Disenclosing the Mare Clausum*: Critical Spatial Practices on the Sea*

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> At long last the horizon appears free to us again, even if it should not be bright; at long last our ships may venture out again, venture out to face any danger; all the daring of the lover of knowledge is permitted again; the sea, *our* sea, lies open again; perhaps there has never yet been such an 'open sea'.
>
> — Friederich Nietzsche[1]

'Dis-enclosure', a term first coined in English by the translators of Jean-Luc Nancy's 'déclosion', implies a three-fold process: the original state before the enclosure, the act of enclosure, and finally, the final act of disenclosure.[2] The sequential acts of closing and opening implies both a temporal succession and a series of spatial changes. For Nancy the process of disenclosure is not a simple form of reversing the enclosure—the 'dis-' here is more than a mere negativity. Disenclosure is not a compensatory act, as the result of disenclosure exceeds the limits of its prior enclosure, and what has been formerly enclosed is now opened to a boundless infinity. Nancy's inaugural remarks on his neologism emphasises the illimitable 'opening up':

> It is not a question of reviving religion, not even the one that Kant wanted to hold 'within the limits of reason alone.' It is, however, a question of opening mere reason up to the limitlessness that constitutes its truth. It is not a question of overcoming some deficiency in reason, but of liberating reason without reserve.[3]

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1 Friedrich Wilhelm Nietzsche, *The Gay Science; with a Prelude in Rhymes and an Appendix of Songs*, trans. by Walter Kauffman, 1st edn (New York: Vintage Books, 1974), p. 280.

2 Michael B. Smith, 'Translators' Foreword', in Jean-Luc Nancy, *Dis-Enclosure: The Deconstruction of Christianity*, trans. by Bettina Bergo, Gabriel Malenfant, and Michael B. Smith (New York: Fordham University Press, 2008), ix–x.

3 Jean-Luc Nancy, *Dis-Enclosure: The Deconstruction of Christianity*, trans. by Bettina Bergo, Gabriel Malenfant, and Michael B. Smith (New York: Fordham University Press, 2008), p. 1.

Later, Nancy strengthens the spatial character of disenclosure. He identifies the vessel as exemplifying the essence of disenclosure. The vessel is both an instrument and an agent; a space that closes in itself, yet a location that is constantly delocalised by its voyage; a space of limited enclosure that ventures into the infinite purview of the horizon. With the character of the vessel Nancy ended the discussion with Ariadne, whose starry crown — the *Corona Borealis* — led Theseus out of the enclosure of the labyrinth, and instigated his subsequent escape to sea: 'It is she who makes possible the escape from the sinister enclosure and the return voyage on the vessel bucking the bitter waves full sail toward the open sea.'[4]

Nancy's characterisation of disenclosure through spatial terms is not a passing analogy. Investigating the sea and the vessel through this apparent oxymoron follows a long line of prominent thinkers theorising the sea. Nancy's formulation of the vessel and its mobile spatiality echoes the collapse of place and space in Foucault's idea of the 'heterotopia'. As Foucault famously claimed, 'the ship is the heterotopia par excellence'.[5] Nancy's employment of maritime themes recalls seventeenth-century debates on the sea's relation to private ownership; the conditions of 'open' and 'closed' parallel the ideas of *Mare Liberum* (free sea) and *Mare Clausum* (closed sea). The advancement of maritime technologies motivates writers to provide, on theoretical terrain, the legitimate basis for the primitive accumulation of capital overseas. The notion of *Mare Liberum* was championed by Dutch jurist Hugo Grotius in 1609, who insisted on an 'open sea' preordained by divine nature, which must be left for universal access and freedom of navigation.[6] Grotius maintained that the

4 Nancy, *Dis-Enclosure*, p. 161.

5 Michel Foucault, 'Of Other Spaces: Utopias and Heterotopias', trans. by Jay Miskowiec, originally 'Des Espaces Autres', March 1967, *Architecture/Mouvement/Continuité* (October, 1984).

