# The Extraterritoriality Nexus: Manifestation of Extraterritoriality as Natural Phenomenon in Urban Context

Melanie Fessel
Open Network Ecology Odyssey
email: melanie.fessel@gmail.com

**Abstract**

Architecture and urban planning have to be renegotiated in the context of an increasingly globalized world, where immeasurable human impressions are so complexly woven that it is becoming increasingly difficult to maintain a distinction between nature, culture and the built environment. Within these global networks are our ever-changing cities and landscapes. Fragmented exceptions, defined as geographically autonomous zones of extraterritoriality, disseminate these cities, bringing unstable processes and mutated landscapes that will undeniably affect our futures.

**Author's Note**

Architect and designer Melanie Fessel initiated the Open Network Ecology Odyssey (ONE), an interdisciplinary research enterprise working to integrate ecological issues into the urban environment through philanthropic design. Melanie is currently the Director of Design Research at Terreform ONE, an ecological design group for urban infrastructure, building, planning, and art. She received her post-professional degree, a Master of Architecture II, from The Cooper Union for the Advancement of Science and Art in 2011, and her diploma in Architecture and Engineering from the Berlin University of Technology in 2008. Before that, she attended the Universitat Politècnica de Catalunya, in Barcelona, Spain. She was an associate in the Cooper Union Institute for Sustainable Design, and has worked as an architect and urban designer in Spain, Switzerland, and New York City, with a focus on municipal buildings and master planning.

**Keywords:** Architecture, Sustainability, Ecology, Urban Studies.

# 1. Remnants, Resilience, and Resistance: Disturbances as Opportunity

We no longer map territories; instead territories map us. Humanity is transforming the Earth's surface, establishing zones of ambiguity with no boundaries. These newly engraved zones portray who we are, what we have done, and where we are moving.

The disciplines of architecture and urban planning have to be transformed in the context of an increasingly globalized world, where immeasurable human activities are complexly woven to the extent that it is becoming increasingly difficult to maintain a distinction between nature, culture, and the built environment. This global network is composed of the ever-changing city and its environs. Fragmented

exceptions located beyond this sphere are defined as geographically autonomous zones of extraterritoriality that broadcast these global agents. What opportunities for humanity lie within these confined processes?

Extraterritoriality is a term applied to many places, its roots tracing back to antiquity and its modern principals codified in the Middle Ages. The system of extraterritoriality emerged with the imperative need of protection for the political, economic, and cultural agents of sovereign nations as they went out into the world. This need emerged from the differences in the cultures, religions, and legal systems of Western Christian nations and those of Africa, the Near East, and Asia, which motivated Western countries to secure legal and economic exemptions for their nationals. Modern extraterritoriality served not only as a means to protect the agents of sovereign powers, but also as an instrument of imperialism.

Extraterritorial zones are areas where national or international law have been applied and from which discourse on human rights and politics emerge concurrently with the concepts of space and time.[1] These hybrid spaces are discontinuous fragments that can be mobile and transitory. They are shaped through a variety of contemporary processes that make their boundaries invisible and create fragments of existing constitutional surfaces.

Extraterritorial zones are positioned outside of the jurisdictions of the sovereign nations that surround them or are contiguous to them. The predicate of extraterritoriality is also physically manifested in the global infrastructure, necessitated by the demands of globalism and the conflicting interaction of the national and global. They allow humans to connect remotely and exchange internationally, and include ports and airports, which are havens of trade without being under the jurisdiction of a certain territory and holding a status of exception.

International ownership treaties outline many extraterritorial zones, such as "International Waters," "International Seabed," "Moon," "Outer Space," "International Zone," "United Nations," "Antarctica," and "Extraterrestrial Real Estate." These spaces aspire to be worlds within themselves, and they are spaces from which vivid evidence of weakness, resilience, or violence are particularly articulated. Jurisdictionally ambiguous, they are infused with myths, desires, and symbolic capital.[2] The condition of extraterritoriality transforms these hybrid spaces into places that attempt to create long-envisioned utopias and a radical new socio-ecological order.

Extraterritorialities relate crucially to sustainable development because increasing ecological change from climate change creates more areas of instability. Without applicable jurisdiction, these new zones of exception could provide exploratory genealogies vis-à-vis ecology for the cross-national, transnational, and transcultural exchange of global connectivity, where the cultural collision and segregation provide a new lens from which there can be discourse on the political composition of our urban landscapes.[3] In this investigation, the concept of

---

[1] von Martens, G. F. (1788). *Summary of the law of nations.*

[2] Easterling, K. (2007). *Enduring innocence: Global architecture and its political masquerades.* Cambridge, MA: MIT Press.

