

## *What is nature?*

In some societies, there is no concept of nature. Nor any concept of what is not-nature, whether “culture” or “society” or “human”.

So why do we need a concept of nature? When we grow crops, are we dealing with nature or something that is not nature? Rice, potatoes and maize have been with us for millennia, we influencing them and they influencing us. When we look at a forest, we are almost always looking at something that has been shaped by millennia of human burning, planting, sharing, cultivating and gathering. Are we looking at nature or at something that is not nature? Or at both? Why would we even want to ask such questions?

Everything we do every day is a mixture of things that our schoolteachers told us are supposed to be separate. What is it for me to remember my way home? I see this rock, lift my head and there is that old tree in the distance, and after that there will be two more streets, the bend in the road and then the white house on the corner. Is my memory something that I have inside me that is separate from nature, or is my memory also in the pathway, the rock, the tree and the streets?

Our schoolteachers told us that behind all the different things that human beings do there is an unchanging background consisting of things like atoms, genes and energy. Human societies are like the characters in a cartoon. The animator draws Mickey Mouse and Captain America walking around in the foreground, but leaves the background exactly the same from frame to frame. This background, our schoolteachers told us, is called “nature”. So we are surprised when we learn that for many Amazonian societies, it is the unchanging background that is human, and what move around in the foreground are natures.

Of course, if you really want to, it's always possible to divide human from nonhuman things, society from nature, and to say that this is the most important distinction that there is. If you want, you can sift through everything that happens to you and try to decide which part is nature and which part is not nature, and recategorize the whole world into two parts. But why would you want to do this? You wouldn't, unless you had a special agenda.

Capitalists do have such an agenda. By definition, they need to divide human beings from land and forests so that they can put them to work and make profit out of them. Capitalists accumulate surplus by trying their best to create nonnature humans who can make commodities out of nonhuman natures. Everything that is not human is taken out of one context and put into another, an abstract category called “possible resources”. By definition, these natural resources are always passive and always under threat from society. If they are to be protected, they have to be cut off from contact with their supposed eternal enemy – ordinary people – and put in national parks or other special reserves. Or their enemy's population has to be controlled. Or they have to be “managed sustainably” by experts.

This is the “nature” that educated people talk about today. It is a nature that can only be manufactured by dismantling millions of different little relationships linking humans and nonhumans and replacing them with other relationships. When human beings move off the land and into cities, the land changes as well as the humans. Fertility changes from being a matter of manuring and rotation with local cultivars to being a matter of importing guano from Peruvian islands, saltpeter from the Atacama, or Haber-Bosch nitrates from oil extracted in Ecuador. Each import entails brutal treatment of human beings and land far from the fields where the new fertilizer itself changes the soil structure. Animals change over time too. The 20<sup>th</sup> century saw a huge rise in

brutality to animals when they were isolated and amassed on feedlots, their recourse to the commons cut off, and their very rates of growth reorganized under the logic of capital. The beast-which-can-be-tortured was a new beast – a new nature – as new as the “managed wildlife” that lives in national parks under the watchful eyes of natural scientists.

Today yet another, even more abstract nature is developing. This is the nature that consists of ecosystem services. This nature is made up not of species, but of “species-equivalents” that can all be traded one for another to provide the same services to society. It is made up not of molecules but of “molecule-equivalents” (for example, 0.003 CO<sub>2</sub>/0.114 CH<sub>4</sub>/1.000 NO<sub>2</sub>/17.953 CFC-11) that are collectively certified to be equally destabilizing to the climate. It is a nature that consists even less of particular places and things, and even more of abstract space, than the nature that consists of natural resources. The society that is being invented in tandem with this new nature is new too, of course. It is a society that cares more about “equivalents to being poisoned” than about poisonings, and in which “Yasuni equivalents” are legally exchangeable for Yasuni itself.

