Social Semiotics

The Event-trauma of the Carceral Post-human

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Joseph Pugliese

The category of the post-human is, in much contemporary cultural theory, celebrated for marking a liberatory break from the limits of the human body. The post-human is seen, through the grafting of new bio-technologies, as enunciating a range of enhanced corporeal experiences and emancipatory possibilities. In this essay, I complicate the category of the post-human by locating it in the context of Australia's Refugee Detention Centres. In this context, in which refugees and asylum seekers are unjustly imprisoned and disenfranchised of fundamental human rights, the underside of Eurocentric conceptualisations of the post-human emerges. I proceed to identify and name the violent production of this subaltern subject as the *event-trauma of the carceral post-human*.

Keywords Refugees; asylum seekers; human; post-human; law; violence; prisons; race; biopolitical

Introduction

In the opening pages of her landmark essay, "What is a Camp . . .?", an essay concerned with articulating the geopolitical forces constitutive in the construction of refugee prison camps, Suvendrini Perera writes: "This space of the camp, where the category of 'citizen' is no longer operative, also is the space where the claims and limits of the 'human,' what remains as a residue of the 'citizen,' are tested and revealed in lethal form" (Perera 2002b). This essay emerges from Perera's painstaking expose of the operations of power within refugee prison camps. In particular, my essay must be read as a meditation haunted by what Perera identifies as the "limits of the 'human'" in the context of Australia's refugee prisons. I say "haunted" because, in the process of reading her essay, the phrase "limits of the 'human'" magnetised my thoughts and generated a cluster of urgent questions: What are the presuppositions that found "the human"? What are the limits of "the human"? Who is positioned at these limits? What name may be given to this "residue of the 'citizen'?" And, finally, what subjects or entities inhabit the spaces *beyond* the limits of "the human"?

From another direction, in a previous essay I juxtaposed a post-human manifesto by a contemporary performance artist, Stelarc, with the experiences of the refugees and asylum seekers interned in Australia's refugee prisons. The point of connection between these two disparate bodies—the avant-garde performance artist and the imprisoned refugee—was the practice of sewing one's lips in the space of two radically different contexts: the art gallery and the refugee prison. In the process of mapping a series of critical counter-points, I found that, in a perverse and unintended way, imprisoned refugees were perfectly qualified to represent the Third World underside, as it were, of First World conceptualisations of the post-human. Drawing on theories of post-human entities and subjects, this essay is an attempt to answer the unsettling questions raised by Perera's provocative situating of imprisoned refugees at the limits of "the human."

Before I proceed any further, however, I want to offer a brief outline of the legal status of refugees and asylum seekers who enter Australia without first seeking formal authorisation. The passing of the *Migration Amendment Act 1992* through Australia's Federal Parliament initiated the detention and imprisonment of refugees and asylum seekers who arrived to Australia by boat and without visas. The *Act* authorises the imprisonment of refugees and asylum seekers within facilities known as Immigration Detention Centres. The *Act* effectively places refugees within prison-like conditions where, unlike criminals that have been tried and charged, the detainees are imprisoned without trial as they wait for their claims for asylum to be processed. Detainees are thus subject to periods of indefinite detention; some refugees, for example, have been held in the detention centres for over six and a half years and are still awaiting a decision on their application for asylum.[1] In addition, the *Act* also places the detained refugees beyond the recourse of the courts. The *Act* explicitly states that "A court is not to order the release from custody of a designated person." In other words, the term "Detention Centre" must be seen to operate as a governmental euphemism for "prison." Australia's refugee prisons are enclosed by a staggered series of steel-paling fences surmounted by trident finials. These fences are, in turn, electrified by 9,000 volts and surmounted by vortical coils of razor wire. The denial of basic human rights and the systemic rituals of violence and humiliation refugees experience within these compounds make them worse than criminal prisons (see Leach and Mansouri 2004, 115–118).

1. Some refugees, such as Peter Qasim, were imprisoned for over seven years before being released. This essay was written prior to the token reforms initiated by the Federal Government in the wake of the Palmer report's recommendations into the detention of Cornelia Rau, an Australian resident suffering mental illness who was wrongfully imprisoned in a women's jail before being incarcerated in Baxter Detention Centre as an "illegal immigrant." These token reforms include the qualified release of refugees who had been imprisoned for over three years, and the gradual release of babies and children from the prisons into less prison-like accommodation. It is worth noting, however, that the conditions in the refugee prisons still violate basic human rights (see Perera forthcoming b). A testament to this are the recently released figures that "showed almost 900 detainees had tried to harm themselves in the past three years, including 474 at Baxter" (Glendinning 2005, 7).

Situated within this violent context, the passing of the *Migration Amendment Act 1992* must be seen as inaugurating the *event-trauma* that has been instrumental in transforming Australia's refugees and asylum seekers into *carceral post-humans*. Event-traumas, I argue, are foundational moments of origin saturated with violence, both physical and symbolic, that are generative of ongoing violence, even after their seeming recession over the horizon of history. A genealogy of event-traumas constitutive of the Australian nation would include: colonial invasion, the colonial wars, the White Australia policy, the policy of colonial assimilation and the Stolen Generations. These are all historic events that have been foundational in the construction of the nation, simultaneously as the violence that inscribes their point of origin continues to ramify traumatically across diverse bodies—both physical and epistemological. Contemporary event-traumas must be understood in the context of a hyper-mediatised culture where any event has the potential to be inscribed within media networks geared, for example, to transmute the individual trauma of an imprisoned refugee who has sewn her/his lips into "spectacle" (Debord 1977, 191). The event-trauma of the *Migration Amendment Act 1992* must be seen as constituted by a violent mix of the discursive and extra-discursive: its contours are policed and maintained by politico-juridical-economic forces (administrative law and multi-national companies, such as Australian Correctional Management and Global Solutions, who manage the refugee prisons); its subjects are carceral post-human refugees. The *post-human* status of Australia's imprisoned refugees is what will be determined in the course of this essay.

Post-humans

While writing a previous essay on refugee self-harm (Pugliese 2004), I had begun to research the emergent field of the post-human for one of my teaching units. During this research, I came across the published work of the post-human performance artist Stelarc. Stelarc is a performance artist perhaps most famous for suturing his body with hooks and wires and suspending himself from the ceilings of art galleries. I was familiar with Stelarc's bodily performances but, at this juncture, his published work provoked a disturbing reaction; specifically, when I read about Stelarc sewing up his lips in the context of an art gallery space, I was startled by the homology of this practice in the context of the self-harm enacted by refugees in the radically different space of their prisons. Reading Stelarc's essay, "From Psycho-Body to Cyber-Systems: Images as Post-Human Entities" (1998, 116–123), I began to experience an unsettling effect. In his essay, Stelarc proceeds to map in detail the attributes that function to constitute the post-human entity. These attributes are sign-posted by a series of subheadings that structure the essay. In the process of reading through the enumerated attributes of the post-human entity, I began to deploy a type of double-reading. Precisely what struck me as I worked through Stelarc's attributes of the post-human was

how transferable they were to a discussion of refugees and asylum seekers within Australia's Detention Centres.

