

Contingent Movements Archive

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Speculation is a free act. To speculate, to form a theory from a position distanced by time, liberates one from the position of the expert. One can claim some, but not all, knowledge of the factors leading to the possible outcome of a scenario. Where information peters out, logic takes over.

The disappearance of the Maldives beneath the sea is a speculative hypothesis, though a likely and compelling one. The Earth's average temperature appears set to rise beyond levels considered to have knowable outcomes, and today there is an emphasis on mitigation and adaptation, rather than prevention, in national and international law and policy relating to climate change.¹

But is dissolution, rather than disappearance, perhaps a more appropriate term to describe the changing state of the Maldives? Already the coral islands are being eroded by rising tides, which take beaches and palm trees with them, while salt water permeates the soil. In a material sense, the islands will not disappear, but they will retreat from human use as the archipelago dissolves into the Indian Ocean.

The former president of the Maldives, Mohamed Nasheed, established a 'sovereign wealth fund' to purchase land abroad in anticipation of the displacement of his constituents, proposing Australia, India, and Sri Lanka as territories for relocation. The nation faces a constitutional crisis if all land is lost, and no sovereign territory can be established on foreign soil. The maintenance of territory is one of the key constituting elements of statehood, and should land not be maintained, the state of the Maldives could be legally dissolved. Without land, international waters might envelop the sovereign seas, which make up most of the national territory, and Maldivian citizens would have to acquire other nationalities and be absorbed into other states, or be rendered stateless.²

The prospect of statelessness is a real one. Under current international law there is no such thing as a 'climate refugee'. Refugee status, and therefore the protection of human rights by host nations, is not currently afforded to individuals displaced by 'natural' forces. The acceptance of individuals displaced from low-lying islands into other nations as refugees is thus at present problematic.³

Speculating on the contingent circumstances Maldivians may face as a permanently displaced population, and exploring these within a global context, the *Contingent Movements Archive* and *Symposium* address the potential humanitarian and cultural consequences of this situation. Contributions from researchers and practitioners across disciplines have been brought together at www.contingentmovementsarchive.com to think through the effects of national and international law on human movements, and to consider how mobile technology and the Internet might assist in preserving the culture of the Maldives, while helping dispersed communities adapt and connect.

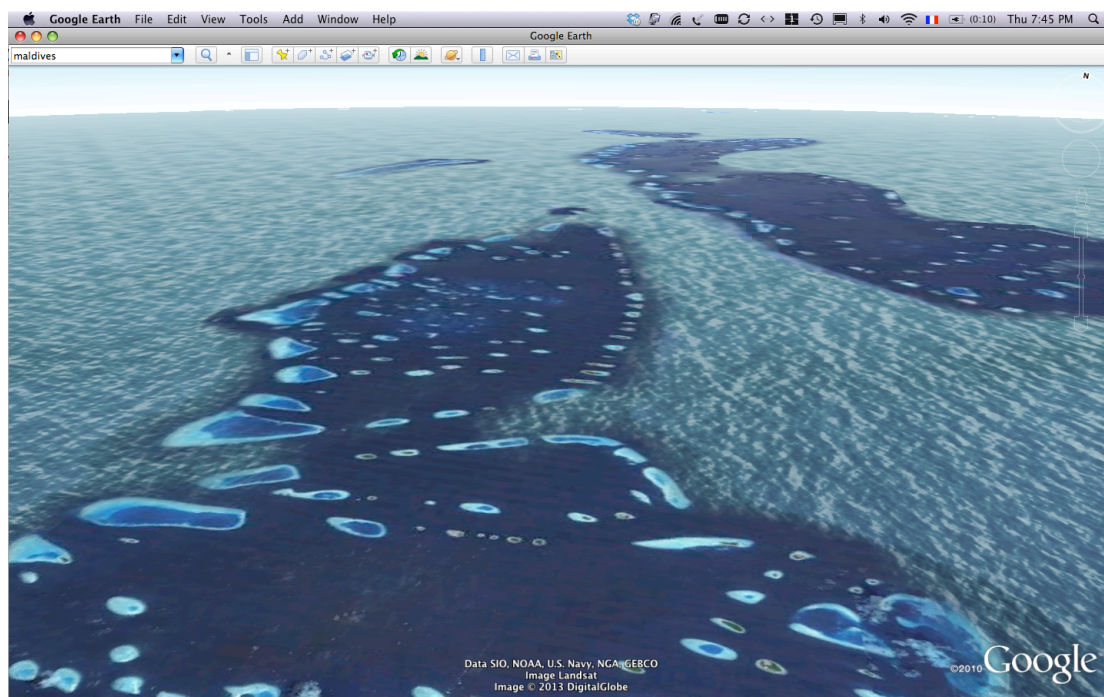
The literal dissolution of a nation state is unprecedented, and throws up an array of questions surrounding sovereignty, migration, and culture. Though the nation seems to face an inherently negative situation, how else might this potential situation be re-thought? How might

