

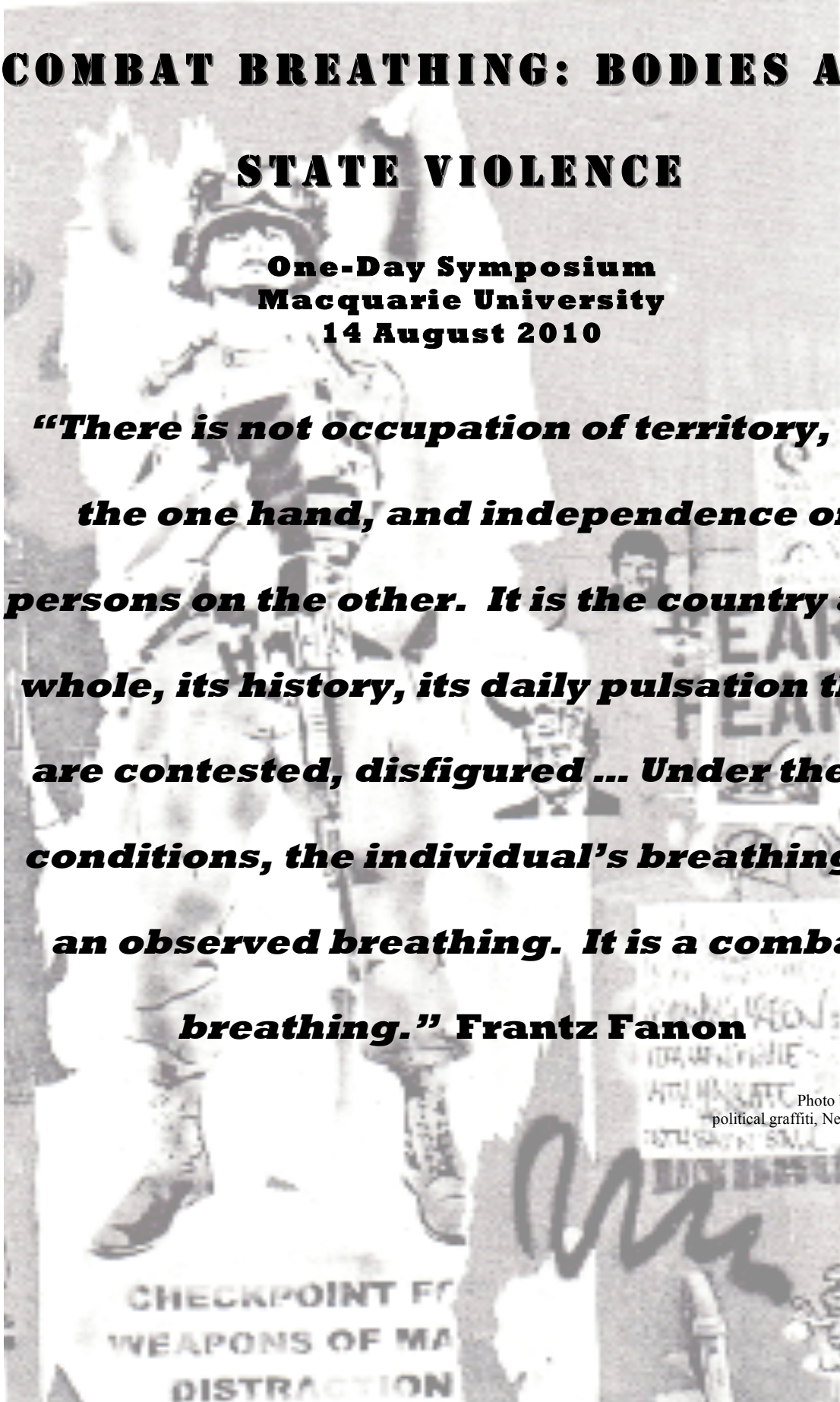
**ABSTRACTS OF SYMPOSIUM PAPERS**

**COMBAT BREATHING: BODIES AND  
STATE VIOLENCE**

**One-Day Symposium  
Macquarie University  
14 August 2010**

***“There is not occupation of territory, on  
the one hand, and independence of  
persons on the other. It is the country as a  
whole, its history, its daily pulsation that  
are contested, disfigured ... Under these  
conditions, the individual’s breathing is  
an observed breathing. It is a combat  
breathing.” Frantz Fanon***

