

Grief and the inter-cultural public sphere: "rights of nature" and the contestation of "global coloniality"

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Abstract

In 2008, Ecuador became the first country in the world to write a national constitution enshrining 'rights' for nature. In the years since, a burgeoning transnational movement for these rights has established itself in countries as otherwise diverse as Bolivia, Mexico, India, South Africa, and the United States. Although they have thus far had limited impact at the national level, this article argues that one of the principal, if neglected, novelties of the transnational movement is its creation of "People's Tribunals" for the articulation of emotions rarely afforded a public hearing in other international fora. Drawing on ethnographic fieldwork with Peruvian and Ecuadorian activists at the second international 'Rights of Nature' tribunal in Lima, Peru in 2014, I bring together recent work on the role of affect in new social movements, philosophical reflections on the political possibilities of mourning, and arguments among Latin American social movement scholars about "global coloniality." Specifically, I argue that despite the conceptual challenges and practical limitations of granting rights to nature, this movement is facilitating highly-charged cross-cultural performances of "disenfranchised grief" for the natural world that may become increasingly central to the contestation of what Ghassan Hage has called "mono-cultural intolerance."

Keywords

Environmental rights, grief, affect theory, global post-coloniality, Latin America

Introduction

In early December 2014, the 2nd international "Rights of Nature" Tribunal convened in downtown Lima, Peru, just a few kilometres from where the United Nations Framework Convention on Climate Change (UNFCCC) COP 20 meeting was being held in the lead-up to the Paris talks of 2015. While state delegations from 195 countries participated in the formal UN talks, thousands of environmental activists from across the hemisphere converged on city squares and parks across Lima to demand a significantly more vigorous response to climate change than was eventually to be arrived at by the parties to the UNFCCC. Fresh from struggles against mining operations in Cajamarca (Peru), Mirador (Ecuador), and Oklahoma (USA), they had come to participate in the

Cumbre de los Pueblos Frente al Cambio Climatico, or the “People’s Climate Change Conference” – a grassroots conference that brought together indigenous elders, labour organizers, seed guardians, advocates of food sovereignty, and others concerned with the intensification of neo-extractivism throughout Latin America. A particularly novel part of this alternative people’s climate convention was the “Rights of Nature” tribunal.

The tribunal is a little known civil society-led forum that convenes once a year in parallel with the UNFCCC meetings on climate change. The inaugural session was held in January 2014 in Quito, Ecuador; the second was held in Lima, Peru, in December of the same year; and the third took place in Paris in December 2015. Initiated primarily by Latin American environmental and indigenous rights activists affiliated with the transnational “Global Alliance for the Rights of Nature,” the tribunals are the first people’s tribunals anywhere in the world to hear cases brought on behalf of the natural world – cases alleging that the “rights” of rivers, corals, mountains and underground aquifers have been systematically infringed by both governments and corporations in ways that the annual COP meetings seem unable or unwilling to address. Overseen by a multi-cultural panel of 10-12 judges – including sociologists, theologians, former Ministers of Energy and Non-Renewable Resources, environmental lawyers, and indigenous elders – the tribunals are modeled explicitly on the people’s tribunals that have been held all over the world since the 1960s and on the “Permanent People’s Tribunal” currently based in Bologna, Italy. Since 2014, the tribunals have heard the cases of mountains threatened by Canadian and Chinese mining interests in Peru and Ecuador (the Conga-Cajamarca mines and the Mirador project), of parts of the Ecuadorian Amazon that are still home to lingering damage from oil extraction (Chevron-Texaco), of oceans afflicted by the ongoing devastation of oil spills (British Petroleum in the Gulf of Mexico), and of rivers likely to be dammed for the large-scale generation of hydroelectricity in Brazil (Belo Monte).

The rights of nature are a widely remarked-upon legal innovation that made their first appearance at the national level in Ecuador’s 2008 Constitution following years of transnational civil society organizing that brought together lawyers and activists from Ecuador, Bolivia, and the United States (Acosta and Martinez, 2010; Gudnyas, 2010; Fitz-Henry, 2014; Tanasescu, 2015). After many months of heated debate at the Constituent Assembly, Ecuador became the first country in the world to grant legally enforceable rights to the natural world, recognizing in four constitutional articles that ecosystems have the right to “exist, persist, maintain and regenerate [their] vital cycles, structure, [and] functions;” that nature has the “right to restoration” independent of what is owed to affected individuals and communities; and that the state “will apply precaution and restriction measures in all the activities that can lead to the extinction of species, the destruction of ecosystems or the permanent alteration of natural cycles” (Constitución de la República del Ecuador 2008).