Stelarc's essay on the key attributes of the post-human entity emerges out of his own practice of instrumentalising his body with a panoply of contemporary technologies in order, in his words, to "burst [the body] from its biological, cultural and planetary containment" (1998, 116). In the light of this modest objective, Stelarc's essay is driven by a type of technophiliac futurity, where the horizon of the future holds a promise of corporeal transformation and ultimate transcendence from what he considers to be the limiting dross of biological, cultural and planetary containment. The unsettling effect of reading this teleologically driven essay, in which everything is predicated on riding the transformative wave of a technophiliac avant-guard, was generated by the fact that I kept, perversely, situating Stelarc's futural post-human attributes within the context of the present—specifically, within the context of Australia's refugee prisons. I can best describe the effect of reading this essay by invoking the metaphor of the palimpsest: barely visible through the contours of Stelarc's post-human entity was another subject altogether that, in a startling manner, resembled the instrumentalised body so celebrated by Stelarc.

Before I proceed to work through Stelarc's essay, however, I want to make some preliminary comments on the concept of instrumentalised bodies. From the outset, what I do not want to do in this essay is to establish some sort of binary reading of bodies that splits neatly between contemporary or futural bodies that are instrumentalised through an array of technologies and prostheses; and, on the other hand, archaic or backward bodies that reside in the plenitude of a pure biological state uncontaminated by technology and instrumentalisation. Rather, I would argue that there is no body that is not always already mediated and instrumentalised by technology, no body that is not always already prosthetisised by writing, clothing, hairstyles, rings, glasses, pace-makers or virtual reality head-sets.

Refugees, for example, are immersed in globalised systems of technological surveillance, border control, racial profiling and literal barcoding. In Australia's refugee prisons, for example, the prison guards have been instructed to refer to the refugees solely by their serial numbers. Gyzele Osmani, a refugee imprisoned in Port Headland Detention Centre, writes of the following episode: "The ACM [Australian Correctional Management] scared everybody. They gave threats to all the kind people, all our friends. There were some nice ACM, like one woman who hug me once. She was in a lot of trouble, they say to her, 'You are not allowed to hug these people. You cannot talk to them unless you ask questions or you are giving orders. You must refer to them only by number, not by name'" (Dechian, Millar, and Sallis 2004, 80–81). Osmani proceeds to describe the regime of surveillance within the Port Headland prison: "In Port Headland the guards came into our rooms at night, waking everybody to see our identification tags. They would flash their torches and yell our numbers, as though we were dogs. I used to say, 'My children are not going to run away, please let them sleep.' Now the children wake up in the night screaming, thinking the guards are by their beds"

(Dechian et al. 2004, 81). Viewed in this context, refugees are always already technologically mediated, so that the First World/Third World split along a pre-technological and post-technological axis simply fails to hold. If there is an asymmetry here between the subjects of these two geopolitical categories, it resides precisely in relation to questions of access and control over these mediating technologies.

In the analysis that follows, I will proceed to run two understandings of the post-human side by side. On the one hand, the dominant meaning of the post-human signifies a body that, through technological mediation, can seemingly transcend its biological limitations in quite spectacular ways. In her essay, "Post-Human Unbounded," Tiziana Terranova cites a section on "Evolutionary Muta-tion" collected in *Mondo 2000: A User's Guide to the New Edge*: "'We are less and less creatures of flesh, bone, and blood pushing boulders uphill; we are more and more creatures of mind-zapping bits and bytes moving around at the speed of light'" (Terranova 2000, 271). Encapsulated here, in this post-human manifesto, is a vision of a transcendent subject that, in almost parodic terms, reproduces all the tropes of what I would call, synoptically, First-Worldism: in this manifesto, there is no situated body marked by any hierarchically organised relations of power and, moreover, there are no national borders, no immigration officials screening subjects with technologies of racial profiling; there is simply, as Terranova aptly puts it, an "unbounded" subject whose freedom and seemingly unlimited mobility is predicated on First World privilege and "individual 'fitness' for technological survival":

> To privileged First-World citizens, the digital and biotechnical developments bring with them an expansion of selfhood beyond the limits imposed by finite bodies and minds. To those unable to participate, however, it means further exclusion, compounded by the possibility that due to globalization, the wealth of Western cyborgs rests on the cheap labour of their Third-World sweatshop fellows. Despite their iconoclasm and self-styled radicalism, transhumanist principles have little to say about human evolution as involving the eradication of poverty, disease and discrimination. (Terranova 2000, 263–264)

Juxtaposed against this dominant understanding of the post-human is the "underside of the post-human" that, as Coco Fusco (2001, 188) argues, fails to figure within such triumphalist narratives. In the light of Terranova's argument, I want to reorient the concept of the post-human along specifically geopolitical borders and racialised axes by tracking the heavily regulated movements of so-called "unauthorised" refugees and asylum seekers once they reach Australia's shores. Situated in this context, the post-human comes into being at the very moment when the "unauthorised" refugee is seized by either coast guard or navy officials. In their moment of arrest, the refugee is ushered beyond the category of "the human," understood here precisely in juridical terms, as that category underpinned by a series of rights codified in international protocols and conventions.

In their moment of landfall and arrest on Australian soil, the refugee's human rights are suspended and superseded, as they are forcefully ushered beyond the juridical category of ''the human'' into the carceral confines of Australia's refugee prisons, where they may be imprisoned indefinitely without trial. Justice Louis Joinet, the head of a United Nations delegation that examined conditions within Australia's Refugee Detention Centres, declared: ''Criminals were treated better than people fighting for asylum under Australia's mandatory detention system'' (Millet and Bradley 2002, 2). As Perera has argued, drawing on a term by Tony Birch, in the process of being categorised as ''unauthorised'' arrivals, refugees are effectively ''*unpeopled*: [they are] the ones whose human suffering may not be seen or recognised'' (Perera 2002b). In a type of dramatic inversion of the First World conceptualisation of the post-human (as a subject unbounded by space and projected, through new information technologies, spectacularly into the future), the carceral spaces of the refugee prisons function to constitute another vision altogether of the post-human. Post-human refugee subjects are defined precisely by the very denial of the future (Pugliese 2005, 299–305), by the interdiction of the right to free and unbounded movement, and by the enforced disconnectedness from basic technologies of communication (e.g., the trials and tribulations of obtaining telephone cards to make contact with relations have been well documented; see Tyler 2003, 26).

