

# **Civil investigation of a migrant disaster as a cultural intervention against injustice**

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This article examines three cultural productions about the so-called Tragedy of Lampedusa of 2013 that treat the disaster as an event-as-such. I discuss two plays by Antonio Umberto Riccò (Germany) and a documentary video by Antonio Maggiore (Italy), which I describe as civil investigations of the disaster. These productions exemplify how individuals in the cultural field can respond when authorities misrepresent events. I first develop the notion of civil investigation to capture a form of cultural intervention to correct an injustice. I show how civil investigation is both a product and a producer of civil imagination – a capacity to see the world in terms of conviviality. Second, I argue that cultural genres such as plays and films, which require a longer production time than journalism, are also more enduring in cultural circulation.

Keywords: civil investigation, border, migration, disaster, art

## **1. Introduction**

The initial news coverage of the so-called Tragedy of Lampedusa, a migrant disaster that occurred on 3 October 2013, has since generated an abundant afterlife in the cultural sphere. The mediatization of the disaster, in which at least 366 refugees, mainly Eritrean, died, triggered a variety of cultural productions: films, books, plays, poetry, music, performances, exhibitions, and installations. For the past seven years, I have monitored this afterlife and identified more than fifty cultural works that reference the disaster. These productions are part of a wider phenomenon of artistic representations of migrant crossings of Europe's sea borders that has appeared in the cultural sphere in the past two decades (see, e.g., Grasilli 2008; Mazzara 2019). The Lampedusa disaster – or more precisely, various waves of mediated representations of the disaster – have touched people across Europe and beyond. People who witnessed the mass death through mediation – in news images, footage, and narratives – have afterwards engaged with the disaster through media, art, and culture. This engagement produces an afterlife in the cultural sphere: the memory of the disaster reappears and continues to live on in the public sphere through cultural productions.

In this article, I discuss the critical potential of cultural productions to cultivate conviviality – that is, the capacity to imagine that those who are not members of one's own community still belong to one's own world (about conviviality, see the Convivialist Manifesto 2014). This is particularly important because most people in Europe have no direct experience of mass death at Europe's borders, which is one of the most pressing issues in present-day Europe: more than 40,000 people have lost their lives (United 2020). I use Ariella Azoulay's (2012) term civil imagination by which she means the capacity to understand the world as a place in which we are fundamentally dependent on others. Imagination beyond one's own sphere of experience is crucial for civility. "Imagination enables us to create an image on the basis of something that is not accessible to the senses," Azoulay (2012, 4) writes. The

capacity to imagine is a fundamental condition of humanity. In the social sciences, mediated imagination has been a central idea in the study of communities such as the nation, as Benedict Anderson's (1983) *Imagined Communities* influentially demonstrated. C. Wright Mills (1959, 45) wrote in *The Sociological Imagination*: “[Men] are aware of much more than they have personally experienced; and their own experience is always indirect [...] Their images of the world, and of themselves, are given to them by crowds of witnesses they have never met and never shall meet.”

Azoulay adds “the civil” to these earlier notions of imaginative capacity. To imagine a *civil* connection, a conviviality with others, is not exactly the same as the capacity to imagine lives lived elsewhere or to imagine belonging to a community (which might not necessarily be on civil terms with other communities). The *civil* in civil imagination emphasizes the capacity to think in terms of interdependency and vulnerability, and to act responsibly toward others.

Drawing attention to civil imagination is vital as we witness the rise of the populist far right, the growth of anti-migration sentiment in Europe, and the normalization of uncivil discourse. It is increasingly necessary to critically discuss the work and practices of individuals and communities who refuse to accept or ignore migrant deaths at Europe's borders and who instead engage with migrant disasters.

The fact that the Lampedusa disaster has continued to reappear in the cultural sphere suggests something unique not only in the event itself – in where and how it happened – but also in its initial representation. Following Erving Goffman's (1981, 46) notion of a referential afterlife, I define the immediate news cycle in the days or weeks after the event as the first wave of the disaster's referential afterlife. The second wave arrives when agents in the cultural sphere become interested in the event – mainly through its initial mediation – and create further representations of the disaster in slower media genres.

The first wave of the Lampedusa disaster's referential afterlife took place when national and transnational communities gathered around the disaster through news and social media. This period, during which the public would associate “Lampedusa” with a specific event, lasted a couple of weeks. At the time, the disaster made headlines on the front pages of major European newspapers (for an analysis of the Italian media coverage, see Andreina Papa 2014; Giubliaro 2018). Pope Francis called the disaster *vergogna*, meaning disgrace or shame, which was widely reported in the global media (Davies 2013; Geddes 2013). His words echoed across Europe, with media headlines making use of terms translating as shame, shameful, or disgrace. On 6 October, the German newspaper *Süddeutsche Zeitung* printed an article titled “Europas Schande” (Europe's shame). The front-page headline of *Le Monde* on 5 October read “Lampedusa: l'indifférence coupable de l'Europe” (Lampedusa: the culpable indifference of Europe).