Photo by J.Pugliese:  
political graffiti, Newtown, NSW



## **“State Sanctioned Violence – Aboriginal Deaths in Custody after the RCIADIC”**

**Gracelyn Smallwood (James Cook University)**

The Royal Commission into Aboriginal Deaths in Custody was commissioned into the high rate of Aboriginal Deaths in custody in the 1980s. Despite some very suspicious circumstances, no police were called to account for the 99 investigated deaths. In at least a few cases, the State by its agents had got away with cold-blooded murder, and in many others, murder by default.

The 2004 death in custody of Mulrunji at the Palm Island watch-house, who died when his portal vein ruptured his liver and spleen after being arrested by Sergeant Christopher Hurley for singing a song. Mulrunji also sustained four broken ribs, and died in agony on the floor, the only police ‘care’ depicted on the chilling CCTV video of his death. Hurley was the first ever policeman charged with a black death in custody, but was found not guilty of manslaughter by the all white jury. The State visited its violence in full force after Palm Island residents reacted angrily to the official coroner’s report. Ferries were commandeered, helicopters delivered Tactical Response Teams armed with Tasers and used upon unarmed families in what many believe to be reprisal raids on innocent residents. The State was savage in its retribution, while Sergeant Hurley pocketed \$100 000 compensation for unaccounted goods ‘destroyed’ in the disturbance.

State violence against unarmed Indigenous people hit even new lows when elder Mr Ward from Wharburton was arrested and transported in the unairconditioned back of a security company contacted by the State to transport prisoners from remote communities to Perth. Why was the respected multi-lingual Mr Ward arrested in the first place? For the crime of being drunk, which millions of Australians commit every day. The State in its indifference left Mr Ward to slowly cook in a super-heated tray.

The State’s violence against the vulnerable mentally ill is usually perpetrated in silence – victims arrive and die in mental institutions, incarcerated at the behest of the State. In April this year my nephew Lyji Vaggs was the latest State sanctioned death in a State Institution. Mr Vaggs had voluntarily admitted himself to the Acute Mental Health Ward at Townsville Hospital, and 45 minutes later he was in an irreparable coma, and died the following day. Of the tragedies surrounding Mr Vagg’s death, what stood out was the flurry of calls from all over the country I received from aggrieved and bereaved relatives of the mentally ill. The silence of the State is palpable.

State violence must be named for what it is – it is only in confronting our deepest fears that we are truly free, and the same principle applies to the State. In confronting and confessing to State violence, the State can begin to liberate itself from its inherent violence upon the marginalised.

**Associate Professor Gracelyn Smallwood, AO, MSc, RN, Indigenous Advisor to the Vice-Chancellor, James Cook University**

\*\*\*

## **“Punitiveness and the Criminalisation of the Other: State Wards, non-lawful citizens and Indigenous Australians”**

**Kerry Carrington (Queensland University of Technology)**

While the over-representation of Indigenous peoples in the penal and criminal justice systems of settler societies is a world-wide phenomenon (Havemann, 1999; Broadhurst, 1999; Hogg 2001, Tauri, 2005), in contemporary Australia it is a catastrophic problem where at any one time at least one in five young Indigenous men are under some form of criminal justice supervision. Such levels of criminalisation create a self-perpetuating cycle of marginalisation and feed into escalating incarceration rates. The construction of Indigenous people as a dangerous presence necessitating special regimes of internal controls found a counterpart in the racial and other exclusionary criteria operating through border control for much of the twentieth century. In an increasingly troubled 21<sup>st</sup> century, destination countries have increasingly intensified their efforts to tighten their borders, to assert their sovereignty and expel ‘non-citizens’ (See Pickering and Lambert 2002). This has effectively created a new class of criminal and new categories of criminality. This includes asylum seekers expelled from other countries, refugees fleeing persecution, illegal migrants looking for work and a better life, and women who enter unlawfully for the purposes of sex work. State wards are another marginal population – institutionalised in prison like conditions and subject to rituals of abuse for the better part of the 20<sup>th</sup> century. This paper explores the geneological connections that cut across the criminalisation of several distinct marginal populations, state wards, non-lawful citizens and Indigenous Youth.