In these refugee prisons, post-human subjects cannot transcend the racialised status of their bodies. Here, everything turns on the tropes of Third-Worldism that insistently mark their bodies: these are bodies that fail to escape the chromatism of racial hierarchies, the loaded signifiers of geopolitical origin (e.g. Afghanistan, Iraq, Sri Lanka), and the racialised epithets that will effectively demonise them: ''terrorist motherfucker,'' ''Muslim motherfucker,'' ''rag-heads,'' and so on (see, for example, Debelle 2001, 32; Seccombe 2002, 28). These are *bodies*, in contradistinction to *legally recognised persons*, that powerfully exemplify the ''ontological hygiene'' legislated by government policies in order to secure the reproduction of the ''principle of scarcity with respect to agency and personhood'' (Graham 2002, 35).

In my reorientation of the term ''post-human,'' the charged hyphen that I deploy must be seen as a graphic instance of what Spivak terms ''*power-in-spacing*'' (1988, 290): the hyphen marks a violent disarticulation that, like all disarticulations, refers back to the very thing to which it is no longer conjoined except through an irreducible break and a barred separation. As a form of power-in-spacing, the hyphen-bar that separates the ''human'' from the ''post'' signifies the razor wire fences that divide the post-human refugee from their human counterparts who reside outside the surveilled walls of the refugee prisons. In his political history of barbed wire, Olivier Razac writes on the power of razor wire to produce ''a distinction between those who are allowed to retain their humanity and those reduced to mere bodies'' (Razac 2002, 85). Razor wire literally cuts to the very symbolic core of the category of the term ''human'': ''The technical polyvalence of barbed wire—its capacity to repel any living thing, whether a cow or a dog—produces a kind of shock when it is used to enclose

people, shaking their certitude that they are human'' (Razac 2002, 89). Rahman Shiri, an Iranian refugee detained in Port Headland for over two years, captures the power of this technology to shake one's certitude as to who can occupy the category of ''the human'' in this meditation articulated from within the prison: ''Either I'm not human or the people here aren't human and are only disguised as humans'' (Shiri 2004, 70).

Centres and the Vortical Topology of the Post-human Fold

In ''Structure, Sign and Play in the Discourse of the Human Sciences,'' Jacques Derrida solicits the term ''centre'' in order to unravel the complex relations of knowledge/power that invest it and that demand, politically, the occlusion of ''the structurality of its structure''—thereby effacing the constructed status of the centre and by this process ''referring it to a point of presence, a fixed origin'' (Derrida 1978, 278). ''As center,'' writes Derrida, ''it is the point at which the substitution of contents, elements, or terms is no longer possible. At the center, the permutation or the transformation of elements (which may of course be structures enclosed within a structure) is forbidden. At least this permutation has always been *interdicted*'' (Derrida 1978, 279). Derrida here draws attention, through his deployment of the terms ''forbidden'' and ''interdicted,'' to the rule of law that governs the operation of the centre.

Transposed to the materiality of the Immigration Detention Centres, as centres that come into being legislatively through the implementation of administrative law, the terms ''forbidden'' and ''interdicted'' resonate power- fully. Aside from the abrogation of fundamental human rights that these Centres enact, I am interested in pursuing here the epistemological dimensions of what exactly is forbidden and interdicted in the context of these Centres. These Centres pivot, I would argue, on enabling an exclusionary mechanism that divides precisely along the human/post-human axis. Outside the Centres reside the human-citizen subjects; inside the Centres are carceral post-humans divested of the rights and privileges that accrue to their human counterparts. And it is the combination of legislative force and extradiscursive violence that ensures that the ''substitution of contents, elements, or terms is no longer possible''—the substitution, in this case, of one human subject for another. Rather, the logic of the Centres demands the clear and non-substitutable separation of terms.

In marking the laws of interdiction that govern the operation of the centre, Derrida simultaneously brings into focus the relations of dependency that complicate conceptual categories predicated on an outside/inside binary:

> The center is at the center of the totality, and yet, since the center does not belong to the totality (is not part of the totality), the totality *has its center elsewhere*. The center is not the center. The concept of the centered structure—although it represents coherence itself, the condition of the *episteme* as philosophy or science—is contradictorily coherent. (Derrida 1978, 279)

This contradictory coherence is what must be effaced to ensure the categorical separation of terms and in order to reproduce a position of power that views itself as "outside" the very structure that produces it and that constitutes its condition of possibility: "The concept of the centered structure is in fact the concept of a play based on a fundamental ground, a play which is itself beyond the reach of play. And on the basis of this certitude anxiety can be mastered, for anxiety is invariably the result of a certain mode of being implicated in the game, of being caught by the game, of being as it were at stake in the game from the outset" (Derrida 1978, 279).

The category of the human citizen who resides outside the razor wire prisons is conditioned by its production of the carceral post-human refugee. And, situated in the Australian context, the hysterical dimensions of the anxiety generated by this being implicated in the violent production of the incarcerated refugee can hardly be overestimated. The category of the human citizen is, in Derridean terms, one whose mode of being is not only implicated, but also at stake from the outset in the constitution of the carceral post-human refugee. In marking this inflected system of relation between two disparate entities, I want to return to the vortical coils of razor wire that surmount the perimeter fences of Australia's refugee prisons. These razor wires coils, even as they mark the separation between the exteriority of the Australian nation and the interiority of non-Australia (in terms of a circumscribed space where human rights are violently suspended), articulate an enfolding of one into the other. This is not to collapse the critical differences between the two spaces and the different subjectivities that they enable; rather, in Gilles Deleuze's words, "The 'duplicity' of the fold has to be reproduced from the two sides that it distinguishes, but it relates one to the other by distinguishing them: a severing by which each term casts the other forward, a tension by which each fold is pulled into the other" (Deleuze 1993, 30). The topology of the fold marks the indissociable relation between the citizen and its absolute other (the refugee incarcerated within the refugee prisons). The razor wire coils that surmount Australia's refugee prisons exemplify, through their inflected curvature, this inextricable relation between exteriority and interiority. The distinction produced by the vortical partition of the razor wire coil hinges on differentiating those who may inhabit the category of "the human" and those post-human entities violently precluded from occupying the same. This violent distinction is eloquently captured in the words of Khalid Al Sharifi, an Iraqi refugee imprisoned in Port Headland Detention Centre:

> I am a human being, I said
> You are a refugee, they said. (Al Sharifi 2004, 52)

Inscribed in this instance of categorical separation between "the human" and the "refugee" is what Gayatri Spivak, in a rare Levinasian moment, calls "the definitive predication of being-human by alterity" (Spivak 2005, 167). This predication, in Emmanuel Levinas' work, finds its moving articulation in the

context of a Nazi prisoner of war camp. "The French uniform [of the Jewish prisoners] still protected us from Hitlerian violence. But the other men, called free, who had dealings with us or gave us work or orders or even a smile—and even the children and women who passed by and sometimes raised their eyes—stripped us of our human skin. We were subhuman, a gang of apes ... We We were beings entrapped in their species; despite all their vocabulary, beings without language" (Levinas 1990, 152–153). Levinas proceeds to disclose how, in this context, a dog, ironically, serves to confirm their denied human status: "He would appear at morning assembly and was waiting for us as we returned, jumping up and down and barking in delight. For him, there was no doubt that we were men" (Levnas 1990, 153).

