



Shifting Waters

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Searching bits of rubbish washed ashore has become an adventurous pastime for some and a real vocation for others: Beachcombers spend most of their beach time looking out for things that have been lost at sea, as well as noting weather, tide or even wildlife sightings. A growing band of beachcombing enthusiasts now record their findings systematically. The more beaches they comb, the better idea they get of where the flotsam found on beaches comes from. These well networked driftographers produce unique databases and comprehensive catalogues of shorelines around major cities, all based on the finds of apparently unrelated pieces of styrofoam, cloth, rubber, sports gear, or medical waste. Curtis Ebbesmeyer, an oceanographer in Seattle, heads a network of thousands of beachcombers worldwide who meet regularly

at driftwood shows and beachcombers' fun fairs to report on washed up flotsam.¹ Combined with computer simulations of ocean surface currents their reports are powerful tools to predict the effects of oceanic circulations on anything manmade that enters the sea, intentionally or accidentally. A single container lost at sea, for instance, can launch 67,000 pounds of flotsam.² When cargo goes overboard it becomes subject to the complex interlocking currents that sweep the Earth's waters. Be it tennis shoes, rubber ducks or hockey gloves, satellite-tracked buoys, migrating salmon, messages in bottles or derelict vessels, beachcombing science has proven a valuable approach to track all sorts of flotsam and to predict where and when it might land. But beachcombing also yields greater environmental concern for the sea and its endangerment through the nature of material unintentionally cast adrift. Roaming the world's beaches, beachcombers have discovered how susceptible oceanic currents are to changing air flows, rising ocean temperatures and growing river inputs, let alone the huge accumulation of trash in extensive marine garbage patches that form whole 'continents' of floating garbage.

The finds of beachcombers – traces of items that others have unwittingly left behind – index a sequence of ruptures on many different levels: ruptures in the circuits of production and distribution, ruptures in the logical order of things and movements, ruptures in our conception of smooth entry, circulation and extraction. In connection with the forces of the sea, such ruptures are also brought into play by images of maritime disasters, reports of migrants stranded at sea or pirates operating off the coast. Willingly taken up by the media, these ruptures have become prominent instances of offshore activities whose effects are often felt ashore. But while evoking images of the high sea and epic travels, offshore does not necessarily designate the geographic location of an activity. Rather, it refers to the juridical status of an increasing

range of particular realms characterised by exemption, including specific landlocked territories, financial markets and other more mobile sectors of the economy that benefit from spatial constraints employed to achieve determinate goals.³ Like the serendipitous finds on a beach, offshore phenomena are cast-up fragments of deterritorialisation that appear as if they could be put back into their rightful place at any time. Yet instead they enjoy lives of their own, claiming their own sovereignty and furthering their independence by borrowing a plethora of disguises, masquerades and tricks to preserve their integrity. Offshore is a place of utmost elasticity that spreads out within the shelter of political consensus, notwithstanding conventional boundaries, and whose conflictual mechanisms come to light only through unfortunate collisions or shock encounters.

As well as in popular imagination, in maritime literature the sea is often associated with the infinite and immense, portrayed as a sphere of sublime experiences and unseen possibilities. It lies out there, stretching beyond the horizon, beyond what one can grasp. From there it seems one is free to enter other spaces, charter unknown territories and take off into every imaginable direction. At the same time, though, everyday practices tend to reduce the sea to an in-between, to a minor zone spanning the void between more significant places, an inconvenience between points of departure and points of arrival – an offshore reality to be traversed in as little time and with as little effort as possible. These two seemingly oppositional movements – one pointing towards the sea, towards an infinite horizon; the other one turning inwards, dismissing the negligible in-between en route – are echoed by the tidal rhythms of maritime economies: They seek to both expand and shrink the strengths and thicknesses of the sea. Out there, out of sight, the waters are churned up by an estimated 95 percent of the world's freight carried by the sea



and squeezed together by ever more maritime claims staked, boundaries drawn and resources raided.

