

Writing From the Ocean

Abbas Nazari was seven when he first saw the ocean. Having first travelled over land from his home village in Afghanistan to Pakistan, Abbas caught a glimpse of the water from an aeroplane, as he flew with his family to Indonesia. From there Abbas, his family and over 400 other passengers boarded the KM Palapa 2, a 20-meter wooden Indonesian fishing boat, bound for Australia (Nazari 2017). They had been at sea for at least a full day and night when the weather changed. The boat's engine failed and it began to fill with water as enormous waves battered it from both sides. Abbas could hear the adults around him praying that should this be their final moments, may God deliver their bodies to shore so they could be buried on land. Long hours passed before a small red dot appeared on the horizon and began moving toward them. It was a Norwegian container ship, the MV Tampa, and it was coming to rescue them. Abbas and his fellow passengers thought their journey was coming to an end, yet it was only beginning. Although the rescue took place just 140 kilometres from Australian territory, easily reachable within a day for the Tampa, the Palapa rescuees would be at sea for another three weeks. Despite being prohibited from entering Australian waters, after days in limbo, the captain would sail there in defiance in order to save the lives of those he had rescued, some of whom were unconscious (Federal Court of Australia 2001). The Tampa would be forcefully boarded by Australian army officers and made to stall, just four nautical miles from Australian shores. From there, Abbas and the other refugees would be transferred onto an Australian navy troopship and taken on a 16-day journey to the tiny island nation of Nauru in a remote part of the South Pacific Ocean 7,000 kilometres from where they were rescued.

Australia's detention and deportation of the Tampa and its passengers in August and September of 2001 marked the beginning of what the government would call "The Pacific Solution" (Federal Court of Australia 2001): deterring refugees by turning back boats and detaining them for extended periods of time on remote Pacific islands. Some of the Tampa refugees would remain on Nauru for three years (Insight SBS 2011). Abbas and his family

were eventually granted asylum in New Zealand, where they live today. 18 years later, the Pacific Solution remains in operation. Today hundreds of refugees remain on Nauru and in Australia's other offshore refugee prison on Manus Island, Papua New Guinea. Most have been there for six years (SBS News 2019) and are effectively detained on the islands indefinitely. The Tampa standoff and the Pacific Solution demonstrate the way in which border regimes are implemented not only through land and space, but also through oceans and time. Two recent books, Behrouz Boochani's *No Friend But The Mountains: Writing from Manus Prison* (translated by Omid Tofighian)¹ and Renisa Mawani's *Across Oceans of Law: The Komagata Maru and Jurisdiction in the Time of Empire*,² draw out in distinct and original ways the geopolitical and juridical life of the ocean.

While Abbas Nazari's journey ended in New Zealand, Behrouz Boochani and others who have since tried to reach Australia by boat remain trapped in the Tampa's wake. Boochani has been detained on Manus Island since August 2013. Without access to a computer, he wrote *No Friend But the Mountains* from the prison by sending WhatsApp messages to his translator on a secret mobile phone (Locker 2019). Though Boochani is a refugee from Iran, his memoir begins in Indonesia, from where he boards a boat bound for Australia. He attempts the crossing twice. On his second voyage, the small fishing boat he is aboard is given interim assistance by a kindly cargo ship, and then intercepted by the Australian Navy, who load the refugees onto a war ship, sink their now empty vessel with a machine gun, and take them to Christmas Island detention centre. There, another set of Australian officials assign each refugee an identifying number, put them in flip flops and oversized yellow polyester t-shirts, give them anti-malaria tablets and fly them to Manus Island.

"Clearly, they are taking us hostage", Boochani writes, recounting his brutal induction to this oppressively hot island prison (p.107). Describing his everyday life on Manus,

1 Boochani B (2018) *No Friend But The Mountains: Writing from Manus Prison* (trans O Tofighian). Sydney: Picador

2 Mawani R (2018) *Across Oceans of Law: The Komagata Maru and Jurisdiction in the Time of Empire*. Durham: Duke University Press

Boochani's *No Friend But The Mountains* gives an intimate and deeply insightful account of what it means to be used as a human weapon to protect the Australian border. Boochani draws on the theory of "kyriarchy" put forward by radical feminist theologian Elisabeth Schüssler Fiorenza (1992), which argues that domination, oppression and submission are produced by interconnected social systems (p.124). Time is a key governing tool in the Manus kyriarchical system, as the prisoners are slowly worn down and turned against each other, becoming dependent on prison routines and hierarchies such that even the tiniest change can spark devastation. "Waiting", Boochani writes, "is a mechanism of torture used in the dungeon of time" (p.62). And the Manus prisoners are always waiting. Waiting for food, waiting for the toilet, waiting for medicine, waiting for the puff of a cigarette, waiting to make a phone call to family, waiting for the fleeting joy of a clandestine game of backgammon on a board made from marker pen, a plastic table, and water bottle lids (p.126), waiting for news from the Australian government, waiting for the outcome of their asylum applications, waiting for their lives to restart.