Proto-human, sub-human, post-human—all three categories are marked by a violent breach that will reduce the targeted other to the status of another species altogether; as such, it is perhaps more accurate to speak of speciesism as one of the most virulent forms of racism. Speciesism-as-racism evokes the long historical labour devoted to isolating non-white races from the species of the tatutological figure of the white/human. Levinas' invocation of the "ape" brings into sharp focus the dense racialised history of speciesism. Thomas Huxley's work on different racial "species" exemplifies this tradition. Extrapolating from Darwin's (1859) *Origin of the Species*, Huxley argued that "Negroes and Australian [Aboriginals], Negritos and Mongols are a distinct species, or distinct genera when compared to the Caucasian" (Haller, Jr. 1971, 50). It goes without saying that the violence enabled by the breach of speciesism has been, and continues to be, most implacably exercised in the context of nonhuman animals (see, for example, Atterton and Calarco 2004).

A recent incarnation of speciesism-as-racism was violently dramatised within the penal confines of the US military prison Abu Ghraib, where Iraqi prisoners were forced to strip naked before being compelled to morph into "dogs": collared, drawn by leashes, compelled to walk on all fours, besmeared with blood and filth, they were taunted and tortured for the benefit of their US "masters," who duly photographed their performances.

The Heideggerian caesura, instrumental in maintaining the absolute division between "the animal" and "the human" (Agamben 2004, 15), is here mobilised and policed through a panoply of instruments (dog collars, chains and leashes) and weapons. Here the literal embodiment of the Orientalist figure of the "Arab dog" discloses the violent underside of celebratory First World post-human discourses concerned with "becoming-other," "becoming-animal": "Do not imitate a dog, but make your organism enter into composition with *something else* in such a way that the particles emitted from the aggregate thus composed will be canine ..." (Deleuze and Guattari 1988, 274). In the imperial context of Abu Ghraib prison, the performative of becoming-canine is critically reoriented by a violent asymmetry of power that marks who may "choose" to dally with the play of becoming-other/becoming-animal and who, as the embodiment of the carceral post-human, is axiomatically compelled "molecularly" to "become a barking molar dog" (Deleuze and Guattari 1988, 275) or risk death.

Post-human Performatives and the Crisis of Voluntarism

In 1979, Stelarc, in the context of Tokyo's Tamura Gallery, suspended his body "from a tepee-like arrangement of poles, his mouth and eyelids stitched shut with surgical thread" (Dery 2000, 577). In an interview with Mark Dery, Stelarc explains: "interestingly enough, it wasn't so much the painfulness of the stitching . . . but rather the difficulty in yawning . . . that presented a problem" (Dery 2000, 577). In further discussing his work, Stelarc remarks that "The events are to do with ideas, not ideologies . . . The artist refrains from the politics of power not through a naivety of the implications and issues, but because the focus is on the imaginative post-evolutionary possibilities" (Dery 2000, 583). Dery, in his essay, proceeds to stage a critique of Stelarc's insistence that a focus on the "imaginative post-evolutionary possibilities" of his performances can somehow magically locate his conceptualisation and performance of the body beyond the purview of the "politics of power."

In juxtaposing Stelarc's sewing of his lips at the Tamura Gallery with the sewing of lips by refugees in many of Australia's refugee prisons, I want to pursue the "politics of power" and bodies in order to begin to account for what would, on the surface, be viewed simply in terms of an "uncanny" doubling. I would argue that the apparent "uncanniness" of this doubling will be resolved if both acts are viewed in terms of regimes of biopower and theories of the performative. In one sense, I refuse to read this sutured point of intersection between a performance artist and a refugee precisely as something that is "uncanny," as this would effectively occlude the discursive relations of power and instrumentalising technologies that function to produce doubling, if inverted, effects across radically different spaces, sites and bodies.

To name the acts of self-harm by refugees as performative is, on one level, a fairly uncontroversial statement to make, as contemporary theories of performativity argue that there is no act, gesture or identity not enabled by a process of performative cultural construction, codification and enactment. On another level, however, contemporary western culture still insists on working the binary between "true" or "authentic" acts and those acts designated as "performative" that are thereby dismissed as "fake" and merely "theatrical." I raise the spectre of this binary as it functions to explain the derogatory ways in which the acts of self-harm performed by refugees on their own bodies have been scripted by many government figures and media commentators. This position is exemplified by an editorial written by the journalist David Penberthy. Discussing footage shown on Australian Broadcasting Commission's television news/current affairs program *Lateline*, Penberthy titled his piece "How not to make Aussie friends." Under this headline, already encoded with the concept of what is un-Australian behaviour, Penberthy writes that this footage "could perhaps be titled Kabul's Craziest Home Videos and set to a Benny Hill soundtrack" (quoted in Lygo 2004, 92). Penberthy then proceeds to condemn the refugees' acts of self-harm as acts produced by "performance artists who tried to hasten the processing of their visas by banging their heads against the wall . . . Some of them are mad as

cut snakes'' (quoted in Lygo 2004, 92). As Iain Lygo explains, ''The entire editorial argues the scenes of self-harm in detention centres has nothing to do with mandatory detention but happened because 'boat people from the Middle East' are culturally predetermined to be 'mad as cut snakes''' (Lygo 2004, 93).

By situating both Stelarc's and the imprisoned refugees' acts of suturing their lips in the context of theories of performativity, I do not want to collapse the critical differences between the two. Rather, I want to pursue what remains unaccounted for by the limiting frame of theories of performativity, precisely by tracking what Stelarc dispatches beyond the margins of his performance: ''the politics of power.'' It is at these margins that the concept of the post-human begins to fold over into its absolute unthought. The politics of power pivot on situating bodies that self-harm along two seemingly disjunctive axes. In the context of Stelarc's performance, they occupy the space of an aesthetic performance within the hallowed space of the art gallery, where self-harm is coded as authentically signifying concepts of the avant-guard, the cutting-edge and experimental. In this space, the self-cutting, prosthetising and suturing of the body are celebrated as gesturing toward a future that will, as Stelarc argues, enable the aesthetic transcendence of the earthly limits of biology. In contra-distinction, the acts of refugee self-harm within the prison compounds are coded as spurious, inauthentic theatrical performances that illustrate the backward, barbaric and insane cultural practices of people from the Middle East.

Despite his avowed commitment to the category of the post-human, Stelarc's theorisation of his performance is still underwritten by traditional liberal –humanist notions of individualist voluntarism. Everything here is conceptualised in terms of acts purely driven by the ''ideas'' of the individual; entirely elided are the discursive structures of power and privilege that underwrite the very possibility of the performative. These enabling structures of privilege are involuntarily enunciated, so to speak, in Stelarc's remark that the most annoying aspect of his lip sewing performance was ''the difficulty in yawning.''