When this economy of give and take appears as relatively balanced, it may seem that the rugged waters will eventually always return to a state of smooth and frictionless equilibrium. But what is at stake is

not so much a question of recipes for balance or restorative control. It is a question relating to the complex behavioural repertoires and political constitutions of the sea, an issue of give and take. Unlike breathing – the prototypical allegory for the mechanism of give and take – maritime repertoires and constitutions are all but unconscious or involuntary devices. They merge different interests, such as overlapping jurisdictions and market claims, or naturalise their regiments by making their exclusionary protocols appear to serve the common interest in the best possible way. Far from disturbing the smoothness of the oceans, things that enter and exit the sea join an eclectic rhythm that is always already off balance. While so many contemplations of the sea revel in its harmonious attributes of homeostatic equilibrium and conciliation, its imperceptible fractures, disturbances, misdirections and rearrangements are key to understand the long train of dexterous manoeuvres that use the offshore circuits of giving and taking as a subterfuge to further a particular set of transactions.

Taking

Taking advantage of the apparent incomprehensibility and vastness of the open seas has allowed for a practice of unilateral taking to become acceptable, in which the sea is treated as a resource that will always replenish itself time and again. This practice is increasingly characterised by a tendency to solidify the very fluidity of the seas on which it builds its claims and through which it justifies the unlimited exploitation of maritime resources. Part of this solidification is the complex fragmentation of the seas into individual areas of national jurisdiction. This all-pervasive sea grab – claiming a certain portion of the oceans and the respective organic and mineral resources as exclusive national domains – has been advanced in recent years by a growing ‘land grab’ triggered by the United Nations’ decision to allow coastal nations

with wide continental shelves to extend their exclusive economic zones up to 350 nautical miles from the shore, provided they can prove the width of the shelf offshore. There is now growing national investment in seafloor mapping to provide evidence of the extension of continuous geologic features that would entitle some nations to claim exclusive access to valuable seabed resources. Incited by melting arctic ice and the prospect of access to yet-untapped oil and natural gas reserves, a new round of sea grab is in full swing among six of the 34 countries that claim jurisdiction over the seabed and subsoil of the continental shelf,⁴ including the United States, Russia, Canada, Greenland, Denmark and Norway, all bordering the Arctic Ocean. Recently, the rush to arctic seabed mining has been exacerbated by Russia’s planting of a titanium flag on the sea floor beneath the North Pole in 2007.

Flag-planting may be a dramatic display of national claims, but has little to do with national ownership. Under international law, as codified in the 1982 LOS Convention, there are six maritime zones – overlapping bands with fixed distances from the shoreline that confer different degrees of control over economic, political, and cultural resources: the internal sea, the territorial sea, the contiguous zone, the continental shelf, the exclusive economic zone (EEZ) and the high seas. The 12-nautical-mile territorial sea is an offshore extension of national law and rights of defense. The contiguous zone adds another 12-nautical-mile buffer for national control over smuggling and waste dumping, while EEZs extend a state’s rights to resources up to 200 nautical miles from shore. All zones are the outcome of centuries of international negotiation, but never before has the impact of national interest taken such a dramatic effect on the extent of international waters. Despite the global rise of sea levels, there are unprecedented numbers of claims of land masses above water at high tide, aiming not for the land itself but for laying claim on

the offshore sovereignty surrounding these islands, which significantly reduces the reach of international waters. Given the complexity created by delimitation disputes between states, the dissolution of states, geographic factors such as islands, gulfs or concave coastlines, but also economic factors such as fishing interests, a mere 50 percent of the Mediterranean remains as high seas, guaranteeing the freedom provided for by international law.⁵ Yet this history of zoning and division draws on arguments initially developed to secure open waters. Hugo Grotius, a seventeenth century legal scholar noted for his influence on the laws of the sea and cooperation between nations, has served to argue how states may take possession of a river, as it is enclosed within their boundaries, but not of the sea.⁶ Unimpeded ocean transit, a historic mercantilist mission propagated by dominant seafaring nations, has continued to be vital for the hegemonic role of particular nations up to today, as freedom of the seas is still identified as a top priority to secure the world powers' national interests.⁷ The use of the sea as a common-pool resource (CPR) thus does not stand in contrast with the maritime zoning laws but is equally contingent upon globalisation's lopsided politics of global strategic mobility.