Although rights discourses are foreign to indigenous languages throughout the

Andes (and beyond), the rights of nature in Ecuador are widely seen as part of a broader turn toward a recognition of indigenous-led alternatives to both neoliberal globalization and the colonial underpinnings of post-neoliberal development models (Escobar, 2010). As Argentine semiotician and decolonial theorist Walter Mignolo has recently noted, these rights are embedded in much broader movements for *sumak kawsay* (in Quechua), *sumak kamaña* (in Aymara), or *buen vivir* (in Spanish), all of which translate loosely as “living in plenitude,” living in “harmony with all living organisms,” or good living. Rooted in Andean philosophies – albeit somewhat more tenuously than is often recognized by mestizo scholars and activists of the left –, these alter-development visions are animated by forms of “horizontal solidarity that extend not only to all humans but also to non-humans in the natural and cosmological world” (Mignolo, 2011: 308-310).

Particularly important for the discussion that follows is the fact that these visions reject what Colombian-American anthropologist Arturo Escobar calls “mono-ontological” understandings of the world – that is, understandings that refuse a multiplicity (or, in his terms, “pluriversality”) of ways of both articulating and coming into relation with diverse socio-natures. “[These rights],” Escobar continues, “have re-opened the crucial debate on how Latin Americans want to go on living... the movement is at the same time a movement for the right to exist differently [and] to construct worlds and knowledges otherwise” (Escobar, 2016: 26). At their broadest, then, the rights of nature aim to destabilize and provincialize dominant Euro-American understandings of “Nature” as a “natural resource” by initiating a series of “integrative decolonial projects” that nurture epistemological plurality, and that push against the relentless marketization of what the minority world increasingly calls, “ecosystem services” (Mignolo, 2011: 308, 310; Sullivan, 2008).

In the years since the passage of Ecuador’s radically biocentric constitution, cultural anthropologists, human geographers, and environmental lawyers have raised important questions about the philosophical coherence and practical feasibility of these rights. Perhaps most frequently, scholars working in Latin America have pointed to the ways that they have been selectively embraced by governments of the region to mystify or manufacture consent for state policies that remain highly centralized, non-participatory, and only superficially inter-cultural or “pluri-national.” As Catherine Walsh has observed, “the Constitution provoke[s] an ‘inter-culturalizing’ unprecedented in the country as well as the Latin-American region” (Walsh, 2010: 19).

However, this inter-culturalizing moment and its requirement that we “think and act ‘with’ ancestral principles, knowledges, and communities,” is one that is already being displaced by other State-led development imperatives. “The crucial question,” Walsh continues, “is whether *buen vivir* [and the rights of nature are] becoming another discursive tool and co-opted term, functional to the State and its structures and with little significance for real *intercultural, interepistemic, and plurinational transformation*” (Walsh, 2010: 20). Most of

the scholars working in this area have similarly emphasized the fact that these ostensibly indigenous-led (or at least indigenously-resonant) rights claims are increasingly being used by leftist-populist administrations throughout the region as a kind of ideological icing on a cake that remains highly centralized, inattentive to the ontological commitments of ancestral communities, and fundamentally extractive (Acosta and Martinez, 2010; Gudnyas, 2010; Walsh, 2010; Radcliffe, 2012).

While I share many of these critiques and have engaged them at length in my previous work (Fitz-Henry 2014, 2015), in this article I want to redirect the conversation about the “invented” origins and political-economic hypocrisies that have thus far characterized this legal framework by dwelling more specifically – and in significantly greater ethnographic depth – on the *affective dimensions* of the international tribunals in which they are becoming manifest as part of a burgeoning transnational movement. At a time when growing numbers of environmental activists continue to raise questions about the limitations of dominant (which is to say, “mono-ontological”) understandings of the environmental crisis – understandings that focus overwhelmingly on cost-benefit analyses and other instrumentalist approaches to environmental remediation – these tribunals are performing crucial labour by making *affective* space for the preservation, nurturing, and exchange of subaltern sentiments (Sullivan, 2017). By exploring a number of key moments of activist speech during the 2014 Rights of Nature tribunal in Lima, Peru, supplemented by interviews with both activists and audience members, I develop two central points that seem to me increasingly relevant for expanding social movement theorizing about the emotional, ethical, and political possibilities of inter-cultural engagement.

First, although Western court rooms are often imagined to be rational-bureaucratic spaces par excellence (Mills 1948), defined primarily by logical argumentation and other highly cognitive forms of persuasion, the Rights of Nature tribunals, on the contrary, are juridical spaces explicitly constructed to make possible the emergence of registers of feeling that rarely find expression in mainstream environmental policy forums. Activists from the Global South have been particularly insistent that the defining quality of these tribunals is their openness to forms of argumentation that both invite and amplify emotions *vis a vis* the loss of particular ecosystems – emotions that are routinely denied public expression elsewhere and that are too often cast aside in the instrumentalist rush of UN policy experts to work toward biodiversity offsets, species banking schemes, projects of carbon sequestration, and other fundamentally market-oriented efforts to remedy environmental damage.