The issue of voluntarism, and the significant elision of these structures of power, is reproduced from the other end of the post-human fold in the context of refugee self-harm. A journalist writing in *The Herald Sun* succinctly articulates this other position: ''It has been solely their decision to go on hunger strike and to stitch their lips. They have no one to blame but themselves'' (quoted in Lygo 2004, 102). No one to blame but themselves, independent of the discursive and extra-discursive relations of power that inscribe virtually every aspect of their lives within these prisons, the refugees' acts of self-harm are viewed as so many dubious performances that are self-inflicted because of their own backward cultural baggage and their perversely wilful ways.[2] They cannot be viewed in terms of any sort of art-cultural practice except as the failed farce (''Benny Hill'') of amateur players (''Kabul's Craziest Home Videos'').

2. Another performance artist, Mike Parr, in his ''Close the Concentration Camps,'' at Monash University Museum of Art, 15 June 2003, proceeded to complicate Stelarc's performance by publicly sewing his lips in an art gallery in protest at the ongoing incarceration of Australia's refugees.

As Tiziana Terranova has so cogently argued, the issue of voluntarism or, more precisely, what she terms "rampant super-voluntarism" haunts virtually every theoretical manifesto and exposition of the post-human subject (Terranova 2000, 275). Within these texts, the post-human subject too closely resembles liberal –humanist versions of the self-willed, self-programming, self-directed individual subject self-propelling their cybernetic bodies into techno-utopian futures. It is in this context, and from another position altogether, that I refuse to read the refugees' acts of self-harm as acts of post-human "resistance." "By far and away," writes Jeffrey Nealon, "'resistance' remains the humanist concept most consistently affirmed in so-called post- or anti-humanist thought: after all, what is 'humanism' (what is 'freedom') if it's not about resistance to domination?" (Nealon 2003, 165). In the Australian context, as refugees and asylum seekers have been disenfranchised at virtually every level of the rights set out in the United Nation's conventions and protocols on refugees and asylum seekers (to which Australia is a signatory), to proceed to read their acts of self-harm in terms of acts of resistance would be to re-situate them within the privileged conceptual ground of liberal–humanism. This move would effectively re-constitute their post-human status in terms of the "authentic" human subject—when, in legislative and juridical terms, they have been structurally precluded from the possibility of occupying that very category. This lexicon of resistance effectively effaces the structurality of unequal relations of power as it celebrates individual acts that continue to appeal to a self-serving humanist pathos, what Ania Loomba, in another context, calls "romanticizing subaltern resistance" (Loomba 1993, 308).

Axiomatic Violence and the Inexecution of Law

I make what might otherwise appear to be the untenable theoretical move of situating imprisoned refugees within the subject position of the post-human precisely by refusing to delimit the category of the post-human to its dominant range of significations. This move, indeed, is justified in the wake of Katherine Hayles' foundational theorising on the post-human. She writes: "Whether or not interventions have been made on the body, new models of subjectivity emerging from such fields as cognitive science and artificial life imply that even a biologically unaltered Homo Sapiens counts as post-human. The defining characteristics involve the construction of subjectivity, not the presence of nonbiological components" (Hayles 1999, 4). Hayles proceeds to make the critical point that "If [in liberal humanist terms], 'human essence is freedom from the wills of others,' the post-human is 'post' not because it is necessarily unfree but because there is no a priori way to identify a self-will that can be clearly distinguished from an other-will" (Hayles 1999, 4). The politico-theoretical move of locating Australia's refugees within the formation of the post-human is legitimated, so to speak, precisely by the manner in which this

move places in crisis liberal humanist conceptualisations of unfettered voluntarism and autonomous free will.

In his attempt to map contemporary relations of "radically non-humanist form[s] of power," Nealon, using the example of capitalism, argues these relations of power are predicated on force that works *axiomatically*: "one doesn't get to 'decide' to denounce it, judge it or appreciate it. But you most certainly do have to *respond* to it, insofar as capitalism is all about deployments of force—from its significations right through to its police patrols. Capital, for example, works through axioms like, 'consume!'; and you really don't get to ignore or refuse that axiomatic pronouncement—it's not up to 'you,' whomever 'you' might be" (Nealon 2003, 164). I can think of no more incisive term to name the violent forms of power that are exercised upon Australia's carceral post-human refugees than *axiomatic*—exemplified by the articulation of such legislative axioms as: "detain!," "imprison!," "excise!," "deport!" Australia's refugees do not have the "choice" to ignore or refuse these axiomatic pronouncements; rather, they are compelled to *respond* to these deployments of force. (Indeed, as a spate of recent deportation and wrongful imprisonment scandals have clearly evidenced, non-Anglo Australian citizens and residents have also been stripped of this liberal humanist "choice," and I refer here to the wrongful imprisonment within Immigration Detention Centres of the Australian citizen Vivian Solon Alvarez, who was also consequently deported, and the Australian resident Cornelia Rau, both erroneously processed as "illegal immigrants.")

Situated within the arena of Australia's virulently post-humanist, anti-refugee laws, refugees and asylum seekers are effectively, through the violent exercise of axiomatic relations of power, stripped of what Spivak calls the "idealist predication," "where the subject is predicated as consciousness" (1990, 95). What Spivak makes clear is that the privileges that accrue from this Eurocentric idealist predication split along two unequal axes:

> So that basically what we see is that the part of the world which implicitly claims that history of human consciousness has found its best fulfilment in it is, also, the *site* which is the home of the axiological . . . And the rest of the world is measured against that. So that, in fact, to qualify for the subjectivity of ethics, that can choose between right and wrong imagining that it is *the* human subject, one must be located in that part of the world where the history of human consciousness has found its fulfilment. (Spivak 1990, 95–96)

I have discussed elsewhere the Eurocentric and colonial dimensions of this Hegelian idealist predication and the geopolitical cartography of its axiological home (Pugliese 1994). What I want to examine here is the manner in which the arrival of refugees by boat to Australia has provoked the Australian nation-state to generate a flurry of anti-refugee laws that have literally re-drawn the cartographic parameters of Australia and non-Australia; that is, the very juridico-political spaces that determine whether or not a subject may occupy the "home of the axiological," the site of "*the* human subject." And I am referring here not

only to the suspension of human rights within Australia's refugee prisons (as absolutely other spaces to the corpus of nation), but also to the legislative excision of select Australian territories from Australia's so-called "migration zones," thereby effectively precluding refugees who make landfall on an Australian territory such as Christmas Island from applying for refugee status (see Perera 2002a, forthcoming b).

On multiple levels, then, what is exemplified here is what Perera, drawing on the work of Giorgio Agamben, terms a "state of exception." In "What is a Camp . . .?", Perera (2002b) transposes Agamben's theorisation of the role of the camp, as the topological figure that has been foundational in the constitution of modernity and the nation-state, to the Australian context. She tracks, in the process, a complex genealogy of camps—from the colonial camps constructed to exclude and control Australia's Indigenous peoples to the contemporary Immigration Detention Centres—that serves to illuminate the violent operations of unequal power in the construction and maintenance of the Australian nation-state. Perera deploys Agamben's conceptualisation of the "state of exception" in order to map the violent suspension of normative rules of law and the resultant inscription of the interned refugee as a type of "*homo sacer*", that is, as a subject disenfranchised of basic human rights.

