

SOLIS OR SANGUINIS: WHEN DOES EARTH BECOME BLOOD?

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“In a world where the place where a life is lived is a strong predictor of the horizon of opportunities marking that life, borders become the epitome of inequality and the legal tools designed to make them impenetrable for some - most importantly citizenship - are the main guardians of global inequalities today”. (Kochenov, 72)

The question behind this exhibition, *When does earth become blood?*, began as a question about belonging and relating to a territory within migratory processes. How do life experiences tied to territories travel through bloodlines, what territories do I carry in my blood? Are the life experiences in my homeland, where I was born and uprooted from, enough to become blood? When and how do they become blood?

The land in which we are born and the ancestry bloodline to which we are born determine the way we can move through, belong to, and be received by different modern nations today. Recognition as a citizen from birth relies on the ‘right of the soil’ (*Ius Solis*) or in the ‘right of blood’ (*Ius Sanguinis*). Countries with *ius solis* laws grant a nationality to every person born on their land. Countries with *ius sanguinis* rely on bloodline to transfer citizenship. These concepts reveal how nations understand relationships between soil, territory and blood.

Soil and bloodlines are intertwined by geopolitics and delineate frontiers of exclusion and inclusion around the globe. Citizenship arises as a political

agreement that determines movement, belonging and inhabiting. Within this category, the bond between bloodline and soil becomes one considered ‘natural’, reflecting generations of homogeneity and permanence. Considering this, other types of entanglements between bloodline and soil, such as ancestral, intergenerational or migratory ones, are considered ‘not natural’, a conception that has allowed systematic discrimination and racialization by nations that enjoy ‘first-class citizenships’.

For whom does earth become blood? Who is eligible for a citizenship? Which criteria operate in these decisions and who takes them? Who and what does this system serve? And how do bonds and life experiences with land *exceed* bloodline and therefore the politics of citizenship?

Citizenship apartheid

Ius solis and *ius sanguinis* are the legal principles that grant belonging from birth today. Beyond being ‘right of soil’ and ‘right of blood’ each of them responds to different approaches to nationhood that can be narrowed to political community and territorial boundaries in contrast to ethnicity and descentance (Brubaker). These approaches reflect nation values but also respond to historical and political context. Since their instatement across nations in the early 19th century, they

have operated as political instruments “in response to changing economic and demographic policy goals” (Gosewinkel).¹

Thinking citizenship from an instrumental perspective opens question about borders, inclusion and exclusion. Rather than representing a bond with a nation, a cultural and even essential tie with a territory, modern history speaks about how citizenship has become a tool for migration management and a fundamental structure to sustain global inequalities.

Considering citizenship from birth already “allocates rights and opportunities merely according to aspects of our situation that result from arbitrary, unchosen, and unalterable circumstances.” (Shachar, 261). Moreover, citizenship has been historically an exclusionary category: women, children, black people and indigenous peoples have ‘won’ their recognition over the years. In several independent decolonized states, although adopting *ius solis* as a principle, the law has discriminated indigenous peoples. In other states and periods of time, religion has been part of the criteria to discriminate belonging to the scope of citizenship recognition (Fitzgerald).

For a large number of people, a stateless condition restricts even the possibility of participating in the ‘citizenship ranking’, and therefore of gaining the legal rights associated with them. In several countries, women are not able to transfer their citizenship to their children, so they remain subject to paternity recognition. In other contexts, the constant and arbitrary change of national borders and the

¹ French and German histories, as models of this dichotomy illustrate this instrumental and situated difference. Until 1809, France defended *Ius Solis* and defined a French citizen “as anyone who was born in France” (Amunátegui). Resistance to this principle was carried and imposed *Ius Sanguinis* until 1889, when *Ius Solis* was again promoted by this state. “The purpose of the introduction of the territorial principle in 1889 was partly to promote republican values, but also to increase the numbers of soldiers and workers at a time of falling population and industrial growth.” (Gosewinkel). Germany, on the other

creation of new/old countries can cause people to not be recognized by “new states” due to religious, ethnic and gender reasons (UNHCR).

Beyond these elements of citizenship, *ius sanguinis* as the base for more than 60% of the states in the globe establishes a bloodline border for migrant people and their descendants. The association between blood and soil will determine who is ‘natural’ in a region and who is not, establishing a ‘clear’ parameter for inclusion and exclusion.