Several aspects of the Lampedusa disaster made it unique among migrant disasters. The first was its location. The disaster happened close to the island of Lampedusa, only one kilometer from Rabbit Island, which had been earlier that year been voted the world's best beach on Trip Advisor (King 2013). Second, the disaster was discovered by a local ice cream maker, Vito Fiorino, who was on a fishing trip with friends on his leisure boat *Gamar*. Many of the 155 survivors were rescued by Fiorino

and his friends and other locals. Third, the municipality and the parish of Lampedusa made the magnitude of death visible to global audiences with their careful arrangement of the hundreds of victims' coffins in Lampedusa's airport hangar. In many disasters, the dead disappear into the sea, but in this case, the disaster's corporeality could be made visible and spectacularized through global media attention.

Fourth, Lampedusa had already gained significance in the global imaginary as a symbolic site of Europe's border zone. Since the early 2000s, the Italian government has manufactured border emergencies and staged its responses on them on the island (Cuttrita 2014). In 2008, the island was used as a site for civic memorializing of border deaths when Italian cultural agents commissioned Mimmo Paladino to create the sculpture *Porta d'Europa* as a memorial there (Horsti 2016a). The island's significance as a memorial site intensified in July 2013, when Pope Francis made his first visit outside of Rome to Lampedusa and held a mass there in memory of "immigrants dying at sea" (Francis 2013). In large-scale protests in Germany in 2012 and 2013, migrants referred to themselves as "Lampedusa in Berlin" and "Lampedusa in Hamburg" (*Berliner Zeitung* 2013; Colombini 2019). By the time of the so-called refugee crisis of 2015, the European public understood "Lampedusa" to mean much more than just an island in Italy – it had come to refer more broadly to a border site where securitizing spectacles and humanitarian emergencies entwined. In 2015, Lesbos came to be known as "the Greek Lampedusa" (Kingsley 2016). Thus, in the European migration discourse, "Lampedusa" signifies the border zone and emergency, and as a metaphor, it can be transported anywhere.

In this article, I focus on one particular category among the cultural productions that touch on migrant deaths at Europe's borders: what I call *civil investigations*. These productions examine the disaster as an event-as-such, paying attention to detail and asking what happened or might have happened. The "civil" in this investigative approach refers both to civil society actors and to civility – to decency. This resonates with Jeffrey C. Alexander's theorization of the civil sphere in which he argues that civil society should be considered a sphere of solidarity where values and institutions generate "the capacity for social criticism and democratic integration at the same time" (2006, 4). Civil investigations do not strive for a coherent narrative of the event. Rather, they attempt to make visible misrepresentations and details that have been omitted from or hidden in the dominant narrative of the event. This is a sphere of a potentially positive political conflict, what Mouffe (2013) calls "agonistic pluralism".

With the term civil investigation, my intention is to draw particular attention to decency and civility in action. Civil investigation does not necessarily stem from a specific ongoing political struggle or activist affiliation, as does, for example, Marcelo Hoffman's term *militant investigation*. Hoffman (2019, 2) defines militant investigation, a common strategy in workers' movements, as: "the constitution of knowledge in radical political struggles and theories." In migration research, the term militant investigation is used to refer to a "militant" or radical epistemology in knowledge production. "Militant investigation engages with the power asymmetries that make migrants into subjects of migration knowledge production," Casas-Cortes et al. (2015, 63) write. A "civil" position is not rooted in this way in a political or activist position or struggle, although a civil investigation may be utilized or

merged with a militant position. In this sense, civil and militant investigations should not be considered mutually exclusive or opposites.

Furthermore, the idea of the civil in civil investigation resonates with Azoulay's civil imagination. Civil investigation is a practice that stems from the capacity to imagine a civil connection, a conviviality with others. To begin a civil investigation of an event presupposes the capacity to think in terms of interdependency and vulnerability. One acts out of responsibility towards others, and in doing so, produces possibilities to imagine the world differently – the potential for the public to cultivate its capacity for civil imagination.

Below, I examine two plays by Antonio Umberto Riccò (Germany) and a documentary video by Antonio Maggiore and the activist collective Askavusa (Italy), which are rare examples of cultural productions that treat the Lampedusa disaster as an event-as-such. Among the more than fifty cultural productions related to the disaster, these three approach the disaster with an aim to investigate what happened. Instead of treating death at the border as a mere phenomenon, they look closely at the specifics of the event, document what can be known, and imagine or theorize what might have happened. My methodological approach stems from cultural sociology. That is, I examine the production of the plays and the video, as well as their performance and screening, in context. So, I will analyze the two plays, the video, and a civil investigative report that laid the groundwork for the video and the second of the two plays. I also interviewed key persons involved in the productions and observed a screening of the video and a performance of one of the plays. While a close reading of texts and analysis of the visual images in the plays and the video are important in my methodological approach, the cultural, ethical, and political contexts in which the productions are made and consumed are also central. In this article, I ask what motivates cultural agents to engage with the disaster through investigation, and what potential these engagements have in countering the oppressive bordering of Europe. How do civil investigations and the performance of them in the cultural sphere contribute to civil imagination?

