Written and Directed by Ros Horin

Creative Team

Ros Horin	Writer, Director, Producer
Seljuk Feruu	Set Designer
Stephen Hawker	Lighting Designer
Max Lyandvert	Sound Designer
Genevieve Dugard	Costume Designer
Heidi Riederer & Nick Meyers	Film Projection Designers
Martin Langthorne	Production Manager
Jacqueline Carden	Stage Manager
Nicki Novy	Assistant Director

Cast

Ali Ammouchi	Mohsen
Lucy Bell	Gaby
Wadih Dona	Farshid
Heather Mitchell	Suzanne
Deidre Rubenstein	Doreen
Shahin Shafaei	Himself
Hazem Shammas	Rami
Jamal Alrekabi	Musician

The Asylum seekers in Through the Wire

Mohsen Soltany Zand arrived in Australia in January 1999 and was held in Perth and Port Headland Immigration Detention Centres and Roebourne Prison, Western Australia. In January 2003, after four years, he was released with a Permanent Visa from Villawood Immigration Detention Centre in Sydney.

Farshid Kheirollahpoor arrived in Australia in November 1988 and was held in detention in Perth, Port Headland and Curtin as well as Roebourne and Casuarina Prisons, Western Australia. In October 2001, after almost three years he was released from Curtin with a Permanent Visa.

Rami arrived in Australia in January 2000. He was held in the Villawood Immigration Detention Centre in Sydney. In July 2003, after 3 ½ years he was released with a Permanent Visa.

Shahin Shafaei arrived in Australia in June 2000 and was held in Curtin, Western Australia. In February 2002, after 22 months he was released with a Temporary Protection Visa.

"Of the 9500 asylum seekers who had been in detention since 1999, for many months or years, by 2003 ninety percent or so had eventually been granted a Temporary Protection Visa. Most had fled from the Taliban or Saddam Hussein. Of these 9500, a little under 2000 were children." – Robert Manne

Director's Note

My intention has been to get behind the politically driven "anonymity" shroud thrown over the asylum seekers – and to reveal the human faces and stories of these refugees and their supporters.

I want to express my deep gratitude to the seven wonderful people who are the characters in this play – Doreen, Rami, Farshid, Mohsen, Suzanne, Gaby and Shahin – for their trust and generosity in sharing their stories with me. I hope that we have done justice to them and that they move and inspire others to action. Thank you also to Jacki Weaver and Linda Cropper who were part of the original workshop for *Through the Wire*, and to Annie Looby for her generosity and for being there.

To quote Susan Sontag: *"Compassion is an unstable emotion. It needs to be translated into action or it withers".*

RACING PULSE PRODUCTIONS
Ros Horin Producer
Maggie Gray Associate Producer

PERFORMING LINES
For over 13 years Performing Lines has been producing and touring new Australian work, encouraging thought, innovation and experimentation in artists and audiences throughout Australia and the world. We contribute to the enhancement of a distinctly Australian culture through our search for works of innovation in multicultural, indigenous and experimental drama, circus, puppetry, dance, contemporary opera and physical theatre.

General Manager Wendy Blacklock AM **Producer** Wendy Martin
Production Manager Martin Langthorne **Arts Coordinator** Michelle Hume
Accounts Manager Rosemary McCabe www.performinglines.org.au

Through the Wire is presented with the support of the NSW Government through the Ministry of the Arts.

With special thanks to the following people whose generous donations made this production of *Through the Wire* possible: Roger Allen, Keith & Fran Andrews, Susie Carlton, Bernard Curran, Charles & Eva Curran, Michael & Diana Georgeff, Rachel Goldberg, Peter McLennan, Barrie & Gai Meredith, Reg Mombassa, John Roberts, The Sherman Foundation, Larry & Christine Smith, Jack & Sue Staggall, Ross & Suzanne Tzannes, Anonymous (2)

Thank you also to all of the refugee, social justice and human rights activists and groups who have helped spread the word about *Through the Wire*. Thank you also to The School of Theatre, Film and Dance, University of New South Wales and Heidrun Lohr.

Performing Lines
nsw arts MINISTRY FOR THE

Appendix K

'Jewish, Muslim tea for two

Friday, August 19 , 2005 THE AUSTRALIAN JEWISH NEWS – www.ajn.com.au

Jewish, Muslim tea for two

ORYANA KAUFMAN

THE friendship that grew between a Jewish refugee advocate and an Iraqi Shi'ite Muslim is so strong it caught the eye of film producers.