‘Citizenship apartheid’ is the name Dimitri Kochenov gives to this regime that defines inequalities in terms of the possibility to work and to settle, based on birth, bloodline and territorial background. Inequalities are spatialized, he says, as the *where* we are capable to live defines the horizon of opportunities to access (Kochenov). Passports, as icon objects which represent citizenship, situate people within the global ranking, determining singular stories. In states frontiers race, gender, age, education, merit, and personal stories become secondary elements when it comes to being received or rejected.

Naturalization

Stepping away from the inequalities of birth, naturalization processes provide another angle to problematize citizenship. As the word suggests, these formalities aim to render a foreigner ‘natural’ to a certain state. They are the ultimate expression of acceptance and belonging given by a state in migratory processes. Under an *ius sanguinis* regime, daughters and sons of migrant people,

hand, had an “industrial boom and (relatively) rapid population growth, and the state was keen to restrict inward migration from the outset” (Gosewinkel). In addition to that, “during the Second World War and later, it became a tool of racist and nationalist homogenization, expulsion and ethnic cleansing.” (Gosewinkel). It was in 1990 that these systems converged into a mixed regime, with different exceptions depending on each countries law.

both born in and uprooted to the country of residence have to go through this process to be recognized as citizens of their home country. Migrant people who want to receive the same rights as citizens, have to engage in tests and spend large amounts of money to become natural to a country.

What does it mean to be 'natural' to land?

Naturalizations speak about a process that aims to smooth out cultural differences between those that 'naturally' belong and those who don't. As Kochenov establishes: "language and culture tests are required for those whose otherness is regarded as in need of purification".

The argument for 'acculturation' or 'integration' within the community fails when it comes to particular cases. EU citizens are not asked for acculturation tests to be able to migrate despite cultural differences, while former colonies from first-class-citizenship countries, who usually share language, cultural history and traditions, are demanded to prove their capacity to integrate. In other cases, 'genuine links' between citizenship candidates and their territory are demanded by EU law while *ius solis* is rejected and children uprooted are not recognized as belonging. The contradictions evidence the racism and discrimination present in states' criteria to explain citizenship and make decisions based on it. It shows how fragile, circumstantial and arbitrary citizenship is as a state tool.

Other entanglements

Facing these contradictions and injustices, the exhibition looks to bring other narratives and stories that destabilize the 'natural' approach to citizenship. Despite having the power to discriminate and to decide who does or does not get rights in the global map, citizenship as a tool for population management is not often addressed and problematized for people that don't have to face the question of belonging (Kochenov).

The exhibition aims to be a resonance artefact to unsettle the presumed clarity of borders, of citizenship, of bloodlines, of belonging to a territory. It aims to bring the mixed, the contaminated, the impossibility of clarity to the discussion. It aims to offer space for other entanglements.

Through the works of the artists, the question *When does earth become blood?* crosses stable configurations and clear answers and opens to ongoing relational processes that need to be addressed in a world with spatial inequalities, incessant displacements and constant movement.

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Malos Hábitos / Bad habits, 2023

Textile 4,25 x 2,33

"This textile assemblage is made with various fabrics, mostly found and manually intervened, they tell a story of displacement, memory and tension between my place of origin and the Chilean territory. Composed of various symbols that respond to a Latin America marked by migratory flows, difficulty in documentation and a lot of biographical archive. This textile uses embroidery and drawing on the support as a large notebook that expands to be observed and read by the viewer. A great visual logbook, with elements such as the luche (little plane) that tells us how we can move from one status to another according to the macabre game of regularization, among other images that are part of my imaginary." - Wiki Pirela

Wikellys Pirela

Graduated in Fine Arts (2016), mention in Graphic Arts at UNEARTE (Caracas), her line of work starts in the search and reflection for domestic spaces and what happens there, using as tools the assembly, installation and spatial interventions. She currently resides in Chile continuing her plastic research.

"When I began my research on domestic spaces (specifically my home) in the hills of Caracas, I sought to rescue poetry as a form of resistance in a violent environment destined for combat, the domestic war of everyday life. Currently, the house from which all the visual content that I continue to replicate today, moved to another country. It is pertinent to open a dialogue on migration, marginalized contexts and the speaking body. Leave open questions that can be answered and questioned, the autobiography has a greater weight when we talk about invisible places or commonly moderated by external agents, thus initiated

an internal and external debate (through the work), recording the event in a visual log".