Maldivian culture persist? Responding in turn to the extremity of the situation let us first consider how a condition of statelessness and dissolution might be approached.

Anarchists for instance advocate non-hierarchical societies. Liberal traditions of thought within anarchism promote self-responsibility and the sovereignty of the individual.⁴ Marx and Engels also conceived of a stateless society in utopian terms. After the dissolution, or withering away, of the state, a classless society would remain, able to govern itself without the legal coercion of the state. In this ideal the dissolution of difference creates a liberatory commonality.

In neoliberal society however, we are defined by difference. The individual is still beholden to the sovereign state, but the assertion of the singular self drives society. Under capitalism, 'natural persons' are able to agglomerate, or incorporate, and form a single legal entity, recognised as a 'legal person'.⁵ An advantage of incorporation is that of limited liability. Individual shareholders are liberated from financial and legal responsibilities, as corporations have legal rights and liabilities distinct from their employees and shareholders. This allows a corporation to trade as a single entity without financial or legal risk to any single shareholder. When an incorporated body is no longer viable, it is brought to an end through a process of liquidation. Dissolution is the final stage of this process, when the assets and property of the corporation are redistributed.

The Maldives is already one of the world's most dispersed countries. The state agglomerates an area of the Indian ocean of around 90,000 square kilometres containing 1,192 islands, 192 of which are inhabited (excluding those colonised by resorts). Distinct cultures exist between different atolls, and everyone is registered to an island, which is included in their traditional name.⁶ The population has found contemporary coherence through mobile phone and Internet usage. Roughly 500,000 mobile phones are registered to a population of 350,000, and Maldivians are avid users of social media. Many access the Internet exclusively via smart phones.⁷ As internal migration plans are realised, Maldivian communities find themselves in corporeally closer quarters with each other too, as people from remote and vulnerable islands are moved to safer ground.



Maldivian atolls viewed via Google Earth

But what if the country is dissolved? Might an alternative to extra-national cooption or the camp exist, that can give agency to the stateless on 21st century terms? Prior to globalisation we might have thought positive statelessness in communist or anarchist terms, to be common or liberated without the state, or in opposition to it. But today, when state power has been greatly ceded or lost to transnational corporations, these positions hold little sway. The liberty that corporations have taken with planetary resources has created a debt of responsibility for nation states suffering the consequences of terrestrial exploitation and industrial carbon output. Thinking personhood in parallel to subjectivity, Hito Steyerl has suggested that corporate personhood should be extended to any person, that everyone should be able to incorporate today.⁹ Could embodying the system that precipitates their expulsion be an option for Maldivians to enact self-sovereignty, as identities pinned to tiny islands in the Indian Ocean are displaced and forced into global circulation?