The Australian government likes to think that its deterrence of migrant boats is an innovative national achievement (Davidson 2018). Renisa Mawani's book shows that such measures are actually a long-standing technique of racial governance. The detention and deportation of ships carrying non-white migrants must be understood in the context of modern European thought which assumed that juridico-political order is rooted in "firm land" while the "free sea" is a lawless void to be mastered in the service of territorial empire building (p.51-55). Mawani recounts the story of the SS Komagata Maru's voyage from Hong Kong to Vancouver in 1914. The Komagata Maru was carrying almost 400 Punjabis hoping to start new lives in Canada, only to be denied entry and deported to Calcutta, where emergency legislation had been passed to treat its passengers as foreigners "even though they are not foreigners in fact" (p.197). In her telling of this episode of colonial legal history, Mawani shows how the Komagata Maru did not simply "cross borders" on its six-month journey across the Pacific and back again, but rather that border regimes were themselves constituted through the operation of law upon the ship. Or as Mawani puts it, when "[v]iewed

from contiguous oceans rather than divided continents, immigration exclusions ...”, such as those which operated upon the Komagata Maru in 1914, the Palapa in 2001, Boochani’s boat in 2013, and countless boats trying to cross the Mediterranean in recent decades, “appear as part of a broader set of juridical procedures aimed at maintaining racial, territorial, and temporal divisions” across what was in 1914 the British Empire and what is today the asymmetrical geography left by it (p.16). The targeting of migrant boats is part of the centuries-old imperial process of dividing up the world into territories that only designated populations are entitled to enter and live in.

Mawani’s book offers a reading of the Komagata Maru’s journey as a challenge not only to colonial authority but also to the very notion of “migration”, which assumes the existence of a world divided into discrete nation-states which are separated rather than connected by seas and oceans. Mawani describes Gurdit Singh, who chartered the Komagata Maru, as an Indian radical, who planned this voyage in part as a challenge to Canada’s restrictions on Indian migration (p.9). Singh saw in the sea the possibility for anticolonial movement, waging his struggle for freedom from British imperialism on a planetary scale rather than tying it to territoriality alone (ibid.). For his initiative he would pay a heavy price, including spending years as a fugitive and then a prisoner of British imperial law after the ship’s deportation to India (p.188-230). Nonetheless, the Komagata Maru’s attempted landing in Canada succeeded in revealing the fragmented nature of jurisdiction across the empire and in questioning the legitimacy of immigration controls and the national entities they are designed to protect.

While *Across Oceans of Law* gives readers a historical exposition of Singh’s radical anticolonial vision and life, *No Friend But the Mountains* gives first-hand, contemporary insights from a writer rejected and imprisoned for his attempted maritime migration to a British settler colony. Boochani’s manuscript is both a product of his resistance to Australia’s border regime, and a reimagining of what those borders are. Indeed Boochani destabilises the Australian border by showing that he is both imprisoned by and yet living in defiance of it on Manus Island. Boochani is keenly aware that his body is being used as a weapon by the

Australian government: “we have to be a warning, a lesson for people who want to seek protection in Australia” (p.92). Yet despite his imprisonment, Boochani has created a world in which he is able to inhabit a kind of freedom, a refusal to participate in Australia’s border regime even as it detains him indefinitely. Take for example Boochani’s description of his decision to have traditional Papu surgery for his rotten tooth rather than submit himself to the soul-destroying, and in some cases lethal mire of bureaucratic delays imposed on prisoners seeking treatment from the private health service which operates in the prison. Boochani recounts how the Papus hold his arms, shine a flashlight into his mouth and insert a red-hot wire right into the hole of his dying tooth. The extremity of the pain takes his breath away, but as he screams, a Papu kindly places his hand on Boochani’s head. He knows his pain will cease. He is free of his tooth ache and of the potentially endless wait and frustration of trying to use the prison health service (p.308-309). In *No Friend But the Mountains*, the Australian border becomes blurred and inconsistent, despite its constant force. Despite being Papua New Guinean territory, Boochani insists that Manus Island prison is part of Australia (p.158). This analysis is not to deny Papua New Guinean sovereignty but rather to invoke understandings of place, nation and colonialism which are outside of the static, land-based frames of reference through which these material realities tend to be understood.