Jus Sanguinis, 2016

Video performance 3'26"

"Jus Sanguinis is the racist regime by which it is determined that only children with Spanish blood are recognised as having the right to nationality at birth. In this way, the children of migrants born in Spanish territory inherit the nationality of their parents as well as their legal status, thus beginning the subjection of racialised minors from birth to the violent Ley de Extranjería (Law on Foreigners).

All member countries of the European Union have been changing their legislation in relation to the rights of those born in the territory, so that nowadays the Jus Solis, or right of soil, is not applied in any member country.

During the action, while I was 4 months pregnant, I received a blood transfusion from a Spanish citizen". -Daniela Ortiz

(my translation)

www.daniela-ortiz.com



Jus Sanguinis. 2016

Daniela Ortiz

Through her work, Daniela aims to generate visual narratives where the concepts of nationality, racialization, social class and gender are critically understood in order to analyze colonial, capitalist and patriarchal power.

Her recent projects and research address the European migration control system, its link to colonialism and the legal mechanisms created by European institutions to exercise violence against migrant and racialized populations. She has also developed several projects on the Peruvian upper class and its exploitative relationship with domestic workers. Recently her artistic work has returned to focus on the visual and manual by making works in ceramics, collage, drawing and formats such as children's books with the intention of moving away from Eurocentric conceptual aesthetics.

www.daniela-ortiz.com

The Francis Project, 2013

Performance.

Video by Art21. Episode 211, 2014.

“The Francis Effect was about proposing something completely absurd, as absurd as borders are. It was a purely activist tool, a signature campaign where you are not asking for your rights but for the rights of others.[...] At Immigrant Movement we were working within the constraints of an identity that was given, whereas the Francis Effect is about understanding that this identity can be easily reconstructed or redesigned if there is a will”. – Tania Bruguera

(text from the book *Tania Bruguera: The Francis Effect*, 2022)

Tania Bruguera

Tania Bruguera is an artist whose performances question the possibility of political representation while attempting to collapse the distance between art and life and to erode institutionalized injustice. Born in Cuba, she now lives and works in New York. She currently is a senior lecturer in media and performance at Harvard University. In March 2011, she began a five-year social project, *Immigrant Movement International*, the first year of which was sponsored by Creative Time and the Queens Museum of Art. Based in Corona, Queens the ongoing project functions as a think tank for immigrant issues, offering free artistic, educational, and consciousness-raising activities to a community of immigrants. Bruguera is a proponent of *Arte Útil*, a “useful art” designed to address social and political problems.

(text from the book *Tania Bruguera: The Francis Effect*, 2022)

31°42'49.5"N 35°10'13.9"E , 2023

Video, 10' 39"

In 31°42'49.5"N 35°10'13.9"E , Francisca revisits the remnants of her family home in Al-Makhrour in Palestine that is inaccessible to her family. Khamis Giacoman interweaves fact, fiction, histories and memories to reconstruct the house that lives on as a ghost in her family's oral tradition. How are spaces that we cannot reach represented? And is there something in not knowing that opens a space to new possibilities?

Voices: Labibe Khamis, Eduardo Khamis B., Constanza Khamis, Eduardo Khamis, Andrés Khamis, Francisca Khamis

CG environment and modeling by Finn Wagner

Sound by Constanza Castagnet

Made with the support of Het Nieuwe Instituut, NL

(text courtesy of the artist and Het Nieuwe Institute)



31°42'49.5"N 35°10'13.9"E , 2023

Francisca Khamis Giacoman

Francisca Khamis Giacoman's recent works deal with fragmented diasporic memories. In performances and installations, she recollects stories of migration and unfolds them at the boundaries of fiction and materiality. Her video and sound-works use family archives to focus on the solidification of in-between identities. Recently she co-founded *Espacio Estamos Bien*, an art cooperative based in Amsterdam that organizes gatherings, publications and exhibitions.