[3] Archipelago of exception: Sovereignties of extraterritoriality. (2005, November). In

extraterritoriality in urban genealogy is utilized as a lens with which to discuss the socio-ecological factors of architecture and urban planning.

## 2. Nexus on Extraterritoriality to Challenge a Discourse on Post-Sustainability

One catalyst to reimagine the good city is based on the establishment of a patently new field that trumps the outmoded agenda of urban design. Kevin Lynch originally conceived urban design as "City Design" in the late 1950's at MIT.[4] This school has not been significantly upgraded to meet contemporary insights. Lynch could not have ever imagined unprecedented contemporary agents of change: Google, social networks, ubiquitous smart phones, climate dynamism, energy addictions, global economic calamities, etc.

Throughout the developed world, urban design is at an impasse, unable to mend the rift between theory and practice, and stuck in cryptic debate between the "Landscape Urbanism" and "New Urbanism" schools of thought. Landscape Urbanists deploy concepts that favor the landscape over architecture in order to plan a city.[5] On the contrary, New Urbanist schemes promote historical pedestrian-centered neighborhood developments.[6]

The dissimilarity between the two approaches is of interest to almost no public body beyond architects, planners, and their ilk. Think of the neo-traditionalist town extension of Poundbury, England endorsed by the New Urbanists or the Landscape Urbanists' high-tech interactive open space zone of Schouwburgplein in the Netherlands. Both of these urban fractions have their merits yet fail to incorporate other ideas outside their respective schools of thought that could lead to the holistically ideal future city. Moreover, the public – those who occupy theses complex urban spaces – dedicates little time to understanding these minutiae. For the public, this debate is purely black and white, an archaic clash between tradition and novelty.

Removed from the predisposed artificial boundaries and constraints projected onto traditional human society, zones of extraterritoriality reveal opportunities for an interactive new environment that could embrace the best of both schools of thought.

Sparks of utopian reflection throughout human history have been indispensable to contemporary society. Utopias display maximal solutions to real-

---

L. Ortega (Chair), *Archipelago of exception: Sovereignties of extraterritoriality.* Symposium conducted at Centre de Cultura Contemporània de Barcelona, Barcelona, Spain.

[4] Lynch, K. (1960). *The image of the city.* Cambridge, MA: MIT Press.

[5] Landscape urbanism. (1997, April). In C. Waldheim, M. Mostafavi, J. Corner, & A. Geuze (Chair), *Landscape urbanism.* Symposium conducted at Graham Foundation, Chicago, IL.

[6] New urbanism. (1991). In P. Calthorpe, A. Duany, & E. Plater-Zyberk (Chair), *Ahwahnee principles.* Symposium conducted at Local Government Commission, Sacramento, CA.

world problems.[7] As humans, we aspire to create an ideal society. Utopian thought has been critical to our evolution, and will be a necessary component for humanity to envision the interconnection between extraterritoriality and ecology as a novel scenario of experimentation challenging the conventional norms of our time. This would allow for an innovative discourse on sustainability. Since the world as it is today cannot seem to embrace sustainability due to its current, traditional systems, these ambiguous zones, fueled by man's yearning for utopia, could provide just what is necessary to do so.

The nexus of extraterritoriality would spur new approaches to the reification of the city. This may be best accomplished by further understanding these emerging fragmented ecologies of exception, and how they relate to architecture and urban design as concise instruments in the development of society. In order to verify this socio-ecological vision, the aim is to structure an inquiry of mutable urban conditions as they pertain to global crisis and phenomena. How can we integrate and reinvent the already-existing political mechanism of extraterritoriality as a tool of exception to address social and ecological disturbances that prevail in our urban landscapes? What can we learn and extract from our past conceptions of cities and humanity?

