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Made in Transit: Politics and Representation in Adrian Paci, Contemporary Art and the Migration Issue

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Abstract:

Narratives of place and displacement, and their relationship with the identity making process, occupy nowadays a central position towards the definition of contemporary art. The aim of this article is to analyse the current relationship between economical, social and political conflicts and representational systems in the realm of contemporary art. The work of Adrian Paci, his creative thought and process, question among other issues, the realm of transitional belonging as we can see in projects such as *The Column* (2013) or *Centro di Permanenza Temporanea* (2007). These reflections generate a new poetical and sensitive matrix on the debate about conflict in a global era and the edifice of identity.

The current geo-political situation, in which multitudes are reduced to what Giorgio Agamben calls *bare life*, the lost of political identity caused by an extraction that was exposed to a non-mediated application of power by the State, sustains an emergent paradigm of a recently empowered sovereignty. Defining a state on which not everybody can contain life, this sovereignty has been globally expanded, creating areas of transmigration and statelessness.

Planetary entanglement established by the phenomenon of remote borderization has created a segmented world, with very different speeds, governed by absence, on a war, and even in the *stasis* notion of Agamben, against mobility and circulation.

More than ever we are ruled by abstractions. The human brain has lost his place of reason and *technik*, as in the greek sense, is now a place of weaponized reason, anchored on advanced technology, algorithmic capitalism, artificial intelligence and massive digital security systems and databases, creating a planetary redistribution based on the impossibility of mobility.

Security has become the sacrament of our time, blessed by the omnipresence of borders that transformed our own skin on a partitioning device, generating latitudes that have become silent, blocking prisons.

Key-words: irrepresentable; transience; invisibility; moving image; fact

Introduction

“Today, we are in an intervallic period in which the great majority of people do not have a name. The only name available is excluded, which is the name of those who have no name.”¹ (Badiou, 2003)

On February 2007, the writer and curator Roger Buergel announced three questions that would frame *documenta12* in Kassel: “what is bare life?”, “is modernity our antiquity?” and “education: what is to be done?”² (Buergel 2005). Isolating the first question and invoking the Italian philosopher Giorgio Agamben, we will establish an articulation between the ethical, juridical and political dynamics and the production of identity within the mobility and transient conflict areas, from a representational and visibility scope. Following this purpose we will also reflect on the ways these domains are currently addressed by artists and how is the migration issue, as well the figure of the refugee or asylum seeker, structured in terms of representation.

The term globalization carries in itself an ambiguity, containing a potentially empty meaning. The work of artists such as Walid Raad, Steve McQueen or Francis Alys opens a debate where aesthetics may challenge the conventional structure of representations, specially the unbalanced distribution of the sensible within a neo-liberal global system that builds the present political imagery³ (Ranci re, 2004, 12). In *Western Deep* (2012), Steve McQueen builds an aesthetic possibility that goes beyond the condition of document within its own representational system. This dimension is generated through an empathic construction that calls a phenomenological

political alliance. The spectator is placed in relation with an outside world, not from the security of an objective position; rather it approaches the *other* becoming the *other*. It is precisely through this complex negotiation between the *self* and the *other*, this stage of perceptive and affective encounter with the difference, that *Western Deep* suggests new ways of being and belonging.⁴ (Demos, 2013, 52)

The last decade has shown us creative strategies that requalify the aesthetic realm in a political sphere. Projects from artists such as Francys Alys or Thomas Hirschhorn are placed and also situate us, the spectators, in a blurred and ambiguous limit, subtly omitted, between fact and fiction. And it is with this polysemic gesture, in this unfocused gaze that we can find a poetical representation of *bare life*, rooted on a sensible and relevant critical analysis.

We will approach the identity making process subject by calling the concept of *bare life* from the Italian philosopher Giorgio Agamben. This is a term that we consider fundamental in order to understand the status of the refugee and, at the same time, the hierarchy structures within their representational and visibility sphere.

During a lecture in 1982 in Vermont, Michel Foucault, established the guidelines about the process in which power may install itself in the body of the individual and his ways of life. These thoughts would lead his analyses through the dynamics of the sovereign power and biopolitics, rooted on a double political link: objective processes of totalitarianism and subjective individuation techniques. The political techniques concern the natural life of the individuals through an engagement of these with the biopolitics. This relation appears through direct mechanisms such as the right to vote, the representative democracy or surveillance systems in favour of the common security. Those techniques are articulated to the technologies of the *self*, which are grounded on a subjectivation process that generates on the individual a link to his identity and conscious and, at the same time, to an external controlling power.