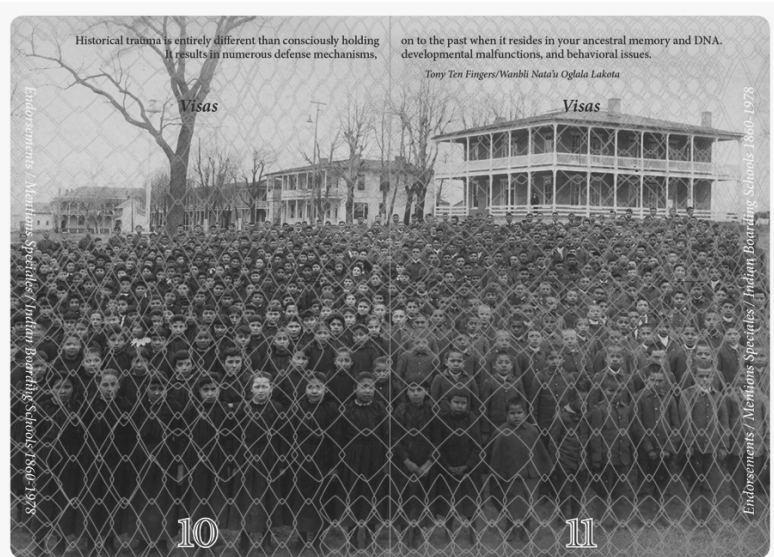
(text courtesy of the artist and Het Nieuwe Institute)

Passport, 2022

Print on paper, 13 x 9 cm

"The PASSPORT project functions as a model for interrogating identity systems, in particular the branding of colonial narratives in United States government issued documents. The official document of the passport has existed in booklet form for over a century, and images illustrated in the 2007 official U.S. passport portray an anaesthetized version of American history, featuring industrial and pastoral landscapes of wildlife and the wild west, the iconic Lady Liberty, and the stone-faced Mt. Rushmore. These documents are used to exclude and, by extension, to criminalize the undocumented, including the very people indigenous to these stolen lands. This narrative perpetuates the erasure of the historical contributions by both the indigenous and people of color. In contrast, the counternarrative offered by the PASSPORT project recalls a history of slavery and exploitation, from reservations to cotton plantations, boarding schools and internment camps, banana republics and the ongoing abuse of migrant laborers and domestic workers." – Pilar Castillo

(text courtesy of the artist)



Passport, 2022

Pilar Castillo

Pilar Castillo is a Belizean-born artist and designer based in Los Angeles, California and proudly represents her tropical roots as part of the Caribbean diaspora. She has dedicated twenty-years as an art practitioner and professional in the L.A. art community with a focus on Public Art. Pilar's work is recognized for her intentional handmade processes to design work ranging from publication to product design. Pilar holds an MFA from Otis College of Art and Design, and a B.A. in World Arts and Cultures from UCLA's School of Art & Architecture.

(text courtesy of the artist)

State of Palestine, 2011

Performance.

The "State of Palestine" stamp project is an artistic project developed from a previous project under the title "Live and Work in Palestine". While trying to find an equivalent art that dismantles the absence of the Palestinian State and its subject to continuous occupation, preventing the creation of a free and independent Palestinian homeland, I designed a seal with the "State of Palestine" symbol, to be used to stamp real passports. Despite the existence of the Palestinian people on their historical homeland, and their patience, adherence, and various forms of resistance against Israeli Occupation, this project refuses the division of Palestine since 1947 and aims at raising awareness to the right of Palestinians to live in freedom, where they can talk loud about their existence and Palestinian identity, and challenge the Israeli occupation, and all types of suppression and repression. The project takes the humanitarian impression that addresses the mind and soul, in trying to deliver a message to every person that agrees to take the risk in putting the stamp of "State of Palestine" on his/her passport.

www.khaledjarrar.net

Khaled Jarrar

Khaled Jarrar is an artist (lives and works in Palestine) whose work explores the representations of power sabotaging codes and symbols, as well as the notions of statehood, legitimacy, historical narrative, political authority and most importantly, freedom. Jarrar's work feed important questions about art as a "place" that is capable of supporting activities that could not happen anywhere

else thus opening the question of how art affects politics. Art opens therefore space able to make us believe in the freedom to think outside the box: spaces of independent thinking able to explore the imagination of what could be. For instance, with his work State of Palestine, Jarrar's method is one of determining a possible alternate reality of resisting occupation. Born in Jenin in 1976, Khaled Jarrar is actually based in New York. Jarrar completed his education in Interior Design at the Palestine Polytechnic University in 1996 and later graduated from the International Academy of Art Palestine with a Bachelor in Visual Arts degree in 2011.

www.khaledjarrar.net

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