6 Monica Brito Vieira, 'Mare Liberum vs. Mare Clausum: Grotius, Freitas, and Selden's Debate on Dominion over the Seas', *Journal of the History of Ideas*, 64.3 (July 2003), pp. 361–377 (p. 363).

liquid, shifting nature of the sea, its abundance for universal access, as well as the impossibility of establishing lasting demarcation, makes any claim of a private dominion impossible.[7] Grotius's thesis is a defence of the Dutch against Portugal's domination of the West Indies under the pretext of free trade and navigation.[8] Additionally, Grotius's constant appeal to the divine, the intuitive, and the natural speaks to a pre-enclosure absence that theorises on the lack of a definitive legal framework of the sea in the seventeenth century Europe, a time of rampant growth of maritime colonial powers.

The Englishman John Selden's 1635 response to Grotius, *Mare Clausum*, bears the unmistakable sense of enclosure conspicuously in its title. Invoking biblical references, Selden proposes a projective dominion of the sea from the coast: as the sea is said to be the bound of land, what is bounding, Selden maintains, is part of what is bound.[9] The sea to Selden is never limitless; rather, as land is bound by the sea, so the sea is in turn bound by land — a simple inversion of the figure-ground.[10] Nor is the liquidity of the ocean to Selden admissible as a valid argument: the sea can be dominated, at least from the legalistic point of view, in the same way the air above a piece of land can be claimed via the enclosure of architecture.[11] Selden's refutation of Grotius anticipates the British domination of the sea. His claims are symptomatic of an age where the advent of advanced navigational and cartographical instruments enclose the sea into fixed, immobile, seizable objects of exclusion for a foreseeable future.

Despite their distance from our age, the dialectic debate between the two visions: the free and the closed, remains unchanged as principles for the legal foundations over the sea.

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7 Vieira, 373.

8 Vieira, 369.

9 John Selden, *Mare Clausum: The Right and Dominion of the Sea in Two Books* (London: Andrew Kembe and Edward Thomas, 1663), p. 136.

10 Selden, p. 137.

11 Selden, p. 133.

The two schools of thought retain an indispensable hold of maritime imagination to this day: any political and juridical discourse of the sea must first retrace the lineage of thought from Grotius and Selden. If the *Mare Liberum* of Grotius can be regarded as the pre-enclosure state of the ocean, Selden's permissive *Mare Clausum* encourages a Lockean enclosure into a liquid homestead. Today, the postwar international framework established through the United Nations Convention on the Law of the Sea (UNCLOS) that designates layers of oceanic zones (territorial sea, contiguous zones, and Exclusive Economic Zones) are measured via Selden's projective claim of the sea from the shore, while the freedom of navigation in the international waters derives from Grotius's *Mare Liberum*.[12]

The contemporary discourse on disenclosure of the sea testifies to the enduring relevance of the old debate while opening up new horizons from their temporal underpinnings. Within the layered, patchy, and contested coexistence of the two imaginations of the ocean, this essay explores the possibility of a third act — disenclosure — that follows and surmounts the dialectics of the open (original state) and the close (enclosure). The text attempts to show, given the unmistakably *spatial* nature of oceanic thought, the strength and power of critical practices that engage with the ocean. The three case studies here serve to manifest that the sea, a vast domain of space often overlooked by practitioners of the built environment, can nevertheless offer viable and fertile ground to inspire and to create meaningful change. As Jean-Luc Nancy has demonstrated, disenclosure is not a return to the pre-enclosure, nor a reversal of the enclosure, but to acquire and mobilise the knowledge of enclosure to open it up, and to navigate into the boundless possibilities resulting from the disenclosure.

12 United Nations, *United Nations Convention on the Law of the Sea*, 1982 <https://www.un.org/depts/los/convention_agreements/texts/unclos/unclos_e.pdf> [accessed 15 June 2024].