“For millennia, man remained what he was for Aristotle: a living animal with the additional capacity for a political existence; modern man is an animal whose politics places his existence as a living being in question.”⁵ (Foucault, 1978, 143)

Along the present essay we will explore in which dimension may the contemporary art gesture contribute or deconstruct Agamben’s thesis of the universalization of the exception on the application of egalitarian politics.

On a video-rehearsal from 2004 entitled *November*, the German artist Hito Steyerl documents the course of a friend from her childhood that was raised in Germany before returning to her origins and family in Turkey, where she would become a martyr for the Kurdish release. The narrative reveals the emergent conditions about an important phenomenon – the imagery regime of globalization – in continuous and virtual drifts, within permanent displacement conditions, similar to the non-place geography, which may be consequence of conflict situations or political readjustment in post-war contexts. It is generated, within the structuring of this narrative, an innovative model of documental recording, based on uncertain and constant mobility of images, creating a reconfiguration of the nexus between politics and aesthetics.

In order to explore the mentioned subjects we will appeal to the Albanian artist Adrian Paci, and analyse one of his projects, a single-channel video produced in 2012 entitled *Centro di Permanenza Temporanea*. This work is placed, in terms of aesthetic speech and according to our vision, between the dimensions of fact and fiction that Jacques Rancière explores, pointing that fiction means to forge not to feign. “Originally, *ingere* doesn’t mean ‘to feign’ but ‘to forge’. Fiction means using the means of art to construct a ‘system’ of represented actions, assembled forms, and internally coherent signs.”⁶ (Rancière, 2006, 158). On this subject T.J. Demos adds that:

“Fiction doesn’t obscure reality; rather, as a hybrid formation of documents and imaginary scenarios, it elicits its deepest truths (...) fiction does not immobilize politics; rather it is politics’ condition of possibility.”⁷ (Demos 2013, 197)

We live in a globalized era where the mass media has an increasingly importance within the production of images and facts. Simultaneously, visual artists and filmmakers explore the

dimension of fiction, without losing the connection with the fact and even working with it as an isolated feature, as we can with *September* from Hito Steyerl or in politically engaged artists such as Hans Haacke or Ursula Biemann. Alongside the production of facts there is a relation to memory and the historical edifice that we will also approach.

According to Jacques Rancière the artistic speech has in itself the potential of reorganizing the visibility domain. This restructuring power, in contrast with governmental policies and mass media communicational hierarchy channels, may turn the representational realm more equitable. The French philosopher adds: “The politics of art does not serve the cause of the dominated. It subverts the positions of victor and victim by sabotaging the relations between the real and the fictional.”⁸ (Demos, 2013, 198)

Adrian Paci

Adrian Paci was born in Shkoder, Albania, in 1969, studying at the *Akademia e Arteve*, in Tirana from 1987 to 1991. After lecturing art history and aesthetics in his country from 1995 to 1997 he was obliged to leave his home city to Milan with his family, during a period in which Albania was living a civil war, after several years of a very rigid communist government. Moving away from a country during a violent and social rebellion they took refuge in Italy. The artist's exile background has a significant impact on his work that often questions subjects as mobility, memory, transience, geographical dissolution or cultural identity and these are issues that we will also consider in the present essay. During the transition between Albania and Italy the artist leaves, for a period of time, the subjects of painting and sculpture and starts exploring video, extending his expression to new means and languages. His first projects question the impact of exile as well as the experience of separation and adaptation to a different place, new for him and his family, which will also take part in some of Paci's works as we can see at the video *Albanian Stories*.

Starting from his own personal experience, Paci's work is marked by moments of change, transitions from a country to another, from a kind of society to another and, the unexpected events related to these dynamics, become some of his triggers in a path which leads the artist to a more global reflection on collective memory. Adrian Paci's father was a painter, dying when the artist was six years old, but leaving him with a memory of studio playing around his father's colours and tools⁹. The artist studied painting at the University in Tirana and this kind of education will have a central role in his cinematic turn, where the methodical and geometrical carefully built compositions are enriched by a powerful use of light and chiaroscuro. Portraiture is also another dimension explored by the artist, with impressive close-up shots that underline one of his most important explorations: the tension and suspended friction between the moving image and the fixed image, based on the principle of “the continual movement from reality to the metaphorical”¹⁰.

