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58 Facets

I had a dream last night. I was opening boxes, many boxes, old boxes – mostly cardboard, although somehow still intact despite their location on a barge in the salty ocean – in my dream, this is. They contained a range of official-looking identity documents of my grandfather. Many had passport photographs of him attached to them – him looking young and handsome, him posing for the camera, impossibly straight hair parting held in place with a lot of Bryll cream. Some of the documents were in handwriting, stamped by a State authority that would, when push came to shove, banish him from within its borders. Some were typed with what would now be considered an old-style typewriter. The same font you would use for ransom notes.

We were in southern France. Two weeks in Arcachon, a small town near Bordeaux. As red bled over the map and into the soil, we took the train to Hendaye where the river Bidassoa neatly carves out the border. On the opposite side of the river was the Spanish town of Irun.

After Mother bribed the French border guards with a few gold coins to let us pass we sat down in a café near the Irun train station waiting for the train to take us to Portugal. As we drank coffee on the Spanish side of the border, German soldiers on motorbikes arrived on the other side of the crossing, pulled down the French flag and replaced it with the flag of the Third Reich. The date was 22 June 1940. We were free, by minutes, by meters. I still hear the noise of the motorbikes sometimes in my dreams.

In mid-2020 I was stopped at a police and army-run checkpoint and asked for identification just outside of Melbourne in Australia. Until COVID-19 came to town, apart from international arrivals, being an island-nation has inured us to the anxiety, perhaps bordering on panic, that encounters with State-run checkpoints conjure up for many people around the world. Before I was stopped at this checkpoint in Melbourne, the only other time I had been confronted with a checkpoint personally inside State borders had been during my work in the Middle East. The

encounter with this checkpoint in my homeland of Australia triggered me in ways I was completely unprepared for, that were both ethically and morally challenging. As my car was forced into a lane with no escape route, awaiting the verification of my identity documents by an agent of the State, I thought, this is something that happens “over there” to “others” in places where I travel to do fieldwork and then have the privilege to leave. Checkpoints like this do not, I had felt quite sure up until then, happen “here”.

But perhaps this experience was already inside me? In my blood and bones, from a time, almost 80 years earlier to the day, when my grandfather and his family had also passed through a checkpoint minutes ahead of Nazi occupiers? Despite being born in the mid 1980s, my sister told me the other day that many of her friends have “holocaust dreams”. I had never heard of this phenomenon. It apparently involves dreaming that you are in a Nazi death camp, part of the pogroms, when, in fact, you are born several decades after your grandparents were working, starving, dying in those camps. What is a camp...? asks Suvendrini Perera (citing Giorgio Agamben). ‘What is its juridico-political structure, that such events could take place there?’ It is ‘the space which is opened when the state of exception becomes the rule’. What is law? I ask a Syrian friend. He replies in that round-about way he has: You could be really close to the core of this regime nonetheless you could be sidelined, if not liquidated or assassinated.

There are different types of checkpoints and camps in all our lives, I feel sure. These are not always the same as the death camps or border crossings that literally have the power of life or death, and yet... They are places where the inevitable intertwining of violence and the law meet in tangible yet indescribable ways that nevertheless seep into your soul. Certain moments act as signposts to unconscious memories, to the experiences of lives past. Epigenetics is the study of how behaviours and environment can biologically affect the genetic make-up of future generations. Let me be clear. There is no scientific evidence for the connections I am making here, and yet... you know already that the line, or isthmus, that separates the known from the unknown ‘is never an extreme separation; it is like the line that separates between the sun and its shadow’ (Qur’an 55:19). And many scholars, all the big names – Walter Benjamin, Hannah Arendt, Primo Levi, Rainer Maria Rilke, Franz Kafka (all Jewish, coincidence?) – and the less big names (or the names you have just not heard of yet?) – Lynne Henderson, Bassem Yusef,

Frederic Jameson – have side-stepped epigenetics and instead focused on how violence and law is transmitted and transmuted in, between and through people and societies. As Walter Benjamin, (Where to begin with Benjamin? So much writing, so little time. Benjamin committed suicide, age 48 in 1940 on the French/Spanish border – he did not make it through the checkpoint) said: If, therefore, conclusions can be drawn from military violence it is that... there is a lawmaking character inherent in it.