**Professor Kerry Carrington, Head of School, Faculty of Law, Queensland University of Technology, Queensland.**

\*\*\*

## **“Ireland’s Architecture of Containment: Concealed Citizens and Sites Bereft of Bodies”**

**Kellie Greene (University of Western Sydney)**

With Irish Independence being granted in 1922, the Irish Catholic Hierarchy and the Irish Politicians with their new found power embarked on the complex and highly fraught project of forging a new Irish Nationalist identity. In the decades which followed, the officially named “Irish Freestate” became a nationwide network of asylums, reformatory schools, industrial schools, Magdalen Asylums and Mother and Baby homes. A mere two years after the declaration of Irish independence, it was reported that “there were more children in industrial schools in the twenty-six counties of Ireland than were in all the industrial schools in England, Scotland, Wales and Northern Ireland put together,” (Raftery, O’Sullivan: 1999: 69, 72). Likewise, Raftery and O’Sullivan claim that between 1869 and 1969 approximately 105,000 children were committed to industrial schools and that at its peak, the system consisted of 71 such institutions (1999: 20).

This paper will draw on the experiences of my younger brother and I as we spent a combined total of 18 years in four such institutions in the Republic of Ireland in the 1980s and 1990s. In

the terms of much of the current literature on what is sometimes referred to as “coercive confinement” (O’Sullivan & O’Donnell, 2008: 32) we are amongst thousands of survivors of a state-sponsored and Church-administered system that as An Taoiseach, Bertie Ahern acknowledged in his ‘apology’ speech of 1999, all too often “denied children the care and security that they needed”, and worse still, perpetrated “grave wrongs”.

With the recent conclusion of our 17 year legal battle with the Irish Catholic church and State and with research I am undertaking for my PhD project, “Remembering and (Re)Presenting Lives Within Care” I will recall the event where my brother and I were taken beneath the Four Courts in Dublin, an airless subterranean trap, and asked to trade away our voices. We have learned that in the face of the most insidious forms of State violence, one doesn’t breathe to speak, one needs to speak to breathe. This is the story of our combat breathing.

Work Cited:

Brennan, C. (2007) “Facing What Cannot be Changed: The Irish Experience of Confronting Institutional Child Abuse”, *Journal of Social Welfare & Family Law*, 29:3-4, pp.245-63.

O’Sullivan, E and I. O’Donnell (2008) “Coercive Confinement in the Republic of Ireland: The Waning of a Culture of Control”, *Punishment & Society*, 9:1, pp.27-48.

Rafferty, M and E. O’Sullivan (1999) *Suffer the Little Children*, New Island: Dublin.

**Kellie Greene, PhD Candidate, University of Western Sydney, Australia.**

[greene.kellie@gmail.com](mailto:greene.kellie@gmail.com)

\*\*\*

### **“Transnational Necropolitics: Hindutva and its Avatars--India/Australia”**

**Goldie Osuri (Macquarie University)**

Scholars within postcolonial and cultural studies have discussed Hindu nationalism’s use of state rhetoric of secularism (Kumar 2008). In the U.S. diasporic context, Kamat and Matthews (2003) have traced how Hindu nationalists draw on multiculturalist discourse for their presence while simultaneously funding cultural and political projects in India which incite hate and conduct violence against Muslim and Christian communities.

In the Australian context, Hindu nationalist organizations have legitimized and consolidated themselves through the rhetoric of liberal multiculturalism. Such strategies which draw on state rhetoric of secularism and multiculturalism while simultaneously engaging in hate campaigns against Muslim and Christian others demonstrates Hindutva’s ability to operate through a transnational necropolitics. This paper explores how a state biopolitics of secularism and multiculturalism enables the violence of Hindutva’s necropolitics in transnational routes between Australia and India.

Kamat, Sangeetha and Biju Matthew (2003) 'Mapping Political Violence in a Globalized World: The Case of Hindu Nationalism', *Social Justice* 30 (3): 4-16.