Hassan Sabbagh, with the help of Judy Mclallen applied for a Metroscreen and Australian Film and Television Office grant to make a short film – and they won.

This was not something Sabbagh could have imagined doing a year ago when he met his only visitor during the four years and three months he spent in Australian detention centres.

The five-minute docu-drama, *Tea for Two,* tells the story of the friendship between the outgoing Jewish mother and the middle-aged Iraqi who had fled Saddam Hussein's regime some 15 years ago.

"Our friendship is based on mutual admiration. He has transformed my life. I see the world through his eyes and he makes me more appreciative of my world," said Mclallen.

"We talk about religion, history, literature, life in general. I tried to take him away from his suffering."

With her help, he is now getting his life back together. He studies at night and works as a bookkeeper.

But the most important thing for Sabbagh is reuniting with his family, and it is often Mclallen who has kept him going through his daily life.

"She believes everything is possible which fills me with hope that there is a future. This is a very huge gift. Being a refugee is very difficult; everything and everyone is new," said Sabbagh.

Actors Lex Marinos and Amanda Bishop play Hassan Sabbagh and Judy Mclallen in a scene from *Tea for Two.*

> "She has also shown me the joy of eating a light and fluffy matzah ball, not high on the list of traditional Arab foods."
>
> **HASSAN SABBAGH**
> Former Iraqi refugee

"She has taught me how to get around the city, how to do the most seemingly-simple tasks that are foreign to me, like talking to an automated voice on the phone and using an ATM machine. I guess you could say that through Judy I have learned how to fit into Sydney life.

"Judy has shown what Australians value and find important. She has also shown me the joy of eating a light and fluffy of matzah ball and how to make a good apple pie, not high on the list of traditional Arab foods," he said.

Well-known Australian actors Lex Marinos, Amanda Bishop and Michael Caton feature in the short film and Mclallen's son Jonas directed it.

Tea For Two will screen at Temple Emanuel Woollahra on Sunday, August 21. Inquiries: (02) 9328 7833.

Source: The Australian Jewish News, 19 August 2005

Appendix L

On Leaving the Theatre

On leaving the theatre
by Edward Bond

Do not leave the theatre satisfied
Do not be reconciled

Have you been entertained?
Laughter that's not also an idea
Is cruel

To make the play the writer used god's scissors
Whose was the pattern?
The actors rehearsed with care
Have they moulded you to their shape?
Has the lighting man blinded you?
The designer dressed your ego?

You cannot live on our wax fruit
Leave the theatre hungry
For change

Appendix M

Amal Basry's Testimony

Amal means hope in Arabic. That was why my father gave me that name and maybe it was why I survived SIEV X. 146 children, 142 women and 45 men died in the tragedy of SIEV X. I was one of the 45 survivors. I saw it all. I saw so many people die and I have to tell the story.

It has been three years since the sinking of SIEV X but I am still in the water. I can still feel the dead woman whose body I clung to so I could keep afloat. I never saw her face, it was in the water but I talked to her all night. I prayed for her soul and she saved my life.

I still see what I saw when I first opened my eyes under the water. I saw children dying. I can taste the oil and the salt of the sea, I feel my fear and I smell death. Little children, dead babies, desperate parents, families dying one by one, and I was alone believing all the while my own son was dead.

I was in the water for 22 hours waiting for my death. I was like a camera. I saw everything. When the sharks circled I prayed for my death and suddenly a whale rose up beside me it was as big as an apartment block it blew water from its blowhole all over me and I thought it would suck me and the woman I clung to into the deep. But the whale also saved me. It saved me from the sharks.

Sometimes when the pain wakes me in the night, in that moment between frightening dreams and the shock of reality, I think the sharks are feeding on my body, tearing parts of me away, and ripping at my soul.

On the second anniversary of the sinking of SIEV X I knew I was ill. On 27 October 2003 I lost my left breast to cancer and now the cancer is in my bones and is eating away at me.

The cancer eats like a shark. My doctors are kind and try to manage the pain but there is a deeper pain, the pain of loss, the pain of rejection. In those hours when I cannot sleep I see the lights that were shone on us as we fought to live in the water.