Today, events occur with such speed and complexity that nothing remains certain. Large numbers live in a world where local economies and cultures are tightly bound into global ones through which effects ripple with enormous velocity and consequence.[8]

## 3. Terms, Conditions and the Unknown

Natural and synthetic disturbances are dynamisms of immense force that have major ramifications worldwide. Governmental guidebooks and laws around the world map out detailed solutions for rescue operations in crisis scenarios. Hazard mitigation plans, military scenarios, and crisis strategies are instrumental directives that provide society with a safety mechanism to prevent and overcome the dangers created by forces of natural disasters: fire, mudslides, earthquakes, hurricanes, flooding, tsunamis as well as crime, violence, acts of terror, war, destruction. Planned in every detail, they enable their creators to satiate society with a constant answer (appeasing insecurity in society) for unpredictable demands that relate to the influence of natural and societal instabilities on our built environment.[9]

After the traumatic event of 9/11, the act of terror is still desensitizing our resilience to conquer new challenges. The effects of catastrophe on the built environment and its inhabitants continue to intrude into every day life. New York City provides a significant locus to analyze the politics of shock and terror. A city of

[7] More, T. (1516). *Utopia.*
[8] Sassen, S. (1996). *Losing control? Sovereignty in an age of globalization.* New York, NY: Columbia University Press.
[9] *Hazard mitigation plan - state of california.* (n.d.). Retrieved from http://emergency.lacity.org/stellent/groups/departments/ @emd_contributor/documents/contributor_web_content/ lacityp_019906.pdf

immigrants, many of whom are connected to other cities that have suffered catastrophe, New York citizens have a unique contribution to offer to the many urgent projects of reimagining cities around the world today. To address the devastating destruction by the events that took place on September 11, 2001, the call for entries to rebuild the World Trade Center site resulted in the world's largest architecture competition with the most amount of entries in history. The immediate urgency to restore and recover from such damaging incidents is implied.[10]

If we are going to study cities than we should also study forces that threaten the establishment of the city, forces that are essentially "anti-city." Threats against our cities are measured in terms of armed gangs or moments of staged terrorist assaults, as well as disturbances created by natural disasters. Hovering over all of this is still the apocalyptic thought of something that could simply annihilate cities altogether. Nuclear catastrophes mark the only true long-term marker of human presence on earth. Weapons created by geological minerals form a destructive power that turns them into a ubiquitous anti-landscape, something that no geography, built or natural, can resist.

The worst nuclear disaster to strike Japan since the Nagasaki bombing in 1945 occurred in the spring of 2011, at the Fukushima nuclear power plant following the epic tsunami.[11] The fear of radiation release has forced the Japanese and others all over the world to reflect on what happened to the country in 1945, and the continuing threat of nuclear weapons and energy today. On August 6, 1945, the first atomic bomb was dropped from an American plane on the 245,000 residents of Hiroshima, Japan. Most of the city was destroyed and thousands of its inhabitants died. Some of its citizens survived, suffering debilitating effects of terrible burns and radiation illness. More than six decades after the events in Hiroshima a new activism of survivors of the bombing is campaigning against nuclear power, which has provided most of their country's energy needs. Survivors, who are now called *hibakusha,* have become the targets of politics and the peace movement.

The radioactive fallout in Fukushima, Japan as the most recent nuclear disaster reminded everybody that there are no boundaries for threats. The earthquake that set off a tsunami that then destroyed the Fukushima nuclear power plant was just the beginning of a keychain that will affect all future life on earth and beyond.

Three elements – buildings, communications, and transportation – constituted the immediate effect of the disaster in Fukushima. A further ominous phase of the disaster appeared after news of the first explosion at the Fukushima Daiichi nuclear power plant unwrapped. Power Cuts, product shortages, radiation and health warnings followed this information, and there were many uncertainties about the actual aftermath of this impact. Within a week, the nuclear cloud arrived at the coast of California, continuing its journey cross-country heading towards Europe

---

[10] Injured cities: Urban afterlives. (2011, October). In *Injured cities: Urban afterlives.* Symposium conducted at The Columbia University Engendering Archives Project of the Center for the Critical Analysis of Social Difference, New York, NY.

[11] Hirose, T. (2012). *Fukushima meltdown: The world's first earthquake-tsunami-nuclear disaster.* CreateSpace independent.

and Asia. Carried by Aeolian forces and strong ocean currents the effects of the threat are immeasurable and its longevity is implied. This period of suffering, restraint, and sobriety recalled the struggles of the postwar years. Despite their difficulties, however, the following reconstruction years were times of energy and aspiration,when a new city and a new nation were built.