I want to amplify Perera's powerful transposition of Agamben's *homo sacer* to the locus of the refugee prison precisely along the lines of a post-human critique of resistance in the context of a "state of exception." The distinguishing feature of the state of exception, Agamben argues, is that the "normative aspect of law can . . . be obliterated and contradicted with impunity by a governmental violence that—while ignoring international law externally and producing a permanent state of exception internally—still claims to be applying the law" (Agamben 2005, 87). This powerful ruse has been effectively mobilised by Australia's federal government. In the context of Australia's refugee prisons, the United Nations protocols and conventions governing the treatment of refugees are violently suspended while, simultaneously, the government maintains that it is implementing the rule of law that is at risk of being overthrown by what the government terms "illegal queue jumpers" contesting the nation's very sovereign right to determine who can or cannot enter the nation.

"One of the paradoxes of the state of exception," writes Agamben, "lies in the fact that in the state of exception it is impossible to distinguish transgression of the law from the execution of the law" (Agamben 1998, 57). In his theorisation of the state of exception, Agamben maps a space within which the subject "neither executes nor transgresses law, but *inexecutes* it" (Agamben 2005, 50): "Every fiction of a nexus between violence and law disappears here: there is nothing but a zone of anomie, in which violence without any juridical form acts" (Agamben 2005, 59).

Viewed within this context, to talk of refugee acts in terms of "resistance" is to fall back upon a category of humanist agency that effaces, through a sleight of hand tantamount to another exercise of epistemic violence, the politico-juridical impossibility for refugees to occupy that very category immediately they are

detained and incarcerated within Australia's refugee prisons. I want to pause here for a moment in order critically to reflect on the multiple dimensions of epistemic violence generated by this move in the context of the operations of law; specifically, in the context of a law school dedicated to teaching human rights. The exercise of epistemic violence that I am tracking is emblematically signified by a brochure published by Birkbeck School of Law, University of London, in which the face of a refugee with sewn lips is used on the cover of the brochure in order to advertise a course on human rights.

In this brochure, the incarcerated refugee, as the absolute outside of the jurisprudence of human rights, is incorporated within law so that the object of the state of exception becomes, iconically, the commodified subject of the rule of law. In other words, the carceral post-human refugee is inserted within a jurisprudential locus (of human rights) that they cannot structurally occupy; they are inscribed within a vocation (of law) that they are juridically interdicted from fulfilling, even as they are made, graphically, to embody and symbolise the very human rights denied them. In this brochure, the refugee becomes, once again, the property of law. The letter of law, its linguistic power and articulacy, its authority always to speak for the other, is here (dis)figured through the face of absolute trauma sutured to an unspeakable silence. The jurisprudence of human rights symbolically rivets itself to the image of the traumatised refugee with sewn lips and sewn eyes in order, instructively, to further the implacable advance of law. I say "rivets" as there is branded over the right cheek of the refugee the name of the law course—"MA/LLM Human Rights"—that he is compelled to advertise. Situated just above the sutured lips, this inscription may be read as a form of juridico-dermography, where the sentence of law is, in Kafkaesque terms, violently harrowed onto the flesh of its subject. What is evidenced here are a number of levels of violence. On one level, there is the physical violence of unjust imprisonment of the refugee, their transmutation into carceral post-human subjects beyond the purview of human rights, and the self-marking of this status through the sewing of lips in order to articulate what would otherwise remain unsayable. On another level, there is the symbolic violence of transmuting law's most disenfranchised subjects, imprisoned refugees, into commodity signs to sell law by dermographically branding the flesh of the subject with the imprimatur of law: the traumatised face of the refugee becomes merely another billboard upon which to inscribe a marketing logo: "Birkbeck College, University of London."

Nowhere in this brochure is the pictured refugee identified either by name or personal history: he is Medhy Kavousi, an Iranian refugee fleeing political persecution, who has lived for four years in Zanndjik, The Netherlands, and who sewed both lips and eyes in protest against the move by the Dutch lower house of parliament to deport 26,000 "failed" asylum seekers (forum.subversiv 2004). Kavousi had argued that to return to Iran in order to collect the relevant documentation to prove his case he would be at risk of imprisonment, torture and death: "better to die here, by passing out, rather than there [Iran] in jail" (Progetto Melting Pot Europa 2004). The erasure of the individuating singularity

of a proper name and of a personal history, and the consequent scripting, within the law brochure, of Medhy Kavousi as a figure of anonymity, all serve to reduce this refugee to the status of serial subject where, as iconic figure of the carceral post-human, he is merely one in a series of otherwise fully interchangeable subjects. Without name or history, this face silently bespeaks the impossibility of exercising agency outside of law's violence. In fact, the refugee's attempt at agentic intervention against law's violence, suturing lips and eyes, is undermined by the very resignification of this action into another of law's commodities.

In the context of this brochure, the even-trauma of refugee self-harm emerges as an advertising spectacle designed to catch the eye of prospective law students. Once they open the brochure, they are confronted not by an account or testimony explaining the harrowing plight of the face pictured on the cover; rather, the first piece of linguistic text runs thus: ''MA/LLA Human Rights. Aims: Birkbeck's School of law is a world ranked research department (5A in the 1996 and 2001 Research Assessment Exercises) offering an exciting program which will lead to an MA or an LLM in Human Rights.'' It is significant that the first ''aim'' of the law school says nothing about human rights as such, but rather is preoccupied with the school's standing in hierarchies of rank and prestige. The entirety of the brochure is committed to self-promotion of the type ''Birkbeck Law School is recognised as the world's leading critical law school.'' Within the pages of the brochure the anonymous face of the refugee is reproduced in various sizes as a ''decorative'' visual accompaniment to text that bears no relation to the image: ''Study Resources,'' ''Assessment,'' ''Fees,'' ''Funding,'' and so on. Underscoring the reduction of Medhy Kavousi to a mute signifier in the face of the real concerns of rank, hierarchy, symbolic and financial capital, commodity exchange and fee generation, is the use of a barbed wire ''motif'' that runs below the linguistic text of the brochure. Both the face of the traumatised refugee and the barbed wire are reduced to mere decorative supplements to the real business of law. Here the traumatised face of the refugee embodies the violent double logic of the commodity fetish, with its twin economies of desire and revulsion: Medhy Kavousi's trauma is used in terms of an advertising shock tactic in order to capture the attention of a prospective consumer aspiring to study at the ''world's leading critical law school,'' while, simultaneously, the institutional violence that he embodies and the trauma that he incarnates as lived testimony to this violence must, in keeping with the double logic of the fetish, be rendered unspeakable because it is shocking. It is, I would argue, precisely the encoding of the refugee's trauma as commodity-fetish that effectively neutralises the multiple levels of institutional violence at work on Medhy Kavousi's body and that simultaneously precludes the possibility for this subject of law's violence to speak or to possess a history as a named subject: serial commodity-fetishes possess no such (human) rights.