I faced limitations in this approach, however, because I was not able to gather material on the three productions evenly – I was able to attend one screening of the video and one performance of one of the plays. My analysis of the other play is based only on videos of its performances.

## **2. Civil investigation in Hannover, Germany**

In Hannover, Germany, in October 2013, Antonio Umberto Riccò, a retired manager in the education sector, was following the news about the Lampedusa disaster from multiple sources in both German and Italian – what was happening in his country of origin had captured his attention. While witnessing the disaster through the media, he became convinced that he needed to “do something,” as he told me later in a research interview (Riccò 2016). Together with other Italian-Germans in the region, Riccò created the group *Unser Herz schlägt auf Lampedusa* (Our Heart Beats for Lampedusa).

I met Antonio Umberto Riccò in a café in Hannover in 2016 to ask what had motivated him to act. Why were people in Hannover so interested in a disaster that took place in the Mediterranean Sea? How did it touch their lives? Riccò explained that “an uncomfortable feeling, as an Italian living in Germany,” had compelled him to act. His reaction was initially horror and sadness at the news of a mass death, and later, when he learned more about the disaster, shame. “I was ashamed because it soon became clear that this catastrophe was not a natural event. It could have been prevented,” Riccò (2017, 78) reflected later. He was puzzled by how it could be possible for authorities not to notice a migrant boat in distress in the Strait of Sicily, which is monitored by radar systems.

Using email lists for people engaged with refugee issues in Hannover, Riccò called a meeting. The group that gathered was a mix of Germans involved in the refugee issue and people of Italian background. They had all followed the news about the disaster in the media and shared one common concern: they feared the disaster would soon be forgotten in the European public sphere. Just ten days after the disaster, Riccò noticed that news stories about it had become shorter and no longer reached the front page of Italian newspapers. German news media no longer reported on the disaster at all. The news cycle was moving on to other things, and Riccò and the others feared this event of mass death would soon be forgotten. In the meeting, the group decided that this was the issue they could do something about. They decided a play would be appropriate to keep the memory of the disaster alive. The group began to call themselves *Unser Herz schlägt auf Lampedusa*, and they titled their website *Lampedusa-Hannover*.

After the meeting, Riccò started to research the disaster in order to draft the play. They had decided a play would be appropriate to keep the memory of the disaster alive and selected a play-reading format that could easily travel from place to place. To piece together a narrative of what had happened leading up to and during the disaster, Riccò collected news stories from mainstream Italian and German media, reading through them again and again. As gaps in the story line caught his attention, he searched for more details online and came across the local Lampedusa media, including the leftist activist group Askavusa. In addition to publishing blogs, Askavusa collaborates with a local independent video producer, Antonio Maggiore, who shares videos about Lampedusa on YouTube through his production company Libera Espressione.

The alternative Lampedusa media had raised critical questions about the Italian Coast Guard’s rescue operation. Vito Fiorino and the crew of friends on his leisure boat, the first to respond to the disaster, had criticized the rescue operation and argued that the Coast Guard arrived only after a second emergency call (a claim the Coast Guard has denied). Fiorino’s crew also criticized the Coast Guard for not transferring the survivors the civilians had rescued to their larger Coast Guard vessel so the civilians could continue pulling additional survivors into their smaller leisure boats. In Libera Espressione’s interviews survivors explained that before the disaster, two large vessels had approached their boat and shone lights on them. The Tunisian “captain” of their migrant boat then set a sheet or blanket on fire to attract the attention of those vessels.

Riccò told me that the two parallel story lines he had identified in the media began to haunt him. Lampedusans, who were presented in the mainstream media as a heroic people on the distant edge of Europe living according to the archaic principles of the law of the sea, were in fact divided in their interpretation of what had happened. One group aligned with the Coast Guard and the Guardia di Finanza; they believed the disaster was an unfortunate accident and that none of the authorities stationed on Lampedusa or any of the larger fishing trawlers had seen the migrant vessel in distress. Some Lampedusans aligned with the Coast Guard, including the local Fishermen's Association and the mayor, Giusi Nicolini. While in the first two days after the disaster Nicolini demanded an investigation of the survivors' claims, her views changed on the third day. She issued a public announcement saying: "Enough with this useless and unjust controversy. Lampedusan fishermen do not let migrants die at sea. They never did and never will" (quoted in *Il Gazzettino* 2013). The day after the disaster, the Fishermen's Association organized a mediatised commemoration at the disaster site, and photographs of the fishermen throwing a wreath of yellow and orange flowers with a ribbon reading "Pescatore di Lampedusa" into the sea was disseminated across the world through the Associated Press. This image countered the second story line, which was based on survivors' descriptions of large vessels, possibly one of them a fishing vessel, ignoring their distress.