Another problem, identified by legal scholar Lynne Henderson, is that many find it difficult to acknowledge ‘that law can be oppressive as a matter of course, rather than as an occasional exception.’ But if we stop and think about it for a minute it becomes more obvious that violence and the law are inherently linked in all societies. Without the threat, and use of, violence, the law would neither function nor be effective. Still. Questions remain. Where, when and how does lawful violence and due process pass into authoritarian, despotic rule? How are experiences of violence and law internalised and passed through history shaping how people act, think and relate to each other and the State? Who passes through the checkpoint? Who gets sent to the camp?

I am aware that many things in life are simultaneously mundane and profound. The fight for rights that should be self-evident. Seemingly banal documents that claim your political or religious allegiance and lead to persecution, or worse. This story is about these profound banalities which are not at all banal but reverberate across time, space and lives. This is the story about living with, or under, or in spite of, Nazi rule. About the Syrian revolution and about individual revolution. About violence and the law and what they leave behind – their afterlife. Violence and the law flow through time and space like a river. They eat tributaries into people’s bodies and minds. They stream easily from one generation to the next. Crafting and shaping. Relentless. But they are also a way-finding device humans use to orient themselves in space and time – whether we know/like it, or not.

I am at the Verzetsmuseum Amsterdam – a museum devoted to Dutch resistance during World War II. Lynne Henderson (again): As soon as uncritical acceptance of and obedience to authority become the norm, the accepted authority has the power to oppress,

to punish, to repress and to dominate. 1940 (again): Dutch public official Jacob Lenz was tasked by German occupiers with designing ID cards. Jacob was pleased as he had argued for everyone to have an ID card long before the occupation. Thanks to the use of special ink, stamps, fingerprints and three watermarks, the identity cards were nearly impossible to forge.

Everyone aged 15 plus had to carry one of Jacob's ID cards. Thousands of Dutch public officials participated in the ID card roll-out. The Nazi's subsequently used the cards marking a little black J for JEW on the paper cards located at the civil registry office, stamping a large yellow J for JEW on the ID cards carried in jacket pockets to neatly map the "VERSPREIDING VAN DE JODEN OVER DE GEMEENTE". A black dot = 10 JODEN.



Taken from the afterword of his book *The Truce* (1963) which documents his journey home from Auschwitz, holocaust survivor Primo Levi writes: ‘Monsters exist, but they are too few in number to be truly dangerous. More dangerous are the common men, the functionaries ready to believe and to act without asking questions.’ But of course, the Nazi’s do not have a monopoly on checkpoints or camps or using the law for violent ends. Or, it seems, on functionaries.

Not long ago, a defected military photographer code-named Caesar smuggled tens of thousands of photographs out of Syria which depict a numbering system used to document the corpses of people who had been detained, tortured, and eventually killed by the Assad regime.

Hannah Arendt describes, ‘a closed system run by pathological gangsters, aimed at dismantling the human personality of its victims.’

Plaques in the Resistance Museum:

“After the war, Jacob was sentenced to three years in prison. He remained convinced he had done nothing wrong.”

“Some 4,000 Jews fled the Netherlands, and around half were caught. From 1940-1941, just under 1,000 Jews managed to legally emigrate abroad.”

May their memory be a blessing.

Despite/because of the bribe my great grandmother paid to the border guards, my family were part of the chosen 1000 few to “legally” emigrate. They crossed over the Bidassoa and went on to Portugal and then to the Dutch East Indies. The Dutch colonisation of what became Indonesia meant that Dutch citizens could travel there without much difficulty in 1940. After what seems an idyllic two years spent living the European-style life of luxury they were accustomed to, my family were imprisoned in 1942 after the Japanese invasion. They spent three years starving in a Japanese internment camp in Java.



My grandfather's brother, my great uncle, Charles, crossed with them at the Bidassoa checkpoint. At age 10, Charles escaped bullies in Antwerp who called him a "Dirty Jew!". At 17, he escaped German aerial bombardment in Rouen and separation from his family before being reunited to cross the French/Spanish border together at Hendaye/Irun. Luckily they had Mother's gold coins and a transit visa through Spain to Portugal.

Due to his English language abilities and his time in the Dutch Army Reserve Officers Corps in Batavia (now Jakarta) in 1942 he received a special permit to transfer from the Dutch Army to the British Army just eluding the Japanese internment camp. He was given the rank of Lieutenant in Force 136 – becoming an arms smuggler to the Karen people in Burma, an investigator for the Japanese War Crimes Commission, defending British interests in India during Partition, before catching a boat with some 2000 men from Bombay to London in 1947 to be formally

demobilised. He was given civilian clothes and a large sum of money. The sum included his full salary for the many years he had served the Brits plus extra for “jungle time, dangers, etc.” His words.