In a frequently quoted endnote of *Mythologies*, Roland Barthes notes that the sea is a 'non-signifying field' that 'bears no message'.[13] Barthes's short note of the sea professes a semiologic treatment of the attitude that the sea, like the desert, is empty.[14] Paradoxically, despite its vastness, it is devoid of meaning, unfathomable and rejects any interpretation. Yet Barthes does not stop there: 'But on the beach, what material for semiology! Flags, slogans, signals, sign-boards, clothes, suntan even, which are so many messages to me.'[15]

The lack of meaning of the sea to Barthes is only contrasted by the profusion of meaning on the shore, where meaning explodes with the aggregation of signifiers. If this contrast only reinforces the meaninglessness of the sea, British artist Jason deCaires Taylor's sculptures, submerged under water, brings the profusion of meaning into the sea. Starting from Grenada in 2006, deCaires Taylor's sculptures have spread to the seabed of Mexico, the Bahamas, the Canary Islands, Indonesia, and beyond. The sculptures are most notably human figures assuming various quotidian positions, made out of pH-neutral marine concrete with porous surfaces that are hospitable to the inhabitation of corals and other forms of marine life. Like shipwrecks, the surfaces of the sculptures gradually accumulate layers of algae, coral, barnacles, sea urchins, and oysters originally displaced by pollution and divert the traffic of tourists from natural coral reefs.[16]

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13 Roland Barthes, *Mythologies*, trans. by Annette Lavers (1957; repr., Paris: Seuil, 1970), p. 160.

14 The thought that the sea was an empty desert was not unique to Barthes and can be found from writers as diverse as Jules Michelet and Carl Schmitt. Immanuel Kant, for example, has thought that the sea was a barrier like the desert that obstructs the communication of mankind and must be mastered. For a summary of Kant's thinking on the ocean, see Daniel Heller-Roazen, *The Enemy of All: Piracy and the Law of Nations* (New York: Zone Books, 2009), pp. 126, 154, 181–84.

15 Barthes, p. 160.

16 Linda Weintraub, 'Jason deCaires Taylor', in *What's Next? Eco Material-*

However, the strength of deCaires Taylor's sculptures is beyond the intended ecological effect. Soon after the inauguration of his first project in Grenada in 2006, the human figures in the bottom of the seabed were widely thought to commemorate those who died traversing the Middle Passage, the transatlantic journey that saw mass abduction and murder.[17] The weathering of the sculpture's surface echoes Édouard Glissant's famous poetics of modernity, 'whose time is marked by these balls and chains gone green'.[18] In one set of sculptures, the structural steel bar that supports the figures at the wrist was interpreted as shackles.[19] The overwhelming emotional power from deCaires Taylor's human portraits that fosters the link to the Middle Passage may come from the fact that all the sculpted figures have their eyes closed. DeCaires Taylor makes the sculptures through a concrete cast of local residents, who participate as models while the sculptor applies plaster as a mould onto their bodies.[20] The liquid material that encloses the residents produces a natural facial reaction to liquid (closed eyes), which is then faithfully reprinted onto the concrete later immersed under water. As such, the stunning uncanniness of the underwater sculptures reproduces a natural state of submersion, eliciting a fearful doubt as if the sculpted bodies would open their eyes and come to life. The gradual decomposition of the bodies also presents a daunting similitude to corrupting corpses.

The underwater sculptures and their association with the Middle Passage recall Sigmund Freud's essay on the 'uncanny',

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ism and Contemporary Art, (Bristol, UK: Intellect, 2019), pp. 200–206 (203).

17 Inez Blanca van der Scheer, 'Everything is Alive: Jason deCaires Taylor's Vicissitudes', in *The Routledge Companion to Contemporary Art, Visual Culture, and Climate Change*, ed. by T.J. Demos, Emily Eliza Scott, and Subhankar Banerjee (New York: Routledge, 2021), pp. 376–383 (376).

18 Édouard Glissant, *Poetics of Relation*, trans. by Betsy Wing (Ann Arbor: University of Michigan Press, 1997), p. 6.