Second, contrary to what many radical left critics have suggested over the past decade or so, this grief is not a form of narcissistic melancholy in the Freudian sense – the kind that keeps participants and audience members returning impotently to scenes of collective environmental trauma – but is instead affectively transformative in ways that remain insufficiently explored by

scholars of transnational social movements. While political theorists like Wendy Brown have raised questions about the demobilizing effects of a politics focused on wounds, and others have worried that mourning may serve to simply reinforce an unproductive narrative of victimization (Brown, 1995), the experience of shared environmental grief made possible at these tribunals suggests the need to significantly expand current approaches to the power and potentiality of grief.

Bringing together predominantly Euro-American political theorists influenced by affect theory, sociologists of new social movements, and Latin American scholars committed to projects of radical epistemic decolonization (Escobar, 2004; de Sousa Santos 2003, 2014), my argument is that there is an important link between 1) genuinely inter-cultural engagement that allows for the experience of ontological multiplicity related to the environmental crisis; and 2) the creation of spaces that nurture affects too often disavowed or downplayed by Western juridical systems. I pursue this argument in three parts – First, after a brief overview of contemporary affect theory, I provide a series of short ethnographic vignettes taken from my fieldnotes of December 2014. Drawing methodological inspiration from Henri Lefebvre’s call for a “theory of moments,” I describe those moments at which tribunal presenters expressed emotions that significantly destabilized the energy in the room, allowing activists – myself included – to experience the losses of particular ecosystems in novel ways. I then use the vignettes to think with, alongside, and against, political theorists concerned with the ethical potentialities of grief. My primary interlocutors here are Judith Butler and Jacques Derrida. Finally, returning to the work of decolonial theorists of Latin American social movements, I show how a focus on grief opens us to more expansive understandings of explicitly inter-cultural social movements – understandings that would be missed if we were to focus only on the substance of the specific claims being advanced, the opportunity structures to which they are responding, or the (implicitly cognitive) framing devices used to mobilize support. For scholars of Latin American social movements who have arguably done the most to advance recent discussions about collective responses to “global coloniality” and ways of challenging the “mono-cultural intolerance” of much of the non-indigenous left, these insights about the power of grief may prove particularly fruitful as part of efforts to re-think and solidify connections across diverse “transnational third worlds of peoples and knowledges” (de Sousa Santos 2002: 234).

The return of the repressed: toward a theory of “moments”

In a 2011 essay, Arturo Escobar notes that we are witnessing a “return of the repressed” all across the humanities and social sciences, as the subordinated sides of long-familiar Western dualisms – nature/culture, female/male, emotion/rationality, body/mind – begin to re-emerge as both potent forces of social mobilization and ethnographic objects of considerable analytic

importance. This perception is borne out with particular intensity when we look at the meteoric rise of affect theory across the social sciences and humanities over the past decade or so. While this is not the place for an extended examination of the emergence of “affect” as a key focus of attention in fields as otherwise diverse as anthropology, gender studies, and philosophy, important for my purposes here is that it is increasingly seen by political theorists as one of the primary means by which to move away from thinking about politics primarily in terms of cognition, representation, reductionist models of rational choice, or even “ideology” and “false consciousness” in the tradition of structural Marxism.

Inspired by Deleuzian models of non-linear becoming, theorists working in this tradition have seen in affect – whether in the form of pre-linguistic “intensities” or more culturally elaborated “emotions” – a space of emergence that is pregnant with radically non-teleological political possibilities. Borrowing from Raymond William’s notion of “structures of feeling” that exist along the “cusp of semantic availability,” political theorists from Sara Ahmed and J.K. Gibson-Graham to William Connolly and Jane Bennett have argued for the political relevance of that which is pre-discursive or sub-discursive in human experience (Connolly 2002; Bennett 2010; Ahmed 2014; Gibson-Graham 2006). By paying attention to the “layered ‘inter- and intra-corporeality’ of thinking,” J.K. Gibson-Graham suggest, we can learn to focus not just on the “intellectual arguments offered in response to... politics, but to the “visceral intensities and emotive narratives that accompany their expression” (Gibson-Graham 2006: 2). Likewise, political theorist William Connolly insists that analyses of socio-political transformation need to pay significantly more attention to “the critical role that *cultivation of the visceral register of being* plays in ethical [and political] life” (Connolly 2013: 400). And Brian Massumi has similarly argued that this “visceral register of being” plays a central role in “pull[ing] thinking beyond the steady control of intellectual governance” toward unimagined political alternatives (Massumi 2002: 76).

In pursuit of these fleeting “moments” that might “form the basis for entirely new demands on the social order,” particularly as that social order relates to, imagines, and searches for new ways of caring for the natural world, let us now turn back to the 2014 “Rights of Nature” tribunal. In the following sections, I analyse these moments by way of a close reading of one activist’s testimony about environmental losses in the state of Oklahoma (USA) associated with hydraulic fracturing. I focus at length on her testimony because it not only set the stage for the proceedings that followed, but elicited some of the most palpable expressions of grief from audience members and fellow activists at the tribunal. These experiences were widely noted in follow-up interviews with both. While this close-up focus on a number of particularly affect-laden “moments” does not allow me to generalize about the long-term political effects or mobilizing potential of grief, what it does allow is a fine-grained analysis of the centrality of emotions to the internal dynamics of these explicitly inter-

cultural tribunals. What is lost in breadth is, I hope, more than made up for in depth.