Today the dominant ways of regulating CPRs is to divide and separate them into smaller portions. This may help to settle conflicts between parties competing over stable flows of resources, but the challenge that remains lies with instable, fugitive resources, such as the sea.

Here, the regions bordering the Sea of Marmara provide some interesting reference points: the inshore fishery co-operative of Alanya, for instance, features prominently in Elinor Ostrom's award-winning writings on the politics of the common.⁸ Her investigations look at different approaches to share maritime resources by pathways other than through regulation

by state authorities, showing that the individuals sharing a commons are not inevitably caught in a trap from which they cannot escape. The 100 fishermen of the Alanya co-operative have experimented with a complex rotation system to allot fishing sites to local fishers. Monitoring and enforcing this system is accomplished by the fishers themselves and individual rights are supported by everyone else in the system. That way, the members of the co-operative have devised a workable set of rules to share the resources offered by the sea. Now in its 40th year, the co-operative still has to struggle with ongoing attempts of privatisation and is currently fighting to keep its fishermen café, set on the fringes of the harbour, open, as it provides an important meeting place for the co-operative members. To continue the successful process of negotiations over the distribution of fishing locations, there has to be a physical space for its members to meet, to discuss changes in the fishing grounds and to bear witness to the procedure employed, making it as fair and even-handed as possible.

In managing its fishery, a state can set certain quotas, limit the size of the catch, protect endangered species or prescribe specific types of lines or nets. That way, national legislation such as delimiting an EEZ can help to control overfishing and to prevent illegal fishing on an industrial level. To achieve and maintain the fine-grained structure of resource management, though, much more depends on internal governance mechanisms, self-governed structures and arrangements that are in line with the diversity of situations and the need for particular regulatory instruments. This highlights the ambivalent nature of both maritime zoning and free circulation: Since the prosperity of capital markets thrives on the exploitation of ever new resources, the oceanic seabed has become the new frontier to be colonised, marked and claimed as property. At the same time, these markets depend on speculative circulations, so-



called free movement – being able to draw on the CPR of the high sea to feed any demand wherever and whenever it may arise. Exclusive economic zones may protect national claims to fugitive resources and seabed mining, but they may also preserve the marine environment, control dumping or even deter armed forces from carrying out nearshore military operations. Reducing the freedom of the sea goes hand in hand with the execution of particular purposes that can be exploitative or preservative in nature.

Giving

Thinking further the mechanism of give and take in relation to the ceaseless maritime rhythms of high and low tide, a second site to turn to is the concept of giving, which seems to be a perfectly innocent but ultimately conflict-laden approach to building a relation to the sea. When giving, rather than being on the receiving end, one abandons something in order to move on or in favour of somebody else. Long-standing maritime rituals have often linked the act of giving to gestures of commitment and respect. Scattering the ashes of the diseased at sea, for instance, evokes a sense of exception and privilege, venerability and honour.⁹ In contrast to the political economy of taking, giving appears to be less greedy in nature, much more generous and bountiful, more charitable and in touch with a softer side of the economy. It is much more penetrable, fluid and connected. But this softness and fluidity also comes at a price. Softness is an instrumental attribute to naturalise the logic of the market.¹⁰ It conceals the organising principles, the exclusive dispositions and the inherent contradictions of the market's own tendency to shift the conditions on which favours are proffered and altruistic exchanges take place.