19 Van der Scheer, 377.

20 Jason deCaires Taylor, *The Underwater Museum: The Submerged Sculptures of Jason deCaires Taylor*, with Carlo McCormick and Helen Scales (San Francisco: Chronicle Books, 2014), p. 9.

a type of fear in the human psyche where the distinction between the familiar and the strange, life and death, reality and fantasy, becomes blurred. Freud lists two interconnected sources of the uncanny: the return of previously surmounted fear (omnipotence of thoughts, instantaneous wish-fulfilment, secret harmful forces, the return of the dead), and the return of repressed childhood complex (the castration complex, the womb fantasy).[21] While the process of the concrete cast produces a faithful resemblance of real-life human figures that evoke the image of human corpses and their appalling return, the closed eyes elicit a fear of losing one's sight. This fear was theorised by Freud as the castration anxiety on the scopic level.[22] For the spectators of deCaires Taylor's sculpture (scuba divers and snorkelers), the fear of the optical castration is strengthened by the precarity of losing sight while enclosed by the flux of ocean currents; the womb fantasy is played out as the fear of the transforming of the self into the blinded figures, immobile and submerged, buried alive in water. The two types of fear that figure prominently in Freud's essay are unleashed in full force in the shallow waters surrounding the statues.

To Freud, a particularly strong motif of the 'uncanny' is the notion of the double, the doppelganger. A developed ego identifies itself in its double while regarding it as an object of terror, the harbinger of death.[23] The human figures in deCaires Taylor's project encompasses figures of different gender, height, age, body types and races, non-exhaustive but nonetheless representative of a wide range of global communities. This diversity of casts facilitates seeing our own faces within those submerged under sea. Do we not see the horror of the Middle Passage as a form of violence whose legacy enchains humanity altogether? Do we not see in the constantly corrupted concrete figures bearing an uncanny resemblance to us a submarine future with the

21 Sigmund Freud, *The Uncanny*, trans. by David McLintock, ed. by Hugh Haughton (New York: Penguin Classics, 2003), pp. 154–55.

22 Freud, pp. 139, 150, 154.

23 Freud, pp. 142–43.

apocalyptic rise of the sea level? The collapse of distinction between fantasy and reality in the statues pushes us to confront the most deep-seated fear of the Freudian uncanny, disenclosing an infinity of meaning beneath the commonly enclosed and foreclosed meanings beneath the waves.

The Left-to-Die-Boat*: Peeking through the Crack*

In Jason deCaires Taylor's sculptures the emotional power comes from a gesture that frightens the gaze, bestowing new meaning to Barthes's vast 'non-signifying field'. The uncanny quality of the sculptures below the briny deep exploits the human psyche's inner thalassophobia, while skillfully channelling and sublimating such energy into a *tour de force* of a vision. The proliferation of visual meaning in the sea thus breaks away from the sea-desert. In this regard, the employment of vision finds echoes in the work of Forensic Architecture, although in drastically different ways. While the British artist constructs underwater sculptures which (albeit unintentionally) solicit a variety of gazes from the audience with redoubtable emotional power, Forensic Architecture employs an active gaze into the sea. Eyal Weizman, the founder of the London-based investigative architectural practice, describes their vocation through the figure of the building surveyor, whose work is to find and analyse the crack of built structures:

> If the figure of the detective was the nineteenth century's response to the density, complexity and alienation of the modern metropolis, the building surveyor must be the indispensable figure for understanding the present condition of urban life as that of urban warfare. […] When architectural surveyors study cracks or other aspects in the structural pathology of a building, they tend to interpret their findings in relation to a narrowly circumscribed set of conditions. […] An analysis that would expand outwards

> from the crack should not only seek closure and reparation, but should articulate new claims for justice.[24]

Yet the idea of the surveyor and the crack does not only apply to cases where the metaphor corresponds exactly to the object of study. A crack is an accident, an exception to an otherwise perfectly homogenised surface, a void within the material. The surveyor's gaze to the crack is thus simultaneously a gaze towards the material and the lack thereof, to a field of forces that manifests at the crack and beyond. The crack is the failure of an enclosure, both as an inadequacy of the architectural membrane and the manifested symptom that warrants the labour of the surveyor, where Weizman has noted that the cracks are an '*entry point* through which one must navigate, connecting and composing sets of relations between different structures, infrastructures, objects, environments'.[25]