Testimonies of loss

I arrived at the *Gran Hotel Bolivar* early on the morning of December 5, 2014. The hotel is an imposing neocolonial building located in the heart of Lima's historic center where it faces one of the most iconic public spaces in the city – the famous Plaza San Martín. By mid-day, the plaza would be filled with the rainbow colors of the indigenous *wiphala*, bright banners with slogans such as “We are a River, Not just Drops,” and the lively sounds of music, bullhorns, and sporadic drumming, as activists from across the hemisphere congregated around a statue of Peru's independence hero. Inside the hotel, the 2nd international Rights of Nature tribunal was just beginning in one of the conference rooms far removed from the festival atmosphere of the surrounding streets. As I arrived, navigating my way between images of poisoned fish, posters calling for the cessation of REDD+ programs, and pamphlets with detailed information about each of the twelve cases scheduled to be heard over the following two days, indigenous elders from the Amazon, representatives from rights of nature NGOs in Ecuador and Mexico, and anti-mining activists from Peru were setting up microphones and talking quietly. Beneath a large screen on which the iconic image of the “Rights of Nature” tree was projected in bright blue and green, the expert judges were already assembled along two long tables.

The day began under a shadow that was only to intensify in the hours to come. One of the largest contingents to make the journey to the Plaza San Martín was a group of Shuar activists from the southern Ecuadorian province of Zamora Chinchipe – a province that is currently engaged in a David and Goliath battle against a Chinese mining company that has been granted the right to establish the country's first mega-mining project. The activists had travelled by bus, having survived a harrowing journey during which they were repeatedly harassed by security forces in Ecuador who had attempted to prevent their attendance at the tribunal. However, what made their arrival all the more painful was that just two days before their departure, they had learned of the death of one of the most vocal opponents of mega-mining in the region: a young Shuar man by the name of Jose Tendentza. Tendentza – a fierce opponent of the mining project who was widely known at the time to be preparing his testimony against the mining company for the tribunal in Lima – had disappeared from the community of Yanua at the end of November. His body was subsequently found decomposing and stripped of all identity papers in the Chuchumletza River, having sustained injuries to his upper body consistent with strangulation. While both the Ecuadorian government and the company admitted no wrongdoing, activists and community members remain certain that his death was a politically motivated homicide in which both state and company are

implicated. The palpable grief of the Shuar activists arguably set the emotional tone for the proceedings that followed, with the death of Tendentza serving as a reminder of the increasingly high stakes involved in defending the rights to which we had all assembled to bear witness.

After a series of quiet lamentations shared among close friends, the morning began with an invocation of “the spirits,” framed explicitly by ceremonial invitations from indigenous elders from both “the North” and “the South.” The representative from “the North” was Casey Camp-Horinek, a well-known indigenous activist from the Ponca Nation in Oklahoma. She immediately began the work of geographical and emotional reorientation that is such a central part of these tribunals, thanking the indigenous communities of the Amazon and the Andes for allowing her to be present at the tribunal and identifying herself as native to “Turtle Island... [the land that] the occupiers call North America.” This juxtaposition of the language of “the occupiers” with the native languages of communities throughout the hemisphere was a strategy that would be used repeatedly throughout the day to displace the centrality of the markers too often used by the representatives of what Arturo Escobar, Annibal Quijano, and Walter D. Mignolo have called, “imperial globality” – that is, an “economic-military-ideological order that subordinates regions, peoples, and economies worldwide” and that is defined by both a “hyper-technification of rationality and a hyper-marketization of social life” (Escobar 2004: 3). For most of the activists present at the tribunal, the UNFCCC COP 20 conference being held just down the street was dominated precisely by such representatives of this “imperial globality,” whose hyper-technical and hyper-marketized responses to climate change have thus far led to the “heightened marginalization and suppression of the knowledge and culture of subaltern groups” (Escobar, 2004: 1).

This juxtaposition of “occupied” Turtle Island and the “imperial” United States was not just, however, a conceptual one intended to reorient us geographically. Indeed, a central part of its novelty was that it was accompanied by a series of *affective* juxtapositions that were similarly intended to displace the centrality of the kind of “pure reason” that is at least normatively characteristic of Western legal proceedings. The sense of displacement deepened and became more emotionally charged as Camp-Horinek continued the opening invocation by lighting a series of candles, burning sage (as is customary as part of Sun Dance festivals in the American Plains), and inviting another indigenous activist from North America to perform the opening drum circle. Such practices – perhaps overly stylized for those familiar with critiques of “strategically essentialist” performances of indigeneity (Tanasescu, 2013) or jarring to those more familiar with the highly cognitive formalism of Western tribunals – are, it should be noted, an integral part of every tribunal explicitly formulated to initiate a passage from the dominant frames of the “minority world” of “imperial globality” toward more expansive, embodied, and emotional experiences of the “rights” of the natural world.