In 1609 *Mare Liberum* ('The Freedom of the Seas' or 'The Free Sea') by Dutch scholar Hugo Grotius was published. Previously nations had taken it upon themselves to appropriate entire seas for exclusive use, but this small volume proposed that the sea was international territory, common and free to all nations to use for seafaring trade. The publishing of this text was pragmatic rather than ideological (Grotius was commissioned by the United Dutch East India Company), but it has been enormously influential, and was a key thesis in the development of the law of the sea, as it exists today. Indeed the pragmatism in its 'ideal of freedom', it has been argued, is why the thesis has endured.¹⁰

The cosmopolitan proposal for a law of world citizenship, put forward by Immanuel Kant in his essay 'Perpetual Peace' over one hundred and eighty years later, similarly asserts 'the common right to the face of the earth'. On the grounds that 'originally no one had more right than another to a particular part of the earth', Kant argues for rights of visit between nations, 'by virtue of their common possession of the surface of the earth, where, as on a spherical surface, they cannot infinitely disperse and hence must tolerate each other'.¹¹

The virtue of these two theses, and their influence, has shifted in the age of the Anthropocene. While the notion that we commonly possess the earth loses ground, so to say, the understanding that we now commonly create the earth gains ground.

As sovereign territory is submerged around the world, it could be considered that the commons proposed by Grotius will be on the increase over the next century. Yet the nature of capitalist production and trade has changed since his time, along with notions of the common. The opening up of international trade by *Mare Liberum* contributed to the rise of the Industrial Revolution, which shifted a Western economy dominated by immobile property, such as land, to an economy of mobile property, such as commodities, while now in the Internet age, immaterial and reproducible property are taking a dominant position.¹²

Michael Hardt examines in 'Two Faces of Apocalypse' how the common today is considered within two domains, animated by contrasting logics. He describes how ecological discourses regarding the material common, that is the Earth and its ecosystems, focus on its limits, while discourses on the social or artificial common focus on the limitless nature of their production. The artificial commons are the immaterial products of human labour that we share, such as ideas, affects, images, codes, and social relationships. Unlike material property, these rely not on scarcity for value, but on replication and sharing.¹³

At present the Maldives trades on its beauty and the scarcity of its existence. 'Visit while you still have the chance' some advertisements beckon. Tourists purchase an experience. But what will there be to trade on when there is nowhere left to visit? As Maldivians are pushed to the limits of the material world, dropped into the oceanic commons, and forced into circulation, how might they inhabit the forefront of immateriality? The Internet is sometimes conceived of as an ocean, as an archaeological and archival space from which content can be fished and brought to surface on one's browser. The sea often serves as a visual metaphor in depictions of the Deep Web, the sub-searchable majority of the Internet. Just as the sea is a space of global trade for material goods, the Internet is a space of trade for the immaterial. Both spaces are theoretically available to us all, and the goods and information

they circulate shape our globalised world. Suppose that displaced Maldivians in the late 21st century could choose self-sovereignty suitable for a neo-liberal world. What potential is there for a cosmopolitan inhabitation of the sea of the Net?



Campaign for Apple's 2013 OS X operating system upgrade, available free to download

In her essay 'Freedom from Everything' Steyerl explores the notion of 'negative freedom'. While there is potential for solidarity on the flipside of neo-liberalism, she concludes, 'in our dystopia of negative freedom—in our atomised nightmares—nobody belongs to anybody'. Freedom from everything, says Steyerl, is freedom from social security, from the means of making a living, from accountability and sustainability, from education, healthcare, pensions and public culture, from public responsibility and even the rule of law.¹⁴

And beyond the rule of law lies freedom from land - the high seas. Beyond the extremities of law and land, in the pinch between the material and the immaterial, between the limited and the limitless, the dispossessed may find that they in a position where all they have to trade upon are themselves. This is a position of entrepreneurial possibility sure, but also one of bare precarity that all but the most reckless would prefer to avoid.

So why push this proposal at the limits of logic? What can be gained from radical speculations that confound corporeality? Precisely because the limitless commons may have been colonised by capitalism, but on the flipside again they are still created by us all.