Centro di Permanenza Temporanea

‘The camp, and its contemporary *metamorphoses* such as waiting areas at airports, constitutes the fourth, inseparable element that has now added itself to – and so broken – the old trinity composed of the State, the nation (birth), and land.’¹¹(Agamben, 1998, 99)

This project by Adrian Paci is a single-channel video projection produced in 2007. The action occurs in an airport runway and begins with a static shot where we can see a mobile stairway from a lateral point of view. This structure gives access to a plane that seems to have been deliberately cut off from a composition where the viewer can observe the large airport runway and listen to distant jet sounds coming from other planes. On a second high angle shot and now in a front perspective taken from the top of the stairway, a key-element on the construction of the video and conceptual thought of the artist, one may observe the methodical and orderly, yet reluctant, arrival of a group of people. In a first moment and from the title of the artwork they could be thought as prisoners and some illegal immigrants were casted in this piece. On a close-up shot one can now notice the slow, silent and sullen walking of this group of people, apparently devoid of any travel item and wrapped in a dialogical emptiness, with no communication between them. The subject related atmosphere

now changes and a moving shot becomes personal, capturing the facial expressions and also calling the observer for a now more intimate analysis of the moment.

We can now realize that there are various origins among this group and, if one can recognize it as the International Airport of San Jose, the direct question of migration at the USA/Mexico border appears. The viewer is now driven into the question of origin and identity of the individuals, which seem, for a regular first-word viewer, to come from South America, Africa and Asia. Their expressions are closed, they suspect about the observer, who portrays them, and one can now sense a feeling of anxiety and discomfort, from a threatening and inexpressive passivity. There is also a feeling of loss between the intersected gazes, in a quest for an arrested identity. The moving shot that was wandering between the faces initiates a slow removal movement that for the first time informs the viewer that the stairway is not connected to any plane, it is a path without an exit, an inoperative and isolated arrival point, a cell in an island. The angle of the shot opens and moves away from the group, now observed on their immobility and impossible transit. This arrested movement is here in contrast with harsh jet sounds listened at the airport runway along with the busy procedures of the arriving and departing planes, icons of mobility and globalization. Still in the same shot one can sense a personal dimension due to its front and direct perspective between the group and the viewer, which originates a direct encounter, as the first is in a position of analysis and scrutiny, in a globalized present *panopticism*.¹² (Foucault, 1977, 201)

The shot travels away from the group showing the stairway, seen from a lateral point of view, at the centre of the frame. This is a carefully designed geometric composition where the early career as a painter and background of the artist can be perceived. The sound is now more intense, setting the contrast between the group, still and for an undefined period of time at a stairway which is crossed at the background by the unaware functioning of an international airport. The video ends with a transition between four different points of view of the group at the structure, in which the last is a slow removal on the opposite direction of them, left in a tense and imposed immobility at a *non-place*¹³ (Augé, 1995, 117), metaphor of a legal limbo perpetuated by the temporary detention centres for refugees and asylum seekers.

Besides being the title of this project *Centro di Permanenza Temporaneo* is also the Italian official name for the governmental areas that receive asylum seekers, refugees and undocumented migrants. This project also aims to critically deconstruct how the media and the current political discourse characterize these individuals, frequently portrayed as invaders or criminals, despite their background. There is in the particular dimension of immobility of the workers a strong layer of transgression, stressed by the delayed revelation of the non-boarding and imposed by a context of unstoppable sophistication and *rematerialization* of the southern borders, a phenomena of reinforcing and re-building of the nation-state limits.

In 2008, the Italian government introduced a law criminalizing unauthorized presence in the country and renamed 'Centri di Permanenza Temporanea e Assistenza or CTPs/ Temporary Detention Centers' for undocumented migrants and refugees as 'Centro di Identificazione ed Espulsione (CIE)/ Centers for Identification and Expulsion'. Each migrant caught without a resident permit, or not recognized as an asylum seeker, is taken to a CIE and deported to his country of origin. (Merlino, 2009)¹⁴

The artist shows in this project an interest about circumstances and spaces in between, where one can also sense that something or someone is losing its identity or part of it, entering at the same time a new physical or social dimension that does not guarantee, and it often drains it, the existence of a new identity. *Centro di Permanenza Temporanea* is about migration but not only, it is also about this space in between, in a moment of transition at a threshold that implies a choice, and the state of being that is generated or frozen within these dynamics. A transitional and existential moment, from a state, which the individual is necessarily obliged to lose for another that he will probably not reach.