The lights came from ships, I could hear the voices of the men on board so safe and so dry but I could not make out the language they were speaking. I screamed to them to help, we all cried from the sea but they went away. The pain of SIEV X will not go away.

I cry so often. I cried and cried when I saw the Australian families in Bali mourning their friends and relatives, I knew how each of them felt. That is how I feel. I cry when I see the families of the American soldiers who have died in Iraq. That is how I feel. And like them I need to talk about the things that have happened to my life and my family because of tragedy.

I cry when I think of my beloved Iraq the land of my birth reduced to rubble and my people dying and I cry when I think of my father who is still in Baghdad so ill and so poor. When I was a child we spoke English in our house and my father took me round the world and I learnt so much and met such wonderful people.

Our family was torn apart by Saddam Hussein. My mother died hungry. My husband and I were forced to flee to Iran with our children. But we knew we could not stay there and we believed in Australia so my husband went ahead. He was waiting for us for when SIEV X sunk.

When we were rescued I spoke English again. I said 'I want to go to Australia and learn very good English and then I want to go on Larry King and tell the world what happened to us'.

In all the months we waited in Indonesia and were questioned over and over I still believed in Australia. And I still believe in Australians because they do care about us and they are kind and loving friends. But none of us from SIEV X feel safe; we cannot be safe until we know we belong, until we can be citizens.

I may not have long now but I speak English well enough to give evidence for Australia in a court of law without a translator. And I can speak in public without notes and I want to tell my story. The Australians who have spoken up for us are my angels and I thank God for them. And now I want to spend what time I have left telling people what it was like to be there, awaiting my death, there in the water being kept afloat by the body of a dead woman and seeing it all happen.

We still need help. All of us from SIEV X still need your help. On the eve of the third anniversary of the sinking of SIEV X I pray to God for the people who died and for all the people who loved them and I pray too for the survivors.We are all in different places and our lives will never be the same but now I know Australians will never forget. I don't have time to write a book but I want to talk and I want to talk now.

My name is Amal. It means hope. And I will not give up hope until the day I die.

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Glossary

advocate	Volunteers who performed effective functions in support of a specific refugee/s to gain recognition of refugee status, visa and release from detention, as distinct from the legal qualification.
anOther	An individual, rather than the collective other; introduced in Chapter One.
asylum seeker	A legal status; a fixed-state term that neutralises the individual person. An asylum seeker is a person who has left his/her country of origin, has applied for recognition as a refugee in another country and is awaiting a decision on the application. Refugees should not be confused with seekers of asylum; the two terms have different legal definitions. Have chosen the designation 'seeker of asylum' as a move away from the universal *legal* term 'asylum seeker' and to indicate an action or actions of people. See also *Illegal immigrant*, *Refugee*
Auschwitz	A concentration camp where the majority of Jews were murdered during World War Two. Also used to mean the Holocaust (Shoah).
Chesed	Hebrew; 'loving-kindness'.
cogito	From Descartes' (1641) proposition 'Cogito, ergo sum' – 'I think, therefore I am'—the 'first and the most certain fact which presents itself to whoever conducts his thoughts in order'. The principle establishes the existence of a being from the fact of his or her thinking, or awareness of himself or herself, as a thinking subject.
Convention, The	The 1951 Convention Relating to the Status of Refugees is the key legal document in defining who is a refugee, the rights of the refugee and the legal obligations of states. The 1967 Protocol removed geographical and temporal restrictions from the Convention.
gender	I have chosen to use the masculine gender for all detainees and seekers of asylum not least because the majority are males.
Haftorah	The section of writings by the Prophets that is read together with the weekly Torah reading.
Halacha	Collective body of Jewish religious law derived from Torah, Talmudic and Rabbinic law. Customs and traditions are included in the Halacha.
Hesed	Alternative spelling for *chesed*.
Hineni	Hebrew; literally 'Here I am'.
Illegal immigrant	Illegal immigrants are people who enter a country without meeting the legal requirements for entry or residence.