A case in point is The Giving Pledge, a campaign started by billionaires

Warren Buffett and Bill Gates in summer 2010 to encourage the wealthiest people in America to make a commitment to give money to philanthropic causes. Or, the European cross-border initiative Giving-in-Europe, which offers a network of legal and fiscal advice for those wealthy enough to donate something tax-effectively to beneficiaries abroad. Both organisations build on the increased levels of transnational mobility and a growing dispersal of wealth. Against this background, they wish to support donors, intermediaries and beneficiaries with information that joins together the segregated worlds of moral commitment, jurisdiction and fiscal benefit in causes that go beyond national borders. The obvious frictions between such separate worlds and the ways their contact zones are rendered smooth and hazardless perfectly reconfigure the landscapes that create the background foil for such campaigns. Arguably, there is an advantage in this kind of giving over any kind of taking in terms of its potential to escape unanimous regulation while adapting to the elastic and oblique territories of contemporary transnationalisation.

If we want to understand the sea as a landscape shaped by such politics of giving and taking, of elastically controlled, hard and soft, stratified and destratified pockets, then its giving seems to enjoy an appreciation similar to the booming philanthropic campaigns run by influential businessmen. Its giving is also similarly less controlled and monitored than its taking, as can be seen in the case of maritime pollution: those affecting the ecosystem most are usually least willing to be held accountable for their undesirable contributions. Maritime contaminators and polluters abound, the sea has turned into one of the largest dumping grounds in the world without any industrial or governmental sector attending to the root causes of this crisis. Of course, there are not only financial reasons but complex interdependences behind this denial of liabilities. When in April 2010 five million barrels of crude oil from the

Deepwater Horizon drilling rig explosion entered the sea, they left their mark, all too visibly, on the Mexican Gulf region, its shorelines and its marine and wildlife habitats within less than a week. But in terms of legal or equitable remedies it will take an estimated 20 years to settle all the litigations that have occurred. Deepwater Horizon, the largest offshore oil spill in US history, and its disastrous effects on the Gulf's ecosystems as well as on its fishing and tourism industries have been recorded in a spate of documents that give evidence not only of the scale of the crisis but also of its complexity and impact. The more visible such maritime disasters become, the more they tend to trickle into popular consciousness and stay in memory as an incurable wound waiting to be revisited and healed somewhere in the distant future. But there are other accidents, spills and catastrophies that are almost forgotten, especially those that are entangled with military operations and the safeguarding of national interests, as were some of the largest oil spills in history that occurred in the Persian Gulf during the war operations in the 1990s.

Regular economic activities that encroach on the stability of maritime ecologies are even harder to oppose. In such situations complex enmeshments make it difficult to find a culprit, even when the effects of a disaster cannot be hidden deep in the ocean. Oil companies, for instance, are obliged to pay reparations for major accidents in submarine pipelines to do with deep-sea drilling, but there are no comparable charges for regular environmental damages caused by petroleum extraction as such. Similarly, the consequences of agricultural, industrial or consumption waste that enters the sea by way of rivers are as serious and multitudinous as are the disguises used to conceal the tragedy. The toxic cocktail of chemical pollution, fuel consumption and atmospheric fallout just adds to this situation without offering a better account of the relational matrix that links malicious deeds with perpetrators,



bystanders, free riders, accomplices, intermediaries and beneficiaries. When catastrophe strikes, the root causes of its effect on the sea are many, but they are ultimately linked to the changing nature of the relationship between politics and economics. If economics can blossom outside politics by simply following its rogue nature,¹¹ then this is further enhanced by the economic turn of politics itself: There is a certain blindness of the market-state and its political agents towards disaster since catastrophe is all too often beneficial to them. The state is all too willing to gamble on it to gain extra amounts of uncontrolled revenue or to advance specific goals using the milieu of public disorientation to engage in radical social and economic engineering.¹² And so the state is one of the parties that take their chances with the impunity of the sea, selectively enforcing maritime legislation while using the guises of property rights and national sovereignty. Natural disasters, cracks in underwater cables or pipelines, lost cargo, the sinking of vessels, but also humanitarian tragedies to do with intercontinental migration – these are all considered events that can be beneficial, not least because they call for reinforcement of some kind: on legal, fiscal, territorial, managerial or political levels. Small wonder, then, that offshore security design is one of the fastest growing businesses in the world, with complex systems developed to arrange, track, monitor and manage the speeds, routes and flows of everything that enters the sea, human or non-human alike.