Bare Life, State of Exception and the Homo Sacer

We will try to illuminate the question around the production of identity within the political and ethical mechanism among three issues: the refugee camp, forced displacement and transmigration groups; calling the state of exception theoretical approach by Giorgio Agamben, his figure of the *homo sacer* and the definition of *bare life*. The identity question will also be explored towards the ethical, political and biological dimensions of representation and hierarchies of visibility in the contemporary art realm. The work of Adrian Paci will constitute a trigger and a symmetric figure between a source of information and its possibility of thought, and a limit around the (in)consistency within the representation of the refugee figure. According to the art historian Milena Tomic any work engaged with the question of *bare life* has to include and predict the challenge of its ubiquity¹⁵ (Tomic, 2009,162), in the sense that Agamben sees the concentration camp as both an anomaly of the past and the hidden matrix of the present (Agamben, 1998, 166).¹⁶

“On the paradoxical status of the camp as a space of exception: the camp is a piece of territory that is placed outside the normal juridical order; for all that, however, it is not simply an external space. According to the etymological meaning of the term exception (ex-capere), what is being excluded in the camp is captured outside, that is, it is included by virtue of its very exclusion.” (Agamben, 2000, 40)¹⁷

The present geo-political situation in which multitudes, and specifically lives lived on the margin of political representation, are reduced to what the Italian philosopher Giorgio Agamben called *bare life*, is one of the axes of the present paper. The mentioned representation is not merely political, Agamben is also interested on the juridical, social and biological dimensions of these groups and their ways of living, analysing the dynamics that define their condition and the places they live or are forced to. This ontological status evokes a warning from the Italian philosopher: is this a condition that characterizes an erratic drift occurring during our modern times or a possible and near future for every one of us, potentially *hominis saceris*?

The globalization represents, according to Agamben, an emergent paradigm of a recently empowered and globally expanded sovereignty, which has originated transmigration zones and *statelessness*. Agamben sustains:

“(…) And that the inclusion of *bare life* in the political realm constitutes the original – if concealed – nucleus of sovereign power. It can even be said that the production of a biopolitical body is the original activity of sovereign power.”¹⁸ (Agamben, 1998, 11)

Bare life or *naked life* is an individual status to which was extracted political identity and exposed to a non-mediated application of power by the State. According to Agamben we are living, in our modern era, a universalization of the exception based on politics of equality, which turns the refugee into a paradigmatic reality, the suspension of the rule among the citizen creating an uniformization based on exclusion, and structuring the state of exception, a juridical term developed by the conservative German jurist Carl Schmitt: “The sovereign stands outside the juridical order and, nevertheless, belongs to it, since it is up to him to decide if the constitution is to be suspended *in toto*”¹⁹ (Schmitt). It is through the state of exception that appears the divisive possibility to suspend the norm. This suspension creates the edifice of exception, as it is through its dynamic and structured form that a relation is kept with the rule, which includes the exception because it does not belong to it. The juridical terms that define the refugee camp, according to Schmitt, are the state of siege or of emergency and the martial law, conditions that go back to the referred suspension, validating it. The rule, in the sovereign exception, appears as pure potency, built on a suspension of the current reference. Agamben continues: “The sovereign exception (as zone of indistinction between nature and right) is the presupposition of the juridical reference in the form of its suspension.”²⁰ (Agamben, 1998, 19)

In the realm of political representation Agamben illuminates the question of the exception bringing the French philosopher Alan Badiou, who developed a distinction theory, turning it in into a political language. Badiou corresponds membership to presentation, whereas the inclusion is connected to representation (re-presentation). This means that a term *belongs* to a situation if it is presented and accounted as part of a unity of that given situation (in political terms, these are individuals as long as they belong to a society). On the other hand, one can say that a term is *included* in a given situation if it is represented within the metastructure, which is the State. In this second approach the structure of the situation counts as a unity and Agamben points, as an example, to the condition of the individuals depending on a recoding system by the State into electors. Badiou designates as *normal* a term that is, simultaneously, presented and represented which means that he

is both a member and is included. As *excescent* a term that is represented but not presented, which is then included in a situation without belonging to it. And finally the French philosopher defines the term *singular* as something that is presented but not represented, which therefore belongs without being included. Following a fourth figure Badiou includes on his methodological structure, we can situate the sovereign exception as a dimension on which the singularity is represented as such, therefore as unrepresentable. What cannot be included in any case, is included in the form of exception.²¹ (Agamben, 1998, 21)

