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Solidarity, the Sea and Subverting State Power

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“This is what we sailors do. If there are people in danger at sea, we save them, without asking where they come from, or the color of their skin.” These are the words of captain Carlo Giarratano, a Sicilian fisherman interviewed by the Guardian newspaper in August 2019, after he helped 50 people, migrants, on a dinghy off the coast of Libya. Giarratano was on a night-time fishing expedition when he encountered the boat that had run out of fuel and was taking on water. He gave them all the food and drink he had while his father coordinated an aid effort from land, and Giarratano waited with the dinghy for nearly twenty-four hours until an Italian coast guard vessel arrived and transferred the stranded to Sicily.

Giarratano, whose family had fished the Mediterranean for four generations, describes his decision in terms of an incredibly strong human connection. He said, “I’d be lying if I told you I didn’t think I might end up in prison when I saw that dinghy in distress, but I knew in my heart that a dirty conscience would’ve been worse than prison. I would’ve been haunted until my death and maybe even beyond by those desperate cries for help.”

Another fisherman, this time British, who fishes in the English Channel, described a similar bond with humanity when he was interviewed on the radio station LBC about his interaction with small boats of people trying to make it to Britain. He recounted staying with a boat until a lifeboat arrived and said, “It was one of the most moving things that’s ever happened to me in my life, seeing the fear in those kids’ eyes, and as the parents, they’re coming to better the lives of their children.”

These perspectives might be seen as exceptional, but they reflect ordinary peoples’ lives crossing each other. One person going about their often dangerous livelihood, another forced to undertake a perilous journey in an unseaworthy boat as a result of war, persecution or economic inequality. I have sought out and cherished these glimpses of person-to-person aid, of solidarity, at a time when it has felt sometimes difficult to believe in the instinctive goodness of humankind, as a reminder of the possibilities of cooperation between us, not competition, of the potential for connection when othering and fearmongering are the dominant tropes of government and many sections of the media. As I watched, helpless and appalled, a Sky and BBC journalist oh-so-easily commandeered fast and functioning boats in order to film those who’ve risked everything, paid everything, for a boat that can barely keep its occupants alive.

And of course, there are many of these stories of hope, of kindness, of love for our fellow humans if we look for them. Simple acts of care and compassion flourish, despite maybe because of the hostile and often lethal anti-migration policies across Europe. So many of these stories are located on the water, the sea, so treacherous to those forced to navigate it, also seems to offer opportunities for alternative ways of acting. Indeed, alternative ways of imagining ourselves of belonging. The land and its boundaries of what divides and connects us. Imogen Dobie, of the Refugee Study Center Oxford, has recently written of how maritime spaces and the actors who work in these spaces often exist outside conventional

present beneath a veneer of humanitarianism, and that legal recognition processes use assimilationist logic that delegitimizes claims to redistributive and reparative justice.

In an article for the Australian literary magazine, *Overland*, Sarah Keenan, also a lecturer in law at Birkbeck, reflects on the ocean as a site of potential subversion, as well as emphasizing the critical point also made by El-Enany, that solidarity cannot just be about bringing people within the colonial state. Keenan describes the solidarity organizing, taking place in opposition to the imprisoning of 180 men who've traveled to Australia to seek protection in hotels in Brisbane and Melbourne, and she locates both the state's actions and activists response within the context of stolen land, Australia as an ongoing and international white supremacist project. Keenan believes that "refugee boats are vessels of resistance against state oppression and nation state borders. They harness", she says, "the subversive power of the sea. As dynamic, ungovernable sites of ceaseless change and movements, oceans point to alternative geographies of borders and histories of race." Perhaps in these solidarity actions, some of which I have described here, so often happening quietly, effectively and persistently while political and media attention is diverted by spectacle. We are not just resisting the actions of our states but the concept of the state itself. As Keenan writes so hopefully, "we are not just denying the legitimacy of the border and the colonial regime it protects, we are also dismantling the border and building something else."

frames of analysis. "Maritime spaces like the Mediterranean sea," she says, "are also often understood in the popular imagination as dangerous spheres of lawlessness and unpredictability, the wild antithesis of organized civilization. Oceans are perceived as void-like spaces that are cut off from society, and insulated from political and social forces."