By designing fallout shelters as a critical part of civil defense strategy of the 1950s and 1960s, architecture was the immediate response to the threat of nuclear weapons.[12] In an era of nuclear weapons, the federal government, tasked with protecting American citizens and communities, relied on architectural expertise in order to survey, design, and build fallout shelters. During the height of the cold war architects and urban planners became instrumental to the importance and efficacy of both purpose-built and ad hoc fallout shelters, which granted them expert status. Architecture for civil defense planning in the United States was, ultimately, a failure due to a lack of federal funding, contradictions and ambiguities in fallout shelter design, and growing resistance to its political and cultural implications. Yet the partnership between architecture and civil defense influenced the perception and use of urban and suburban spaces. The result of this bunker architecture was a philosophy of building and urbanism that shifted focus from nuclear annihilation to urban unrest.[13]

The future will not be the same as the past, as disruption on the one side sparks legacies of feedback on the other. Hip hop, a cultural movement during the 1970's in New York City, was in many ways the response to a disruption – the disruption of a Bronx neighborhood community by massive highway infrastructure. Soon, neighborhoods were separated, and newly formed gangs gained impact, interrupting the built environment. Robert Moses was the lead figure for these massive urban renewal projects and practices in mid 20th century New York City.[14] Facing the destruction of another local neighborhood in 1961, community activist Jane Jacobs organized grassroots efforts to block urban-renewal projects for Greenwich Village, setting off another response that was instrumental in leading to the cancellation of Moses' Lower Manhattan Expressway.[15]

Social, political, economical, and ecological disturbances around the world are impacting our fragile ecosystem and ultimately influencing how we imagine cities today. Understanding these unstable processes and environments is an attempt for a new and suggestive contemporary global order that recognizes a continuous spatial flow of extraterritorial zones and utilizes their exception as a progressive tool for envisioning our future. An investigation on extraterritoriality emerges as a nexus for explorations of ecological and social disturbances, an active tool to re-invent and re-imagine our cities and vast networks today. The framework for this emergence

---

[12] Monteyne, D. (2011). *Fallout shelter: Designing for civil defense in the cold war.* Minneapolis, MN: University of Minnesota Press.

[13] Office of Civil Defense, & McNamara, R. (1961). *Fallout protection: What to know and do about nuclear attack* (Publication). U.S. Government Printing Office.

[14] Caro, R. A. (1975). *The power broker: Robert moses and the fall of new york.* New York, NY: Vintage.

[15] Jacobs, J. (1992). *The death and life of great american cities.* New York, NY: Vintage.

defines our history, present and future. The urge to recognize these processes as a positive impulse for generating new emergent landscapes has to be created.

# Bibliography

Archipelago of exception: Sovereignties of extraterritoriality. (2005, November). In
        L. Ortega (Chair), *Archipelago of exception: Sovereignties of extraterritoriality.*
        Symposium conducted at Centre de Cultura Contemporània de Barcelona,
        Barcelona, Spain.

Caro, R. A. (1975). *The power broker: Robert moses and the fall of new york.* New York, NY:
        Vintage.

Easterling, K. (2007). *Enduring innocence: Global architecture and its political masquerades.*
        Cambridge, MA: MIT Press.

*Hazard mitigation plan - state of california.* (n.d.). Retrieved from
        http://emergency.lacity.org/stellent/groups/departments/
        @emd_contributor/documents/contributor_web_content/
        lacityp_019906.pdf

Hershey, J. (1989). *Hiroshima.* New York, NY: Vintage.

Hirose, T. (2012). *Fukushima meltdown: The world's first earthquake-tsunami-nuclear disaster.*
        CreateSpace independent.

Injured cities: Urban afterlives. (2011, October). In *Injured cities: Urban afterlives.*
        Symposium conducted at The Columbia University Engendering Archives
        Project of the Center for the Critical Analysis of Social Difference, New
        York, NY.

Jacobs, J. (1992). *The death and life of great american cities.* New York, NY: Vintage.

Landscape urbanism. (1997, April). In C. Waldheim, M. Mostafavi, J. Corner, & A.
        Geuze (Chair),
        *Landscape urbanism.* Symposium conducted at Graham Foundation, Chicago, IL.

Lynch, K. (1960). *The image of the city.* Cambridge, MA: MIT Press.

Monteyne, D. (2011). *Fallout shelter: Designing for civil defense in the cold war.* Minneapolis,
        MN: University of Minnesota Press.

More, T. (1516). *Utopia.*

New urbanism. (1991). In P. Calthorpe, A. Duany, & E. Plater-Zyberk (Chair),
        *Ahwahnee principles.* Symposium conducted at Local Government
        Commission, Sacramento, CA.

Office of Civil Defense, & McNamara, R. (1961). *Fallout protection: What to know and
        do about nuclear attack* (Publication). U.S. Government Printing Office.

Sassen, S. (1996). *Losing control? Sovereignty in an age of globalization.* New York, NY: Columbia University Press.

von Martens, G. F. (1788). *Summary of the law of nations.*