In order to understand the state of exception, Agamben brings out the figure of the *homo sacer*, who is built on a real basis of a non-transcendental sacred, a historical figure of the Roman law, who was once a citizen and is diminished to the status of *bare life*. This transition, which dispossesses the individual of basic rights towards the law and the State, is made possible by a sovereign regulation. The *homo sacer* can be killed without any consequence for the act of his murder, without even being considered a homicide, and by anyone. The individual becomes, through this process, a mere biological entity without the possibility of transcendence. The status of the *homo sacer* resides on the violence to which he finds himself exposed and caught. This violence, which constitutes one of the central axes of this paper, is based on a double exclusion, withholding itself from both political and divine law, and into which the *homo sacer* is brought to, being arrested into this layered and opaque dimension. Agamben's adoption of the term *sacer* is not precisely connected with religious realm as it is with the separation, *sacer* holds to being set apart. The philosopher develops an interpretation of the *sacred* as an autonomous figure in order to understand if the latter can contribute for an answer about the original structure of the *politica*. This politics, which is referred to the Roman law, occupies a place that "precedes distinction, between the sacred and the profane, between the religious and the juridical."²² (Agamben, 1998, 48) This place of indistinction is also connected with the notion of taboo, where Agamben invokes the roman grammar Festu and the British ethnologist Robert Marett. "*sacer esto is in fact a curse; and the homo sacer on whom this curse falls is an outcast, a banned man, tabooed, dangerous...*"²³ (Agamben, 1998, 51) It is amidst this place prior to distinction that one can locate the refugee camp within its dynamical mechanism, as well as the displaced individuals and transmigration groups. On the sacred life, Agamben structures the *sacratio*, unifying two subjects: the unpunishability of killing and the exclusion of sacrificed²⁴ (Agamben, 1998, 52), which as an object of reflection for us, constitutes an important political and ethical question and thought, around the type of identity possibly built on this proposition.

Identity making processes

'Contemporary artworks play with contradiction, or expose the processes of meaning-making, national identity formation, wilful acts of cultural forgetting, or the consequences of migration or forced displacement.'²⁵ (Potts, 2012, 9)

We will explore this subject with a lens on the human rights historical and political structure and its consequences and fragilities in a modern globalized era. We believe that for a rigorous and wide comprehension on the identity making process on our subject it will be necessary to look over the original conception of the human rights, on a political and historical scope, since it is intimately connected with the definition of citizen and defines the political ground for the transmigration phenomenon during the last centuries.

Hannah Arendt about the rightless: "Their plight is not that they are not equal before the law, but that no law exists for them; not that they are oppressed, but that nobody wants to oppress them."²⁶ (Arendt, 1951, 297-98) Coming from Hannah Arendt's *Essays in Understanding*, we suggest an analysis around the paradoxical situation that contemplates the refugee status, a marginalized figure, yet in an obvious, critical and urgent fragility. We also consider necessary to study, simultaneously, the terms *man* and *citizen*, in order to understand a historical and political realm that can contribute to deconstruct the identity subject. On the 1789 Declaration of the Rights of Man and the Citizen adopted in France, an important source of the Universal Declaration of the Human Rights, both terms – man and citizen – appeared isolated, which on Agamben's and other scholars view can help connecting the concepts previously studied – *homo sacer* and *bare life* – with the identity making process subject. This connection points to a direct link between man and birth and citizen and nationality.

“The conception of human rights based upon the assumed existence of a human being as such, broke down at the very moment when those who professed to believe in it were for the first time confronted with people who had indeed lost all other qualities and specific relationships – except that they were still human.”²⁷ (Arendt, 1994)

This paradox pointed out by Hannah Arendt is the source of a critical situation that has the refugee as the subject of analysis. We can here understand that this individual, who should be the aim and gather the full attention as a figure of the rights, has precisely lost all of them at the moment he obtained the status of refugee.