Following this ceremonial invocation, Camp-Horinek began her opening argument. Continuing in the same affective register, she continued:

This relationship [with the natural world] is cellular, it is spiritual, it is... so deep. And it is body reflecting...What is the flesh made up of? Science tells us that it is one cell developing over and over again. Where did it come from? The food that our mothers eat... That food is of the four-legs, the food is of the wings, the food is of the ones that have their roots deep inside the earth...[And it comes from the] fire that comes from the Father that's called lightning in the white world... [This is] what they call the 'biosphere,' what we call an extension of ourselves..."

The energy of the room began to change, as the definitions and exclusions of the "white world" continued to fall away. The other activists became noticeably quiet, and an atmosphere of subdued concentration settled across the room. In place of the biosphere, there were extensions. In place of lightning, the Fire of the Father. In place of 'natural resources,' cells dividing. In place of the United States, Turtle Island. In place of "climate change," southern birds in Oklahoma that have never before been in Oklahoma.

Building on these displacements by way of a conclusion, Casey-Horinek further destabilized the anaemic conceptions of environmental responsibility that are so familiar to Western environmental policy-makers. More specifically, she expanded the temporal frameworks necessary for thinking about the "rights of nature" by tracing these "extensions" not just across different kinds of bodies, but across significantly extended temporal spans. With visible emotion, looking earnestly at the faces of the activists assembled across the room, she intoned: "I honor the blood lines all the way back as far as they go, and as far forward as our Mother Earth allows us to go. We must remember that she is in stress and in pain... [She is not sick], but she has areas that are hurt, bruised, and in pain..." This vision of a woman being beaten and bruised by extraction, poisoning and neglect provided a powerful counterpart to the image of Jose Tendentza's strangled body that hung uneasily over the tribunal, allowing participants to understand in particularly vivid terms the rights-violations of bodies both human and other-than-human.

It was the particularity of this pain that, later in the tribunal when Camp-Horinek testified in opposition to hydraulic fracturing in Oklahoma, became even more powerfully amplified. Numerous speakers throughout the day had gone on to note the unusual emotional atmosphere of the tribunal and the welcome departure that the heartfelt testimonies signalled from the constricted forms of argumentation more usually characteristic of Western courts and environmental policy forums. However, it was not until Camp-Horinek re-took the stand that the pain first articulated in the opening invocation reached a pinnacle. It was at this point that something like "environmental grief"

reverberated most visibly through the audience, with many wiping tears from their eyes – a sight that is not at all unusual at these tribunals and that is even sometimes apparent among judges after hours of testimonies about environmental rights violations.

With some notable exceptions, political theorists concerned with affect have tended to not want to dwell on “negative emotions” such as grief. And for good reason. As J.K. Gibson-Graham have pointed out, given the particularly depressing times in which we find ourselves in many parts of the world, there is a tendency among “critical, radical, left-oriented thinkers and activists” to engage in a “deep-seated negativity” that involves endlessly rehearsing the “politically correct emotions” of paranoia, cynicism, and melancholia (Gibson-Graham, 2006: 3). Following Wendy Brown, who has forcefully argued against the “fetishization of the wound in subaltern politics,” Gibson-Graham, Connolly, and others working in this tradition have attempted to move away from what Peter Benson and Stuart Kirsch have called, in another context, the “politics of resignation” (Benson and Kirsch, 2010; Gibson-Graham, 2006: xxix). A notable exception to this trend is the work of Sara Ahmed, who, in her 2004 *The Cultural Politics of Emotion*, and specifically in relation to a government report entitled “Bringing Them Home” on the Stolen Generation in Australia, has argued that “bringing pain into politics requires we give up the fetish of the wound through different kinds of remembrance” (Ahmed, 2004: 35). Many who focus on pain – Ahmed included – focus primarily (and importantly) on the pain of colonial exploitation and its legacies, or on forms of human suffering that are neglected or disavowed through processes of intensely gendered and colonial othering. However, there is more to be said about the kinds of pain that can be expressed and mobilized through “different kinds of remembrance” – in this case, at a tribunal overtly constructed as a forum in which to mourn other-than-human lives which have also been colonized, but which are often “disfranchised” in so far as they are prevented expression in mainstream policy forums associated with the United Nations Framework Convention on Climate Change. I will return to this point in greater detail shortly.