Although *No Friend But the Mountains* is a literary memoir and *Across Oceans of Law* is a work of postcolonial legal history, the two books share a core radical element in their methodologies: the rejection of a worldview which takes for granted fixed territories as the building blocks of geopolitics, and an embrace of the analytic potential of the movement of the ocean. Mawani argues for “oceans as method” as a new approach to colonial legal history (p.8). “Beginning with land and territory”, Mawani writes, transnational approaches to world history cannot fully grasp “the ubiquity of movement, especially the dynamics of motion against motion” (p.13). While colonial history tends to focus on land and space, oceans and time were also crucial to European colonialism and to anticolonial struggle. As dynamic, ungovernable sites of ceaseless change and movement, oceans point to alternative geographies of borders and histories of race. These alternative geographies and histories

emerge in both books. Boochani's story and his theorising begin with the ocean. The narrative prose of *No Friend But the Mountains* is interspersed with rhythmic poetics echoing the repetitiveness of prison life and the undulating ocean waves that surround him. An exchange between Boochani's Farsi-to-English translator, Omid Tofighian, and one of Tofighian's consultants, Sajad Kabgani, in the translator's preface is illustrative of the alternative political discourse which is allowed to emerge when the sea rather than land is the starting point (p.xxix):

Sajad: "Does Behrouz offer an account of his persecution back in Iran or does he provide a critique of the Iranian government in any part of the book?"

Omid: "No."

Sajad: "Good. There's no need to describe that or justify why he left. That's why it's such a beautiful and meaningful piece of literature. Everything you need to know about his life in Iran is encapsulated in the tale about the first boat journey.

Everything you need to understand about oppression and discrimination back in Iran is right there in the ocean. All the political turmoil is narrated when he describes the waves. All the state suppression is explained when he depicts the vortex in the sea."

By refusing to perform his refugee status through a retelling of the persecution that led him to board that first Indonesian fishing boat, Boochani rejects norms of bounded space and national belonging. This rejection is an important anti-colonial move. "One of the most enduring consequences of European imperial expansion", Mawani argues, "was the reconfiguration of space and time" (p.26). Mawani's oceanic method denaturalises these configurations, allowing others to emerge. Viewed from the contiguous Pacific and Indian Oceans where the Australian continent lies, Australian immigration exclusions appear as part of a broader set of juridical procedures aimed at maintaining white Australian sovereignty and capitalist "modernity" in an otherwise culturally and demographically non-white region (p.16). The Australian border stretches well beyond the large island-continent we recognise

on the cartographer's map. It operates with force on the small Pacific island camps where "unauthorised maritime arrivals" are detained, and on the high seas as migrant boats are turned back at gunpoint. The Australian border is a temporal as much as a spatial force, not only in the sense of suspending the lives of those it imprisons offshore, as Boochani powerfully demonstrates, but also in the sense that it must constantly attempt to produce the illusion of prior and permanent white settlement on Aboriginal land and seas.

Any challenge from the sea against a state's immigration exclusions is also necessarily a challenge to that state's authority over land. In the case of both Canada and Australia, that means challenging settler control. Supporters of the *Komagata Maru* asked how "the law" of "Canada" could reign supreme and be used to exclude Indian migration to land which evidently belonged to Aboriginal peoples (p.169). Mawani argues that the land/sea distinction, which became foundational to European maps and law, was not part of indigenous and non-European cosmologies (p.19). Taking further this argument, she writes:

When repositioned from land to sea, indigeneity emerges as a circulating and oppositional force, produced out of specific histories of territorial dispossession and also emerging from a politics of anticolonial struggle. Viewed from the ship, indigeneity is no longer a white settler formation. Rather, it materialises as a global and itinerant force that connected South Africa, India, and Canada [in the case of the *Komagata Mura*] in a variegated and uneven topography of British imperial control. (p.158)

The Punjabis on board the ship were indigenous, but not to the Coast Salish land on which they were hoping to build a life. Mawani is making important connections between the shared experiences of colonised peoples. Whatever form colonialism takes, it inflicts violence, exclusion and dispossession.

In the contemporary Australian context, some of the most powerful expressions of solidarity with those detained on Manus Island and Nauru have come from Aboriginal

activists (RISE 2016). When repositioned from land to sea, indigeneity connects Afghanistan, Iran, Australia, Papua New Guinea and Nauru. Solidarities between colonised peoples emerge more readily when the imperial privileging of land and territory is put aside, and the world is instead viewed as a watery planet recovering from violent and racist divisions.

Mawani writes that it was in the interstices of land/sea and time/space that Gurdit Singh identified the potential for freedom (p.239). Boochani's writing is evidence of that freedom. Though the Tampa was refused entry to Australia almost 18 years ago, its journey continues to define the Australian political land and seascape. "Stop the boats" has become a taken for granted, election winning slogan for both sides of party politics. The work of Boochani and Mawani shows that the boats and the brown and black bodies, knowledge and creativity they carry cannot be stopped, as oceans will connect land and people so long as their tides beat against the shore.

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