In order to introduce and address the identity making processes question, we will have to elaborate on the definitions around the terms *citizen* and *man*, expressed on the declaration of the human rights of 1789 with the title *Déclaration des droits de l'Homme et du Citoyen*: “Art. 2: Le but de toute association politique est la conservation des droits naturels et imprescriptibles de l'homme (...) art. 3: le principe de toute souveraineté réside essentiellement dans la nation”²⁸ (DDHC, 1789)

One can say that according to these two articles the juridical validity here expressed occurs insofar as an individual is born in a specific place, which stands for his natural life. Therefore the legal source of a human right is strictly connected to the birth location, excluding foreigners, displaced individuals or refugees, yet still referring on a macro-sphere to the human rights. It is also necessary to point the connection between sovereignty and nation expressed on the second article mentioned above.

The term nation has in its etymological source the Latin prefix *nascere* (to be born), and one can advance with the hypothesis that the Declaration of the Rights of the Man and the Citizen, which has as an original feature the birth location, empowered, according to this linguistic structure, the appearance and autonomy of the sovereignty. Following this hypothetical thought this would have possibly sustained the juridical realm of the state-nations with radical political and ethical consequences during the last centuries. Going back to Agamben, the philosopher also looks through the linguistic ambivalence expressed in the mentioned declaration: “It is not explicit here if both terms express two autonomous realities or an unitary system, in which the first is included on the second and, in this case, what kind of relationships exist between them”²⁹ (Agamben, 1998, 75).

We have therefore a vulnerable ambiguity around the conceptualization of the terms, insofar as it is not clear, within this title, when does an individual occupies the place of a citizen or a man. The undefined meaning, ethical and political sphere of the refugee would origin a crisis during the XX century that has thickened into an insecure and opaque field towards an era of globalized security that remains detached from a rigorous and inclusive vision and conceptualization of the refugee status.

Emmanuel Joseph Sieyès was a writer and a politician, one of the most active members at the French National Assembly in 1789, contributing actively for the mentioned Declaration. Coming from an ecclesiastic background, he appeared, as an important figure against the king Louis XVI, sustaining that there was an inherent sovereign power in the figure of the nation:

“Natural and civil rights are those rights *for* whose preservation society is formed, and political rights are those rights *by* which society is formed. For the sake of clarity, it would be best to call the first ones passive rights, and the second ones active rights... All inhabitants of a country must enjoy the rights of passive citizens... all are not active citizens. Women, at least in the present state, children, foreigners, and also those who would not at all contribute to the public establishment must have no active influence on public matters. (...) Thus children, the insane, minors, women, those condemned to a punishment either restricting personal freedom or bringing disgrace [*punition afflitive ou inflammante*]... will not be citizens.”³⁰

Once related, before the Declaration of the Rights of the Man, with the royal authority and law system, citizenship is now addressed to the nationality realm and it is from this citizen sphere that a new status of life, the *birth life*, is nominated. This status is in itself the new origin and foundation of sovereignty and will serve as a method of identification of *les membres du souverain* (members of the sovereign), citing Jean-Denis Lanjuinais.³¹ (Agamben, 1998, 76)

“The fiction implicit here is that *birth immediately* becomes *nation* such that there can be no interval of separation [*scarto*] between the two terms. Rights are attributed to man (or originate in him) solely to the extent that man is the immediately vanishing ground (who must never come to light as such) of the citizen. (...) If refugees represent such a disquieting element in the order of the modern nation-state, this is above all because by breaking the continuity between man and citizen, *nativity* and *nationality*. Bringing to light the difference between birth and nation, the refugee causes the secret presupposition of the political domain – bare life – to appear for an instant within that domain. In this sense, the refugee is truly ‘the man of the rights,’ as Arendt suggests, the first and only real appearance of rights outside the fiction of the citizen that always covers them over. Yet this is precisely what makes the figure of the refugee so hard to define politically.” (Agamben, 1998, 77)³²

On the first chapter, entitled *General Provisions* of the Statute of the Office of the United High Commissioner for Refugees written in 1951, and still in force, it is explicit the target of this entity work: “The work of the High Commissioner shall be of an entirely non-political character; it shall be humanitarian and social and shall relate, as a rule, to groups and categories of refugees”³³ (UNHCR, 1951, 8). The exclusion of the political realm within the statute’s framework would address an important discussion that we also want to open with the present essay but will not have the opportunity to rigorously analyse here. It is nonetheless important to underline the relationship between the political absent in this document and the residual fissure among the figures of the citizen and man explored above and corresponding rights or their absence, as well as its present consequences.