Forensic Architecture's project the *Left-to-Die-Boat* can be seen as an investigation of a crack into an otherwise homogeneous *Mare Clausum*. In March 2011 a boat carrying seventy-two migrants sailed from Tripoli northward into the Mediterranean, heavily patrolled by Western warships in the height of the embargo against Libya. The ship ran out of fuel after the first day and, only halfway to Lampedusa, drifted in the Mediterranean for fourteen days without food or water before finally being stranded in Zlitan, 150 km east of Tripoli. Only nine migrants survived the perilous journey.[26] The question is how such a humanitarian disaster could occur in waters enclosed by embargo and the heavy

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24 Eyal Weizman, 'Introduction: Forensis', in *Forensis: The Architecture of Public Truth*, ed. by Forensic Architecture (Berlin: Sternberg Press, 2014), pp. 9–34 (pp. 16–17).

25 Eyal Weizman, *Forensic Architecture: Violence at the Threshold of Detectability* (New York: Zone Books, 2017), p. 58. Emphasis added.

26 Charles Heller, Lorenzo Pezzani, and SITU Research, 'Left-to-Die Boat', in *Forensis: The Architecture of Public Truth*, ed. by Forensic Architecture (Berlin: Sternberg Press, 2014), pp. 637–656 (pp. 639–40).

presence of military power. The task of the researchers from Forensic Architecture researchers was to construct a coherent narrative masked by the seemingly unfathomable sea: Where did the ship drift, and who failed the UNCLOS-ordained obligation to rescue?

Compounding the account of a survivor, published maps, online data, and open-access documents, researchers from Forensic Architecture traced the trajectory of the deadly journey with a drift model of the currents off the Libyan coast. Additionally, by tracing the dissemination of the migrants' distress call, they were able to identify the authorities and maritime vessels who were aware of the perilous situation of the ship.[27] While the various governments, agencies, and news media published the digital maps, data sets, and photographs, their effective and skilful combination by Forensic Architecture disenclosed them from their original meaning and allowed them to speak as a material witness for infinite 'new claims for justice':

> We established with certainty that the Italian and Maltese Maritime Rescue Coordination Centers, as well as NATO command, were informed of the location and distress of the migrants, and that there were several naval assets in the vicinity of the boat that had the ability to detect and assist it. None of these actors intervened in a way that could have averted the 63 deaths.[28]

The migrants' journey into the Mediterranean can be regarded as creating a crack into the heavily patrolled water, out of desperation relating to the Libyan civil war or the coercion of the Gaddafi regime.[29] The task for the 'building surveyor' here

27 Heller, et al., pp. 648–652.

28 Heller, et al., p. 651.

29 Charles Heller and Lorenzo Pezzani, 'Liquid Traces: Investigating the Deaths of Migrants at the EU's Maritime Frontier', in *Forensis: The Architecture of Public Truth*, ed. by Forensic Architecture (Berlin: Sternberg Press, 2014), pp.

is to study the crack as a symptom of a greater phenomenon that must be addressed. Forensic Architecture's research reveals that the Mediterranean of 2011 is not inherently a natural lethal abyss but was only made as such. The presentation of the various research armatures and the complexity and multitude of published resources which enabled Forensic Architecture to digitally recreate the journey post-facto reveals the existence and availability of diverse surveillance apparatus. The sea is rendered as a media infrastructure, an omniscient *Mare Clausum* that would topple Hugo Grotius's remark that 'a ship sailing over the sea no more leaves behind itself a legal right than it leaves a permanent track'.[30] Retracing the preserved and publicly accessible tracks reveals that there is nothing 'natural' or 'accidental' about the death of migrants: they were effectively left to die under the omniscient gaze of the European authorities.

Nevertheless, to a public either uninitiated or blasé to the sophistication of investigative technology, the task of the building surveyor is to reveal, mobilise, and disseminate the crack to the public. The surveyor's piercing gaze is presented to the public as an image. After mapping the journey of the ship, its trajectory off the Libyan coast has been retraced, cropped, and adapted by major news agencies and circulated through the society as an icon.[31] For the public, the trajectory is perhaps the most imaginable media that illustrates the cruelty of the 'left-to-die', the crack that the European and NATO authorities left as an open wound. Against the background of the Mediterranean, Forensic Architecture's work produces a recognisable figure, which injects meaning onto an otherwise frail linework. As noted by Anselm Franke 'every forensic act is an act of "figuration," tracing a lost figure within an already almost undifferentiated ground as in the process of exhumation'.[32]

657–684 (p. 673).