As he read through the news reports, a conflicting detail about the time of the emergency call gave Antonio Umberto Riccò pause. He compared the exact times reported by Fiorino and his crew members on the Askavusa blog and those reported by the Coast Guard. He paid careful attention to the witnesses' descriptions of dawn and examined the direction of the light in the first photographs disseminated by the Coast Guard. He then compared these accounts to the day's weather forecast and sunrise. Riccò did not reach a definite conclusion about whose narrative was true, but the conflicting story lines became one of the key themes in his play *Ein Morgen vor Lampedusa* (That Morning off Lampedusa).

The play begins with the story of the disaster as told by the Eritrean survivors. Little background is given as to who these people are or why they left Eritrea. Instead, the story focuses on the events on the boat: how the migrants approached the island and waited to be rescued, and how the captain set a blanket on fire to attract the attention of the fishing vessel nearby. The first critical detail about the rescue operation appears in the line of a survivor named Tesfahiwet: "We saw the boats of the fishers, but they didn't see us. We started to scream, but it didn't help anything: They neither saw nor heard us!" (Riccò 2014, 26.)

The second section of the play presents the disaster from the perspective of the Lampedusans who chanced upon the disaster and began to rescue survivors, and of the divers who retrieved the dead from the sunken boat and the seabed. Experiences of rescue and eyewitnessing death are central to this section. For example, Raffaele, a fisherman, says:

I grabbed a woman and couldn't hold her. She fell back into the water. I told her 'Hold on, hold on!' She looked at me and didn't say a word. She was totally exhausted. She didn't even manage to hold herself over water. I saw her sinking without a cry, with those eyes which were just staring at me. (Riccò 2014, 15.)

Riccò's play underlines a critical view of the rescue operation that has otherwise remained rather hidden in mainstream media coverage and in most cultural productions about the disaster. Towards the end of the play, the four civilian rescuers on Vito Fiorino's boat each describe, one after another, how the Coast Guard refused to take survivors on board its larger SAR vessel.

Marcello: We didn't have another choice. Our boat had to turn and drive back. Despite all others who were crying for help. We could have rescued them.

Linda: People sank in front of our eyes and the Coast Guard was next to us saying: "We have to call Rome to know what we have to do. There are strict orders."

Vito: They answered us that they couldn't do that because they first had to wait for further orders. Unbelievable.

Carmine: Next to us was a boat of the Guardia di Finanza. They took photos and videos but didn't let anybody on board.

(Riccò 2014, 21–22.)

This repetition, describing the same event in the voice of four different Lampedusan protagonists, consolidates the scene of conflict in the Lampedusa-Hannover version of the disaster's memory. Framing the disaster as a conflict between two types of actors and their divergent responses – civilian rescuers' non-hierarchical solidarity with the refugees and the Coast Guard's hierarchical structure where protocol overrules human deliberation – arouses suspicion that more could have been done to save lives. The disaster does not "just happen" accidentally, but is produced as a result of human actions and inaction.

However, while the text of the play opens a critical view of the institutional rescue agents, the PowerPoint slideshow that is projected while the play is read tell a different story. The dominant gaze in the slideshow photographs is that of institutional rescue agents – the Italian Coast Guard and the Italian and German navies. The slideshow also depicts other, more recent rescue operations the German navy has been involved with through Frontex, the European Border and Coast Guard Agency. The dominant framing in these images constructs a hierarchy between potent, protecting and caring European rescue agents and victimized yet potentially dangerous migrants. Such framing is dominant in news imagery of migration by boat in general (see Giubilaro 2016; Horsti 2016b; Horsti 2017).

Whereas the text of *Ein Morgen vor Lampedusa* underlines the particularity of a single event, the visuals create a sense of a broader crisis in the Mediterranean. The contrast between the images of various rescue operations and the narrative of one specific disaster on the one hand elevates the Lampedusa disaster as a symbol for all other disasters. On the other hand, it softens the potential power of the investigative gaze into one specific event.