“The refugee must be considered for what he is: nothing less than a limit concept that radically calls into question the fundamental categories of the nation-state, from the birth-nation to the man-citizen link, and that thereby makes it possible to clear the way for a long-overdue renewal of categories in the service of a politics in which *bare life* is no longer separated and excepted, either in the State order or in the figure of human rights.”³⁴ (Agamben 1998, 78)

Unspoken Invisible Hierarchies

As we have seen the refugee, the asylum seeker, the displaced, and the zones they occupy or are forced to go, show a sphere of indistinction in legal, juridical and ethical representation and now we will approach the way artists are thinking and engaging with this phenomenon. First we have to establish a limit between the legal, juridical and ethical representation and the visual or imagistic one. Nonetheless they are intertwined we will, on this final moment of the essay, focus on the visual sphere, advancing however that the imagistic production on this realm may affect, positively and negatively the lack of legal, juridical and ethical representation described above. This influence brings the subject of visibility to the discussion, as both media and artistic imagery production may build a possibility of turning the sphere of indistinction to the visible realm. This domain is, however, a very sensible one, as we are witnessing examples, both from media and contemporary art, that transform the sphere into a visible spectacle, of apparent involvement, or even a denser and more opaque invisibility, already sustained by the ethical and juridical complexification contained on the dimension of *bare life*, and its possible representation.

Within the sphere of contemporary art we have various ways of proceeding and acting towards the subject here approached. Artists are working with facts, simulated fictions, or a speech that is situated in a middle point in between, as we’ve seen with Adrian Paci’s, *Centro di Permanenza Temporanea*, where the artist casts real refugees and also non-professional actors. The Albanian artist developed another project entitled *The Column*, where a team of real Chinese workers is hired to sculpt a column from a marble block, which is first extracted in China. This video-format work shows us the journey, since the extraction, of a marble block towards Italy and the transformation onto a Romanesque column that will never be erected. On a working boat we are able to follow the group of Chinese workers sculpting the column on a long boat trip crossing seas.

“Beautification of tragedy results in pictures that ultimately reinforce our passivity towards the experience they reveal. To aestheticize tragedy is the fastest way to anaesthetize the feelings of those who are witnessing it. Beauty is a call to admiration, not to action.”³⁵ (Sischy, 1991, 89-95)

On this article Ingrid Sischy is pointing her critique towards photography and a tendency to portray and present tragedy in a way that, instead of generating action or reflection, is increasingly calling for a neutralized admiration. One could say that projects such as Paci’s *Centro di Permanenza*

Temporanea would also contribute to this anesthetization of the sensible, for the reasons that he is casting immigrants, which in a way could contribute to crystalize their political status, or even by reproducing scenarios and dynamics lived by the portrayed individuals. By hiring non-professional actors one could say that there is a distant or indifferent approach by the artist, and that the work would even subvert the ethical conditions of the real, on a spectacle of the invisible. This representational approach would reduce the subject to a symbolic gesture, creating a mimetic depiction that, from our point of view, would constitute a reductionist and redundant thought, within a sphere of the simulation. This is a dimension in which we do not include Adrian Paci's project but covers a wide range of recent artistic experiences. *Simulationist* projects tend to be devoid of a requalification of the relations of power that we have been exploring, portraying a reality or group of participants in a scale of direct affinities, emptied of rigorous or pertinent reflections on the individual, its condition or the physical and political place he occupies, creating an excessive aesthetization.