It is widely accepted that the Internet is a machine of surveillance that we willingly contribute to.¹⁵ Revelations about the United States' mass electronic data trawling program PRISM may have been shocking, but they weren't surprising. They confirm our awareness of the radical transparency of the Internet, and the publicness of our actions within it.

The vast majority of us are utterly exposed online. Our data is continually mined for the benefit of corporate profit and state security. Ethics aside, that is generally not a problem, as we have our own national security in that we are citizens with rights within a nation. We are grounded on sovereign terrain, we can log out, go offline, go outside. We freely surrender

subjective surplus on social media, because we have options of barter beyond ourselves, and we can create and express our identities online and offline.

But without this security things become very precarious indeed. The pinch of the *sans papiers* situation of Edward Snowden, the PRISM whistleblower granted asylum in Russia, and that of Wikileaks' Julian Assange are two examples of this. Both Assange and Snowden are being punished for daring to assert the same sovereign power as the US online in order to reveal this power. Their presences online are huge. Yet they have both been squeezed into tiny physical spaces. Snowden spent over a month in Moscow airport, and Assange has not left the Ecuadorian embassy in London for over a year. Bruce Sterling describes this as 'a wrestling match of virtuality and actuality, an irruption of the physical into the digital'. 'And yet', he says, 'those tiny, confined, somehow united spaces are the moral high ground. That's where it is right now, that's what it looks like these days.'¹⁶

This position, according to Boris Groys, is made possible by encryption, which he likens to hermeneutics. The hacker's protection upon revealing the Internet's radical transparency is radical non-transparency. 'The subject' he says, 'becomes concealed, invisible, takes time out to become operative'.¹⁷ Password-protected invisibility creates room to move. The artist's studio once provided similar seclusion, but as artists live and work online like everyone else today, production has become performance, and the number of artists has greatly increased as we collectively create the space of the Internet.

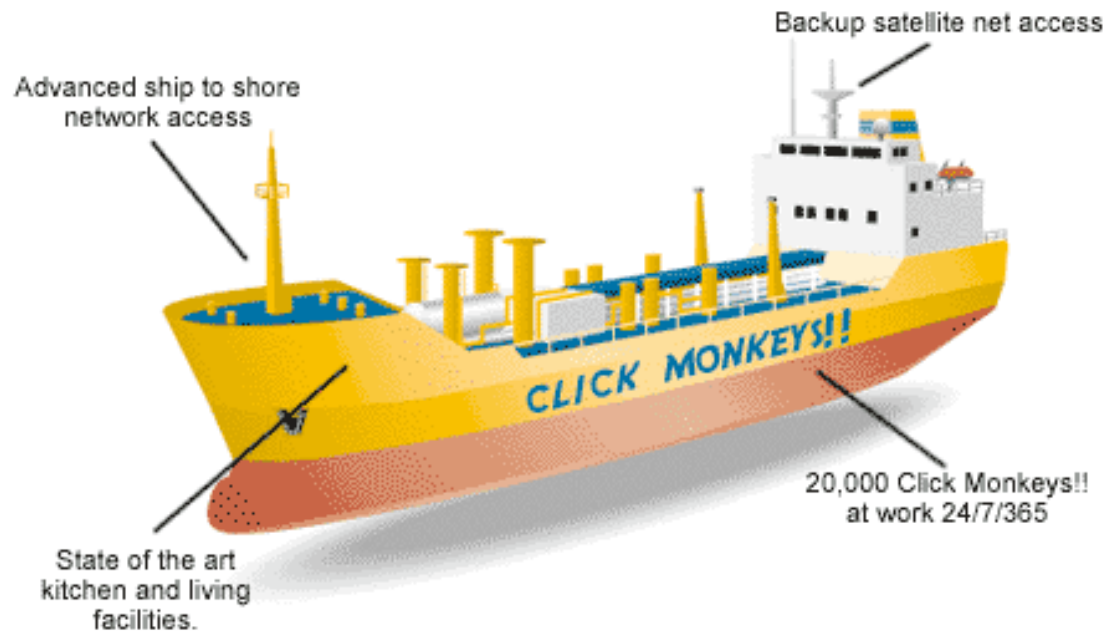
The immaterial products we all produce form the economy of this artificial commons, a phenomenon Groys has described as the 'monetisation of hermeneutics'. While classical hermeneutics searched for the author behind the work