A key feature of the format in which the Lampedusa-Hannover group's civil investigation is performed is the particular way in which reading a play engages both audiences and performers. The performance requires at least five readers, but lines are available for up to 24 participants. The play reading is a community activity. By the start of the COVID-19 pandemic, the play had been read more than 400 times, mainly in churches, community spaces, and schools in Germany and Italy. Members of these communities have taken up the roles of the protagonists in the play: four male and two female refugees, eight Lampedusan civilian rescuers, the mayor of Lampedusa, the president of Sicily, two divers, one doctor, a Coast Guard press officer, and residents of Lampedusa.

By reading aloud the experiences of those who eyewitnessed the disaster, communities that perform the play enter the scene of the disaster – or better, they bring the scene of the disaster into their own familiar spaces. The play-reading format creates a sense that anyone could find themselves in the position of the victim, the survivor, or the rescuer. The participants, who have been spectators of a distant event, for a moment, become protagonists in the disaster.

Performance scholar Diana Taylor (2003) reminds us that no one who listens to a testimony can ever be an eyewitness of the event described in that testimony. Nevertheless, one can become a secondary witness by listening to the testimony (see also Wake 2009). Writing about listening to the eyewitness testimony of a torture victim in Villa Grimaldi, Chile, Taylor argues: “I participate not in the events but in his transmission of the affect emanating from the events” (Taylor 2011, 273). However, in the case of the Lampedusa-Hannover play reading, eyewitness testimonies have gone through multiple layers of mediation, rendering the idea of secondary witnessing more complex. First, Riccò witnessed the disaster through the media. Those media reports disseminated both eyewitness narratives and journalistic accounts. Second, Riccò re-mediated the story of the disaster by writing the play. Third, performers and audiences become another layer of re-mediated witnessing. They both re-mediate and become witnesses of the retelling of the disaster. The voices they hear retelling the narrative of the disaster are familiar voices, speaking the language and dialect of their own community.

The participatory performance of *Ein Morgen vor Lampedusa* connects two places, the Mediterranean Sea border symbolized by Lampedusa, and the place where the play reading is performed, relocating the disaster. The violent border that in Northern Europe might be conceived of as “elsewhere” – not “here” – enters one's own community through the act of reading the play. The title of the project's website, *Lampedusa-Hannover*, illustrates this relocation of the border. Lampedusa, a symbolic border zone, appears in Hannover and transforms communities there.

### **3. Searching for *la verità* – the truth of the 3 October disaster in Lampedusa**

While Antonio Umberto Riccò in Hannover was trying to figure out the disaster's conflicting story lines, in Lampedusa, the activist collective Askavusa and media producer Antonio Maggiore of Libera Espressione continued their own investigations after the initial news cycle. They too paid attention to the details of different narratives that did not seem to match. Askavusa and Maggiore produced a documentary, *I giorni della tragedia* (The Days of the Tragedy), that was first



screened on 3 October 2015 in Lampedusa. Similarly to *Ein Morgen vor Lampedusa*, the video centers the eyewitness testimonies of survivors and Lampedusans, with survivors recalling seeing large vessels near their boat before it sank. The video uses underwater footage of the wreck lying on the seabed to visualize the disaster scene and the original audio of the emergency call to dramatize the rescue.

For its premiere, the video was simultaneously screened in multiple universities and activist spaces across Italy, Belgium, France, and Switzerland. Rather than simply uploading the video online or disseminating it through established media platforms, Askavusa used a “civil distribution” (Segre 2009) strategy, in which a screening becomes a space for engagement among people involved in a cause and those affected by an issue. Discussion and debate around a cultural production allows communities to become involved in an issue (see also Triulzi 2015). Furthermore, the screening of *I giorni della tragedia* brought the deadly border into the proximity of the communities that gathered around the video, inviting them to consider the disaster as a matter of personal concern. The film screening, like the play reading, relocated the deadly border zone to the civic space where the production was being presented.

The screening of the video in Lampedusa was not part of the official anniversary commemoration of the disaster that was organized earlier the same day by Comitato 3 ottobre, an Italian organization supported by the Municipality of Lampedusa, the Italian public service broadcaster RAI and a number of intergovernmental and non-governmental actors, including UNHCR and IOM.<sup>1</sup> Unlike the commemorative ceremonies that took place during the day, the screening of the video on Piazza Brignone in the evening did not celebrate the rescue; instead, it demanded an “investigation of the failed rescue” – with that demand, as Giacomo Sferlazzo (2015) of Askavusa said, serving as a remembrance of “those who lost lives on that day.” The film screening provided an alternative interpretation of the disaster, diverging from the official commemorative ritual where the rescue operation was celebrated.