30 Hugo Grotius, *De iure praedae*, I, ch. xii, 240, quoted in Vieira, 372.

31 Heller, et al., 'Left-to-Die Boat', p. 652.

32 Anselm Franke, 'The Forensic Scenography', in *Forensis: The Architecture of Public Truth*, ed. by Forensic Architecture (Berlin: Sternberg Press, 2014),

A form of exhumation indeed. While mourning the loss of migrants, Pope Francis said that the Mediterranean sea has become 'Europe's largest cemetery'.[33] His metaphoric language was rendered cartographically by Forensic Architecture's project WatchtheMed, an interactive online platform that maps various reports of distressed migrants crossing the Mediterranean and connects them with an alarm phone platform with vessels close to their physical location.[34] This new project following the *Left-to-Die Boat* investigation steps into the void of rescue operations of European states often accused of deliberate negligence. It moves beyond revelation and reparation, exploiting and assembling the public infrastructure for the avoidance of future tragedy.

Women on Waves: A Satire on Territoriality

If the *Left-to-Die Boat* is a skilful exploitation and alchemy of the often obscure and technocratic data for the claim of justice, the work of Women on Waves is to challenge the notion of territory and jurisdiction in the domain of the sea, and to put it to the most conspicuous, theatrical display. The technical dimension of Forensic Architecture allows a certain distance between the investigators and the sea; the appeal to forensics and investigative findings also lends an air of scientific authority and seriousness to the images presented. Women on Waves, on the other hand, has completely reversed this mode of practice. An NGO based in Amsterdam, Women on Waves champions for abortion rights, reproductive health, and sexual education. The name of the NGO derives from its famous seafaring campaign: upon the

pp. 483–494 (p. 486).

33 'Pope Decries "Tragedy of Indifference" in Wake of Migrant Deaths', Vatican News, August 2023 <https://www.vaticannews.va/en/pope/news/2023-08/pope-tweet-migrant-tragedy-indifference-policies-protection.html> [accessed 15 June 2024].

34 Heller, et al., 'Left-to-Die Boat', p. 654.

invitation of local activist groups, a ship (often registered as Dutch) sails into a port of the country where abortion is restricted, picking up women within forty-five days into pregnancy who have made an appointment with prior consultation with gynaecologists of Women on Waves. They then sail into international waters (by UNCLOS convention, twelve nautical miles off the coast) where they are offered abortion pills, before returning to the port.[35] Starting with Ireland in 2001, Women on Waves have launched several maritime campaigns in such fashion including to Poland (2003), Portugal (2004), Spain (2008), Morocco (2012), Guatemala (2017), and Mexico (2017). The time span and wide geographical coverage gained the NGO *succès de scandale* as the one that operates the 'abortion ship'.[36]

The maritime campaigns are squarely legal. Off the territorial waters of the country, the ship is under the jurisdiction of its flag state—the Netherlands—where abortion is legal and early-stage abortion by pills is determined safe and viable on sea.[37] When the abortion pills are brought out from the Netherlands, they are physically sealed off by the Dutch customs, clearly stating that they are not for distribution outside of the Netherlands, which complies with the law of the landed country.[38] This maverick operation not only makes territoriality mobile, where a distant jurisdiction is brought through the voyage of the vessel, but also portable, able to be enclosed within the official seal of the custom. A twelve-nautical-mile journey off the coast makes it a viable daytrip. The conceptual inconsistency between the weight and gravity of the sovereign border and the easily surmountable maritime boundary, without any visible demarcation, fences, barbed wires, or guards, challenges the

35 Rebecca Gomperts, *Women on Waves: Poland* (Amsterdam, North Holland: Women on Waves, 2003), unpaginated.

36 'Campaigns', Women on Waves <https://www.womenonwaves.org/en/page/517/campaigns/> [accessed 15 June 2024].