today this old, traditional hermeneutics is reborn as a means of economic exploitation on the Internet, where all secrets are revealed. The subject here is no longer concealed behind his or her work. The surplus value that such a subject produces and that is appropriated by Internet corporations is this hermeneutic value: the subject not only does something on the Internet, but also reveals itself as a human being with certain interests, desires, and needs.¹⁸

This brings us to the potential position of the dispossessed online. Even as self-incorporated entities, without statehood or password protection, what would there be to protect them from merciless exploitation? Assange and Snowden created and leveraged their virtually sovereign positions with the currency of information. But the stateless non-hacker, with only their subjectivity to trade on, would be laid bare in the radical transparency of the Net. And a position with very little leverage reaps very little return.

The phenomenon of 'click farms' exemplifies this. Employed by businesses to create false web traffic in order to manipulate social media and boost Google page rankings, click farms are staffed by low-paid workers who earn as little as a single US dollar for generating 1,000 likes on Facebook or following 1,000 people on Twitter.¹⁹ Fraudulent in the US, this activity occurs in Bangladesh, India, and elsewhere. One high-ranking site boasts of its giant tanker-ship click farm stationed just outside US waters, 'registered at a Ukrainian berth so we're not subject to any US laws!'²⁰

A proposal for self-incorporated sovereignty online may then have some flaws. So what other possibilities might give agency to displaced peoples? And why is this important to consider?



From www.clickmonkeys.com

In financial terms, 'the role of speculators is to absorb excess risk that other participants do not want, and to provide liquidity in the market place'.²¹ The *Contingent Movements Archive* aims to provide liquidity in the market of ideas surrounding an unprecedented scenario with a not-yet-fixed outcome. Its position within the realm of art provides a freedom that allows for risk taking and radical proposals.

These are necessary to counter proposals from wealthy nations that are increasingly radical themselves, as they seek to withdraw or outsource humanitarian hospitality and responsibility.

Australia, for instance, binds a constellation of islands across the Asia-Pacific region in its migration policies. The government recently passed a proposal that all asylum seekers coming to the country by boat be processed on Manus Island, Papua New Guinea. If they are granted refugee status, they will be settled in PNG, not in Australia. This policy, which is accused of contravening the UN convention on the protection of refugees, comes as an extension to the country's practice of 'offshore' processing in neighboring nations.²² Human rights groups have long called the standards of these centres into question, and the UN too has now found Australia guilty of almost 150 violations of international law over the indefinite detention of 46 refugees.²³

One such offshore detention centre is in Nauru, a tiny island in the Pacific, with a population of around 10,000 people. The detention centre sustains the economy of the world smallest republic, a previously wealthy nation, which relied until the late 1970s on the mining of phosphorus. Nauru uses the Australian dollar, as does its similarly sized neighbour Tuvalu. Both states face submersion by the sea. Tuvalu has already approached the Australian government to discuss establishing territory there. This request was rejected, as were consequent appeals for a migration program to relocate the population.²⁴

Many of those currently seeking asylum in Australia come from Sri Lanka. Like India, also proposed for Maldivian settlement, Sri Lanka's proximity and relatively similar culture would make it an obvious candidate for relocation. Significant Maldivian communities already exist in

both countries. Yet mass settlement is problematised by overpopulation and ongoing internal conflicts over territory, which have already lead to large diasporas from both countries.

When such policies and circumstances exist even now, it seems clear that for a future diaspora, near-impossible proposals must wrest control from more easily imagined fates.



The 'PNG solution' came not long after a boat carrying Sri Lankan asylum seekers arrived in Geraldton, Western Australia, in April 2013. It was the first asylum seeker boat to reach the mainland in five years.