On a sodden Shabbat morning shortly afterwards, Charles received a knock on the door of his London flat. In front of him stood a Rabbi. “We know about you,” the Rabbi said. “You have been fighting for everyone else. Come fight for us”.

Charles became a leading figure in the Haganah, an early Zionist military organisation and precursor to the Israeli Defense Forces. The Haganah went on to ethnically cleanse Palestine in 1947-?.

On 29 October 1956 as part of the Kadesh Operation, Charles (now known by the Hebrew, Chaim) became Lt. Col. Military Commander of the Gaza Strip. Two weeks later Lt. Col. (U.S. Army) R.F. Bayard, chairman of the Egyptian-Israeli Mixed Armistice Commission wrote to Col. Lear of the UN Truce Supervision Organisation:

It is quite evident that the Israelis do not wish to have United Nations observers circulating in the Strip and reporting upon the actions they are taking against the civilian populace. From the reports we receive from UNRWA personnel and from the very few incidents that have been witnessed by observers, I have come to the conclusion that the treatment of civilians is unwarrantedly rough and that a good number of persons have been shot down in cold blood for no apparent reason.

On November 3, in Khan Yunis, Israeli forces, under ultimate command of Charles/Chaim, kill 275 Palestinians: 140 refugees and 135 local residents.

On November 12, in Rafah, Israeli forces, under ultimate command of Charles/Chaim, kill 110 Palestinians: 103 refugees, seven local residents, plus one Egyptian.

On 20 December, my great uncle is privy to a classified document: *Matters for the Attention of the Gaza Area Military Administration*. The document wants

to conduct a census in the area – a legal means by which every unit of a particular population is counted and classified, in essence, registered. In this same document the word “occupied” is crossed out by hand with a pen.

I am sitting in the lounge room of our cottage in the Victorian countryside 67 years later. I think of the German occupation of the Netherlands and of Jacob Lentz and his registration system who was also convinced he had done nothing wrong. For the past 12 weeks the Israeli Defense Forces have become something like ‘a closed system run by pathological gangsters, aimed at dismantling the human personality of its victims.’ I am a tangle of emotions; I am contemplating my own complicity. I am in the isthmus; the line that separates the sun and its shadow. As Rainer Maria Rilke writes: Words gently end at the edge of the Unsayable...

In 1943, three years after Jacob Lentz’s brand new ID card system went into wide circulation, the Dutch Resistance bombed the Amsterdam civil registry office. The Resistance had already spent much energy in forging large numbers of identity documents as a way to protect Jews from arrest and deportation to the camps. These forged documents could however be detected because the originals did not exist in the civil registries. The bombing was planned and orchestrated by a group of 12 local artists and medical students, including several Jews and homosexuals, to make sure this did not happen. Working in collaboration with the Fire Department (which doused the civil records with water that were not destroyed by the bomb’s fire effectively making them illegible) 800,000 documents were destroyed. The Resistance also took 600 blank documents with them which they would use to make new documents and with these documents, new lives, hopes and possible futures for 600 Dutch Jews. All 12 artists, medical students, Jews and gays were arrested. 10 were executed under order of the law.

‘When we speak about laws and rights we need to first know who are these people,’ a Syrian opposition official told me on one of my research trips to Gaziantep, Turkey in 2022. Like Jacob Lentz and the Resistance in Amsterdam, he knew that for any individual, being able to obtain proof of their identity, usually (although not always) coming firstly in the form of a birth certificate, facilitates access to a vast range of other documents, hopes and possible futures. These include education, health care, a travel document, social security and taxation systems,

marriage and eventually, inshallah, a record of one's death. Civil registry documents exist in a cascading matrix where one document authorises the next. Having in one's possession just one of these documents, as the Syrian opposition official suggests, provides a commonly accepted type of legal proof about an individual's unique characteristics so that we can 'know who this person is'. The "we" here is a stand in for legal systems and the State in general whether it be the Nazi-occupied Netherlands, opposition-controlled Syria, Palestine or Australia.

Legal documents exist as one nexus point where State violence and the law meet. They are the physical manifestation of a mobile checkpoint offering access to certain spaces and not to others. Guarding the way or facilitating it to camps, or other more salubrious locations.