Kumar, Priya. (2008) *Limiting Secularism: The ethics of coexistence in Indian literature and film*, Minneapolis and London: University of Minnesota Press.

**Dr Goldie Osuri, Department of Media, Music, Communication and Cultural Studies,  
Macquarie University**

\*\*\*

### **“State Violence in Sri Lanka – The International Community and the Myth of ‘Normalisation’”**

**Samuel Thampapillai (Sydney Centre for International Law)**

The bloody end to the military conflict between the Sri Lankan state and Tamil separatists in 2009 was marked by significant reports of tens of thousands of civilian deaths and human rights violations. With UN Secretary General Ban Ki-Moon establishing an investigative panel into the war's final stages, Sri Lanka's conflict empowers a broader global discourse concerning state violence. Sri Lanka's unrestrained violence was facilitated via its politico-military complex projecting the war as an extension of the global 'war on terror' with the exclusion of media enabling the stage-managed dissemination of information. The war was characterised as a 'humanitarian' 'rescue-operation' with the state employing a strategic duality in blurring the line between combatants and civilians - on the one hand discrediting LTTE claims to be an authentic 'self-determination' movement yet dehumanising Tamils in the conflict zone as other than full Sri Lankan citizens. In response, the Western quest for an overarching narrative itself fostered foreign policy inertia. Counter claims of genocide and counter-terrorism paradoxically blunted the real questions which were what kind of violence did the Sri Lankan state commit against Tamil civilians, on what scale and with what intentions? Such questions are not trivial. The attractiveness of the 'Sri Lankan option' of unrestrained violence appeals to many states in quelling their own sub-nationalisms, with many such governments providing Sri Lanka the geopolitical support to buttress the threat of intervention and accountability.

However, the conduct of the Sri Lankan state in the post-war era has forced international policy-makers to revisit conventional assumptions concerning Sri Lanka's state violence. State violence has persisted in the post-war era, including human rights violations against Tamils but also structural practices aimed at destroying Tamil collective identity, the oft titled 'crimes of peace.' Sri Lanka's structural repression gains potency from the latent threat of direct violence given the state's monopoly of coercive-power, a power-relationship reinforced by the scale of the war victory. Interestingly post-war violence is not ethnically compartmentalised –state apparatus have targeted dissent from all communities. However many Western policy makers expected post-war Sri Lanka to follow a path of normalisation defined by economic development and reconciliation. Such a trajectory portended to retrospectively frame the past as a 'just-war', thereby legitimising military and diplomatic support for the Sri Lankan state and the absence of 'humanitarian intervention' despite the Responsibility to Protect (R2P) doctrine.

The prospect of ‘normalisation’ was further required to justify domestic policy positions such as Australia’s suspension in processing Sri Lankan asylum claims.

The disjunction between post-conflict theory and the persistence of substantial violence however is found in the ethnocentric majoritarianism embedded in the Sri Lankan state. This has sociological and anthropological roots which have been ignored in foreign policy responses whose statist biases have equated Western notions of ‘democracy’ as guarantors of social stability. Indeed there is a need to locate Sri Lanka’s state violence within a deeper understanding of its subterranean ethno-nationalisms whose championing by the state have culminated in dehumanisation and direct violence. It is this where the battle-line between sovereignty and self-determination is drawn in foreign policy debates with the competing priorities of statist *realpolitik* and long term human security.

**Samuel Thampapillai, Fellow, Sydney Centre for International Law**  
[s.thampapillai@gmail.com](mailto:s.thampapillai@gmail.com)

**CONVENORS: SUVENDRINI PERERA AND JOSEPH PUGLIESE**

Contact: [S.Perera@curtn.edu.au](mailto:S.Perera@curtn.edu.au); [Joseph.Pugliese@mq.edu.au](mailto:Joseph.Pugliese@mq.edu.au)

**Sponsors: Somatechnics Research Centre, Macquarie University;  
Centre for Advanced Studies of Australia, Asia and the Pacific, Curtin  
University; Department of Media, Music and Cultural Studies, Macquarie  
University**

