



Unruly Topologies and the Rights of Nature



„Unruly Topologies” is an ongoing transdisciplinary research project on „earth-beings”, coordinated by Federico Luisetti and Flurina Gradin.

Our source of inspiration is the „rights of nature movement”, an approach that spans continents and cultural geographies, with the aim of personifying rivers, glaciers, urban air, and other ecosystems, demanding their legal and political recognition as subjects.

But what are the cultural, epistemic, and socio-political implications of experiencing natural entities as subjects? Shall we extend the characteristics of human persons to ecosystems, or instead rethink human subjectivity from the perspective of environmental agents, earth-beings? Searching for answers to these questions, in September 2021, a transdisciplinary group of researchers – geographers, natural scientists, cultural theorists,

and designers – engaged with earth-beings in the Upper Valais, Switzerland. Through four excursions underground, on melting glaciers, pristine forests, and toxic landfills, we interrogated the personality of subjects that inhabit odd spaces and endure in other-than-human timescales.

As suggested by Swiss Nobel Prize winner for chemistry and climate activist Jacques Dubochet, a natural scientist is not someone who knows the secrets of nature, but someone who learns from nature.

During our first encounters in the Upper Valais, we learned that earth-beings are infrapolitical natures that fascinate and call for attention, speculation, and action. Their political ecologies challenge research domains, methods, and vocabularies. Ultimately, they force us to rethink reductionist practices of sustainability and notions of human personhood.

Introduction

With a historic decision, in 2017 New Zealand's national parliament conferred to the Whanganui River (for the Māori, Te Awa Tupua) the same duties, rights, powers, and liabilities of a legal person. This personification of the environment has revived a tendency inaugurated by the constitutions of Ecuador (2008) and Bolivia (2009), which included the acknowledgment of the rights of nature of Mother Earth, a (problematic) translation of the Quechua term Pachamama. After the 2010 „World People's Conference on Climate Change and the Rights of Mother Earth” in Cochabamba, Bolivia, Mother Earth's rights of nature have inspired a vast body of Earth jurisprudence, a corpus of non-anthropocentric legal principles that has informed local regulations, court decisions, national laws, and constitutions in 30 countries, including Colombia, France, India, Mexico, Nigeria, Spain, and the United States.

Also in Switzerland, popular assemblies are advocating for the acknowledgement as legal entities of the rivers Rhône and Rhine, and their ecosystems. And, on 19 March 2021, national councillors of five different political parties (SP, FDP, Green, EPP, GLP) presented an initiative to the Swiss Parliament requesting to amend the Federal Constitution and include environmental persons and their rights of nature.

These examples show that attempts to incorporate natures into the law as subjects are not confined to indigenous contexts. Mountains, rivers, glaciers, and other environmental persons in the Global North join what Andean societies have regarded for millennia as Tirakuna, earth-beings. Whereas European colonists considered indigenous earth-beings as pagan idols and fetishes, a growing international sustainability consensus is now attributing dignity, rights, agency, and autonomy also to other-than-human subjects.

Research Questions

The popularity of rights of nature reveals that a process of subjectivation is reconfiguring the global environment. A new intimacy allows us to interact with plants, animals, and rocks. In the meanwhile, boundaries separating human beings from other species, and biological life from abiotic geochemical cycles are questioned.

We approached the earth-beings of the Upper Valais with the intention of learning from their unique modes of existence. In what

ways do these earth-beings endure as subjects? Do they act, or are they „possessed” by other forces? Can we apply to them the humanistic and legal connotations of identity, integrity, autonomy, and well-being? Do their metamorphoses and forms question our relations with socialized natures? Shall we rethink what being a subject means also for humans? Are rights of nature a useful epistemic and political framework for interacting with the environment? What does it mean to be a subject in the age of natural capital and ecosystem services?

Lonza Canal

The Lonza pharmaceutical corporation is the largest employer in Visp. It has admitted responsibility for leaking 50 tons of mercury into the local water system in the span of several decades, but according to independent sources the real figure is closer to 250 tons. The contamination of the water canal that flows into the Rhône and the lake of Geneva has also caused high mercury concentration levels in the soil, which has been used for gardening and construction works.

We met in Visp with Dr. med. Bernhard Aufdereggen, the president of the non-profit association „Doctors for the Environment”. He showed us the canal and took us to the Gamsenried chemical waste dump of Lonza near Brig, one of the most contaminated sites in Switzerland. No clean-up has taken place yet, and there is no monitoring system of the benzidine (a highly carcinogenic substance) that pollutes the groundwater used by the local population.

Dr. Aufdereggen told us that Swiss law deems companies responsible for remediating their own „ancient pollution”; this legal arrangement produces a significant degree of uncertainty in both contamination assessment and clean-up operations. The association „Doctors for the Environment” led an independent analysis and detected that Lonza's reports were largely superficial and inadequate.

In 2014, the construction of a highway that used mud and sediments from the canal revealed the scale of mercury pollution, one of the worst in Europe. At this junction, the canal emerged as a political subject, interrupting the distribution of facts and values demanded by industrial development and social consensus.

The comfortable partition between the visible economic revenues generated by Lonza and the invisible chemical contamination caused

by industrial waste was no longer self-evident. People living on this toxic land discovered the reality of mercury together with the ambiguous personality of the canal, and began to ask for recognition of their health risks, for clean-up, and compensation. The canal was now perceived as an intransigent subject demanding knowledge and respect, a wounded body, and an ally in the claims against Lonza and the political authorities.

Rhône Glacier

Above Oberwald, the research team took a hiking tour to the Rhône glacier, which in the last Ice Age was the dominant ice creature of the Alps and covered a large part of Switzerland. The glacier is now a melting mass of grey and dripping ice and stones, retreated by 1,300 meters and covered with 2,000 square meters of UV-resistant white blankets of polyester, desperately attempting to slow down its ceaseless shrinking. In the summer, it loses 10 cm of its thickness per day, and it is destined to completely disappear by 2100.

Because of their sublime appearance and victimization by climate change, glaciers are viewed as earth-beings on their own, and not just as organs of aquatic ecosystems. Another famous glacier in the Alps, the Mer de Glace, has been addressed in 2021 at the hearings of the non-legally binding „International Rights of Nature Tribunal”. Its legal representatives describe it as an earth-being in need of protection and legal recognition: „Humans are causing the Mer de Glace to disappear. It is urgent to recognize its right to existence. The Mer de Glace's right to regenerate and upholding of its natural cycles must also be acknowledged”. The International Rights of Nature Tribunal demands that the „interdependence between humans and non-humans” acquires the force of law, because the glacier is a subject linked with humans within the planetary inside of Mother Earth.

The historic Hotel Belvedere at the Furka Pass by the Rhône glacier still runs one of Switzerland's most iconic tourist attraction, the Ice Grotto. As we walked on wooden planks into the bowel of the glacier through the Ice Grotto, we were confronted with the undecipherable sound of trillion drops of melting ice, and we noticed tiny organic matter trapped into the ancient layers of the glacier.

What metamorphoses is this earth-being undergoing? What do we know of its subjectivity?

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