After re-introducing herself as a member of the Ponca Nation living “in the occupied territory of Oklahoma” and holding up a paper map of the state that demonstrated in bright blue and red the hundreds of oil and gas concessions across the state, she explained: “The deaths have begun to multiply.” Noting the dramatic increase in earthquakes which the American Geological Society has now linked definitively to hydraulic fracturing, the growing number of “deer with boils” and fish whose “flesh is falling off of them,” she then took a long pause during which she had to visibly stifle the tears. After a deep breath, and still choking back angry tears, she continued:

And we know...in a community of 6-800...We're having a funeral a week where we live. We have four-day ceremonies to take our people back to the earth. For the first time in our history, we're having to resort to cremation and no

ceremonies because our people can't afford the feasts and the give-aways. ..I am here to tell you [as someone who lives in the midst of the fracking territories up there] that people are dying...

As she listed off all the people who have been diagnosed with either cancer or auto-immune diseases in her territory, including babies, small children, her husband, and her sister-in-law, she continued to have to visibly restrain the emotion. As I looked around at other activists across the room, many were nodding silently in recognition, shaking their heads, and wiping tears from their eyes. "We can't hunt, we can't fish," she concluded, "The Ponca people are an endangered species. We are suffering from a genocidal process..."

Using the language of "endangered species" usually reserved for non-human species to refer to the cultural genocide that the Ponca Nation is currently undergoing, she continued the affectively charged work of displacing the centrality of the human by locating it directly alongside those who have already appeared on the infamous Endangered Species lists. Just as she had opened the tribunal by displacing the centrality of both the geographical referents most familiar to the West and the foundational separation between reason and emotion long characteristic of that "minority culture," she continued to further erode modernity's long-standing distinction between nature and culture. We are an endangered species, she insisted. This is a genocide that affects all beings, both human and other-than-human. Clearly overwhelmed with sadness, she concluded:

What about those that we love? Those that grow from the earth? What about the earth herself as her bones are broken and she's sucked dry? What about those innocent ones that walk on four legs? Those with wings flying through the poisoned air?... Who speaks for the water?... We're this close to being fracked to death!

After expert testimony that had relied primarily on Western scientific indicators to advance the case that hydraulic fracturing is causing significant water contamination and air pollution across the state, Camp-Horinek's emotional presentation allowed participants to feel – from the perspective of both the "bones of the earth" and the bones of First Nations peoples who are no longer able to be properly buried – the visceral reality of the ongoing violation of nature's "rights." In the place of cost-benefit analyses that highlight the relative clean-ness of natural gas *vis a vis* oil, the injured voices of the "bones of the earth" began to make themselves heard. In the place of industry-sponsored denial about the increase of cancer diagnoses in extraction zones, the interlinked deaths of fish, deer, and humans became audible. And in the place of ecologically modernist solutions of precisely the sort being devised by state representatives at the COP 20 just down the street, living experiences of

connection to all those affected by extraction, strangulation, poisoning, and neglect. “The grief was just overwhelming,” one Peruvian activist told me later. “It was like I couldn’t breathe. I could hear those rivers so loudly...” And again, from a North American activist affiliated with a California-based global justice NGO: “The really remarkable thing about [the tribunal] is that we can express what we all know is true. The only way to do that is to be able to feel sad together.” And again, from a long-time rights of nature activist from an Ecuadorian NGO: “It’s just not possible to talk about these rights violations without talking about loss...”

As powerful as these “moments of grief” clearly were for the rights of nature activists assembled at the Lima tribunal, and as powerful as they are for many others associated with the transnational movement more broadly, we still might want to ask: What, if anything, might this grief do politically? What do these performances of public lamentation for dying communities – both human and non-human – make possible not just emotionally, but ethically and politically? Or, as David McIvor has recently wondered in the context of an exegesis of Judith Butler’s shifting approach to mourning, “Is [mourning] a means of cultivating ethical dispositions toward human vulnerability that would make possible a less-violent politics? Or is it a public process of working through in which the meaning and significance of traumatic events or lamentable outcomes are contested and revised? What, in short, are the potential politics of mourning?” (McIvor 2012). It is toward this question that I now turn.

On “environmental grief” and cross-cultural exchange

While emotions have begun to receive their due in recent work on new social movements, grief has continued to be theoretically sidelined in favour of emotions like anger, shame, or “moral shock,” which are more often seen as essential to the articulation of effective “injustice frames” (Goodwin, Polletta, and Jasper, 2000; Goodwin, Polletta, and Jasper 2001). Indeed, the vast majority of studies included in a recent review essay on the role of emotions in social movements focus on the power of anger, outrage, and indignation (Goodwin and Jasper, 2006). The primary exceptions to this trend are studies that explore the mobilizing power of maternal grief in contexts of revolutionary and counter-revolutionary violence, particularly in Latin America. As is by now well-known, mothers have taken the lead on social movement organizing in opposition to militarized violence and the disappearances of their children in countries as otherwise diverse as Argentina, Chile, El Salvador, Nicaragua, and Guatemala. As Lorraine Bayard de Volo has recently pointed out, “these studies suggest that grief, particularly when framed as maternal grief, can carry a high emotional resonance and thus can become a powerful frame used against the state” (Bayard de Volo, 2011: 463). While grief may, as Bayard de Volo rightly suggests, serve as a potent framing device in struggles against highly militarized states and contribute to the solidification of experiences of collective identity

(“we are all grieving mothers”), it seems to me that environmental grief of the sort explored in this paper has much wider political possibilities.