A prime hub for this industry is marked out by the route from the Bosphorus to Gibraltar, representing the most militarised waters in the world. Connecting some of the economically most deprived regions with some of the most prosperous ones, this sea of contrasts carries more than 30 percent of the world's maritime freight traffic and an equal percentage of international sea tourists.¹³ In light of its overlapping maritime boundaries, it also boasts some of the most accurately measured

contiguous zones to enforce immigration and environmental laws and is host to some of the most sophisticated offshore defence systems, such as the 'Integrated System for Surveillance' (SIVE) that has been implemented in different stretches of the Spanish coastline, and that has been exported to other coastal areas such as Latvia, Romania or Hong Kong. One of the most far-reaching architectural impacts of this kind of Smithsonian 'invisible hand' on shore is the unique transformation of harbour cities in the past few decades in the wake of new cargo-handling technologies and the concentration of economic activity in fewer but larger industrial harbours: Many traditional town-side harbours have closed, one by one, and are transformed into convenient resorts for the financial sector, service and new media companies or into areas earmarked for exclusive middle and upper-income housing. Often, developers throw the odd contemporary art museum or opera house into the mix to appeal to both urban tourists and cultural elites. This phenomenon usually goes by the name of 'waterfront regeneration' and diverts the attention away from the new organisational logic of maritime trade and its global repercussions.

Port cities occupy a prominent position in relation to processes of deterritorialisation and transnationalisation. Manuel de Landa has alerted us to a paradoxical situation connected to them: Before the industrial revolution, major maritime gateways such as Venice, Genoa or Amsterdam were among the most destratified agglomerations at the time, because they were least enmeshed with their hinterland and its agricultural resources. They were equally not concerned with the control and regulation of large territories, because they had closer ties to overseas territories and to one another than to the more peripheral territories at their backs. But when the destratified economic flows that these maritime gateways created were invested in the development of

industrial production, the structures generated were utterly stratified and hierarchical, almost military in terms of discipline and control.¹⁴ To engage with the flows of maritime economies thus requires passing a certain threshold of deterritorialisation that opens up avenues for a subsequent recoding of goods, agents, infrastructures, images and ideas. Like the thresholds of consistency and constraint, the threshold of deterritorialisation is not evolutionary but rather coexisting with the flows yet to cross it.¹⁵ Modern container ports – high-tech security zones much like airports or military bases – are a powerful expression of the deterritorialising nature of such network hubs that support the overall connectivity of the network with extremely stratified patterns of organisation. Thanks to their streamlined logistics and high degree of automation, container ports like Singapore, Shanghai, Hong Kong or Shenzhen are expanded to optimise the flows of cargo around the globe. But they are also secluded, little visited, impassable industrial areas with tough restrictions to bar undesirable people. That way, the migration of port facilities away from downtown waterfront areas to places that are kept out of the public eye enhances the elastic nature of today's landscape of mobilities – hardened by regulation but also softened and kept elastic for a variety of different reasons.