I met Noura (not her real name) in Berlin in 2022. A striking, dignified woman who divorced her husband despite social pressure and niceties. Her mother told her it was shameful.

Around 2014, while she was living in Turkey, the six-year validity of Noura's Syrian-government issued passport was expiring.

Noura is blacklisted by the Syrian regime as an activist making it difficult for her to apply to the Syrian government for a new passport. Luckily for Noura the Syrian opposition in Istanbul (in 2014 recognised by over 20 countries, including the US, UK and European Union, to be the "legitimate representative of the Syrian people") was using blank passports stolen from the regime. These were not linked to the regime's database, so could not be traced. Together with forged stickers and stamps they issued and renewed "Syrian" passports.

With her new "Syrian" passport issued by the Syrian opposition, Noura travelled to the US (she received a visa from the US embassy in Ankara) and to Germany (with a visa from the German embassy in LA). However, when the Syrian opposition fell out of favour with its international backers a few years later, passports like Noura's were confiscated by European and U.S. border authorities on the grounds that they had been forged. This has left Noura without a passport. Politically, she does not support the Syrian government or want to pay them large sums of money

for a “legal”, State-issued passport. Yet, her now “illegal” Syrian opposition issued passport is worthless.

The law is inseparable from our understanding of everyday life. It is as inseparable from the banal and profound everyday world – in its documents, checkpoints and camps – as it is from the violence with which it goes hand in glove. The magic of the law, and its necessarily constitutive force violence, is that they offer us the appearance of a stable, taken-for-granted world, a shared sense that as things are, so must they be. Franz Kafka’s parable “Before the Law”, depicts the law as an irresistible and inescapable presence. In Kafka’s story a simple man from the countryside attempts to access the law but is barred by a series of gatekeepers. He spends the rest of his life waiting by the gate trying to puzzle the riddle of the law. In the end he dies.

In his memoir, *Memory Stone*, Syrian author Bassam Youssef tells the story of Ahmad who he met while he was imprisoned in one of the Syrian regime’s most infamous prisons, Saydnaya. When they met, Ahmad was 25 years old. He was arrested at the age of 16. Bassam approached him and asked about the circumstances of his arrest. Ahmad responded that when he was in high school, the *mukhabarat*, Syria’s secret police, came and arrested and disappeared his father from their home in Damascus. Later, Ahmad dreamt that he assassinated the then-President Hafez al-Assad. He told his friends about the dream and shortly afterwards was arrested himself. In short, Ahmad was arrested because of a dream.

These stories from across time and space are allegory. They show different ways the law and violence function to confront you in the way I was confronted with the incongruity of the checkpoint in my home country. They highlight the isthmus between the known and unknown; of the limitations in our understanding that we might not even know we have until they force themselves into our awareness. In particular they invite you to interrogate how you make sense of and understand situations and events, that in the process hides (or at best simplifies) the way you internally organise the world. We laughed at Donald Rumsfeld when he talked about the “unknown unknowns” but I now think he may have been on to something. How do we bring above the line of consciousness some of the ideas imprinted in our subconscious – like my unbidden (and problematic) thoughts at the checkpoint that I did not know, until that time, that I

was even carrying? The process, I propose, might even enable us to more fully grapple with why we think what happens “over there” or “back then” cannot happen or apply “here” and “now”.

The past is never just past. It is like a river flowing out behind us with a main channel but also many smaller streams and tributaries. Some of these pasts shape more fully and centrally how we see and interpret our present while others are more obscured, presumed lost, under bracken and old tree growth. Nevertheless, the water from these tributaries continues to seep through. Whether we know/like it or not.

I think of these types of puzzles as akin to a beautifully cut jewel. The kind of jewel my grandfather would have bought, cut and sold after he arrived in Melbourne in 1947 (via the Japanese internment camp in Java and a Migrant Accommodation camp just outside of Brisbane). If you hold it up in different lights you will catch different stories in each of its 58 facets. You will have the table, the bezel, the star and the upper girdle, the lower girdle, the pavilion and the culet. You will have the dreams, the checkpoints, the armies, the documents, the bribes, the camps, the occupation, and the resistance.

Perhaps, as Professor of Literature Frederic Jameson writes, it is time to consider that the living present is scarcely as self-sufficient as it claims to be; that we would do well not to count on its density and solidity, which might under certain circumstances betray us.

There are checkpoints and camps everywhere if you look for them.