Askavusa’s investigation continued after the release of the video, and a year later they published a civil investigative report *Lampedusa 3 Ottobre 2013: Il naufragio della verità* (Lampedusa 3 October 2013: The Sinking of the Truth) (as of this writing, Askavusa has updated the document twice, on 3 October in 2017 and 2018). The publication of the civil investigation and its updates on 3 October – the anniversary of the disaster – has been deliberate. In choosing this publication date, Askavusa intervenes in the way in which the disaster is publicly memorialized. Comitato 3 ottobre has been instrumental in shaping the memory of the Lampedusa disaster into a generalized reference to all kinds of migrant death and disasters, including those of Italian emigrants. In 2016, an Italian law designated 3 October the National Day of Remembrance for the Victims of Immigration (Giornata nazionale in memoria delle vittime dell’immigrazione). According to the law, the purpose of memorializing the disaster is to raise awareness and educate young people about immigration (The Republic of Italy 2016). Askavusa’s intervention through the video and the report has been to increase awareness of the lack of investigation of the disaster and “the sinking of the truth” – and in doing so, to remember the injustice done to the dead and to their families.

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<sup>1</sup> See the website of Comitato 3 ottobre at <https://www.comitatotretotobre.it/>

Askavusa's report focuses on the conditions in which the disaster happened and speculates as to why the Coast Guard and the Guardia di Finanza did not come to the rescue at night when the migrant boat's engine initially stalled. Askavusa documents how authorities deliberately ignored Vito Fiorino's and survivors' testimonies after the disaster and mediates Fiorino's testimony about his visit to the Coast Guard headquarters in Lampedusa a few days after the disaster. At headquarters, a commander told Fiorino he would receive a gold medal for civilian courage before asking that Fiorino sign a prewritten statement describing the events. Fiorino did not agree with the description of his emergency phone call as written in the statement, which stated that the call had been placed at 7 am; Fiorino claims his first call was placed at 6:40 am. There was also no documentation of the Coast Guard's refusal to move survivors from Fiorino's boat, *Gamar*, to the rescue vessel – a detail that Fiorino insisted prevented him from saving more people. Fiorino refused to sign the prewritten statement and walked out of the headquarters.

Askavusa's report also included a theory proposed by the Sicilian journalist Michele Gambino (2017), who in 2014 attempted to write a reportage about why the migrant boat was not detected when its engine stalled. The reportage was never published because Gambino was unable to uncover enough evidence for a story. Nevertheless, later in 2017, Gambino published a theory about what might have happened on his Facebook page (copied in Askavusa's report). Using AIS marine traffic data, Gambino identified the fishing trawler *Aristeus* from Mazara del Vallo, Sicily, which had been on course to Lampedusa harbor at 3 am but deviated from its course towards the disaster site before turning back towards the harbor. This detour matched the eyewitness testimonies of those on the migrant boat, though the survivors had said they saw two large boats, one of them seemingly a military vessel. The AIS data showed only one boat. Gambino tracked down the captain of *Aristeus* in Mazara del Vallo, but neither the captain nor his crew members admitted having noticed a boat in distress. Gambino felt the only plausible reason for the crew not to have notified the authorities about a migrant boat in distress was that the crew must have seen the Coast Guard or the Guardia di Finanza already at the scene, though there were no traces of these boats in the AIS traffic data. "The crew of the fishing boat behaved as anyone would have if they saw the police on the scene when driving by a car accident," Gambino concluded (as quoted in the Askavusa report).

This type of civil investigation, which presents a possible scenario of events based on surveillance data and eyewitness testimonies, has a critical potential similar to what Lorenzo Pezzani and Charles Heller (2013) term a "disobedient gaze." In their Forensic Oceanography project, Pezzani and Heller use surveillance data to reconstruct maritime disaster scenes, subverting the technologies deployed by states. Forensic Oceanography focuses on the details of an event, aiming to unveil what the regime of migration management "attempts to hide – the political violence it is founded on and the human rights violations that are its structural outcome" (Pezzani & Heller 2013, 294). Forensic Oceanography is part of the broader Forensic Architecture project, in which investigations are presented visually in various formats such as film, media, and exhibitions. In some cases, the evidence collected by investigators has also been used in legal processes. While Forensic Architecture presents the narrative of events in aesthetic formats familiar to the cultural sector and in activist and civil spaces such as human rights and civil society events, their methodology differs from the cultural productions analyzed in this paper. Forensic

Architecture follows a scientific methodology, and the investigation and evidence are its main goals; the role of the resulting exhibitions or films is only to mediate the results of investigations. Riccò and Askavusa, in contrast, documented differing testimonies and alternative interpretations of the disaster and the rescue. Reaching a firm conclusion – “the truth” – was not necessary for finalizing the end product.

After they published their first investigation, “The Left-to-Die Boat,” in 2012 as a short film, I asked Pezzani and Heller if they had considered investigating the Lampedusa disaster. Heller told me that in 2013, as soon as they heard about the eyewitness testimonies describing boats at the scene of the Lampedusa disaster, they had done preliminary analysis of the relevant AIS maritime data. However, the data did not provide enough evidence, and they had to give up the investigation (Heller 2018).