It is perhaps Judith Butler who, since the turn of the millennium, has done the most to bring the experience of mourning to political centre stage. As McIvor points out, in her later work Butler focuses more and more on mourning as a form of “identification with suffering itself” that “cultivates ethical dispositions such as humility and generosity” (McIvor 2012: 411). More specifically, she recognizes the importance of the “disorientation” or “dispossession” of grief which “puts the individual in a salutary ‘mode of unknowingness’ that might make for a more welcoming form of life,” allowing him or her to come to an awareness of shared vulnerabilities, frailties, and limitations with other human beings, particularly those publicly constructed as not worthy of grief – most paradigmatically, homosexuals, detainees, or refugees (McIvor 2012: 411). While some critics have faulted Butler for this sharp “ethical turn” in her later writings, her approach to mourning encourages us to see how the articulation of grief for the natural world might function to open rights of nature activists to experiences of shared vulnerability, though in this case with disavowed others who are not exclusively human.

This recognition of shared vulnerability and violation across species was also accompanied, as we have seen, by a recognition of the extended temporalities necessary to more fully reckoning with the environmental crisis. It is this second dimension of mourning that has been emphasized by Jacques Derrida, who is perhaps the political philosopher after Butler who has written most extensively about the political potential of grief. His explicit linking of mourning with the possibility of inter-generational justice is instructive. As he explains in his 1993 *Specters of Marx*:

If I am getting ready to speak at length about ghosts, inheritance, and generations, generations of ghosts, which is to say about certain others who are not present, nor presently living, either to us, in us, or outside us, it is in the name of justice... No ethics, no politics, whether revolutionary or not, seems possible and thinkable and just that does not recognize in its principle *the respect for those others who are no longer or for those others who are not yet there, presently living, whether they are already dead or not yet born.*” (Derrida, 1993: xviii)

While Derrida, like Butler, is not particularly concerned with mourning the lives of non-human beings, his insistence that justice can only be possible when it makes space for beings “already dead or not yet born” is an insistence implicitly echoed in Camp-Horinek’s invocation of “the bloodlines that stretch all the way back and as far forward as Mother Earth will allow us to go.” Central to the kind of radical environmental justice called for by the broader movement for the rights of nature is precisely this sort of commitment to extending the “principle

of respect for those others who are no longer” to other-than-human beings. This is a call that is increasingly being voiced by other parts of the environmental movement who seem to be arriving at similar recognitions. As ecofeminist Lori Gruen has recently put it, drawing comparisons with the models of public grieving characteristic of ACT UP in the 1990s and the anti-war protests of the 1960s, “Creating communal possibilities for mourning [other-than-human beings] whom we have loved and lost as well as all of the other animals for whom we grieve can take grief out of the closet... and make the lives and deaths of [other-than-human beings] visible and meaningful.” And again: “Collectively grieving provides a way to honour the precariousness and fragility of our entangled lives” (Adams and Gruen, 2014: 139).

While these understandings of the social and political productivity of grief demonstrate how it shifts ethical sensibilities (for example, toward openness to disavowed ‘others’ and inter-generational forms of justice), I want to further suggest that in the context of the Rights of Nature Tribunal it served an additional purpose that is never explicitly mentioned by these Euro-American theorists, and one that may be worth attending to in somewhat greater detail. Not only did it register a more temporally expansive form of inter-generational justice (a la Derrida) and move participants into a “mode of unknowingness” in which they could experience their shared vulnerability with both human and other-than-human beings (a la Butler and Gruen). In addition, in facilitating a series of visceral experiences of “dispossession” and “disorientation” *vis a vis* currently hegemonic understandings of environmental collapse, it initiated a series of critical openings whereby activists from both the South and the North could together affirm “what they always knew to be true” – that is, those diverse place-based knowledges relentlessly displaced by “global coloniality.” As Camp-Horinek concluded at the very end of her opening testimony, when asked about how the knowledge of indigenous peoples could be translated in defence of “Mother Earth”: “I believe that *all of you have your own understandings of this time of change...* so the inter-cultural dialogue has begun.”