While Maldivians may not yet be able to claim self-incorporated sovereignty online, and will need to somehow secure livable territory for themselves, perhaps the Net might offer some way of creating continuity for the nation that unites them. Before the everyday becomes archeological, before the archipelago is lost to the Indian Ocean, could the knowledge, languages, codes, images, objects, and materials that make up Maldivian culture be uploaded, to create a national archive for a diaspora without homeland?

This archive may be scaled up and expanded beyond the scope of a museum, in an effort to produce a proxy nation. But here questions of access become critical. What would be the status of this archive-as-nation? Would it be open access, or would borders be placed around it? Would it be a state, a corporation, or an institution? Would these files be artifacts, commodities, or common material? Encryption might secure this data, but it would also entomb it.

To resist corporate or state enclosure of these virtual commons, the most logical approach for a post-national archive would be to create a completely open-source collection that is collectively owned and completely decentralised, thus allowing material to circulate freely online. In this way, perhaps, Maldivians might regain a dispersed yet common ground, and a resource and site for self-representation and self-enaction, regardless of their physical location.

If 'publicness today has as much to do with sites of production and reproduction as it does with any supposed physical commons', a grounding online is as much, if not more important than one offline. 'The field of culture' says Seth Price, 'is a public sphere and a site of struggle, and all its manifestations are ideological... each individual, no matter how passive a

component of the capitalist consciousness industry, must be considered a producer (despite the fact that this role is denied them)',²⁵

The *Contingent Movements Archive* exists as an experimental arena in order to consider these issues, and seeks to explore the ways in which Maldivians, and all of us, can claim agency in producing the future.

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⁵ http://en.wikipedia.org/wiki/Corporate_personhood (accessed 23/7/2013)

⁶ Romero-Frias, Xavier *Folktales of the Maldives*, Nias Press, 2012, p. xiv

⁷ From a focus group with Maldivian students, organised with Maldives Research for the Contingent Movements Archive.

⁹ Hito Steyerl, Q&A after lecture 'Is the Internet Dead?' at Goldsmiths 2013, referring to conversation with Kodwo Eshun.

¹⁰ Vidas, Davor, 'The Anthropocene and the International Law of the Sea', *Phil. Trans. R. Soc. A* (2011) 369, 909-925

¹¹ Immanuel Kant, 'Third Definitive Article for a Perpetual Peace' "The Law of World Citizenship Shall Be Limited to Conditions of Universal Hospitality", 'Perpetual Peace: a Philosophical Sketch', *Writings in Moral Philosophy* [VIII, 353]

¹² Michael Hardt, 'Two Faces of Apocalypse', *Polygraph* 22 (2010)

¹³ Hardt

¹⁴ Hito Steyerl, 'Freedom from Everything: Freelancers and Mercenaries', *The Wretched of the Screen*, e-flux journal / Sternberg Press, 2012

¹⁵ Boris Groys 'Art Workers: Between Utopia and the Archive', e-flux journal #45 May 2013

¹⁶ Sterling, Bruce 'The Ecuadorian Library, or The Blast Shack After Three Years' <https://medium.com/geek-empire-1/a1ebd2b4a0e5>

¹⁷ Groys

¹⁸ Groys

¹⁹ Arthur, Charles, 'How low-paid workers at 'click farms' create appearance of online popularity' <http://www.theguardian.com/technology/2013/aug/02/click-farms-appearance-online-popularity> (accessed 25/8/2013)

²⁰ www.clickmonkeys.com (accessed 25/8/2013)

²¹ <http://en.wikipedia.org/wiki/Speculation> (accessed 22/8/2013)

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²⁴ Crouch, Brad, 'Tiny Tuvalu in save us plea over rising seas' <http://www.adelaidenow.com.au/news/save-us-islands-climate-plea/story-e6frea6u-1111117655755> (accessed 11/9/2013)

²⁵ Price, Seth *Dispersion*, <http://www.distributedhistory.com/Dispersion2008.pdf> (accessed 22/8/2013)