Michele Gambino’s theory about the presence of boats near the disaster continued onward from the Askavusa report to Germany, to another play being written by Antonio Umberto Riccò. *Das Boot ist voll!* (The Boat is Full!) is a monologue based on Vito Fiorino’s experience of the disaster. Riccò had connected with Fiorino as a result of *Ein Morgen vor Lampedusa*, which also brought him into contact with Giacomo Sferlazzo of Askavusa. With the Lampedusa-Hannover website and structures to disseminate a play already in place, the group could take on a second play. Like the first, *Das Boot ist voll!* is also a light production that travels easily. It is a one-man show on a simple stage that references Fiorino’s gelateria on via Roma, the main street in Lampedusa. The only other visual elements in the play are photographs of Lampedusa, rescuers, and survivors that are projected on a partition that represents the gelateria’s wall.

Riccò’s second play is fundamentally different from *Ein Morgen vor Lampedusa*, which is characterized by its participatory play-reading format. *Das Boot ist voll!* is produced by a professional theater, Theater in der List in Hannover, and the monologue is performed by a professional actor, Willi Schlüter. Nevertheless, as the play is easy to perform in any space, it tours across Lower Saxony. Thanks to public funding, *Das Boot ist voll!* can be booked for school performances at a reasonable price. After performing the play, Schlüter engages in conversation with the audience to discuss the topics it raises: migration, death, and sea rescue.

Michele Gambino and his theory about the two boats is raised at the end of *Das Boot ist voll!* The character Fiorino, the protagonist in the play, describes Gambino and his investigation: “I was immediately sympathetic [towards Michele Gambino]. I liked his way of working. How can I explain? Perhaps like this: Michele wanted to understand what had happened.” Vito Fiorino implies that his trust in and liking for Gambino was triggered by the fact that Gambino was curious to know “what had happened” and had embarked on an journalistic investigation project. Many others who had interviewed Fiorino during the year after the disaster were not interested in the event in the same way.

The play’s monologue also tells the story of Fiorino leaving the Coast Guard headquarters after refusing to sign the statement:

I hadn't even gotten to my car when the commander caught me. He held me by the arm, but now he had a friendly tone again, persuasive, almost pleading: "Vito, think carefully about what you do, please... I have a family, a young daughter..." His arrogance was gone. Somehow, I felt sorry for him. But I couldn't do anything but reply: "You know very well there were also families and children on the refugee boat."

Fiorino's convivial imagination of the world appears in his pointing out that "there were also families and children on the refugee boat." He does not differentiate between Italian families and children and those on the boat – they belonged to the same world.

In *Das Boot ist voll!*, Riccò underlines the importance of the question of "what happened" and the determination to remain true to it in two ways: first, by situating the theory of the two boats prominently, at the end of the play, and second, by identifying Gambino's investigative approach as unique in the afterlife of the disaster. Based on a performance of the play I observed in a vocational school in Buchholz in der Nordheide in Lower Saxony in October 2018, Riccò's emphasis on the civil investigation was effective.

About a hundred teenagers watched the one-hour monologue in their school's hall. During the performance, everyone was still and quiet, and no one used their mobile phones or chatted. Willi Schlüter, playing Vito Fiorino, demonstrated with his hands how a fishing trawler had approached the migrant boat:

There were traces. Traces in the true sense of the word. All boats with a transponder leave traces. [...] A Sicilian fishing boat had headed that night towards the port, around two or three. But suddenly it changed its course... and it approached the place where the refugee boat was located. Shortly afterwards it left without giving assistance.

After the play and the audience's applause, Schlüter remained on stage, having transitioned out of the role of Vito Fiorino. There is always a discussion between Schlüter and the audience after a performance, he told me afterwards. The first question from the audience was related to Michele Gambino's conclusion – a teacher wanted to confirm that the play implies the fishermen on *Aristeus* didn't help the refugees because they saw a government agency boat at the site. The audience in Buchholz in der Nordheide did not let the disaster pass for a generic tragedy or a phenomenon somehow natural to the sea border; instead, by their questions they supported the idea that justice is about paying attention to the details of the disaster and investigating them.