Grief in this context, then, not only reoriented activists in ways that made them acutely aware of the conceptual, spiritual, and emotional limitations of some of the core divisions at the heart of Western modernity. In addition, it began to clear space for a diversity of ways of relating to both other-than human beings and other-than-Western cultures. Radically reoriented, participants not only grieved that which had previously been un-grievable, but experienced a cultural multiplicity of ways of relating to those dead and dying “extensions of ourselves” that are too often neglected by mainstream environmental policy-makers. This recognition of the death that both surrounds and implicates us is a recognition that is perhaps most painfully familiar to indigenous communities. As Eduardo Viveiros de Castro and Deborah Danowski have recently suggested – rightly and respectfully – indigenous communities have long experienced the “deaths of their worlds” at the hands of the forces of “global coloniality.” They are, in a sense, “experts” at how to navigate the “ends of the world” (Viveiros de Castro

and Danowski, 2017). As I have argued, it is from the affect-laden sharing of these experiences of ongoing eco-genocide – and the multiple languages in which those genocides are articulated – that we might begin to think beyond deeply Eurocentric, enduringly colonial, and intensely market-led approaches to addressing socio-environmental collapse.

Conclusion

Latin American social movement scholars Arturo Escobar, Walter D. Mignolo, Anibal Quijano, and Boaventura de Sousa Santos have rightly emphasized the organizational novelty of the new transnational movements working to contest global coloniality. One of the many forms taken by that coloniality is the single-minded commitment to reductive, one-dimensional, pseudo-universalistic, and hyper-marketized understandings of ‘Nature’ that attempt to capture and contain its unruly multiplicity (Sullivan, 2008; Fitz-Henry, 2017). Drawing on complexity theory, these scholars have highlighted the conceptual novelty of the focus of these movements on the defence of particular place-based “practices of world-making” – a focus which represents a significant departure from the totalizing, modernist projects of the traditional revolutionary left. However, they have not been consistently attentive to the affective undercurrents of the politics advanced by transnational groups like the Global Alliance for the Rights of Nature. While Escobar, for example, rightly recognizes the “return of the repressed” across the social sciences and the humanities, he does not fully engage the emotional landscapes which these groups are creating in their efforts to make palpable alternative understandings of worlds marginalized by global coloniality. Similarly, de Sousa Santos has argued for a “theory of translation” – “one that propitiates mutual understanding and intelligibility among movements brought together into networks but with worldviews, life worlds, and conceptions that are often different and at odds with each other (Escobar 2004, 17). The point, he continues, “is to create, in every movement or NGO, in every practice or strategy, in every discourse or knowledge, a contact zone that may render it porous and hence permeable to other NGOs, practices, strategies, discourses, or knowledges” (Escobar, 2004: 18). However, de Sousa Santos, too, does not explore the possibility that these “contact zones” may perhaps be most effectively carved out, strengthened, or rendered porous through precisely the sorts of affectively-charged experiences facilitated by the Rights of Nature tribunal. “Another knowledge is possible,” he tells us. The response that I have tried to develop in this article is, in short: “Only if another register of *feeling* is made possible.”

I have tried to suggest that one of the key strategies of inter-cultural translation used by the movement for the rights of nature is the creation of tribunals that explicitly invite experiences of “disenfranchised” forms of environmental grief. While political theorists have recognized in practices of mourning possibilities for significant ethical transformation and inter-generational justice, scholars of

transnational social movements have by and large neglected the political possibilities of grief, preferring instead to focus on the mobilizing power of anger, outrage, or indignation. While Latin American social movement scholars in particular have gone a significant distance in deconstructing the hierarchical binaries that remain foundational to much of Western colonial thought, and have argued passionately for increased attention to “pluriversal” movements that resist “cognitive injustice,” there remains much more to be said about the social and political productivity of affect in relation to transnational movements across the Global South (Boaventura de Sousa Santos 2014).

Thom van Dooren has recently argued that mourning species extinction “may be essential to our and many other species’ long-term survival” (van Dooren, 2014). Similarly, Anna Tsing has observed that “to track the histories that make multispecies livability possible, it is not enough to watch lively bodies. Instead, *we must wander through landscapes where assemblages of the dead gather together with the living*” (Tsing at all, 2017: 65). The movement for the rights of nature aims explicitly to create emotional space for the experiences of mourning that necessarily accompany these “assemblages of the dead.” As I have shown, these tribunals are facilitating critical conceptual and emotional ruptures in the hegemonic discourses used by the United Nations that overwhelmingly insist on “mono-ontological” understandings of the natural world – understandings that continue to reduce living systems and communities to “natural resources” or “ecosystem service providers.” An integral part of the value of these tribunals is that they serve as rare spaces in which to nourish experiences of inter-cultural exchange that may prove particularly enduring as we continue to build South-South alliances to resist the ontological narrowness that too often accompanies even projects of the traditional left. In the fight against global coloniality, there is, it seems to me, an urgent need to listen more attentively – and along thicker emotional registers – to the experiential and epistemological multiplicities of communities who are grappling with socio-environmental losses poorly acknowledged by the policymakers at UN environmental forums. As more and more nation-states – from Bolivia to New Zealand and India – pass ground-breaking new laws that protect the “rights” of rivers, glaciers, and other natural formations, it is perhaps time to take even more seriously the affective power of these tribunals.

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