I want to return to Agamben's theory of the state of exception. What clearly emerges in this theory is that contemporary biopolitical regimes demand a reconceptualisation of such oppositional practices as ''resistance.'' In effect, if

the state of exception is marked by the fact that there is a radical suspension of law that generates what Agamben terms ''a zone of anomnie,'' it is theoretically untenable to proceed to read refugee acts of self-harm, for example, as acts of transgression or resistance. To talk of acts of resistance, within such a context, instantiates what Spivak terms ''crisis management from the so-called 'idealist predication''' (Spivak 1990, 96). This ''crisis management'' operates by valourising refugees' responses to the axiomatic violence exercised within the refugee prisons in terms of acts of resistance that reproduce the need for what Spivak sardonically identifies as the ''need for 'heroes,' paternal proxies, agents of power'' (Spivak 1988, 279). Inscribed by the ''cultural itinerary'' of a residual but insistent liberal humanism (which attempts to recuperate the refugee within the normative narratives of this idealist predication), the refugee emerges as ''the self-proximate, if not self-identical, subject of the oppressed'' (Spivak 1988, 280). Within this schema, as exemplified by the law brochure discussed above, Australia's refugees continue, in the role of emblematic proxies, to validate liberal—humanist values even as these same values are legislatively and juridically precluded from the locus of the refugee camps.

In identifying Australia's imprisoned refugees and asylum seekers as post-human subjects, the hyphen that marks the transition from the status of the legal category of ''the human'' to the ''post-human'' must be seen as the symbolic figuration of the state of suspension. In other words, the hyphen figures that power-in-spacing that marks the threshold of the zone of anomie, over which the apprehended refugee is juridically ushered so as to be delivered into that state of exception, where the human is excepted from the human and is situated, in Perera's words, beyond the ''limits of the human.'' The ''residue'' that remains after the apprehended subject traverses the event-trauma of these limits will be identified as the carceral post-human.

In the context of the violently post-humanist forms of power that shape the everyday lives of the refugees within Australia's prisons, I would argue that their acts of self-harm *not* be viewed in terms of individualist, voluntarist acts of resistance (or ''paternal proxies'') that call, in Spivak's words, on ''the Subject of desire and power as an irreducible methodological presupposition'' (1988, 279). Rather, I would argue that they be viewed in terms of what Michel de Certeau calls ''modes of operation'': ''The examination of such practices does not imply a return to individuality ... Analysis shows that a relation (always social) determines its terms, and not the reverse, and that each individual is a locus in which an incoherent (and often contradictory) plurality of such relational determinations interact'' (de Certau 1988, xi). If precisely what is not possible in the state of exception that defines the refugee prisons is any certitude in being ''human,'' as only an absolutely ''bare life'' (*homo sacer*) is possible, then refugees' acts of self-harm must been as embodying not acts of resistance so much as anguished *injunctions to bear witness* to the event-trauma of the carceral post-human: every act of self-harm is a testimony to the traumatism of being compelled, daily, to live this axiomatic violence.

Viewed as modes of operation in the face of axiomatic deployments of force, the refugees' acts of self-harm challenge liberal–humanist accounts predicated on the pathos of resistance, as exercised by what Nealon calls "a preexisting humanist subject" (Nealon 2003, 166), legislatively and juridically an impossible position for Australia's refugee or asylum seeker to occupy. Rather, the axiomatic relations of force exercised upon Australia's imprisoned refugee populations are instrumental in the "incessant production of serial subjectivities" (Nealon 2003, 166). The violent literality of this production of serial subjectivities within Australia's refugee prisons cannot be over-emphasised. The policy of Australian Correctional Management (the multinational company that ran Australia's refugee prisons until 2004) underscores as much: "You must refer to them [imprisoned refugees] only by number, not by name" (Dechian et al. 2004, 81). Inscribed in this production of serial subjectivities is a movement from "the human" to the post-human: where, in their respective countries of origin, refugees were identified by a proper name, within Australia's refugee prisons they are transformed into digitised instrumentalities identified by barcodes. The release of 52 photographs depicting "the barcode kids" (Glendinning and Dodson 2005, 1; see Figure 1) graphically illustrates the carceral status of these serialised subjects.

These imprisoned babies and children are symbolically inscribed with the apparatus of racial profiling. They are documented in mug-shot style in advance of having committed any offence, and they are each allocated a barcode ID. These infants have been administratively inserted within a post-human system of digitised seriation that violently belies triumphalist narratives of the post-human future. What is disclosed in the critical assessment of this post-human formation is precisely the failure of a teleologically driven account of Australian history, oriented by an unfolding narrative of progress. On the contrary, what emerges here is an exemplification of the way in which the Australian nation-state operates in terms of a non-teleological, recursive, serial movement of administrative violence. The *Migration Amendment Act 1992*, for example, instantiates a moment of rupture with the past (in now ordering the incarceration of "unauthorised" refugees and asylum seekers) while simultaneously marking points of recursive continuity with the long history of serial removal of targeted populations under Australian administration law: for example, Indigenous people/*Aboriginal Protection Acts 1883+* and non-white immigrants/*Immigration Restriction Act 1901* (see Perera 2002b). In other words, when viewed in an Australian historical context, what becomes apparent is a *legislatively instituted disjunction* that is critical in the administrative production and maintenance of the liberal humanist "individual" through a simultaneous generation of serial subjects categorised as "proto-human"—for example, the scientific classification of Australia's Indigenous peoples as "missing links" between apes and humans (Markus 1990, 38–39), compelled to wear their proto-barcodes, the infamous "dog tags," whenever they were given official permission to leave their

Figure 1   The barcode identity cards of babies and children imprisoned in Villawood Immigration Detention Centre, May 2005. These images were obtained by ChilOut—Chil-Children Out of Detention with the permission of the families at Villawood Immigration Detention Centre. Reproduced with permission from ChilOut—Children Out of Detention.

penal reserves—or "post-human"—refugees and asylum seekers as subjects who have superseded their human rights because of their "unauthorised" status as "illegal immigrants."