#### **4. Civil investigation as a cultural intervention**

The civil investigations carried out simultaneously by different individuals and communities – in Hannover, Sicily, and Lampedusa – is a result of the state's delay in initiating an independent investigation. Authorities in Sicily have carried out three types of investigations on the disaster: First were the investigations into so-called human smugglers. The effort was the largest ever of its kind in Italy and was carried out by the Anti-Mafia Prosecutor's Office in Palermo immediately after the disaster

(Campana 2017). As a result of the investigations, the Tunisian “captain,” Khaled Bensalem, was sentenced to 18 years in prison and six Eritreans were sentenced to 8–16 years in prison, all on grounds of human trafficking (Amato & Schembri 2015). The second line of investigation concerned the head of the rescuing forces, but this investigation did not result in court proceedings (Tribunale di Agrigento 2020, 14). The third investigation, initiated in 2017, concerned the fishing crew of *Aristeus* of Mazara del Vallo, Sicily. This investigation led to a legal process that in 2020 resulted in seven fishermen receiving sentences of 5–8 years in prison for failing to provide assistance or notify authorities about a boat in distress (Tribunale di Agrigento 2020, 3–4). The civil case against the crew of *Aristeus* was raised by two human rights NGOs: Gandhi Charity, founded by Eritrean-Italian human rights activist Alganesh Fessaha, and Progetto Diritti, which provided support to relatives of the victims. Interestingly, the court decision reveals that evidence gathered in the civil investigations of Antonino Maggiore, Michele Gambino, and Aksavusa played a role in the civil case. Transcriptions of Maggiore’s video material and notes from Gambino’s research and interviews with the *Aristeus* crew were among the materials the court considered as evidence (Tribunale di Agrigento 2020).

However, the legal process is not the sole purpose of the civil activities discussed in this paper. The civil investigations were initially undertaken to document, and for cultural productions – to piece together a narrative to use in plays, reportage, and video. The misrepresentation of the disaster in the dominant discourse was an injustice to be corrected through re-representation. However, the cultural productions generated further investigations and representations. After their first video productions, Askavusa went on to compile and then update the civil investigative report *Lampedusa 3 Ottobre 2013: Il naufragio della verità*. Riccò wrote his second play after becoming aware of Gambino’s theory and Askavusa’s report. Furthermore, these cultural representations of civil investigations have arguably had an impact on the legal investigation into the role of the crew of *Aristeus*.

Askavusa and the Lampedusa-Hannover group do not articulate their actions or motivations in terms of humanitarian action. Their motivation to know what happened is related to their refusal to accept that a migrant disaster be treated differently from other disasters in the society they live in. Their action is that of solidarity through refusing to divide the world into us and them and refusing to accept the border zone as a space different from their own. Differential treatment of migrants and migrant disasters harms also their own community and society – it harms everyone. The possibility that the disaster and its investigation were deliberately mishandled, as well as the misrepresentation of the disaster, disturbs their identity and their sense of a good society. Michele Gambino was driven by his journalistic ethics, Antonio Umberto Riccò by his dual sense of Italian and European citizenship, the Lampedusa-Hannover group by its sense of a shared world and civility that extended from Hannover to Lampedusa, and Askavusa by their radical anti-capitalist politics. For all of these actors, despite their different ideological standpoints, a cultural intervention is a form of refusal to be part of a society that differentiates.

These actors did not accept the dominant narrative of an unfortunate accident, instead examining the disaster as an event-as-such – an event resulting from human actions and non-actions. However, neither the plays nor the video nor the civil investigative report restrict the search for responsibility to a particular agent, such as the crew of

*Aristeus*. They present the actions and non-actions of individuals in context. They point to Italian migration policy, including the laws that punish those who assist unauthorized migrants at the border. The European migration and border regimes also come into play as conditions that produced the disaster, and Askavusa underlines the role of economic and power structures that benefit from the violent bordering of Europe.

## 5. Conclusion

The civil investigators described in this paper contributed to a critical understanding of migrant deaths at Europe's borders. Through plays, the video, and the report, they intervened in the public narrative about the Lampedusa disaster and provided a critical view of the oppressive bordering of Europe. First, they contributed to a critical understanding of the phenomenon of border deaths by documenting and articulating details of a single disaster. These pieces, though perhaps unable to form a coherent narrative, nevertheless became visible in the public sphere and offered an alternative gaze on the disaster. While they do not remove the need for an independent investigation, they do continue to remind the public that Europe is incapable of addressing the disaster and its victims in a fair and dignified way.

Second, cultural productions have the capacity to circulate in the cultural sphere beyond the initial news cycle. My analysis shows how layers of civil investigation, cultural production, and their transnational interactions can create a reciprocal circuit of representation. The temporality of these genres, their slowness, helps prevent the event from being erased from the public memory. The memory of the disaster – and the injustices that are still part of it – keep haunting European publics. Cultural productions leave traces in the public domain and may trigger yet another layer of engagement with the disaster – and possibly an official investigation, legal process, or acknowledgement of responsibility.

Third, the plays and video analyzed here circulate in the cultural sphere through civil networks. Communities became part of the performance through play-reading or discussion. Play readings of *Ein Morgen vor Lampedusa* in particular involve audiences in an intimate way in the remembering of the disaster. The memory of the disaster lives on through the communities that perform the play, becoming a memory of the performing community itself. This and other participatory strategies in the performance of civil investigations further enforce the critical power of civil imagination.

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