37 Rebecca Gomperts, *Women on Waves: Poland* (Amsterdam, North Holland: Women on Waves, 2003), unpaginated.

38 Gomperts, *Women on Waves.*

legitimacy of the former. The limited territorial water is dwarfed by the expanse of the high sea, rendering the restrictive law impotent and seemingly provincial. The journey into the international waters — a brief self-imposed exile — opens up space for freedom repressed within the enclosed territory and its fixated liquid appendage: in this way the 'emptiness' of the high sea, a legal vacuum only, allows it to become fertile ground for liberty. The juridical absence of the international waters is disenclosed with new meaning — the sea is empty when meaning is foreclosed, yet through disenclosure it is made into a field of infinite possibilities.

The power of the maritime campaigns has spread far beyond the women who gained access to abortion on international waters. The imagery of the notorious 'abortion ship' inserts a threatening, invading icon to the imagination of anti-abortion politicians. Challenged, they often respond with 'disproportionate reactions',[39] further dramatising the situation and rekindling the debate by raising the visibility of abortion rights. The campaign in Portugal was met with harsh reaction from the government where two warships were summoned in 2004 to deny the 'abortion ship' entry into Portuguese waters, while the left-wing party in Portugal called for an emergency parliamentary meeting. The Portuguese minister of defence called the ship a threat to national security, while Portuguese TV channels reported live from the ship via a chartered boat. Meanwhile, the Dutch minister of foreign affairs met with his Portuguese counterpart in Brussels to request the entry of the boat into Portuguese territorial waters.[40] The escalation of the situation with the imaginary of a maritime invasion, military mobilisation, diplomatic feud, live TV coverage, and parliamentary crisis elevates the status of the campaign to an international sensation. The maritime border

39 Susan Davies and Rebecca Gomperts, 'On Deck for Abortion Rights: Women on Waves Sails to Portugal', *Thresholds*, 34 (2007): pp. 26–28 <https://www.jstor.org/stable/43876584> [accessed 15 June 2024].

40 Rebecca Gomperts, *Women on Waves: Portugal* (Amsterdam, North Holland: Women on Waves, 2003), pp. 14, 25 26.

is thus converted into a media stage that anticipates its global dissemination by modern media, which only helps to spread the message of Women on Waves and reopen the nationwide debate on abortion. Achille Mbembe wrote with melancholy that our age is one in which culture has been endlessly commodified into leisure and entertainment that loses its critical possibility.[41] Off the coast of Portugal, the spectacle has been actively staged (that is, with the unintentional help of the Portuguese government) precisely for its critical power.

The strategy of Women on Waves is ingenious but simple. The gesture of disenclosure was amplified infinitely through its theatricality, which testifies to the power of 'opening-up', as described in their narrative for the 2008 maritime campaign in Spain:

> Women are coming to the ship asking for help, after seeing the news coverage. This shows how many women are falling through the *cracks* of the system currently in place, and are unable to get help due to economic, social, or legal reasons. […] It's one of those social issues that is so pushed down by public pressure and stigma, and always discussed in a moralizing manner, that when you *open a little space* for people to see a bit of hope, or a way out, or a space for open dialogue, people start showing up, start moving, start talking.[42]

Spaces, cracks, openings, gaps … the spatial nature of analogies and metaphors have all been alluded to in the three case studies surveyed so far. What is particularly powerful in the three cases

41 Achille Mbembe, *Out of the Dark Night: Essays on Decolonization*, trans. by Laurent Dubois (New York: Columbia University Press, 2021), pp. 24–25.

42 'Suddenly Women Start Showing Up at the Ship Seeking Help', Women on Waves <https://www.womenonwaves.org/en/page/2031/suddenly-women-start-showing-up-at-the-ship-seeking-help/> [accessed 15 June 2024]. Emphasis added.

is their creative agency that goes beyond the literary device. Space, both in its physical dimension and discursive usage, is enlisted as a vessel to initiate meaningful change, an opening that seeks not to return to a past but expand toward a horizon of infinity and possibility, perhaps one that has no better name but ‘disenclosure’.