There are many laws that operate at sea, and contested duties of states to rescue those in distress but also deeper, older forms of mutual responsibility, a maritime principle of helping those who need it. This person-oriented approach is invaluable at a time when formal legal rights are being eroded, and at all times for those of us who believe in our capacity to govern ourselves. It is an approach, however, restricted by the sovereignty of states. The recent example of the rescue boat, funded by the artist Banksy, and named after anarchist Louise Michel, demonstrates all too clearly perhaps the potential limitations of autonomous action in an environment ultimately ruled over by nation-states. The British street artist secretly funded a boat to rescue people trying to cross to Europe from North Africa. The boat quickly rescued nearly a hundred people in distress in the central Mediterranean and then proceeded to safeguard over two hundred people off the coast of Libya. At capacity, the crew of the boat describe themselves as being in a state of emergency, while European authorities failed to react to their distress calls. For days, the boat was effectively stranded as European states maintained their borders and refused to allow the people on board to land. Eventually the Italian coast guard took charge of forty-nine of the people most in-need of help, and the rest were later transferred to a quarantine vessel off Sicily.

Do we see this as a success of action by the people forcing states to take responsibility for saving lives, or as an initiative at the mercy of the power of the state?

Migrant justice activists aren't the only ones using the unique situation of the ocean to subvert state power. The pro-choice organization Women on Waves takes advantage, in the words of Emilia

Weber, of the “legal plurality of ocean space to reveal the states’ limits, and, within a legal loophole, create a temporary autonomous space where abortions can take place.” Weber’s article also provides a helpful counterpoint to the image of autonomous activists blocked from docking stranded survivors by state actors described above. In her piece entitled “Vessels”, published in MAP Magazine, she reminds us of the international strike in solidarity with Liverpool dock workers in 1997, in which she notes that “27 countries and 105 ports illegally stopped work. Ports along the entire west coast of America came to a halt, alongside 40,000 dockworkers in Japan, Sydney and all the ports in South Africa.” Weber writes that she loves “the image of ships filled with cargo circling the worlds’ oceans, unable to dock, a clear demonstration of how important the worker’s labor is. A strike, a withdrawal of labour, might be thought of as a ceasing, a termination, an abortion of work, but this withholding is generative, it produces new ways of relating and thinking and being together.”

The increasing attempts by European states to criminalize maritime rescue and humanitarian aid is alarming, but even here solidarity shines through and oppressive measures do not remain unchallenged. When the captain of the rescue boat *Seawatch*, Carola Rackete, was arrested in Italy in 2019, a million euros were swiftly raised in support of her, donated by members of the public. Her arrest was later reversed by an Italian judge, who said that she was fulfilling her duty to protect human lives. Rackete said of her experience, “I was very touched by the solidarity expressed to me by so many people.” Solidarity extends beyond journeys across the sea; once people make it to land, many individuals, groups and organizations step up to stand side-by-side with people seeking the right to stay in the country.

In my professional life as coordinator for the organization Right to Remain, I get to see examples of this happening across the UK. There are people helping someone prepare for the grueling asylum interview, sitting with someone after they’ve had the asylum inter-

view, sometimes just to help them feel a bit better, sometimes the very focused aim of talking about what went wrong with the interview so they can share this with a lawyer, and submit a statement to the Home Office. People take very practical actions, like making sure someone knows where the interview with the Home Office is and how to get there, or the simple act of being there, maybe going to an appeal hearing, to be a friendly face for someone who has their appeal. There’s visiting someone if they’re detained and helping them apply for bail to be released from immigration detention. Other practical things like community child care if someone has an appeal hearing, and responding to basic needs like providing food parcels and sanitary items for people who are destitute, hosting people who are homeless. And then there’s what could be categorized as direct action: anti-immigration raids action, alerting people to immigration raids that are happening, notifying people subject to the raids of their legal rights, filming what’s happening.

There’s a real variety of people who get involved in these actions, sometimes its people seeking asylum and undocumented folk helping each other out. There can be long periods where not much is happening in your case and some use that time to help others out. And sometimes it’s local people who have more secure immigration status, or British citizens. These are the people in action I think of on those dark days when we hear of another death of the harm, cruelty and injustice that the immigration system inflicts on people. These solidarity actions are crucial but they’re not above critique. Nadine El-Enany, Senior Lecturer in Law at Birkbeck University, cautions in her book, *Bordering Britain: Law, Race and Empire*, against migrant justice activists relying on recognition processes, that is, asking the state to grant leave-to-remain or citizenship. El-Enany argues that these solidarity strategies rely on the preeminence of the principle of state sovereignty, and that the granting of immigration status or citizenship will always be an act of colonial bestowing. El-Enany’s position is that recognition regimes, particularly refugee law allows Britain to conceal its colonial history in