	Refugees often arrive with the 'barest necessities' and without personal documents and are therefore at risk—in certain jurisdictions—of being classified as illegal immigrants. Often governments refuse to issue passports to known political dissidents or imprison them if they apply. Refugees may not be able to obtain the necessary documents when trying to escape and may have no choice but to resort to illegal means of escape. Therefore although the only means of escape for some may be illegal entry and/or the use of false documentation, if the person has a well-founded fear of persecution they should be viewed as a refugee and not labelled 'illegal immigrant'. The UNHCR Convention says that states should not impose penalties on individuals coming directly from a territory where their life or freedom is threatened on account of their illegal entry (Article 31). Furthermore, under Article 14 of the Universal Declaration of Human Rights, everyone has the right to seek and enjoy asylum.
infinity	As used by Levinas in *Totality and Infinity* (1961).
inside and *outside*	Language used by prisoners; also used by the incarcerated asylum seekers indicating their institutionalisation within the culture of the criminal–penal system. Italics are used in the thesis to distinguish from standard English usage.
Midrash	Literally, exposition, investigation or searching; does not, of course, have a univalent meaning (see Neusner 1987, 1989). I am using the term not in its narrow sense, to refer to classical rabbinic Midrash, but rather to identify an entire phenomenological category of hermeneutical exposition that has historically been uniquely expressed in Jewish philosophy and mysticism, albeit with influences from other quarters. The Hebrew word means 'commentary' or 'expound'. Was the Rabbinic commentary on the Torah through the method of stories. In this thesis midrash refers to stories written with the purpose and method of midrash, akin to hermeneutical narrative; not directly related to Torah. In the thesis refers to stories and teachings of the Torah in modern idiom through today's lens.
Midrashim	Plural of 'midrash'.
Midrashic	Adjectival form.
notAustralia	Neologism—to indicate the anomaly of the excised territories that were Australian other than for immigration purposes. The extract from the Australia national anthem underscores the sentiment behind the excision of the territories. Note that 'the seas' was not Australian in the context of the anthem … 'For those who've come across the seas We've boundless plains to share; With courage let us all combine …'
n.p.n.	No page number.
reality	Messages that are communicated by politicians, bureaucrats and the media and adopted by the public as facts;

	individuals' worldviews; according to perceptions, constructions.
Refugee	A refugee is a person who 'owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country …' Article 1, 1951 Convention Relating to the Status of Refugees: • Refugees have to be outside their country of origin. • The reason for their flight has to be a fear of persecution. • The fear of persecution has to be well-founded. • The persecution has to result from one or more of the five grounds listed in the definition, that is, race, religion, nationality, membership of a particular social group, or political opinion. • They have to be unwilling or unable to seek the protection of their country. Refugees are forced to leave their countries because they have been persecuted or have a well-founded fear of persecution. Refugees run away. They often do not know where they will end up. Refugees rarely have the chance to make plans for their departure such as packing their personal belongings or saying farewell to loved ones. Many refugees have experienced severe trauma or have been tortured.
Refugee Status	Many States that are party to the 1951 Convention also have refugee-status determination procedures, to determine the person's status in accordance with the domestic legal system. UNHCR offers advice to governments on refugee-status determination as part of its mandate to promote refugee law and the Convention. UNHCR advocates that governments adopt a rapid, flexible and liberal process, recognising how difficult it often is to document persecution.
Shoah	Hebrew for the Holocaust; literally 'catastrophe' or 'calamity'.
Talmud	The collection of Jewish exegetical, hermeneutic and legal writings derived from Torah; also known as 'Oral Law' (Torah being 'Written Law').
the wire; *through the wire;* *behind the wire*	Colloquialisms for the detention centre
Through the Wire	A play about three ordinary Australians and four refugees and the extraordinary life-changing relationships that developed between them. Penned by Ros Horin from material gathered from in-depth interviews with the people

	who are the characters in the play. A verbatim theatre work about refugees and Australians who took steps to develop life-changing relationships with the detainees.
Torah	Hebrew word for the revelation of God to Moses at Mount Sinai as recorded in the first five books of the Hebrew scriptures; also a noun referring to the parchment scroll on which the Torah is handwritten by Rabbinic scribes, in pen and ink. The significance of Torah in Judaism is illustrated by the Jews in the Shoah who lost their lives trying to bury, hide or protect their community's Torah scroll.
totality	As used by Levinas in *Totality and Infinity* (1961)
Villawood Detention Centre	The full name is used in this thesis because that is how most of the detainees referred to it.
Vilewood	Colloquial term for Villawood Detention Centre used by a few advocates who were also friends.
yeshivah	An academy for the study of central Jewish texts such as Torah and Talmud.
yeshivot	Plural form of the Hebrew word *yeshivah*.