The Racialised Vestibularity of "The Human"

In one of his pivotal essays, "The Ends of Man," Derrida opens with the argument that "it must be recognized that the unit of man is never examined in and of itself": "If the neutral and undetermined notion of 'human reality' was substituted for the notion of man, with all its metaphysical heritage and the substantialist motif or temptation that inscribed it, it was also in order to suspend all the presuppositions which had always constituted the unity of man" (Derrida 1986, 115). Although Derrida implicitly gestures in his essay to the exclusionary, gendered marking of the category of the "[hu]man" as male, the racialised dimensions of this category are only hinted at in passing, in the coded assertion that the "co-propriety" of this category "is inhabited by the language of the West" (Derrida 1986, 133). In moving toward his conclusion that the category of the "[hu]man" is, in the contemporary context, wavering on the brink of dissolution and re-figuration due to a "radical trembling [that] can only come from the outside," Derrida is compelled to identify and name this "outside" in unsurprising terms: "This trembling is played out in the violent relationship of the whole history of the West to its other, whether a 'linguistic' relationship . . . or ethnological, economic, political, military, relationships, etc." (Derrida 1986, 134–135). Encapsulated here is a dense colonial and imperial relationship of violence between the West and its others that will find one of its most exhaustive elaborations and theorisations in Edward Said's *Orientalism*.

In staging this critique of the post-human in the context of Australia's imprisoned refugees, I want, having invoked Derrida's deconstruction of the category of "man," to draw attention to the category of "the human" as, genealogically speaking, another term that is historically and legislatively racialised; raciality, I argue, must be seen as always already inflecting its evolutionary progeny: the post-human. I evidence this seeming generalisation by drawing attention to the "pre-history" of the category of "the human." Prior to the establishment of the United Nations' protocols and conventions on human rights (post World War II and in the wake of the global effects of decolonisation), the west deployed the category of the pre-human or proto-human as a biopolitical technique of governance within its colonised territories, denying, in the process, the rights and privileges that accrue from being able to inhabit the category of "the human." In Australia, for instance, "Aborigines were regarded as legal nonentities, denied the legal rights which white society otherwise thought belonged to all humans" (Beresford and Omaji 2000, 38). This situation was reproduced elsewhere, for example, in the context of Native Americans and African-Americans in the USA (see Davis 1991; Haney Lopez 1996).

In the US context, Hortense Spillers has drawn attention to the manner in which the exercise of violence upon the colonised subject served, through "lacerations, woundings, fissures, tears, scars, openings, ruptures, lesions, rendings, punctures of the flesh [to] create the distance between a cultural *vestibularity* and the *culture*, whose state apparatus includ[ed] judges,

attorneys, 'owners,' 'soul drivers,' 'overseers,' and 'men of God'" (Spillers 1987, 67). The cultural vestibulary that Spillers names functions as the ante-chamber of "the human." As such, it is a racialised space of subjugation, torture and incarceration that simultaneously guarantees the operations of the civilised space where white-human subjects reside and exercise their rights. And I need hardly list the body of western scientific disciplines—from physiognomy, anthropometry, craniology, Social Darwinism to eugenics—that have played an instrumental role in constructing a cultural vestibulary predicated on racialised divisions between humans, sub-humans, proto-humans and "missing links." These racialised divisions dovetailed, of course, with racially exclusionary laws that juridically enabled and maintained the separation between the vestibulary of the sub-human and the civic space of the white-human. In this context, when Derrida argues that "the history of the concept of man is never examined. Everything occurs as if the sign 'man' had no origin, no historical, cultural, or linguistic limit" (1986, 116), what remains to be done is precisely to invoke the work of feminists, critical race and queer theorists who have laboured to articulate the historical, cultural and linguistic limits of "the human" and who have worked to map the relations of power that functioned to prohibit particular subjects from inhabiting this category.

Placed within this genealogy, I would argue that the violent alibi propagated by colonial regimes—that their colonial rule was predicated on bestowing upon their colonised subjects a humanity-to-come—remained, in the majority of cases, precisely that: an alibi effectively occluding the very structural mechanisms put in place to preclude the colonised from accessing the rights and privileges of "the human." In re-orienting the concept of the post-human, as a category that marks a disruption of the normative values exemplified by the white liberal–humanist subject, I would suggest that, within subalternised communities, the pre-human subject was/is structurally (legislatively and juridically) compelled to by-pass the category of "the human." This structural by-pass effectively functions to locate the subject in that elsewhere space (e.g., Villawood, Guantanamo Bay) that I would designate by the resignification of the term "post-human" and its consequent critical qualification: carceral post-human subaltern. And I deploy the term "subaltern" in the context of Spivak's definition: "this absence of redress without remote mediation is what makes the subaltern the subaltern" (Spivak 2005, 169.) What I am suggesting here is that the "post" of the post-human be read against the grain; that is, non-teleologically, not as a desired goal to be realised in the future, but as a prefix marking another instance of the juridical supersession of the subalternised subject's human rights through unjust detention and incarceration.

In this context, the carceral post-human must be seen not as futural figure to come, but rather as an entity already realised in the present. The prisoners of Guantanamo Bay evidence the extreme embodiment of this: They have no skin. Their flesh is fluorescent orange synthetic fibre. They have no eyes. They have bulbous plastic goggles. The movement of their hands and feet is circumscribed

by manacles and chains. These chains determine their stilted, robotic walk. They inhabit laboratory-like cages, where various forms of torture, experimental and otherwise, are performed. Prosthetisised beyond the human, these cyborg figures embody the event-trauma of a carceral post-human future that has already arrived.

Law and the Violent Production of the Quasi-transcendental Referent

In an essay that stages an analysis on the violent split mobilised by humans in order to secure the "humanness" of "the human," Derrida discusses a "place of alterity that is radical enough to break with every identification of an image of self, with every fellow living creature, and so with every fraternity or human proximity, with all humanity" (Derrida 2003, 134). Having mapped the implications of this locus of alterity in another, but related, context (that of "the animal"), Derrida asks: "Must not this place of the Other be ahuman? If, indeed, this is the case, then the ahuman . . . would be the quasi-transcendental referent, the excluded, foreclosed, disavowed, tamed, and sacrificed foundation of what it founds, namely, the symbolic order, the human order, law, and justice" (2003, 134).

I would, for reasons outlined above, substitute Derrida's term "ahuman" with the category of the post-human, while simultaneously underscoring the acute system of relations that informs both terms. Through this act of substitution and through the categorical naming of the place of the Other as the refugee prison, everything Derrida identifies as constitutive of this double-formation powerfully resonates: the incarcerated refugee as the excluded, foreclosed, disavowed, tamed, and sacrificed foundation of Australian human order, law and justice. Reconfigured as carceral post-humans, having superseded the category of "the human" through the event-trauma of unjust imprisonment, the refugee and asylum seeker are compelled to assume the status of quasi-transcendental referents—with all the violent physical and epistemic effects that result from having to embody this status. The term "quasi-transcendental" encodes the supersessionary movement from one category, human, to another, post-human, while the qualifying figure of the hyphenated "quasi" also draws attention to the indissociable ties that continue to bind the two terms. In Derridean thought, the burden of the quasi-transcendental referent is always mobilised in order to guarantee, through its exclusion to the (non-)domain of the unthought, the violent of order of law. I can think of no more powerful term with which to name that which guarantees the violent order of law of the Australian nation-state: the quasi-transcendental referent of the carceral post-human refugee.

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