What emerges through the untoward disruptions, dislocations and redirections provoked by these global manoeuvres is a new consciousness of spatiality, a new kind of space that is less dependent on cohesion in terms of distance than in terms of loose cultural affiliations, political alignments, market relations and aesthetic imaginations.¹⁶ A frightening incompleteness of space, an openness whose requirements can never be fully met. The movements of this all-enabling sphere of circulation are often misunderstood in terms of passages from A to B. Rather than traversing a given region, the dialogic force field of

giving and taking acts as a mechanism of transition. As we immerse ourselves in a sea of contradictions, we do not merely pass from a point of departure to a point of arrival but pass these points onto each other. In that sense, the odd plimsoll found by a beachcomber is no longer just a commodity to be traded on but an unwitting messenger shaped by the changing currents of our global situation. Modern day driftwood, flotsam and maritime garbage are warning calls not to be blinded by the metaphorical power of the sea and the narratives it evokes. The oceans providing one of the most fundamental and impacted spheres of life on earth, it is important to acknowledge not only its sublime power but also its power as an apparatus of circulation that swallows, conceals, processes and reconfigures a simultaneity of conflicting interests, whether of fishermen, leisure cruisers, smugglers, navy personnel, cargo handlers, pirates or boat people. The problematics of the current politics of the seas, of economic division and zoning, of demarcating, fencing and national claims, thus lie not simply in its inherent and contradictory reliance on simultaneous waves of deterritorialisation and reterritorialisation, but also in the ignorance to its particular nature of movement – a movement that is not simply a circulation of elements and compounds, of constituting bits and pieces. Rather, it is circulation as transformation, constantly producing new constellations and new discontinuities, reversing the relative positions of in and out, making us all give and take at the same time, give or take a few.

NOTES

1. Curtis Ebbemeyer and Eric Scigliano (2009) *Flotsametrics and the Floating World: How One Man's Obsession with Runaway Sneakers and Rubber Ducks Revolutionized Ocean Science*. New York/NY: Smithsonian Books/HarperCollins.
2. Brian Hayes (2005) *Infrastructure. A Field Guide to the Industrial Landscape*. New York: W. W. Norton & Company, 468.

3. Ronen Palan (2003) *The Offshore World: Sovereign Markets, Virtual Places, and Nomad Millionaires*. Ithaca/NY: Cornell University Press, 2.
4. Mark Monmonier (2010) *No Dig, No Fly, No Go: How Maps Restrict and Control*. Chicago/IL: University of Chicago Press, 74.
5. Nilufer Oral and European Commission Directorate-General for Maritime Affairs and Fisheries Mediterranean and Black Sea (2009) 'The Role of Maritime Zones in Promoting Effective Governance for Protection of the Mediterranean Marine Environment', Report of the Expert Group on Governance of the Mediterranean Sea, 6.
6. Hugo Grotius (2000, 1633) *The Freedom of the Seas*. Kitchener: Batoche Books, 28.
7. James Kraska (2007) 'The Law of the Sea Convention: A National Security Success – Global Strategic Mobility Through the Rule of Law', *George Washington International Law Review*, Vol. 39, 549.
8. Elinor Ostrom (1990) *Governing the Commons: The Evolution of Institutions for Collective Action*. Cambridge: Cambridge University Press, 18-21.
9. In their *Flotsametrics* book, Curtis Ebbesmeyer and Eric Scigliano note that for burial at sea, cremations produce the finest possible ashes, thereby insuring the longest floating and settling times. Ebbesmeyer and Scigliano, *Flotsametrics and the Floating World*, 247.
10. Keller Easterling (2005) *Enduring Innocence: Global Architecture and its Political Masquerades*. Cambridge/MA: MIT Press, 69.
11. Loretta Napoleoni (2008) *Rogue Economics: Capitalism's New Reality*. New York/NY: Seven Stories Press, 184.
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14. Manuel DeLanda (1997) *A Thousand Years of Non-Linear History*. Brooklyn/NY: Zone Books, 266.
15. Gilles Deleuze and Félix Guattari (1988) *A Thousand Plateaus: Capitalism and Schizophrenia*, London: Athlone Press, 432.
16. Doreen Massey (2005) *For Space*. London: Sage, 100.