We suggest another way of analysing the situation, which is a continuous thought that comes from the link between fact, fiction and memory, exposed by Rancière and mentioned above. The French philosopher argues that:

“Memory must be created against the overabundance of information as well as against its absence. It has to be constructed as the liaison that connects the account of events and the traces of actions, much like that arrangement of incidents that Aristotle talks about in the *Poetics* and that he call *muthos*: not, as it were, a ‘myth’ that refers us back to some sort of collective unconscious, but a fable or fiction.”³⁶ (Rancière, 2006, 158)

As we have seen fiction means to forge not to feign, according to Rancière’s vision, and it is within the forging and manufacturing dimension that we locate Paci’s work, when it concerns to the production of meaning and identity. ‘Memory is the work [*oeuvre*] of fiction’, continues Rancière and we have to remember another project by Adrian Paci where he records his daughter when she was 4 years old. During the video, entitled *Albanian Stories*, we can listen and watch Jolanda Paci describing and portraying, in a fictional way, the family experience of the final period lived in Albania, before their exile in Italy, escaping the political conflict that was ravaging their own country. Considering visibility as a scheme that defines what can be seen one can say that the visual speech has the potentiality to distort reality and create invisibilities, as well as the opposite. It is within the mediation between individuals, laws and the states that we can reorganize the visibility domain, turning the representational realm more equitable, by working with facts and forging our reality.

“Documentary instead of treating the real as an effect to be produced, treats it as a fact to be understood. Documentary film can isolate the artistic work of fiction simply by dissociating that work from its most common use: the imaginary production of verisimilitude, of effects of the real. It can take that artistic work back to its essence, to a way of cutting a story into sequences, of assembling shots into a story, of joining and disjoining voices and bodies, sounds and images, of lengthening and tightening time.”³⁷ (Rancière, 2006, 158)

Conclusion

As we have been mentioning, and at this moment within a final reflection purpose, the production of identity related to the migration phenomena is based on a double political bond that transports a remarkable ambiguity. It is, first of all, from a terminological and political fissure that this secular drift is initiated, as we have seen regarding the Declaration of the Rights of Man and the Citizen. These inaugurate a terrain conducive to the legal vacuum and juridical norm of exception in which refugees live, as well as to the structuring of the respective state of *bare life*.

An attempt has been made in the course of this essay to ascertain the degree of involvement of contemporaneous artists with this phenomenon and, at this moment, a hypothesis still unequalized should be launched: the ethical fissure on the status of *bare life* and potential influence on the artistic gesture itself. If the figure of the refugee and his *nomos* and place, include a zone of indistinction and with it carry an irrepresentability, by the political questions that we have advanced, what is the degree of their influence in the process and artistic reflection?

From the point of view of institutions and contemporary exhibition hierarchies, there is a direct influence, at a level that is sometimes subversive and that makes the phenomenon invisible, and other times there is a pluralistic and integrative approach, which is also worthy of our attention here. Even so, the dimension we are interested in refer to is the artistic gesture and desire, the author's *devenir*³⁸ (Deleuze, 1980, 334) and whether it is socially conditioned by the political and ethical dominance that undermines the phenomenon and which we have previously addressed. We will use the french form *devenir*, with the approach proposed by Gilles Deleuze, as a “*process of desire*”, a potentiality of change that addresses a different future already contained in an immanent past gesture or thought.

And it is in this sense that we move forward with a new double ground, where we can see proposals and approaches that we call here as *simulators* or *factographers*. The second dimension does not exclude the fictional approach and is where, as an example, we would include Adrian Paci's *Centro di Permanenza Temporanea*. Even if it contains the etymon *fact*, this is a dimension that is governed by the redefinition of the dynamics and constraints between reality and prevailing structures, such as the law or the State. It is an approach where we include a possible forge and manufacturing between the political relations that (*un*)*shelter* us, proposed by Rancière, and hierarchies of representation and visibility.

The choice of the etymon is explained by the inclusion, in the artistic gesture, of documents, supports and factual circumstances, in whose reality we find the proximity of the conflicts that surround us. Although the theme chosen for this essay is a fertile ground on social and scientific proposals and studies, from our experience results a question whose approach deserves continuity and requires reflection at an academic level. It is the question of the artistic *devenir*, of the intimate root of the *thought-gesture* dimension and structures that influence it. Is this quasi-ancestral sphere of political influence contained in the inaugural artistic gesture?

We point, in advance, to a terrain that we have not explored and which is related to a psychological layer, both at a macro-social and individual level, which directly influences the production and the authoral need. It is a point that unfortunately we lack time to explore but that here we launch as a possible defining trait in the *thought-gesture* sphere.

It is also a point that relates to the historicity and production of collective memory, which at political levels become fundamental in the identity making processes. About the *simulationist* practices, it should be noted that they may be based on erratic divergences insufficiently absorbed or practiced, from a social and aesthetical analysis point of view of the author's experience, possibly contaminated by the timeless historical-political constraints.

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