### ***Does nature have rights?***

There are many natures around today. And for some people in some places – in particular certain indigenous peoples – there are no natures at all. So what nature are we talking about when we ask whether nature has rights? Or is this maybe a bad way of phrasing the real questions we are trying to get at?

Do natural resources have rights? That sounds like a strange way of talking. Natural resources are there to serve industrial development. This particular nature did not exist until the 19<sup>th</sup> century. Any “rights” that are granted to it could never, ever be allowed to interfere with the end of capital accumulation. Can we accept a notion of nature's rights that is closed off in this way?

Do ecosystem services have rights? That sounds even stranger. We can say that workers have rights, but what would it mean for capitalist work itself to have rights? And yet that is what ecosystem services are – the work of nonhumans, organized around the goal of helping to immunize private, or public, industry against the environmental laws that governments have been pushed into passing since the later 20<sup>th</sup> century.

So maybe it is some other nature that we are suggesting should be the subject of rights. But which one? One suggestion above was that in 99 per cent of the everyday life of ordinary people, there is not necessarily much point in talking about what is nature and what is not-nature. So maybe when we ask whether nature has rights, we are just asking whether we can adopt more mutually respectful ways of living *tout court*. Maybe we are just asking what kind of civilizations we want. In that case, maybe we can avoid talk about rights of nature altogether.

But that is to forget that many of us who participate in movements that criticize natural resources and ecosystem services long ago came up with our own concepts of nature. Like the concepts of natural resources and ecosystem services, these concepts are abstract, general and simplified. They have to be that way (or so we tell ourselves) in order to confront and put in critical perspective the abstract, general, simplified concepts of natural resources and ecosystem services.

So we talk about “commons”, adapting for general use a term specific to certain historical struggles in Europe and Asia. Or we talk about indigenous “*territorios*”, synthesizing a different tradition. If we are in Thailand, we invent the word “*paa chum chon*” (community forest) to facilitate the

defense of a hundred different kinds of sacred forest, irrigation forest, funeral forest, mushroom-and-herbal-medicine forest, fallow forest, and so on that local people refuse to allow to be resources for industry or producers of ecosystem services.

Such villagers will not necessarily use such words themselves. And they might be puzzled if asked whether their lands or trees or mushroom grounds have rights. They might say: Sure, we treat our lands and waters and their plants and animals respectfully. They talk to us and we talk to them. And for sure we will defend them against being abused. But what is this stuff about rights?

So there might also be something a little strange about asking whether commons have rights, or whether *territorios* have rights. To do so feels unnecessary, even misleading, insofar as the relevant diverse notions of mutuality and respect are part of the concepts themselves.

Some indigenous leaders might go further. The cosmos is sacred, they might say. To say it has rights is insulting, like saying that God has rights. The concept of rights belongs to the wrong tradition, they might add – that of individualism and capitalism. Politically, it is unlikely to help us achieve what we are aiming at.

When we talk about rights of nature, then, it seems that we get involved in a double abstraction. The abstractions that we prefer to use to designate nature (commons, *territorios*) are less than ideal ways of pointing to the specific human and nonhuman entities and practices that we have in mind. And the abstraction “rights”, too, is only a very crude, general and often repugnant or contradictory shorthand for the myriad active relationships that are what we really want to talk about – for example, the *commoning* or *sumak kawsay* that go along with commons and territories. Seeking better civilizations, it seems, is not simply a matter of ‘recognizing rights of nature’, but laboriously supporting and building on these existing entangled relationships in their millions.

So why even ask the question whether nature has rights? It can only be because our struggles require, or even largely consist in, a long process of what Boaventura de Sousa Santos calls the “differing and sharing” of “intercultural translation”. The phrase “rights of nature” should perhaps be seen only as a first gesture of kindness offered by commoners and indigenous peoples to those who have grown up under the sign of rights and resources, in the hope that they will not become their adversaries. It is, perhaps, merely an opening and soon-to-be-transcended move in a cooperative game of unending interpretation and reinterpretation that is bound to demand the unceasing care of all involved to make it work.